



GUILDFORD  
BOROUGH

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**Tom Horwood**  
Joint Chief Executive  
Guildford & Waverley  
Borough Councils

Contact Officer:

John Armstrong, Democratic Services &  
Elections Manager

10 March 2023

Dear Councillor,

Your attendance is requested at a meeting of the **EXECUTIVE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **MONDAY, 20 MARCH 2023** at 7.00 pm.

Yours faithfully

Tom Horwood  
Joint Chief Executive  
Guildford & Waverley  
Borough Councils

### **MEMBERS OF THE EXECUTIVE**

Chairman:

Councillor Julia McShane (Leader of the Council and Lead Councillor for  
Community and Housing)

Vice-Chairman:

Councillor Joss Bigmore (Deputy Leader of the Council and Lead Councillor for  
Finance and Planning Policy)

Councillor Tim Anderson, (Lead Councillor for Assets and Property )  
Councillor Tom Hunt, (Lead Councillor for Planning Development, Legal and  
Democratic Services)

Councillor George Potter, (Lead Councillor for Climate Change and  
Organisational Development)

Councillor John Redpath, (Lead Councillor for Customer and Commercial  
Services)

Councillor John Rigg, (Lead Councillor for Regeneration)  
Councillor James Steel, (Lead Councillor for Environment and Regulatory  
Services)



### **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.

### **QUORUM 3**

## 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

### ITEM NO.

**1 APOLOGIES FOR ABSENCE**

**2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

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, the councillor 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 7 - 12)**

To confirm the minutes of the meeting of the Executive held on 23 February 2023.

**4 LEADER'S ANNOUNCEMENTS**

**5 REPLACEMENT OF GUILDFORD SPECTRUM \*(Pages 13 - 18)**

**6 COMMUNITY ASSET TRANSFER POLICY (Pages 19 - 40)**

**7 GUILDFORD'S UK SHARED PROSPERITY FUND AND RURAL ENGLAND PROSPERITY FUND \*(Pages 41 - 56)**

**8 ADOPTION OF GUILDFORD BOROUGH LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES \*(Pages 57 - 466)**

Key Decisions:

Any item on this agenda that is marked with an asterisk is a key decision. The Council's Constitution defines a key decision as an executive decision which is likely to result in expenditure or savings of at least £200,000 or which is likely to have a significant impact on two or more wards within the Borough.

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, whenever the Executive intends to take a key decision, a document setting out prescribed information about the key decision including:

- the date on which it is to be made,
- details of the decision makers,
- a list of the documents to be submitted to the Executive in relation to the matter,
- how copies of such documents may be obtained



must be available for inspection by the public at the Council offices and on the Council's website at least 28 clear days before the key decision is to be made. The relevant notice in respect of the key decisions to be taken at this meeting was published as part of the Forward Plan 16 February 2023.

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## EXECUTIVE

- \* Councillor Julia McShane (Chairman)
- \* Councillor Joss Bigmore (Vice-Chairman)

- |                            |                           |
|----------------------------|---------------------------|
| * Councillor Tim Anderson  | * Councillor John Redpath |
| * Councillor Tom Hunt      | * Councillor John Rigg    |
| * Councillor George Potter | * Councillor James Steel  |

\*Present

Councillors Deborah Seabrook and Catherine Young were also in remote attendance.

### **EX89 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **EX90 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

Councillor John Redpath declared a non-pecuniary interest as he was a 'Friend of Guildford Museum'.

### **EX91 LEADER'S ANNOUNCEMENTS**

The Leader made no announcements.

### **EX92 GUILDFORD CLIMATE CHANGE ACTION PLAN**

An updated preface to the Action Plan and comments arising from the Joint Executive Advisory Board meeting held on 13 February 2023 were set out in the Supplementary Information Sheet. The lead councillor confirmed the report had been updated in response to those comments. The draft Action Plan had been considered by the Council's Climate Change Board on many occasions. The Climate Change Board was an Executive working group that included external specialist advisers as well as other councillors.

On 23 July 2019, at a meeting of Full Council, Guildford Borough Council formally declared a Climate Emergency that required urgent action. Amongst a number of commitments made by the Council to tackle climate change was to develop a clear action plan and timescale for being net-zero carbon across all Council operations.

The Lead Councillor for Climate Change and Organisational Development introduced the report that proposed a programme of actions to enable the Council to achieve net zero by 2030 in accordance with the Climate Emergency Declaration. The draft Action Plan included the development of programmes to encourage and facilitate a reduction of borough-wide carbon emissions, aiming to achieve net-zero by 2050, in accordance with the Climate Change Act 2019. The draft Action Plan included actions to develop programmes in response to current environmental changes caused by climate change and improve environmental resilience across the borough.

The draft Action Plan was the result of four years of work resulting in a blueprint setting out the scale of the challenge, clear definitions of terminology, and it extended the remit to embrace biodiversity and air quality which were not included in the original declaration. Whilst awaiting the Action Plan, the Council had continued to act simultaneously to reduce its carbon emissions across all portfolios.

The draft Action Plan covered all operational areas of the Council and was described as a 'living document' that would be broken down into SMART<sup>1</sup> targets to be implemented in consideration of the financial capacity of the Council and external funding opportunities. The Action Plan would be reviewed frequently to ensure it remained up to date and relevant.

The Executive was asked to pause and consider the scale of the climate change crisis alongside the disruption, harm and cost that was being incurred that would only worsen if action were not taken. Although the crisis was global, the impacts were being felt locally with increased incidents of flooding and severe heatwaves. The draft Action Plan was ambitious which was necessary and would include hard choices to reach the Council's declared goals. Going forward, as technology improved and funding opportunities came on stream, more of the most challenging objectives could be achieved. The Executive heard that those with the authority to make change should do so in the interest of future generations.

It was estimated that the Council itself through its operations was responsible for just 1% of emissions across the borough. The necessity for extensive partnership working was set out in the draft Action Plan. Leadership and engagement with other councils, key stakeholders, business and residents was vital to reduce emissions borough-wide.

The Council's Climate Change Officer gave a presentation to the Executive that set out the international, national and local picture of the climate change emergency and the long-term trends of the Council's emissions that were reducing over time.

The different types or 'scope' of emissions were described. Scope 1 was the Council's gas usage (44% emissions), Scope 2 was electricity (38% emissions) and vehicle fuel (17%). Scope 3 was emissions resulting from third parties with whom the Council did business (11%). Scopes 1 and 2 emissions were included in the original declaration deadline of 2030. Scope 3 emissions would require an extended deadline as there was not yet a methodology in place for calculating or influencing these emissions.

The greatest source of emissions borough-wide came from transportation and domestic heating. The borough-wide deadline for achieving net-zero was 2050, in line with national standards. The Tyndall Centre<sup>2</sup> had set a carbon budget for each local authority between 2020-2100 and how those emissions should be reduced. Guildford Borough Council had a maximum cumulative carbon budget of 5.2million tons of CO<sub>2</sub> for that said period. If the Council continued to emit at the 2017 levels the budget would be used up by 2027. To achieve the target, the Council would need to reduce emissions by 13% per year.

It was recognised that many factors were outside of the responsibility of the Council coupled with confronting a challenging budgetary situation; but by acting in a leadership

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<sup>1</sup> **SMART** is an acronym that stands for specific, measurable, achievable, relevant and time-based.

<sup>2</sup> [Homepage -Tyndall Centre for Climate Change Research](#)

role, providing information and raising awareness the Council could influence borough wide. An estimated budget of £58.6million was projected for the Council to achieve net-zero by 2030 but the total annual savings achieved could be the equivalent of £962,900 per year. This was a broad based, indicative estimate. Funding for the net-zero programmes had not yet been determined but it was clear that the Council would be unable to fund this independently. It was expected that Government and other funding opportunities would become available in due course. Budgetary requirements and priorities would be explored within each relevant service area.

It was observed that buying an electric car to reduce a personal carbon footprint had implications with regard to sourcing the battery materials which was not a carbon-free process. Rather, it was suggested people might driving less often.

There was a consensus that partnership working would be key to achieving, not only the Council's goals, but also those of neighbouring authorities which had also all declared climate emergencies including the County Council. It would also be essential to get the community behind the programme work so that taxpayers clearly understood the reasons behind the actions of the Council and made supporting lifestyle choices.

The draft Action Plan was described as thorough and comprehensive. Consequently, the Executive,

#### RESOLVED:

1. To note, as set out in paragraph 6.2 of the report, that the indicative forecast of the cost to achieving net zero across Guildford Borough Council for Scope 1 and 2 emissions (as calculated by consultants APSE Energy in July 2022) is £58.6 million and the total annual savings achieved by 2030 would be the equivalent of £962,900 per year.
2. To ask officers to explore how these costs can be met in the short (0-2.5 Years), medium (2.5-5 Years) and long term (5-7 years) and to bring forward further proposals in this respect as part of GBC Annual Budget processes (for example through direct funding, match funding, invest-to-save proposals or borrowing).
3. To adopt the Climate Change Action Plan attached as Appendix 1 to the report submitted to the Executive as the Council's high level strategic plan for responding to the climate emergency.
4. To note that the delivery of the actions within the plan will be contingent on identifying and securing the requisite funding and resources and on the development of further detailed plans and feasibility studies; and
5. To request annual updates on the plan in terms of progress and any recommended changes to the structure or content of the plan brought forward by officers or the Climate Change Board.

#### Reason(s):

The action plan enabled the Council to progress the climate change programme in accordance with Council's strategic priorities and the declared climate emergency of 2019.

**EX93 HERITAGE SERVICES: VICTORIAN SCHOOLROOM EDUCATION PROVISION AND POTENTIAL SALE OF 39½ CASTLE STREET**

The Victorian Schoolroom and Playroom (VSP) provided a key element of the Heritage Service's education provision including outside of the classroom learning experiences for Key Stage 1 and 2 children. Whilst the VSP generated an income it did not cover its operating costs.

Following the pandemic, provision was reduced. Currently, sessions were available twice a week during term time, but with limited resilience within the casual team to cover staff absence. Dedicated resource had been removed following the Future Guildford restructure. Current provision was not cost effective and limited the wider engagement work that could be delivered by this team. Three members of casual staff would be subject to redundancy if the provision ceased.

An operational asset review had been undertaken which included the property used for the VSP provision (39½ Castle Street). The property had been identified, along with others in the vicinity, as not achieving the Council's investment criteria. The proposal was to include 39½ Castle Street in an auction lot, comprising nearby properties.

The Lead Councillor for Customer and Commercial Services introduced the report and welcomed the public speaker for the item who was Nick Bale, Chairman of the 'Friends of Guildford Museum' group. The decision to close the VSP would not be taken without full consideration and evaluation of the options open to the Council. However, over the past years the Council had seen £4million reduction in Government support, endured a pandemic and was now in the midst of the 'cost of living crisis'. In 2019, the budgetary cost of Heritage Services was £1million, next year the Council faced a budget deficit of £5million. Consequently, it was more important than ever for all service areas to consider how they could operate more efficiently. Savings made from the closure of the VSP would provide an opportunity for the team to refocus and provide an improved heritage offer to residents through the Council's remaining assets. Funding received from the sale of the building would be ringfenced to support the Heritage Team for the future.

The Chairman also welcomed Nick Bale who addressed the meeting. The 'Friends of Guildford Museum' supported the museum in a variety of ways. In 2022, the group had donated £17,000 to support the installation of a new IT system and had also paid for the VSP contents 20 years previously. The VSP was the main connection point for the museum with schools which was vital for the museum's accreditation. The accreditation status did bring with it some viability for the museum, but the meeting heard that most important was the high quality of the experience received by the children through the offer which could not always be thought of in monetary terms. Mr Bale offered to support the Council in seeking to find an alternative venue at which the VSP experience might continue. On behalf of the Executive, the Chairman thanked Mr Bale for addressing the meeting.

There was reflection that this was the latest of a number of difficult decisions that had to be taken by the Executive in order to make savings. It was noted that the Council spent a greater amount on heritage services than any other district or borough in the County given the Guildhall, Guildford House, the Museum and the Castle for which no additional funding was received from Government. In real term, Government funding for the Council had dropped by 50% in the past ten years and savings had to be made. Consequently, the Executive,

RESOLVED:

1. To cease the Victorian schoolroom/ playroom education offer in its current form.
2. To release the asset (39½ Castle Street) for inclusion in an auction of nearby properties.
3. To ringfence the capital receipt from the sale of 39½ Castle Street for future use in finding an alternative location for key Heritage Service activities.

Reason(s):

To release resources which can be dedicated to other key areas of the Heritage Service and to generate a capital receipt which will contribute to developing a sustainable offer for the service in the future, including a new location for museum/ gallery activities.

The meeting finished at 7.46 pm

Signed .....

Date .....

Chairman

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Executive Report

Ward(s) affected: All wards

Report of Director of Transformation & Governance

Author: Kelvin Mills

Email: Kelvin.Mills@guildford.gov.uk

Lead Councillor responsible: James Steel

Email: James.steel@guildford.gov.uk

Date: 20 March 2023

## Replacement of Guildford Spectrum

### Executive Summary

The Guildford Spectrum is a unique and iconic venue that has served over 42 million visitors since it opened in 1993. It has now reached a crucial point in its lifecycle where planning for future provision needs to start. A report was taken to Executive in March 2019 and the Executive resolved:

- 1) To note the research undertaken into the current performance and challenges of the Spectrum
- 2) Agree to progress the option to build a new facility and to produce a full business case including public consultation, funding and delivery options.
- 3) Agree the draft vision and aspirations for the new facility.

The project was paused through the pandemic to ascertain and assess any longer-term impacts on the sector. There have been some changes in visitor usage post-pandemic, however, patronage has now recovered to pre-pandemic levels of c 1.7 million users a year.

The building's carbon footprint is 46% of Guildford Borough Council's total emissions. Energy costs have significantly impacted our revenue accounts and even the best-case maintenance costs for the next 10 years exceed £30 million but could easily be more. These pressures make it ever more important that we restart the project with an additional recommendation focused on energy efficiency and carbon reduction and resource.

### Recommendations

That the Executive:

1. Agree that energy efficiency and carbon reduction form a key foundation for any new facility.

2. Agree a budget of £1.15 million for project management and technical support for continued operation, for the next 5 years, to bring forward a business and options appraisal for a new low carbon facility, which will include funding and delivery options.
3. Agree to move the £7.1 million capital sum identified in the provisional capital list, to keep the current facility operational, into the approved capital programme. Recognising the importance of this facility to the Council's climate objectives and the contractual and health and safety requirements to operate the facility effectively.

Reason(s) for Recommendation:

To enable officers to prepare a plan for future development of the site and re-provision of leisure facilities, and also to ensure that the existing building can fully function whilst a longer-term option is designed.

**Is the report (or part of it) exempt from publication? No**

## **1. Purpose of Report**

- 1.1 This report sets out the case for replacing the Guildford Spectrum Leisure Complex and detailing the requirements for keeping the current facility open in the short-medium term.

## **2. Strategic Priorities**

- 2.1 The Guildford Spectrum supports the Community theme in the Corporate Plan by:
  - Attracting visitors to the borough and making Guildford a more attractive place to live.
  - Providing employment.
  - Providing an enhanced leisure offer in an attractive, vibrant setting.
  - Promoting physical activities and contributing to public health.

## **3. Background**

- 3.1 The Guildford Spectrum Leisure Complex opened in 23 February 1993, covers 26 acres and cost £28 million to build. It is situated on the edge of Stoke Park in close proximity to the main A3 trunk road and the town.
- 3.2 Guildford Spectrum was designed with a unique range of facilities. The combination of commercial and community facilities all under one roof remains a unique offer in the United Kingdom.
- 3.3 Facilities provided include:

- An International standard ice rink seating 2000
  - 4 swimming pools including a multi flume leisure pool, 25m competition pool, a dive pool with 1m, 3m and 5m boards and a teaching pool
  - 32 lane ten pin bowling centre
  - 10 badminton court sports hall
  - A dedicated group exercise studio
  - 72 station fully equipped health and fitness suite
  - A 400m athletics stadium with a floodlit football pitch
  - A crèche
  - A children's soft play
  - A number of other smaller facilities including a spinning studio, 2 squash courts, climbing wall and dry sport facilities
  - A number of catering and sports retail outlets
  - A 1000 space car park.
- 3.4 Spectrum is a regional tourist destination and receives around 1.7 million visits each year and has a catchment area of up to a 90-minute drive time for participants and spectators.
- 3.5 The venue turns over in excess of £11 million per year and is one of the few council-owned leisure facilities in the UK that generates an operating surplus.
- 3.6 The facility is run by freedom leisure who operate by way of a management agreement. The contract ends October 2025 and currently generates a revenue through a management fee of over £1 million for the council each year.
- 3.7 The combination of age and amount of use it has received however means that the venue is becoming increasingly expensive to run and maintain.

#### Condition of the venue

- 3.8 There have been a number of problems with the roofs and other structural defects associated with the building, some of which were due to the original build quality and design. This has resulted in the water ingress and the underperformance of some of the plant and equipment. There have also been some underlying issues with the build quality including the base of the ice rink. Finally, some of the design choices represent missed opportunities e.g. the location of the gym, and some have become outdated e.g. the design of the reception area.
- 3.9 The Leisure Partnership Agreement includes a provision for a programme of identified investment by the Leisure Operator over the life of the contract. This is updated annually to reflect the needs of the facility. Irrespective of this arrangement, however, the fundamental issues stated above still exist. Part of the sum being requested includes a dilaps specialist to identify what

works need to be carried out in preparation for the end of the current leisure contract.

- 3.10 A capital bid was put forward as part of the 2023/24 capital & investment strategy for £7.1 million for keeping the building operational whilst the future of the site is reviewed.

#### 4. Consultations

- 4.1 The Joint Executive Advisory Board on 30 January 2023 confirmed its support for this project and was in favour of building a replacement facility as opposed to the refurbishment option presented.

#### 5. Financial Implications

- 5.1 There are two inter linked but separate financial implications identified as part of the report:

- a) Keeping the building operational (capital works)
- b) Feasibility work to identify the options over future provision

##### Keeping the building operational

- 5.2 A capital bid was put forward as part of the 2023/24 capital & investment strategy for £7.1 million for keeping the building operational whilst the future of the site explored. The profile of this spend is outlined below and includes £350,000 of project management expertise:

2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	Total £'000
1,250	1,750	2,300	1,150	650	7,100

The capital sum identified, £7.1 million needs to be moved to the approved programme in order to start in 23/24 FY.

- 5.3 The revenue cost of this scheme will be approximately £1.78 million per annum (£1.42 million in MRP over 5-year life from 2028/29 and borrowing costs of £355,000 at 5%).

##### New Spectrum

- 5.4 Councillors have previously agreed for Officers to proceed with a feasibility study on a new leisure offering to replace the existing building.
- 5.5 Feasibility work cannot be capitalised and this report is therefore requesting a revenue supplementary estimate of £160,000, *funded by reserves*, to enable studies to be carried out. Estimated costs to get to the next state is estimated at:

	<b>2023/24 £'000</b>	<b>2024/25 £'000</b>	<b>Total £'000</b>
Internal resource	60	20	80
External resource	120	40	160
<b>Total</b>	<b>180</b>	<b>60</b>	<b>240</b>

- 5.6 It is assumed internal resource costs will need to be absorbed to enable the project to be delivered.
- 5.7 It is worth noting that if the scheme progresses into the next stage, the costs shown in 2024/25 will continue throughout the scheme until completion. These costs will form part of the business case being developed as part of this request/report.

**6. Legal Implications**

- 6.1 There are some restrictions imposed by legislation, planning policies, and the legal title of the land which will shape the development proposals and will need further exploration and advice as the business case develops.

**7. Human Resource Implications**

- 7.1 It is envisaged that the day-to-day project management of this scheme would be delivered by the Corporate Programmes team. The Council has an extensive existing Capital Programme being delivered by this team, with support from enabling services across the Council e.g., finance, procurement, and legal officers. There is insufficient capacity within the existing staffing establishment to progress with the recommendations. The budget requested as part of the recommendations includes provision for the appointment of an interim project manager (if the Council cannot recruit to a permanent member of staff). This role would be in addition to an external professional team, including specialisms such as architectural services, structural engineering, cost consultancy.

**8. Equality and Diversity Implications**

- 8.1 The Council has a statutory duty under section 149 of the Equality Act 2010 which provides that a public authority must, in exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 8.2 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report. However, an Equalities Impact Assessment will be completed as the project progresses.

## **9. Climate Change/ Sustainability Implications**

- 9.1 The Council formally declared a climate emergency in 2019 and set a goal for the borough to reach net zero emissions by 2030. The Council is committed to reducing emissions, particularly from vehicles, energy use and construction processes.
- 9.2 These objectives will be considered at all stages of the scheme design and through to delivery, acknowledging that the current facility accounts for 46% of the Council's total carbon emissions.

## **10. Summary of Options**

- 10.1 OPTION 1: The Executive could decide not to approve the recommendations. However, this will result in increased maintenance costs as the facility ages. It will also result in the inability to reduce the carbon footprint of the centre impacting the Council's Climate Emergency objectives.
- 10.2 OPTION 2: The Executive could decide to defer a decision on progressing with the recommendations. However, this will result in increased maintenance costs as the facility ages. It will also impact upon the Council's Climate Emergency objective of being carbon neutral by 2030.
- 10.3 OPTION 3 (Recommended): The Executive could decide to approve the recommendations detailed in this report. This would enable options to come forward to consider for a new low carbon leisure facility. Supporting both the financial and carbon objectives of the Council.

## **11. Conclusion**

- 11.1 The Executive should approve the recommendation to allow a team to be appointed to bring forward options for a new leisure facility with energy efficiency at its core and a funding, business, plan to deliver a new Spectrum.

## **12. Background Papers**

[Executive Report 19 March 2019](#)

## **13. Appendices**

None

Executive Report

Ward(s) affected: All Wards

Report of Director: Strategic Director - Place

Author: Damien Cannell – Asset and Property Manager

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Lead Councillor responsible: Tim Anderson

Tel: 07710 328560

Email: Tim.anderson@guildford.gov.uk

Date: 23 March 2023

## Community Asset Transfer Policy

### Executive Summary

The Council currently does not have a policy outlining the approach and decision-making process governing applications for the transfer of freehold assets owned by or under stewardship of the Council deemed suitable for community asset transfer.

A new policy has been written to guide and ensure a consistent approach is taken by Council officers and Councillors when considering applications for a Community Asset Transfer by a Voluntary or Community Organisation (VCO). The policy is attached at Appendix 1 to this report.

### Recommendation to Executive

That the Executive approves the adoption of the Community Asset Transfer Policy, as set out in **Appendix 1** to this report.

### Reason(s) for Recommendation:

- The Council does not currently have a policy on the transfer of assets to community groups.
- To deliver community objectives.

**Is the report (or part of it) exempt from publication? No**

## 1. Purpose of Report

- 1.1 To request the Executive approve the adoption of a new Community Asset Transfer Policy.

## 2. Strategic Priorities

- 2.1 This policy supports the corporate priorities detailed in the Corporate Plan 2021-2025 by way of empowering communities and supporting people who need help, specifically 'tackling inequalities in our communities', and 'working with communities to support those in need'.

## 3. Background

The Local Government and Public Involvement in Health Act 2007 and Localism Act 2011 brought about a number of public sector reforms aimed at creating strong, prosperous communities and delivering better public services through a re-balancing of the relationship between Central Government, Local Government and local people by giving residents a greater say over local services.

- 3.1 The [2007 Quirk review](#) sought to give local authorities a better understanding of how existing powers could be used to facilitate the transfer of assets and how to mitigate the risks associated with the process.
- 3.2 The Council is in the position of a trustee in relation to the land that it holds on behalf of the community. The purpose of the Community Asset Transfer policy is to set out a transparent and consistent approach to applications and a decision-making process governing the transfer of land to a Voluntary or Community Organisation (VCO). The policy defines which VCO's are deemed suitable for consideration by the Council for a Community Asset Transfer.
- 3.3 The policy also defines the different types of land and buildings and circumstances that may be considered when a Community Asset Transfer application is received. Examples of where a transfer would be considered and supports the Council's Strategic Asset Management Framework include where an asset:
  - Supports Council community objectives or was formerly delivering such objectives where the asset is now surplus to requirements; or
  - Contributes towards community empowerment and generates social economic or environmental benefits.
- 3.4 Waverley Borough Council has an adopted Community Asset Transfer policy. Its aims and objectives align with this policy that the Executive is being asked to approve.



- 3.5 In order to meet the criteria for transfer, VCO's will be required to provide a business case for their proposed use of the asset. This will need to demonstrate that there is a clear intention for the long-term use of the asset and provide details of the activities the VCO wishes to deliver, as well as demonstrating that they have a secure financial base to ensure long term sustainability.
- 3.6 The policy states that the transfer of an asset will be by way of a lease, with disposals of a freehold interest only being considered in exceptional circumstances. All Community Asset Transfers would be the subject of a specific report to the Council's Executive for approval.
- 3.7 This policy does not preclude the Council still having the ability to grant short-term leases to community groups either at market rent or, under prescribed conditions, at less than best consideration. Such lettings are dealt with separately in accordance with officer delegations set out in the Constitution or by way of an Executive decision.

#### **4. Consultations**

- 4.1 Cllr Tim Anderson, Lead Councillor for Assets and Property was consulted and endorses the proposed policy.
- 4.2 The Property Review Group has been consulted and agrees with the recommendation that the policy be put to the Executive for a decision on its adoption.
- 4.3 The Council's Policy Team has been consulted to ensure that the policy meets with the requirements of the Council's Corporate Policy Framework and recommended the policy be put to the Executive for a decision on its adoption.
- 4.4 All Ward Councillors were consulted. Of those that responded, all agreed that the policy was appropriate and fit for purpose, with suggestions made around softening the criteria and timescales. These suggestions have been addressed in this report.

#### **5. Key Risks**

- 5.1 The criteria laid out in the policy aims to ensure that any VCOs are clear from the outset what is required of them and on what basis the Council will grant a transfer. The detailed nature of the policy is to mitigate the risks associated with any transfer.
- 5.2 The underlying aim of this policy is to ensure that assets that transfer to a VCO do so for the long-term. This requires the Council to divest itself of ownership and control of an asset, and VCOs correspondingly being able to sustain long term ownership. Granting short term leases to newly

formed organisations would run a higher risk of the transfer failing and the Council not divesting itself of those responsibilities and obligations. This would have a negative impact on the community and on the Council in not delivering its community objectives. As such, transfers will only be granted to suitable organisations with the experience and resources in place to manage a community-based asset over the longer term.

- 5.3 The Quirk Review and guidance around Community Asset Transfer is clear that local authorities must support and work with VCOs to ensure any transfer does not fail. This could have financial and resources implications should the need arise.

## **6. Financial Implications**

- 6.1 The Council faces many current challenges both financial and operational including the prevailing economic environment and impact of the COVID pandemic, reduced government funding leading to a funding shortfall, increased public expectation and a reduction in available resources to operate and run community buildings.
- 6.2 By divesting itself of property assets by transfer to suitable community organisations, the Council can support the economic, social or environmental wellbeing of the community, but can also achieve possible revenue, maintenance and associated operational cost savings. Savings will be dependent on the size and nature of the asset to be transferred and its proposed use.

## **7. Legal Implications**

- 7.1 Any decisions on transfers would have to be agreed by the Executive and a formal disposal would be made either by way of a lease or transfer of the freehold ownership of the asset.,
- 7.2 If the undervalue (the difference between the market value and the proposed transaction) is £30,000 or less and, for lease transaction the lease term is 15 years or less, the Joint Executive Head, Assets and Property may consider using their delegated power under the Council constitution to authorise a disposal at less than best consideration instead of seeking a decision from the executive.

## **8. Human Resource Implications**

- 8.1 The operation of the policy to be adopted will be carried out within existing resources.

## **9. Equality and Diversity Implications**

- 9.1 An Equalities Impact Assessment has been carried out. Please see **Appendix 2**

## **10. Climate Change/Sustainability Implications**

- 10.1 No Environmental Impact Assessment has been carried out as there are no risks identified as part of the adoption of the proposed policy. However, Community Asset Transfer does promote economic, social and environmental, community well-being and the public health of communities.

## **11. Summary of Options**

- 11.1 Do nothing – Do not adopt the policy. This would not address having a consistent decision-making process and community groups and Council officers would not have a clear procedure to follow if a group wished to submit an expression of interest.
- 11.2 Adopt the Policy – Adoption will ensure that both the Council and voluntary and community groups are clear on the process the Council will follow when considering a Community Asset Transfer. This is the recommended option.

## **12. Conclusion**

- 12.1 Community Asset Transfer is not governed by statutory instrument and is a process agreed by local authorities based on their own community objectives. Adoption of the policy will bring clarity to a decision-making process that benefits the community, helps the Council achieve its community objectives.

## **13. Background Papers**

None

## **14. Appendices**

Appendix 1 – Draft Community Asset Transfer Policy  
Appendix 2 – Equality Impact Assessment

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# Guildford Borough Council Community Asset Transfer Policy

## Document Information

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## 1. Purpose of this Policy and Scope

The purpose of this Community Asset Transfer Policy is to set out a transparent and consistent approach to applications and the decision-making process governing the transfer of assets to community organisations (where applicable). To achieve this, it is necessary to demonstrate how community asset transfer supports direct service delivery, the Council's Corporate Plan, its community objectives and the Strategic Asset Management Framework.

This policy applies to freehold assets that are owned by or under stewardship of the Council and are deemed suitable for community asset transfer.

This policy should be used by Council staff and Councillors considering an application for a Community Asset Transfer and by a voluntary or community organisation (VCO) who are considering making an application. This policy does not include the procedure and policy governing nominations for Assets of Community Value (ACV) which is a separate procedure. [Information on ACV nominations can be found here.](#)

## 2. What is Community Asset Transfer?

The Council is in the position of a trustee in relation to the land that it holds on behalf of the community. For the purposes of this policy, Community Asset Transfer is defined as "the transfer of land or buildings from the Council's ownership into the stewardship and/or ownership of a voluntary or community organisation (VCO)".

The General Disposals Consent 2003 allows the Council to transfer the ownership and management of land and buildings they own to local communities at 'less than best consideration' (at less than full market value), where it can demonstrate the promotion of social, economic and environmental well-being. Any disposal at less than best consideration would need to be a transparent, evidenced decision, made by the Council's Executive.

The Council needs to fully consider the risks and benefits of Community Asset Transfer as part of its overall Strategic Asset Management Framework, whilst ensuring that community assets are protected. Due to the diverse nature of the Council's land and buildings, one policy will not cover all circumstances. However, common themes will apply before consideration is given to the transfer of an asset, including:

- The nature and capacity of the applicant.
- Sound long term management and governance arrangements.
- Adoption of robust option appraisals as part of the Council's ongoing asset review process (including financial implications to the Council).
- The proposed use must meet with the Council's Corporate Plan's community-based objectives.
- Assessment of risks.

Agenda item number: 6

Appendix 1

- Sustainable business cases.
- Socio-Economic or Environmental benefits.

### 3. National and Local Policy Context

The Local Government Public Involvement Act 2007 and Localism Act 2011 brought about a number of public sector reforms aimed at creating strong, prosperous communities and delivering better public services through a re-balancing of the relationship between Central Government, Local Government and local people by giving residents a greater say over local services.

In 2007 the Government published 'Making Assets Work: The Quirk Review' which examined ways to maximize the community benefits of publicly owned assets by considering options for greater transfer of asset ownership and management to community groups. The report highlighted that what is required is not legislation but guidance to assist in the understanding and use of existing powers, being clear as to the risks associated with the process and learning to manage them effectively. The lead from Government is that local management and ownership of assets makes for strong communities.

The Council faces many current challenges both financial and operational including:

- The current economic environment and impact of the COVID pandemic.
- Reduced government funding leading to a funding shortfall.
- Increased public expectation.
- Reduction in available resources to operate and run community buildings.

The outputs of this policy will give consideration to the aims and objectives in other Council service area strategies including but limited to:

- Strategic Asset Management Framework
- [Our Corporate Plan 2021-2025](#)
- [Land and Property Disposals Policy](#)
- [Asset Disposal at Less Than Best Consideration Procedure](#)
- [Local Plan](#): Strategy and Sites (2015 - 2034)

This policy supports the corporate priorities detailed in the [Corporate Plan 2021-2025](#) by empowering communities and supporting people who need help, specifically 'tackling inequalities in our communities' and 'working with communities to support those in need'.



## 4. What Assets can be Transferred to a Community Organisation?

Assets that can be transferred, by way of Community Asset Transfer, include different types of land and buildings. The Council may consider transferring assets in the following circumstances:

- The Council must be the freehold owner of the asset.
- The asset currently supports Council community objectives or was formerly delivering such objectives where the asset is now surplus to requirements.
- The asset has been reviewed and the Asset Management Plan recommends transfer to a community-based user.
- The Property Review Group, whose membership includes Councillors and senior officers, have considered and agreed that the Asset could be suitable for Community Asset Transfer.
- The relevant service area/client manager within the Council supports the transfer.
- The asset contributes towards community empowerment and generates social economic or environmental benefits.
- The asset is fit for purpose, in a good state of repair and would not place unreasonable obligations either on a VCO or the Council. The Council may need to undertake a full condition survey to establish this.

The Council will not consider applications for Community Asset Transfers where:

- The asset is deemed to deliver key Council services.
- A significant amount of revenue income, proportionate to the size, nature and use of the asset, would be lost.
- The asset has been identified as being required for strategic, planning or redevelopment/regeneration.
- The proposed use of the asset doesn't meet its current use in planning terms.
- The transfer of the asset would be to an individual(s) or businesses to be used purely as a vehicle for commercial ventures. This does not include, for example, charitable organisations with trading arms, where profits are given back to communities.
- A transfer would contravene Trade and Cooperation Agreement Principles,
- The asset would be used solely for religious purposes/activities.
- The asset would be used for any political purposes/activities,
- The result would be detrimental to any individual, geographical community or community of interest, resulting in unlawful discrimination, harassment or a failure to promote good relations.

For the purposes of Community Asset Transfer and this policy, disposals will be by way of a lease (or freehold disposal if appropriate) and for a period long enough to deliver the Council's community objectives and mitigate the risks associated with Asset Transfer. The lease length will be agreed

Agenda item number: 6

## Appendix 1

The Council has laid out the various methods available to disposing of its assets in its [Land and Property Disposals Policy](#). In all cases, Community Asset Transfers will be advertised appropriately and openly through independent local agents, the Council's [website lettings page](#) and by all other methods appropriate and proportionate, inviting expressions of interest from VCOs.

Expressions of interest received speculatively, where an asset has not been advertised as available for Community Asset Transfer, will be considered in line with this policy and the opportunity advertised.

The terms of any disposal will be determined on a case-by-case basis and the Council will consider the specific circumstances of the applicant, sustainability of any business case, the proposed asset and intended use. Detailed consideration will be given to the community impact and benefit of the transfer in terms of economic, social or environmental wellbeing of the community.

Freehold transfers will only be considered in exceptional circumstances. Any such transfer would be the subject of a specific report to the Council's Executive for approval.

## 5. Organisations Suitable for Community Asset Transfer

Any Voluntary Community Organisation wishing to be considered would need to be based within the Borough of Guildford and have strong links with the community. They must be able to demonstrate provisions within their legal structure that provide assurances that assets will be retained for community use and benefit and do not distribute any surplus they make to their members. The local community must also be able to influence their operational and decision-making processes.

Consideration may be given to the following types of VCO's:

- Parish Council
- Company Limited by Guarantee
- Community Interest Company
- Not for Profit
- Unincorporated Association
- Charitable Trust
- Charitable Incorporated Organisation
- Charitable Company
- Voluntary Organisations
- Community Organisations
- Social Enterprises

If a group of individuals wish to form a VCO to benefit their local community, no application for a Community Asset Transfer can be completed until the group is legally formed into one of the entities listed above.

The Council has a duty to ensure that due diligence is carried out on any VCO to mitigate the risk of any transfer failing, as this would have a negative impact on local communities. In order to do this the VCO MUST meet the following criteria:

- A well-prepared business case for their proposed use of the asset. This will need to demonstrate that there is a clear intention for the long term use of the asset and an understanding of the activities the VCO wishes to deliver.
- Prove a secure financial base to ensure long term sustainability, including providing copies of audited financial accounts where necessary. This will be subject to a formal valuation of the asset.
- Demonstrate a clear community/social demand for the proposed transfer.
- The staffing capacity to manage the asset and have management or committee members who possess the necessary experience and skills to manage the asset.
- Good governance, robust financial systems and all the necessary policies expected of a VCO in place.
- Not duplicate activities, services or facilities already provided elsewhere within the borough or local community.
- Clearly demonstrate how they will comply with all statutory/regulatory obligations connected with the use and occupation of property which is the subject of the transfer request including but not limited to asbestos management, legionella and fire risk assessments.
- Detail on how they will contribute to the Council's corporate priorities under the Corporate Plan.

Where two or more VCOs submit an expression of interest for a Community Asset Transfer of a particular asset, the Property Review Group will make an initial assessment and recommendations to the Corporate Management Board (CMB). Any final decision will be taken by the Council Executive.

The Council reserves the right to refuse any application for a Community Asset Transfer if the criteria set out in this section are not met.

## 6. Application Process

All Community Asset Transfers will be advertised appropriately and openly through independent local agents and on the Council's [website lettings page](#), inviting expressions of interest from VCOs.

The following process for considering applications for Community Asset Transfer will be applied by the Council:

### 6.1. Expression of Interest

- The VCO should submit a written expression of interest detailing the specific land/building that is the subject of the application, an explanation of the reasoning behind why it is needed and the aims and objectives of the transfer.

## **6.2. Review**

- The Property Review Group will review the expression of interest and consider if the applicant is suitable, meets the requirements laid out in this policy and if the asset is deemed suitable and appropriate for a transfer. This will lead to a recommendation on whether the application can progress, in consultation with the lead officer for the service area in which the asset sits. Should the Property Review Group deem the applicant or asset unsuitable, the applicant will be notified. Any decision is final.

## **6.3. Detailed Analysis**

- If the Property Review Group agree that the application should progress the VCO will be invited to submit a detailed, evidenced business case and feasibility study. This will be assessed and evaluated by Council officers against the criteria laid out in this policy. Detailed consideration will be given to the community impact and benefit of the transfer in terms of economic, social or environmental wellbeing of the community.
- An Executive report will then be prepared by Council officers, taking into account any legal requirements under the Local Government Act 1972 (as amended). The report will detail recommendations to the Council Executive who will make a formal published decision.
- If the undervalue (the difference between the market value and the proposed transaction) is £30,000 or less and, for lease transaction the lease term is 15 years or less, the Joint Executive Head, Assets and Property may consider using their delegated power under the Council constitution to authorise a disposal at less than best consideration instead of seeking a decision from the executive.

## **6.4. Completion**

- Heads of Terms will be agreed detailing all the main aspects of the transaction leading to the Council's legal team drafting formal documentation which will include service level agreements, support and investment plans. This final stage will require the VCO and their solicitors to work collaboratively with the Council in order to avoid delays to the completion of the transfer.
- Timescales for the completion of a Community Asset Transfer are dependent on the nature and type of the transaction involved and the process can take up a year to complete.

# **7. Outcomes**

The aims and objectives of this policy are that the Council enables the transfer of asset ownership to VCOs which in turn supports community wellbeing and delivery of better public services. The policy also serves to set out the process and criteria for transferring assets to VCOs to support the Council's

corporate priorities under the Corporate Plan. It also forms a key part of the Council's Asset Management Framework.

The success and outcomes of this policy will be measured principally by the success and delivery of community-based services and activities by VCOs leading to community empowerment, generation social economic and environmental benefits to local communities. Numbers of Community Asset Transfers will be reported quarterly in the Asset Management service plan.

The Property Review Group will also review reports and any lease where a transfer is not delivering the required community outcomes. If agreed services or required outcomes are not being delivered the Council will take all necessary steps to remedy poor performance including reviewing how the Council can further support the VCO in delivering objectives.

## 8. Resource Implications

Transferring an asset to a community-based organisation is a resource intensive process due to the steps involved. Existing staff and Council resources will be used to deliver the required outcomes and any transfer including valuations, condition surveys, assessment of business cases, reports and legal matters and ongoing review.

## 9. Review

This policy will be reviewed every three years, to incorporate legislative, regulatory amendments, best practice developments, or to address any operational issues with the policy. At each review of this policy, the relevant officer will review any assets transferred during the policy term, to ensure that the asset is still open, being used for the specified purpose and being well maintained.

The policy will be monitored by the Property Review Group.

## 10. Contact Details

Expressions of interest and documentation relating to any application should be sent to the following address:

Assets and Property

Millmead House

Millmead

Guildford

GU2 4BB

Enquiries should be emailed to [assetman@guildford.gov.uk](mailto:assetman@guildford.gov.uk)

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### Equality Impact Assessment

The purpose of an assessment is to understand the impact of the Council's activities\* on people from protected groups and to assess whether unlawful discrimination may occur. It also helps to identify key equality issues and highlight opportunities to promote equality across the Council and the community. The assessment should be carried out during the initial stages of the planning process so that any findings can be incorporated into the final proposals and, where appropriate, have a bearing on the outcome.  
(\*Activity can mean strategy, practice, function, policy, procedure, decision, project or service)

Name of person completing the assessment	Damien Cannell	Date of assessment	04/01/2023
Name of the proposed activity being assessed	Adoption of a Community Asset Transfer Policy	Is this a new or existing activity?	New
Who will implement the activity and who will be responsible for it?	Officers will implement any descision made by the Executive on the transfer of Assets to Community groups.		

#### 1. Determining the relevance to equality

What are the aims, objectives and purpose of the activity?	To set out a transparent and consistent approach to applications and the decision-making process governing the transfer of assets to community organisations.		
Is this a major activity that significantly affects how services or functions are delivered?	No	Who will benefit from this activity and how?	The community will benefit from being able to have community groups deliver services they want from Council owned assets and to have a say in what is delivered and how.
Does it relate to a function that has been identified as being important to people with particular protected characteristics?	No	Who are the stakeholders? Does the activity affect employees, service users or the wider community?	Councillors, officers, professional advisors, contractors, members of the community.

#### Based on the above information, is the activity relevant to equality?

<p><b>Yes – continue to section 2</b></p> <p><b>No – please record your reasons why the activity is not relevant to equality</b></p>	<p>Yes.</p> <p>The activity may have a minimal impact but does not create barriers to any of the groups with protected characteristics.</p> <p>The policy will make the decision making process around Community Asset Transfer clear for Council officers, Councillor and Community groups.</p> <p>As this is a new activity it is unclear and difficult to assess whether or not it will have an impact on any protected groups however it should have a</p>
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	Appendix 2 The impact in giving members of the community an opportunity to have a say in the services delivered by local community groups.
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2. Is the proposed activity accessible for all the protected groups listed below?  
*(Consider in what ways the activity might create difficulties or barriers to parts of the workforce, community or protected groups. How might one or more groups be excluded because of the activity?)*

Protected groups	Yes	No	Evidence
Disability	Yes		
Race	Yes		
Gender	Yes		
Sexual orientation	Yes		
Age	Yes		
Religion or belief	Yes		
Transgender or transsexual	Yes		
Marriage and civil partnership	Yes		
Pregnancy or maternity	Yes		

3. Is it likely the proposed activity will have a negative impact on one or more protected groups?

Protected groups	Yes	No	Evidence
Disability		No	
Race		No	
Gender		No	
Sexual orientation		No	
Age		No	
Religion or belief		No	
Transgender or transsexual		No	
Marriage and civil partnership		No	



Pregnancy or maternity		No	
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4. What action can be taken to address any negative impact? What measures could be included to promote a positive impact? (*Consider whether it is possible to amend or change the activity due to the likely adverse impact whilst still delivering the objective. Is it possible to consider a different activity which still achieves the aims but avoids an adverse impact? Is an action plan required to reduce any actual or potential adverse impact?*)

The Council will ensure any negative impact is mitigated through the criteria set out in any management agreement associated with a transfer.

Asset Transfer should have a positive impact by involving the community and offering community groups the opportunity to deliver objectives themselves.

No action plan is required.

5. What are the main sources of evidence that have been used to identify the likely impacts on the different protected groups? (*Use relevant quantitative and qualitative information that is available from sources such as previous EIA's, engagement with staff and service users, equality monitoring, complaints, comments, customer equality profiles, feedback, issues raised at previous consultations and known inequalities*).

As this is a new activity it has been difficult to assess any impact. It is suggested that any impact is assessed over the course of the first three years of the policy and the policy and EIA be updated at the first review to reflect any impacts noted during the review period.

6. Has any consultation been carried out (e.g. with employees, service users or the wider community)? Please provide details

N/A

7. Is further consultation required as a result of any negative impact identified? If so, what groups do you intend to engage with and how?

N/A

8. Conclusion of Equality Impact Assessment - please summarise your findings

Appendix 2

It is possible that there may be an very minor impact but this will not be known until the policy is in operation. The nature and intention of each transfer will differ and therefore consideration will be given to any negative or positive impacts when considering expressions of interest and agreeing any ongoing management arrangements.

**Name of person completing assessment: Damien Cannell**

**Date: 04/01/2023**

**Job title: Asset and Property Manager**

**Signature:** 

**Senior manager name: Mark Appleton**  
**Asset and Property Manager**

**Signature:** Mark Appleton  
Mark Appleton (Jan 6, 2023 11:11 GMT)

**Date: Jan 6, 2023**







# Appendix 1

Final Audit Report

2023-01-06

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Executive Report

Ward(s) affected: All wards

Report of Strategic Director of Place

Author: Francesca Castelo

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Lead Councillor responsible: Julia McShane

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Email: Julia.McShane@guildford.gov.uk

Date: 20 March 2023

## **Guildford's UK Shared Prosperity Fund and Rural England Prosperity Fund**

### **Executive Summary**

Guildford Borough Council was awarded £1 million from the Department of Levelling Up, Housing and Communities' (DLUHC) UK Shared Prosperity Fund (UKSPF) to spend on capital and revenue activities between financial years 2022-23 to 2024-25, with the aim of 'building pride in places and increase life chances' through investment on three investment priorities: Communities, Local Businesses and People and Skills.

This was then followed by the launch of the Department of Environment, Food and Rural Affairs' (DEFRA) Rural England Prosperity Fund (REPF), which allocated Guildford £400,000 to spend on capital grants to support rural businesses and communities from 2023-24 to 2024-25.

To access its UKSPF and REPF allocation, the Council has submitted an investment plan and addendum, respectively, outlining the opportunities and challenges of the borough, as well as its investment priorities. Both the UKSPF Investment Plan and REPF Addendum have been informed by feedback from and discussions with a range of stakeholders, and since submitting its UKSPF Investment Plan, further discussions with Council Officers and external stakeholders and partners have been conducted to develop the projects put forward in Guildford's Investment Plan. In addition, there have been changes to some of the projects outlined, which will require approval from DLUHC should the Council decide to go forward with the change.

On 5 December 2022, DLUHC has confirmed the validation of Guildford's UKSPF Investment Plan. Having now received its first year of UKSPF allocation, the Council

now needs to decide if and how it should progress with the projects it has proposed in its Investment Plan.

**Recommendation to Executive:**

The Executive is asked to:

1. To approve the progression of Guildford's UKSPF and REPF plans, as outlined in this report.
2. To delegate to the Strategic Director of Place, in consultation with the Leader, authority to enter into such other contracts and legal agreements connected with the UKSPF and REPF as may be necessary in compliance with Procurement Procedure Rules and within the allocated grant funding budget.

Reason(s) for Recommendation:

The £1.4 million total funding Guildford Borough Council has been allocated from the UKSPF and REPF is a significant sum of money that could have a positive impact on the borough's local communities and businesses.

Grounded on insights from local stakeholders, partners and GBC Councillors and Officers, the projects put forward in Guildford's Investment Plan and REPF Addendum aligns with the borough's local priorities and intends to leverage collaboration with the Council's partners to maximise value for money.

**Is the report (or part of it) exempt from publication? No**

**1. Purpose of Report**

1.1 This report outlines the proposed interventions for Guildford UKSPF and REPF, outlining any proposed changes to projects and project spend since the submission of Guildford's UKSPF Investment Plan in August 2022.

**2. Strategic Priorities**

2.1 The proposed projects for Guildford's UKSPF and REPF spend addresses a number of the Council's Corporate Priorities under Homes and Jobs, Environment and Community:

- Revive Guildford town centre to unlock its full potential.
- Support our business community and attract new inward investment.
- Maximise opportunities for digital infrastructure improvements and smart places technology.

- 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.
- Work with communities to support those in need.

### **3. Background**

#### UK Shared Prosperity Fund

- 3.1 On 13 April 2022, the Government launched the UK Shared Prosperity Fund as part of its Levelling Up Agenda, with the overall aim to 'build pride in places and increase life chances'. As a central pillar of the Levelling Up Agenda, the UKSPF provides funding to empower places to identify and build on their own strengths and needs by focusing on three Investment Priorities:
  - a. Communities and Place
  - b. Supporting Local Businesses
  - c. People and Skills
- 3.2 As a Lead Local Authority, Guildford Borough Council has been given £1 million to spend from 2022-23 to 2024-25 on capital and revenue projects. Lead Local Authorities can choose from a 'menu of interventions' in line with the UKSPF's investment priorities (though they can also put forward bespoke projects which will require approval from DLUHC).
- 3.3 To access the indicative allocations, Guildford Borough Council has submitted an investment plan detailing our local opportunities and challenges as well as the interventions we would like to invest in.
- 3.4 Following consultations with GBC Councillors and Officers and local stakeholders, the following projects have been put forward for Guildford's UKSPF investment plan:

<b>Project</b>	<b>Partner organisations co-funding the project</b>	<b>Proposed UKSPF Allocation Total</b>
Town Centre Improvements		£60,000
Community and Neighbourhood Improvements (including Hostile Vehicle Mitigation proposal)		£300,000
E-Bike Hire Scheme	Surrey County Council and University of Surrey	£200,000
Marketing and Events		£19,500
Community Grants		£300,000
Visitor Economy		£20,500
Business Support		£30,000
Feasibility Study		£20,000
Business Decarbonisation Scheme	Surrey County Council and other Surrey Districts and Boroughs	£50,000
	<b>Total</b>	<b>£1,000,000</b>

- 3.5 Further details on Guildford’s proposed UKSPF projects, including profile spend, capital and revenue split, proposed project addition and financial contributions from partners, can be found in Appendix 1 - Proposed Interventions for Guildford’s UKSPF.

Rural England Prosperity Fund

- 3.6 On 3 September 2022, DEFRA launched the Rural England Prosperity Fund which serves as a top-up to the UKSPF to help address the extra needs and challenges facing rural areas through supporting two investment priorities: ‘Supporting Rural Businesses’ and ‘Supporting Rural Communities’.
- 3.7 Guildford has been given an indicative allocation of £400,000 to spend for financial years 2023-24 and 2024-25. The REPF also has a menu of interventions which Lead Local Authorities can choose from, most of which are the same as UKSPF interventions for ‘Supporting Local Business’ and ‘Communities and Place’. However, the REPF can only be spent on capital projects (i.e. lasting assets, such as buildings or equipment) for business or community purposes in rural areas, starting from 1 April 2023. Revenue funding from the UKSPF can be used to support REPF projects, as long as it is consistent with the local authority’s UKSPF investment plan and allocation.



- 3.8 To access the REPF indicative allocations, Guildford Borough Council has provided specific additional information as an addendum to our UKSPF Investment Plan.
- 3.9 Following consultations with internal and external stakeholders, a grant funding programme was proposed, similar to the previous Surrey LEADER Grant Programme. The proposal will use Guildford’s REPF allocation to award capital grants to projects that work towards the following REPF investment priorities:

<b>Investment Priorities</b>	<b>Allocation Year 1 (2023-24)</b>	<b>Allocation Year 2 (2024-25)</b>	<b>Total REPF Allocation</b>
Grant funding for micro and small businesses (available to local businesses)	£100,000	£100,000	£200,000
Grant funding for growing the local social economy and supporting innovation (available to local businesses)		£100,000	£100,000
Funding for investment and support for digital infrastructure for local community facilities (available to local communities)		£100,000	£100,000
	<b>Year 1 Total</b>	<b>Year 2 Total</b>	<b>Total</b>
	£100,000	£300,000	£400,000

Proposed Changes

- 3.10 In order to support the proposed REPF Rural Grant Programme, Surrey County Council, Guildford Borough Council, Waverley Borough Council and Tandridge District Council will each need to commit c.£50,000 to co-fund the staff resource to administer the grant scheme and to support businesses and community groups in developing successful applications. This will be undertaken by the Surrey County Council’s Greener Futures team.
- 3.11 As REPF can only be used for capital spend, funding from Guildford’s UKSPF allocation will need to be used to cover this revenue requirement.

This will require changes to the allocation of funding currently profiled to the UKSPF. It is proposed the £50,000 REPF revenue requirement is covered through a reduction in allocation to the Decarbonisation Fund, and either the Feasibility budget line and/or the Community and Neighbourhood Improvements Fund.

#### Status of Funding

- 3.12 On 5 December 2022, the Council received confirmation that its UKSPF Investment Plan has passed DLUHC's validation and its first year of funding has been approved and received. Indicative allocations for 2023/24 and 2024/25 will be reviewed on submission of reporting requirements.
- 3.13 The Council is still awaiting a response from DEFRA as to the outcome of its REPF Addendum submission.

#### **4. Consultations**

- 4.1 Guildford Borough Council's Executive has been consulted in preparing Guildford's UKSPF (06 June 2022) and REPF (via email) submissions to receive feedback on priorities for the funds. Joint Executive Heads of Services and Officers across the Council have also been engaged and helped shape the proposals.
- 4.2 Insights from a number local stakeholders and regional partners have also been used to inform which interventions should be prioritised and what activities could be undertaken using the UKSPF and the REPF. This includes:
  - UKSPF:
    - a. Feedback from a range of groups such as the Guildford Town Centre Forum May 2022 meeting, Guildford-Surrey Board meetings (22 July 2022), education providers and businesses (e.g. roundtable discussion with the Games sector on 30 May 2022) were used to inform the Council's investment plan submission.
    - b. Feedback from stakeholders (e.g. Yvonne Arnaud Theatre, Guildford Philanthropy, Surrey Hills AONB, a range of business support providers) were received with regards to the borough's priorities and suggested projects for the UKSPF.
    - c. Local MPs were consulted on Guildford's proposed projects.
    - d. Surrey County Council, along with Surrey Districts and Boroughs, were engaged to see where there may be scope for collaboration and to maximise value for money. Further details on the stakeholder consultations used for the UKSPF can be found in page 9 of the Council's investment plan submission (see Appendix 1).

- REPF:
  - a. Local and regional rural economy stakeholders were asked to share their rural priorities in line with the REPF interventions, as well as any suggested projects. This includes rural economy stakeholders attending the 19 October Economic Development Strategy workshop; the Guildford Rural Forum (represented by 14 organisations, such as charities, skills providers, landowners and businesses); and the National Farmers Union.
  - b. Local authority partners (i.e. Waverley Borough Council, Tandridge District Council and Surrey County Council) have been engaged to share their insights and explore opportunities to collaborate together.

#### Local Partnership Group

- 4.3 Comprehensive and balanced local partnerships will be a core component of how the Fund is administered locally. Thus, Lead Local Authorities are required to set up a local partnership group to consult local stakeholders and ensure the Fund investments compliment other activities in the area and meet the Fund and local objectives. In response, a Local Delivery Board will be set up to act as an advisory group for the delivery and monitoring of the UKSPF, ensuring the Fund's aim is achieved in Guildford borough. The Local Delivery Board will include a rural representative(s) to give rural-focused insights on the delivery of Guildford's UKSPF and feedback on the REPF.
- 4.4 In addition, it is proposed in Guildford's REPF Addendum that a Local Action Group may be created, similar to the one set up for the previous Surrey LEADER grants, which will include a wide range of representatives from Guildford's rural scene (e.g. businesses, charities, community groups etc) to provide advice and scrutiny to the delivery of the REPF. This may include providing feedback on the design of the proposed REPF grant programme and sharing insights on the strength of an individual grant application.

#### **5. Key Risks**

- 5.1 The Council has a substantial existing capital programme of work underway in addition to its 'business as usual' activities, meaning that staff resources across the organisation are limited. However, in developing the proposals detailed within Guildford's Investment Plan, the Council has considered where projects are 'shovel ready' and will require limited involvement from officers in delivery, or where the delivery can be outsourced following procurement activity.
- 5.2 In addition, there is a risk that global price increases and increasing inflation rates mean that interventions proposed may need to be refined

prior to delivery. Importantly, as all of Guildford borough’s indicative UKSPF allocation has been apportioned to specific projects detailed in the investment plan (as required by the grant terms), any expenditure over that which has been apportioned may present a barrier to the delivery of a project given budget limitations. The Council will ensure that it is driving value for money through competitive procurement practices.

- 5.3 The LEADER style grant programme proposed in Guildford’s REPF addendum and some projects in our UKSPF Investment Plan (i.e. E-Bike Hire Scheme, Decarbonisation Loan Scheme, Business Support Provision) will be part-funded and managed by external partners (e.g. Surrey County Council). Thus, the success and feasibility of these projects are dependent on the participation of the identified partners. This will require close cooperation and regular communications between the Council and its partners to ensure that the projects meet our expectations (e.g. financing, deliverables, monitoring requirements), as well as those set out by DEFRA and DLUHC.

## 6. Financial Implications

- 6.1 Guildford Borough Council has been allocated £1 million from the UKSPF to spend from financial years 2022/23 to 2024/25 on capital and revenue projects. The amount of funding Guildford receives during the funding years, including the proposed capital and revenue split, is set out below:

<b>Funding sources</b>	<b>Year 1 (2022-23)</b>	<b>Year 2 (2023-24)</b>	<b>Year 3 (2024-25)</b>	<b>Total</b>
Total UKSPF allocation	£69,893	£139,787	£790,320	£1,000,000
Capital allocation	£50,000	£50,000	£560,000	£660,000
Revenue allocation	£19,893	£89,787	£230,320	£340,000

- 6.2 4% of the UKSPF allocation (£40,000 for Guildford) can be used for administration and implementation costs (e.g. project assessment, contracting, monitoring, stakeholder engagement). In addition, £20,000 has been made available to all Lead Local Authorities to support the development of an investment plan, which we have now received. The drafting of the submission document was carried out by Officers (rather than external consultants) and therefore the £20,000 will be allocated within the Economic Development budget to cover any future administrative costs relating to the Fund.
- 6.3 Lead Local Authorities are paid annually in advance. In 2022/23, this will be paid once the Investment Plan has been signed off. In 2023/24 and 2024/25, payment will be given early in the financial year, upon

submission of reporting requirements and satisfactory review of performance in the preceding year. All spend must be undertaken by 31 March 2025, when the funding will end. Any underspends in the final year of the programme (2024/25) are expected to be repaid to DLUHC.

- 6.4 In light of discussions with relevant services both before and after the submissions of the UKSPF Investment Plan, most of the projects put forward in Guildford Investment Plan submission is envisioned to be fully financed by UKSPF funding. Any projects where there may be funding gaps, as well as alternative sources of potential funding, have been identified. Responsibility of securing additional funding from other sources (i.e. other than the UKSPF) to cover any shortfalls in funding lies with the service owner(s) of the project.
- 6.5 Any changes to Guildford UKSPF profile spend and investment priority allocation must check with the UKSPF's [reporting and performance management guidance](#) to confirm whether approval from DLUHC and a material change request must be acquired.

## **7. Legal Implications**

- 7.1 DLUHC requires Lead Local Authorities to submit a signed copy of the UKSPF Memorandum of Understanding (MOU) to commence receipt of funding. The UKSPF MOU is not intended to create legally binding obligations but describes obligations which Lead Local Authorities are required to fulfil to receive the UKSPF grant funding.
- 7.2 The full obligations of Lead Local Authorities can be found in [DLUHC's Additional Information page](#). Some of the Council's main obligations include:
- Ensuring all procurements achieve best value for money.
  - Ensuring that all public facing documents comply with branding requirements (logos, digital content etc).
  - Ensuring we comply with monitoring requirements, complete questionnaires, case studies and making compliant monitoring returns to the Department for Levelling Up (DLUHC).
  - Ensuring that we provide quarterly qualitative updates to the DLUHC, and every 6 months provide formal reporting detailing how our use of the funding is progressing.
  - Ensuring that we meet assurance requirements by providing an assurance statement every 6 months at.
  - Annually completing a Statement of Grant outlining GBCs plans for the next year.

- 7.3 The assurance and performance management for the UKSPF sit alongside Lead Local Authorities' existing statutory duties and rules to use public money well.
- 7.4 The Council's Legal team has reviewed and approved the MOU to be signed by the Section 151 Officer. A signed copy of Guildford's UKSPF MOU has been submitted to DLUHC on 15 December 2022.

## **8. Human Resource Implications**

- 8.1 Services across the Council will play a role in the delivery of the UKSPF and REPF as the projects proposed cuts across a range of the Council's objectives and priorities. As funding for each financial year is conditional upon the submission of reporting requirements and review of performance, staff resourcing requirements (both internal and outsourced) have been considered to ensure the timely and satisfactory collection of data.
- 8.2 The Executive Head of Regeneration and Planning Policy will be the senior responsible owner for the UKSPF projects. It is anticipated that the Economic Development Officer will be responsible for the delivery of the UKSPF and REPF Investment Plan on a day-to-day basis including procurement activity, coordinating relevant resources across the Council and partner organisations to achieve the objectives set out. They will also be responsible for the ongoing monitoring of projects and associated outputs and outcomes as detailed in this submission. Any additional staffing requirements above the existing establishment will need to be identified and costed as part of relevant project plans.

## **9. Equality and Diversity Implications**

- 9.1 The Council has a statutory duty under section 149 of the Equality Act 2010 which provides that a public authority must, in exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2 An Equalities Impact Assessment has been completed considering the projects put forward in the UKSPF Investment Plan and REPF Addendum.

- 9.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

## **10. Climate Change/Sustainability Implications**

- 10.1 The Council formally declared a climate emergency in 2019 and set a goal for the borough to reach net zero emissions by 2030. The Council is committed to reducing emissions, particularly from vehicles, energy use and construction processes.
- 10.2 Guildford's UKSPF Investment Plan and REPF addendum proposes projects which work towards a net-zero / low carbon borough, particularly:
1. UKSPF:
    - i. Working with Surrey County Council and other Local Authorities on a Decarbonisation Loan Scheme to help businesses across the borough implement energy efficiency and other low carbon technologies to reduce their carbon emissions.
    - ii. Working with Surrey County Council and the University of Surrey to extend the E-Bike hire scheme to Guildford town centre and other urban sites in the borough to promote active and low carbon travel.
  2. REPF:
    - iii. Working with Surrey County Council, Waverley Borough Council and Tandridge District Council to offer a LEADER-style grant programme for rural businesses and communities. For Guildford businesses, this includes capital grant funding for small scale investment in micro and small enterprises in rural areas, including funding to undertake net zero infrastructure projects. This includes supporting land-based businesses, which are currently excluded from the LoCASE Carbon Reduction Grant Programme.

## **11. Executive Advisory Board Comments**

- 11.1 The Strategic Service Executive Advisory Board considered the proposed interventions at its meeting on 6th February 2023 and endorsed the recommendations proposed list of interventions for both the UKSPF and REPF.

## **12. Summary of Options**

- 12.1 **OPTION 1:** The Executive could decide not to approve the proposed interventions (including changes) for Guildford's UKSPF and REPF. This would make the Council unable to advance the proposed projects and make use of the £1.4 million allocated by DLUHC and DEFRA within the prescribed timescales to empower our local businesses and communities.

- 12.2 OPTION 2: The Executive could decide to approve the proposed interventions (including changes) for Guildford's UKSPF and REPF, conditional upon changes being made. It must be noted that Guildford's UKSPF Investment Plan has already been validated by DLUHC. Any amendments to Guildford's UKSPF and REPF submission that can be classified as a 'material change' must undergo a change process and are subject to scrutiny and a further approval process from DLUHC. Undergoing a change process can cause delays in implementing other programme of works in the Investment Plan and affect how much of Guildford's UKSPF allocation it can spend in a given funding year.
- 12.3 OPTION 3 (Recommended): The Executive could decide to approve the proposed interventions (including changes) for Guildford's UKSPF and REPF. This would enable projects to commence and address local priorities, in alignment with the funding requirements.

### **13. Conclusion**

- 13.1 Guildford's UKSPF and REPF proposed interventions have the potential to deliver major benefits to the borough, addressing a range of local business and community priorities.
- 13.2 Noting the spend deadlines stipulated, it is recommended that the Executive approves the recommendations outline in this report to commence delivery of Guildford's UKSPF and, upon confirmation of approval, REPF proposed interventions.

### **14. Background Papers**

[UK Shared Prosperity Fund Prospectus](#)  
[UK Shared Prosperity Fund: Additional Information](#)  
[Rural England Prosperity Fund Prospectus](#)

### **15. Appendices**

Appendix 1: Proposed interventions for Guildford's UKSPF



Project (Geography)	GBC Service(s) and External Partners	Description	Proposed UKSPF Allocation						Indicative financial contributions from partners, if any	
			Year 1 (2023-23)		Year 2 (2023-24)		Year 3 (2024-25)			Total contributions from Guildford's UKSPF
			Capital	Revenue	Capital	Revenue	Capital	Revenue		
<b>Town Centre Improvements (Town Centre)</b>	GBC – Housing Services (Technical Services)	Town centre public realm improvements	£50,000				£10,000		£60,000	
<b>Community and Neighbourhood Improvements (Borough-wide)</b>	GBC – Regeneration and Planning Policy	Improvements to green and public spaces around the borough. This includes proposal to install Hostile Vehicle Mitigation infrastructure in the town centre.					£300,000		£300,000	
<b>Active Travel – E-Bike Hire Scheme (Town centre/urban areas)</b>	GBC - Regeneration and Planning Policy  Surrey County Council (Lead)  University of Surrey	Investment in new bike hire scheme covering Guildford town centre and satellite sites e.g. Stoke Park, Research Park, University, Hospital			£50,000		£150,000		£200,000	£1m from Surrey County Council  £250,000 from University of Surrey

		The project is part of <a href="#">SCC's Surrey Infrastructure Plan</a>									Agenda item number: 7 Appendix 1
<b>Marketing and Events</b>	GBC – Commercial Services (Events); Communications and Customer Services (Communications)	Support for in-house initiatives that encourages visits and activity around the borough		£4,893		£4,787		£9,820	£19,500		
<b>Community Grants</b>  (Borough wide)  Page 54	GBC – Community Services (Community grants)	Grants that community groups, parish councils and third sector organisations can bid for to support local communities via a crowdfunding platform.				£50,000	£100,000	£150,000	£300,000		
<b>Visitor Economy</b>  (Borough-wide)	GBC - Regeneration and Planning Policy (Economic Development)	Funding to improve our visitor economy offering to attract more visits to the borough, including creation of campaign trails		£5,000		£5,000		£10,500	£20,500		

		and improvements made to our visitor website.								
<b>Business Support</b>	GBC - Regeneration and Planning Policy (Economic Development)	1 to 1 business support for businesses in the borough, tailored to individual business need.		£10,000		£20,000			£30,000	
<b>Feasibility Study</b>	GBC – Regeneration and Planning	Commission feasibility work and surveys related to town centre improvement, e.g. Tumbling Bay Weir				£10,000		£10,000	£20,000	
<b>Business Decarbonisation Scheme (Borough-wide)</b>	GBC - Regeneration and Planning Policy (Economic Development)  SCC Greener Futures Team (Lead)  Other Surrey Districts and Boroughs	Loan scheme for businesses to implement energy efficiency measures.						£50,000		To be co-funded by Surrey County Council, Guildford Borough Council and other Surrey Districts and Boroughs  Contributions from other partners tbc.

			<b>Year 1 Capital Total</b>	<b>Year 1 Revenue Total</b>	<b>Year 2 Capital Total</b>	<b>Year 2 Revenue Total</b>	<b>Year 3 Capital Total</b>	<b>Year 3 Revenue Total</b>		
			£50,000	£19,893	£50,000	£89,787	£560,000	£230,320		
			<b>Year 1 Total</b>		<b>Year 2 Total</b>		<b>Year 3 Total</b>		<b>Total contributions from Guildford's UKSPF</b>	Agenda item number: 7 Appendix 1
			£69,893		£139,787		£790,320		£1,000,000	

<b>Proposed Addition – funding TBC</b>											
Page 56	<b>REPF Rural Grant Programme Support</b>	GBC - Regeneration and Planning Policy (Economic Development)  SCC Greener Futures Team (Lead)  Waverley Borough Council  Tandridge District Council	A dedicated business support provision for rural businesses and organisations applying to the REPF Leader-style grant funding. This will be led by Surrey County Council, with contributions from GBC, Waverley Borough Council and Tandridge District Council.				£20,000		£30,000	£50,000	To be co-funded by Surrey County Council, Guildford Borough Council, Waverley Borough Council and Tandridge District Council.  Est. £50,000 contribution per partner for two full financial years.

Executive and Council Report

Ward(s) affected: All wards

Report of Joint Strategic Director of Place, Dawn Hudd

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Date: 20 March and 22 March 2023

## **Adoption of Guildford Borough Local Plan: Development Management Policies**

### **Executive Summary**

The Local Plan: Development Management Policies (hereafter referred to as 'the LPDMP') is the second part of Guildford's Local Plan. Once adopted it will supersede extant Local Plan 2003 policies and become part of the Council's Development Plan. The LPDMP provides the more detailed policies to be used by Development Management in the determination of planning applications.

Following submission of the LPDMP by the Council to the Secretary of State in June 2022, the Plan was subject to Examination in Public. This included a set of written matters and questions from the Government appointed Planning Inspector, responses from the Council and consultees, and a series of hearing sessions into those issues the Inspector considered it necessary to explore further with all relevant parties. Those sessions occurred from 15 to 17 November 2022. Following which, the Inspector proposed several necessary main modifications be made for the plan to be found 'sound'. The proposed main modifications to the Plan underwent a formal consultation for a 7-week period from 15 December 2022 to 2 February 2023. The consultation related only to the main modifications and not to additional/minor modifications, or the remainder of the plan. On completion of the consultation, the Inspector considered the representations and prepared his report.

The Inspector's draft report was received by Guildford Borough Council on 22 February 2023 and was subject to a 'fact check'. This check allowed the Council the opportunity to review the accuracy of its contents, but it was not an opportunity to question the Inspector's conclusions or findings. The Inspector's final report (at

Appendix 1) was published by the Council on 3 March 2023 – it finds the LPDMP sound, subject to several Main Modifications being made.

Following the Inspector's recommended Main Modifications (at Appendix 2), the Council has also made several additional/minor modifications to the LPDMP (at Appendix 3). These modifications are minor in nature, do not materially affect the plan's policies and are not matters of soundness. They are designed to aid clarity, consistency, and accuracy. During the examination, minor modifications were shared with the Inspector who has agreed they are correctly described as minor in nature and did not therefore need to be consulted upon.

This report will also be considered by the special Executive meeting to be held on 20 March 2023. Any comments or recommendations will be set out in the Order Paper for the extraordinary Council meeting.

**Recommendation to Executive:**

- (1) That subject to the adoption of the Local Plan: Development Management Policies, the Parking Standards for New Development Supplementary Planning Document (SPD) (at Appendix 6) be adopted.
- (2) That the Lead Councillor with portfolio responsibility for Planning Policy be authorised, in consultation with the Joint Strategic Director of Place, to make such minor alterations to improve the clarity of the Parking Standards for New Development SPD as they may deem necessary.
- (3) To review the full contents of the report and appendices with Executive comments to be passed to full Council meeting on 22 March 2023.

**Recommendation to Council:**

- (4) That the Local Plan: Development Management Policies (Appendix 4), which incorporates the Inspector's Main Modifications (at Appendix 2 to this report) and the Council's Minor Modifications (at Appendix 3 to this report), be adopted.
- (5) That the Secretary of State be requested to exercise his powers to revoke the 'residual' policies of the 2003 Local Plan.
- (6) That updates to the Guildford Borough Policies Map be adopted in line with the Local Plan: Development Management Policies including additions proposed at Appendix A of the Local Plan: Development Management Policies, as amended by the Inspector's main modification 6.
- (7) That the Lead Councillor with portfolio responsibility for Planning Policy be authorised, in consultation with the Joint Strategic Director of Place, to make such minor alterations to improve the clarity of the LPDMP as they may deem necessary.

Reasons for Recommendation:

- (1) To enable the adoption of the Parking Standards for New Development SPD to provide further guidance regarding the implementation of LPDMP Policy ID11 [now Policy ID10]: Parking Standards for New Development.
- (2) To enable minor alterations to be made to the SPD should they be necessary prior to publication
- (3) To enable the adoption of the LPDMP in line with the Council's Local Development Scheme and for the plan to become part of the Council's development plan, carrying full weight in the determination of planning applications.
- (4) To enable the revocation of the 'residual' Local Plan 2003 policies that are not superseded by policies contained in the LPDMP.
- (5) To ensure that changes are brought about to the policies map in line with the adoption of the LPDMP.
- (6) To enable minor alterations to be made to the LPDMP should they be necessary prior to publication.

**Is the report (or part of it) exempt from publication? No**

**1. Purpose of Report**

- 1.1 Formal adoption by the Council is the final stage in the process of producing a new Local Plan. The Inspector's Report (see Appendix 1), reflecting upon the LPDMP's soundness concludes that the plan is sound, subject to a number of Main Modifications. This report proposes that the Council adopts the LPDMP with the Inspector's Main Modifications (see Appendix 2) and the Council's Additional/Minor Modifications (see Appendix 3). A final version of the Local Plan, which incorporates all the Inspector's Main Modifications and the Council's Minor Modifications, is included at Appendix 4. Updates to the policies map will be produced after adoption. This includes incorporation of the Guildford Borough Cycle Network as shown in Appendix A of the LPDMP and as amended by the Inspector's main modification 6.

**2. Strategic Priorities**

- 2.1 The production of the Local Plan is a statutory requirement and will help the Council meet its strategic priorities. The Local Plan, consisting of the adopted Local Plan: Strategy and Sites 2019 (LPSS) and the LPDMP (once adopted) enables the Council to mitigate and adapt to Climate Change as well as provide for the needs of the community whilst enhancing the economy and protecting the borough's special built and natural environment.

- 2.2 The LPDMP is based upon thirteen strategic objectives, which are framed within one of the following four core themes: society, environment, economy and infrastructure. These strategic objectives are the same as those that underpinned the LPSS and build upon the fundamental themes identified in the Council's Strategic Framework.

### **3. Background**

- 3.1 Planning decisions must be taken in line with the 'development plan' unless material considerations indicate otherwise. The development plan for an area is made up of the combination of strategic policies (which address the priorities for an area) and non-strategic policies (which deal with more detailed matters). The extant policies in the Guildford Borough Local Plan 2003 and the policies in the adopted LPSS currently form part of Guildford's current development plan. Policies from the Local Plan 2003 were saved for development management purposes pursuant to the transitional provisions set out in the Planning and Compulsory Purchase Act 2004 (the 2004 Act). A number of policies in the Local Plan 2003 were superseded by the LPSS (listed in Appendix 8 of the LPSS) and most of the remaining policies from that plan (listed in the table within Appendix D of the LPDMP) will be superseded on the adoption of the LPDMP. There remain a small number of policies from the Local Plan 2003 which are not superseded by either the LPSS or LPDMP. These policies (identified in the text below the table within Appendix D of the LPDMP) are redundant, and the Council will request that the Secretary of State revoke these policies, exercising his powers under the 2004 Act.
- 3.2 The policies in the LPDMP have been prepared in accordance with the National Planning Policy Framework (NPPF) and the statutory framework prescribed in the 2004 Act, and the Local Planning Regulations (including the Duty to Cooperate). The National Planning Practice Guidance (NPPG) has also been used to inform the plan-making process.
- 3.3 Preparation of the LPDMP began in earnest in 2019. Prior to submission of the plan in June 2022, versions of the Plan were the subject of two formal public consultations. These consisted of a Regulation 18 consultation in summer 2020 and a Regulation 19 consultation in January – February 2022 - the timing of both consultations occurred in line with the Council's adopted Local Development Scheme.

### **4. Examination of the Plan**

- 4.1 The Council submitted the LPDMP for examination on 17 June 2022 (see link to the submitted Plan at paragraph 15.2 below). In addition to the LPDMP, the submission documents included changes to the Submission Policies Map (also contained in Appendix A of the LPDMP); the Sustainability Appraisal; the Consultation Statement covering all aspects



- of the consultation process and a summary of the main issues raised and how those issues have been addressed; a copy of the representations themselves; and a series of supporting documents that are relevant to the preparation of the LPDMP.
- 4.2 The Inspector considered the submission documents and published a set of matters and questions to which the Council and consultees were invited to respond.
  - 4.3 Following the submission of response statements, the Inspector held a series of hearing sessions into matters of soundness that he wished to consider further. These hearings took place from 15 to 17 November 2022.
  - 4.4 After the hearing sessions, a targeted two-week consultation occurred on the Council's biodiversity net gain (BNG) Capacity in Guildford Note. This note was produced following the Inspector's questions regarding whether the Policy P6/P7 [now Policy P7] BNG requirement was deliverable, including in relation to the provision of off-site credits to ensure that delivery of development was not threatened. The note included an estimate of the amount of offsite Biodiversity Net Gain (BNG) credits that will be needed to deliver the growth strategy included in the LPSS and reflecting this against the potential supply of credits including those likely to be available within the borough.
  - 4.5 The Inspector then identified a set of main modifications which he considered necessary to address soundness concerns.
  - 4.6 The Inspector's proposed main modifications to the plan underwent formal consultation for a 7-week period from 15 December 2022 to 2 February 2023. The consultation related to only the main modifications and not to additional / minor modifications or the remainder of the plan.

#### THE INSPECTOR'S REPORT AND MAIN MODIFICATIONS

- 4.7 The Inspector's draft report was received by Guildford Borough Council on 22 February 2023 and was subject to a 'fact check'. This check allowed the Council the opportunity to review the accuracy of its contents, but it was not an opportunity to question the Inspector's conclusions or findings. The Inspector's final report (at Appendix 1) was published by the Council on 3 March 2023.
- 4.8 Importantly, the report indicates those main modifications (to the submission version of the plan referenced at paragraph 15.2 below) that the Inspector requires for the LPDMP to be found sound. These main modifications are set out at Appendix 2 which reflects 7 main modifications, ordered by the policy to which they apply. Changes to paragraphs within the same policy or its supporting text are grouped together under a single modification.

- 4.9 In summary, the Inspector outlined the following main modifications with fuller explanations in his report at paragraphs 23 - 45:
- MM1 Policy H7 [now Policy H6]: Review Mechanisms – to clarify the scope and process for a review mechanism for the delivery of affordable housing.
  - MM2 Policy H8 [now Policy H7]: First Homes – to introduce flexibility in the provision of First Homes.
  - MM3 Policy P6/P7 [now Policy P7]: Biodiversity in New Developments – to clarify the principles, and date for implementation of the policy.
  - MM4 Policy D14 [now Policy D16]: Carbon Emissions from Buildings – to align the standards with the building regulations.
  - MM5 Policy ID10 [now Policy ID9]: Achieving a Comprehensive Guildford Borough Cycle Network – to amend the cycle network plan, clarify its status and introduce more flexibility for solutions in rural areas.
  - MM7 Policy ID11 [now Policy ID10]: Parking Standards for New Development – to amend and clarify parking standards.
- 4.10 Officers' views are that the main modifications proposed are limited in scope, with most of the policies remaining in the form that they were previously agreed and submitted. Further, and importantly the Inspector has found the Council's higher minimum requirement for BNG at 20% to be sound, though its implementation is delayed to occur in line with the national scheme which is expected to be later this year.

ADDITIONAL / MINOR MODIFICATIONS

- 4.11 In addition to the Main Modifications recommended by the Inspector, the Council can also put forward 'additional modifications' of its own to address minor matters (often referred to as "Minor Modifications"). These are modifications that (taken together) do not materially affect the policies set out in the Local Plan. Whilst these Minor Modifications do not go to the soundness of the plan and consist of factual corrections and matters of consistency or clarity, they will form part of the plan on adoption. An initial schedule of Minor Modifications was published at the same time as consultation on Main Modifications was undertaken, however this was not subject to consultation. A draft schedule of Minor Modifications is contained at Appendix 3.

**5. Parking Standards for New Development SPD**

- 5.1 Whilst the LPDMP includes a policy on Parking Standards for New Development - Policy ID11 [now Policy ID10], it is considered preferable to include some elements of the parking standards within SPD rather than the Local Plan itself. Having them contained within an SPD enables them to be updated more easily in the future should circumstances change. This is because an SPD only requires a single consultation and can be adopted

- by the Council without having to be submitted to the Secretary of State for examination.
- 5.2 The process of developing the Parking SPD has proceeded in parallel with the Local Plan process to ensure that it was aligned to the Policy approach and detail set out in the Plan. It underwent consultation (see Appendix 7) alongside the draft Local Plan in January / February 2022 following being tabled before the Joint Executive Advisory Board (20 Sept 2021), Executive, and Full Council alongside the draft Local Plan.
  - 5.3 The SPD was not intended to be adopted until after the conclusion of the Local Plan examination. The reason for doing so was to establish from the Inspector whether Policy ID11 [now Policy ID10] is sound in relation to its reference to the Parking SPD and the standards being proposed to be included in the Parking SPD are appropriate to include as SPD rather than policy within the emerging Local Plan. Should the Inspector have considered that some of the content within the SPD was straying beyond guidance and should instead be included with the Local Plan, then the Plan could have been amended to reflect this approach as a main modification.
  - 5.4 Following the Inspector's main modifications, which make the Plan sound, including those to Policy ID11 [now Policy ID10], the Council is able to adopt the SPD, alongside the Local Plan. It was tabled for adoption at a Special Executive meeting on 20 March 2023, subject to Council adopting the LPDMP. The SPD has been updated to align with Policy ID11 [now Policy ID10] and provides further guidance on the application of Policy on parking standards in Guildford borough. In line with Policy ID11 [now Policy ID10] and particularly in relation to parking provision on non-strategic sites, applicants and decision-makers will need to have regard to the standards and requirements set out in the SPD.

## **6. Internal Consultations**

- 6.1 In addition to the formal consultation process, the Planning Policy team has worked closely with the Development Management team (DM) in the drafting of policies to ensure that they are effective in the decision-making process. A significant role has also been played by officers within the Council including from Housing, Parks, Climate Change, and Regulatory Services.
- 6.2 Further, an extensive series of Local Plan Panel meetings over the course of plan preparation provided valuable input to the formulation of policies. The Panel comprises cross party representation of members and is designed to act as a sounding board in the development of the Local Plan.

- 6.3 Prior to submission, the document was considered by the Joint Executive Advisory Board at its meeting on 10 May 2022.

## **7. Key Risks**

- 7.1 Planning decisions should be based on up-to-date Local Plans. Not adopting the second part of the Guildford Borough Local Plan would mean decision makers still being reliant on the extant policies contained in the 2003 Local Plan, albeit that the draft LPDMP policies are likely to also carry weight having progressed to and through examination and been found to be sound. This would create uncertainty in relation to decision-making on planning applications.
- 7.2 Adopting this new set of development management policies provides an opportunity of securing higher quality sustainable development in the borough and an opportunity to contribute positively to the climate change emergency (see Climate Change/sustainability below).

## **8. Financial Implications**

- 8.1 There are no financial implications associated with adopting the Local Plan.

## **9. Legal Implications**

- 9.1 The Inspector confirms within his report that the Council has met its legal Duty to Cooperate and provides a summary of legal compliance with other statutory requirements at paragraphs 15 - 21 of his report. This includes that the policies of the LPDMP as modified are consistent with the LPSS in compliance with regulations 8(4) and 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The report concludes that with the recommended Main Modifications, the LPDMP satisfies the requirements referred to in Section 20(5)(a) of the Planning and Compulsory Purchase Act 2004 and is sound.
- 9.2 Under the Council's Constitution and in accordance with the statutory provisions contained the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), full Council has the power to make decisions in relation to the preparation and adoption of the Development Plan.
- 9.3 If the Council resolves to adopt the plan, a 6-week period will begin during which any person aggrieved by the decision may bring an application for statutory review of the decision in the High Court. Such a challenge can only be brought on the basis that there is a material error of law in the Council's decision to adopt the plan.

- 9.4 On adoption of the LPDMP, the policies identified in the table within Appendix D to the LPDMP will automatically - by operation of law - be superseded and will cease to be part of the development plan. It requires no further action/resolution on behalf of the Council.
- 9.5 However, the difficulty arises in respect of those policies from the 2003 Plan which are not superseded. It is considered that these 'residual' policies need to be revoked by the Secretary of State, exercising his powers under section 25(a) of the 2004 Planning and Compulsory Purchase Act. To address this matter, this report includes a resolution to confirm a request that the Secretary of State exercise his powers under section 25(a) of the 2004 Act to revoke the 2003 Local Plan. This request was included in the letter to the Planning Inspectorate that accompanied the submission of the LPDMP.

## **10. Human Resource Implications**

- 10.1 There are no HR implications associated with adopting the Local Plan.

## **11. Equality and Diversity Implications**

- 11.1 All public authorities are required by the Equality Act 2010 to specifically consider the likely impact of their policy, procedure or practice on certain groups in the society.
- 11.2 It is our responsibility to ensure that our policies, procedures and service delivery do not discriminate, including indirectly, on any sector of society. Council policies, procedures and service delivery may have differential impacts on certain groups with protected characteristics, and these will be highlighted in the Equalities Impact Assessment (EqIA) screening. Likely differential impacts must be highlighted, and described, as some may be positive. Where likely significant adverse differential impacts are identified, consideration should be given to opportunities to reduce or mitigate this through a full equalities impact assessment.
- 11.3 The Council has been mindful of its obligations in terms of the Public Sector Equality Duty throughout the plan-making process. Screening EqIA was conducted at both Regulation 18 and Regulation 19 stages, alongside further consideration of EqIA at submission stage (see background paper). In this regard and considering the nature of the proposed main modifications to the LPDMP, officers are of the view that no further EqIA is necessary. Officers have reflected upon the EqIA produced at submission stage and the final version of the LPDMP and retain the view as expressed in the submission EqIA that the LPDMP will continue to not have a negative impact on those with protected characteristics, neither does it reflect the potential for discrimination. The opportunity to foster greater equality and positive impacts for protected groups has been

sought and incorporated within policies where appropriate. In this light, it is considered that the policies will lead to a betterment for protected groups where this is possible including in relation to elements of housing development, design, open space provision, protection of the environment and development and/or retention of infrastructure such as community facilities, the cycle network, and parking provision.

## **12. Climate Change/Sustainability Implications**

- 12.1 The timely adoption of the LPDMP will enable the policies proposed to carry full weight as part of the development plan. The suite of policies covers a range of topics that will all contribute towards the achievement of Climate Change objectives and sustainable development.
- 12.2 The LPDMP policies will have a positive impact in helping to secure sustainable and low impact development, Climate Change resilient development, and renewable and low carbon energy schemes. The Plan will also contribute towards securing improvements in air and water quality, and biodiversity.
- 12.3 The LPDMP has been subject to a Sustainability Appraisal (SA). The SA is the outcome of an iterative process that is prepared to accompany each version of the Local Plan. It incorporates the requirement for Strategic Environmental Assessment (SEA) and assesses each policy against environmental, social and economic objectives. A Habitats Regulations Assessment (HRA) has also been prepared. This ensures that the LPDMP conforms with the Habitats Regulations and will not adversely affect any European protected habitats or species. The final step in the SA process involves preparing a statement at the time of a Local Plan's adoption.
- 12.4 The SA Adoption Statement (see Appendix 5) includes information on how environmental considerations have been integrated into the plan reflecting on the SA process up to the point of adoption, alongside explaining the measures decided concerning monitoring of the plan.
- 12.5 The SA Adoption Statement demonstrates that a robust SA process has been progressed alongside plan-making and in compliance with both the SEA<sup>1</sup> and Local Planning<sup>2</sup> Regulations.
- 12.6 The Inspector indicates at Paragraph 17 of his report that Sustainability Appraisal has adequately assessed the LPDMP to establish, when judged against reasonable alternatives, that the plan will help to achieve relevant environmental, economic and social objectives. He also notes that no

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<sup>1</sup> Environmental Assessment of Plans and Programmes Regulations 2004

<sup>2</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

further SA or habitats regulations assessment (HRA) was necessary (following submission) due to the nature of the main modifications.

### **13. Summary of Options**

- 13.1 Two options are available to the Council regarding a decision on the LPDMP. Officers' recommendation is that the plan is adopted with the Inspector's recommended main modifications – there is no option to pick and choose from the Inspector's recommendations. The alternative course of action is for the plan to not be adopted, with risks of this option set out in the Key Risks section above.

### **14. Conclusion**

- 14.1 Following the Examination in Public into the LPDMP, the Inspector concluded that the plan is sound, subject to a number of Main Modifications being made. Adoption would enable the LPDMP to become part of the Council's development plan and carry full weight in the determination of planning applications, as well as replacing a range of extant Local Plan policies which are two decades old. It sets out a clear and updated set of development management policies which seek to secure high quality sustainable development which will benefit the borough's residents, businesses, natural environment, and visitors. The LPDMP has been subject to extensive internal and external consultation and independent examination, and officers' recommendation is that it be adopted.

### **15. Background Papers**

Submission LPDMP Equality Impact Assessment screening 2022: available as GBC-LPDMP-CD-011 at <https://www.guildford.gov.uk/localplanpart2examdocuments>

Guildford borough Submission Local Plan: development management policies (2022) – the version of the plan submitted to the Inspector: available at <https://www.guildford.gov.uk/guildfordlocalplan>

### **16. Appendices**

Appendix 1: The Inspector's Report (it references Appendix 2).

Appendix 2: Schedule of Main Modifications (which accompanied the Inspector's Report).

Appendix 3: Schedule of Additional / Minor Modifications

Appendix 4: A final version of the Local Plan, which incorporates all of the Inspector's Main Modifications and the Council's Additional / Minor Modifications.

Appendix 5: The Sustainability Appraisal Adoption Statement.

Appendix 6: The Parking Standards for New Development SPD.

Appendix 7: The SPD Consultation Statement.

Appendix 8: The SPD Strategic Environmental Assessment and Habitats Regulations Assessment Determination Statement



## **Report to Guildford Borough Council**

**by David Reed BSc DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Date: 27 February 2023

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the Guildford Borough Local Plan: Development Management Policies**

The Plan was submitted for examination on 17 June 2022

The examination hearings were held between 15 and 17 November 2022

File Ref: PINS/Y3615/429/12

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## Abbreviations used in this report

AONB	Area of Outstanding Natural Beauty
BNG	Biodiversity Net Gain
DMP or the plan	Guildford Borough Local Plan: Development Management Policies
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
NPPF	National Planning Policy Framework
LPSS	Guildford Borough Local Plan: Strategy and Sites
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SPD	Supplementary Planning Document

## Non-Technical Summary

This report concludes that the Guildford Borough Local Plan: Development Management Policies provides an appropriate basis for the planning of the Borough, provided that a number of main modifications (MMs) are made to it. Guildford Borough Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared a schedule of the proposed modifications. These MMs were subject to public consultation over a seven-week period. In the light of the comments received in a few cases I have made minor amendments to their detailed wording to improve clarity. I have recommended the inclusion of the MMs in the Plan after considering all the representations made.

The Main Modifications can be summarised as follows:

- To clarify the scope and process for a review mechanism for the delivery of affordable housing;
- To introduce flexibility in the provision of First Homes;
- To clarify the principles and date for implementation of the biodiversity net gain policy;
- To align the standards for carbon emissions from buildings with the building regulations;
- To amend the cycle network plan, clarify its status and introduce more flexibility for solutions in rural areas;
- To amend and clarify parking standards.

## Introduction

1. This report contains my assessment of the Guildford Borough Local Plan: Development Management Policies (hereafter the DMP or the plan) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the plan's preparation has complied with the duty to co-operate. It then considers whether the plan is compliant with the legal requirements and whether it is sound. Paragraph 35 of the National Planning Policy Framework 2021 (NPPF) makes it clear that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Guildford Borough Local Plan: Development Management Policies, submitted in June 2022, is the basis for my examination. It is the same document as was published for consultation in January 2022.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and/or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs. No further sustainability appraisal (SA) or habitats regulations assessment (HRA) was necessary due to the nature of the MMs. The MM schedule was subject to public consultation from 15 December 2022 to 2 February 2023 (seven weeks). I have taken account of the comments received in coming to my conclusions in this report and in response I have made a few minor amendments to the detailed wording of the MMs where these are necessary to improve clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes or SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the

only change to the policies map is the inclusion of the 'Comprehensive Guildford Borough Cycle Network' set out in DMP Appendix A: Figures A1 and A2. These show a proposed cycle route network across the Borough. As explained in paragraph 41 below, Figure A1 should be amended to include an additional route along Long Reach and an existing public right of way.

6. When the plan is adopted, in order to comply with the legislation and give effect to the plan's policies, the Council will need to update the adopted policies map to include the cycle network as set out in Appendix A: Figures A1 and A2 including the amendment published as **MM6**.

## Context of the Plan

7. Guildford Borough in south west Surrey comprises the historic county town together with several villages set within the surrounding countryside which is designated as part of the Metropolitan Green Belt. The southern part of the Borough also forms part of the Surrey Hills Area of Outstanding Natural Beauty. The area is an attractive place to live, relatively prosperous with a wide range of businesses, and provides a wide range of services and facilities, particularly in Guildford town centre.
8. The overall planning strategy for the Borough over the period to 2034 is set out in the Guildford Borough Local Plan: Strategy and Sites (the LPSS) adopted following examination in April 2019. The role of the DMP is to provide a complementary suite of development management policies providing further detail for use in the determination of planning applications. The two documents should be read together.
9. On adoption of the DMP the remaining saved policies of the Guildford Local Plan 2003 will be superseded or revoked as listed in Appendix D.

## Public Sector Equality Duty

10. Throughout the examination I have had due regard to the aims expressed in S149(1) of the Equality Act 2010 and the need to avoid any negative impacts on protected groups. This has included my consideration of several matters during the examination including the policies relating to housing, design and infrastructure.

## Assessment of Duty to Co-operate

11. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with the duty to co-operate (DtC) imposed on it by section 33A in respect of the plan's preparation. The Council is obliged to co-operate with

relevant local authorities and other prescribed bodies in relation to cross boundary strategic matters in order to maximise the effectiveness of the DMP.

12. The Council satisfied the DtC during the preparation of the LPSS which sets the overall planning strategy for the Borough and allocates strategic sites. The complementary DMP does not allocate any sites and comprises more detailed policies which are either of a non-strategic nature or do not raise significant cross boundary issues. The various policies provide additional detail or clarity to existing requirements in the LPSS or NPPF or set out a local approach with minimal impact on neighbouring areas, none of which raise DtC concerns.
13. Nevertheless, the Council has consulted both informally and formally with relevant local authorities and other prescribed bodies in drawing up the DMP, for example Historic England in relation to heritage policies and the Environment Agency in relation to water resources. Whilst some amendments to the DMP have been sought for reasons of soundness, no representations have been made that there has been a lack of co-operation by the Council.
14. Having taken all of the above into account I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Assessment of Other Aspects of Legal Compliance**

15. The Plan has been prepared in accordance with the Council's Local Development Scheme published in December 2021.
16. The DMP has been prepared over a lengthy period with a consultation on Issues, Options and Preferred Options (Regulation 18) in June/July 2020 and the Proposed Submission Local Plan (Regulation 19) in Jan/Feb 2022. The Council's Regulation 22(1) statement provides full details of the consultation carried out, an assessment of responses and how these have influenced the plan. I am satisfied that adequate consultation on the DMP and MMs has been carried out in compliance with the Council's Statement of Community Involvement published in May 2020.
17. SA has been carried out throughout each stage of plan preparation. A detailed report was published alongside the plan and other submission documents under Regulation 19. It was unnecessary to update the appraisal to assess the MMs. The SA process has adequately assessed the DMP to establish, when judged against reasonable alternatives, that the plan will help to achieve relevant environmental, economic and social objectives.
18. The HRA dated November 2021 notes that the DMP does not allocate sites or determine a quantum of growth (the role of the LPSS) but rather sets out

policies to manage that growth. The HRA concludes that, in combination with other plans and projects, the DMP is not likely to have significant effects on the potentially affected sites, the Thames Basin Heaths Special Protection Area and Thursley, Ash, Pirbright & Chobham Special Area of Conservation.

19. The Development Plan taken as a whole, primarily the LPSS, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. The strategic policies in the DMP are listed in Appendix C.
20. The Development Plan, taken as a whole, both the LPSS and DMP, includes policies designed to secure that the development and use of land in the local planning authority's area contributes to the mitigation of, and adaptation to, climate change. In particular, DMP Policy P13 seeks sustainable surface water management, Policy D12 promotes low impact development, Policy D13 requires adaptation to climate change, Policy D14 seeks to reduce carbon emissions and Policy D15 promotes renewable energy. Overall, the plan meets the statutory objective in Section 19 (1A) of the 2004 Act.
21. The Plan complies with all other relevant legal requirements, including those in the 2004 Act (as amended) and the 2012 Regulations. In particular, the policies in the DMP as modified are consistent with those of the LPSS in compliance with Regulations 8(4) & (5).

## Assessment of Soundness

### Main issue

22. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, the main issue upon which the soundness of this plan depends is **whether the policies in the plan are positively prepared, justified, effective and consistent with both national policy and the LPSS**. This report deals with this issue in relation to a number of policies. It does not respond to every point or issue raised by representors, nor does it cover every policy in the plan, only those that raise soundness issues. The policies that are not specifically mentioned in this report do not raise soundness issues.

### Policy H7: Review Mechanisms

23. Policy H7 proposes that a review mechanism is secured in the case of residential schemes where viability constraints identified at the outset have resulted in the provision of less than policy compliant levels of affordable housing. These circumstances have arisen in the Borough from time to time. The principle of such a policy is supported by Planning Policy Guidance (PPG)



with the aim of securing policy compliant development over the lifetime of a scheme when viability considerations may change.

24. As submitted, the application of the policy by the Council to cases 'where it is considered appropriate' would be ambiguous and for effectiveness greater clarity is necessary. Accordingly, **MM1** modifies the policy to state that a review mechanism will normally be required in these cases and paragraph 2.33 to set out the circumstances when a departure may be justified, essentially when the scope for additional contributions is limited for example in the case of smaller scale development. In the interests of effectiveness, **MM1** also modifies paragraph 2.39 to include further necessary detail as to the process involved in a review and the need for dispute resolution clauses to ensure the final completion of the development is not unreasonably delayed.

### **Policy H8: First Homes**

25. In May 2021 the First Homes policy was introduced, the requirement that at least 25% of all affordable housing on residential developments should be in the form of First Homes. First Homes are a form of affordable home ownership for first time buyers when the market value of a property is discounted by a minimum of 30% and the sale is for no more than £250,000.
26. This was after the adoption in April 2019 of LPSS Policy H2. Policy H2 sets the requirement for at least 40% of the dwellings on eligible housing sites in the Borough to be affordable homes, with at least 70% of these being for affordable rent and at least 10% for affordable home ownership. The First Homes policy does not conflict with Policy H2 as it still allows the 70% affordable rent figure to be met with the 25% First Homes requirement being provided within the 30% allowance for other tenures.
27. However, due to exceptionally high house prices in the Borough, the application of the maximum sale price of £250,000 is likely to limit the provision of First Homes to predominantly one-bedroom properties, probably flats. In some locations this may be undesirable as it would require a sub-optimal affordable housing tenure/mix in relation to need or for design reasons. To ensure the effectiveness of the policy this may justify some flexibility in such circumstances.
28. **MM2** thus modifies Policy H8 to expect rather than require 25% First Homes and to include a new paragraph after 2.53 to explain the rationale and scope for flexibility where necessary to avoid an adverse planning outcome. Any agreed substitution of First Homes would be with other forms of affordable housing to maintain compliance with Policy H2. The MM has been amended slightly since consultation to improve clarity.

## Policy P6/P7: Biodiversity in New Development

29. The Environment Act 2021 introduces a requirement for most new development to deliver a minimum 10% net gain in biodiversity either on or off site as measured by a standard biodiversity metric. The requirement is due to commence from November 2023 with planning authorities having the ability to set higher percentage targets subject to the feasibility and achievability of a higher target given the potential impact on development costs.
30. As submitted Policy P6/P7 proposes a minimum 20% target for biodiversity net gain (BNG) in the Borough. In recent years Surrey has seen a steady attrition of natural habitats, a decline in the population of priority species and a greater proportion of species becoming extinct locally compared to the national average. A BNG study of three very different permitted schemes, albeit a small sample, demonstrates the potential for some to deliver more than 20% BNG on site whilst others would require off-site provision to deliver either a 10% or 20% BNG. However, these schemes were not specifically designed with BNG as an objective, which would be the case in future. An analysis of emerging schemes in the Borough shows many are able to deliver 20% BNG on-site. However, whilst on-site provision will be possible in some cases, in others off-site biodiversity units will need to be delivered or alternatively purchased from an accredited habitat provider. This is already a potential implication of the 10% BNG requirement, with the additional costs of achieving 20% BNG thereby more likely to potentially undermine the viability of development or alternatively increase the possibility that sufficient off-site units may not be available in the necessary timescale, delaying scheme delivery.
31. The cost of delivering off-site biodiversity units will not become fully clear until the BNG policy is implemented later this year. A national market analysis study concluded £20 to £25k per unit may be necessary if farmland is used, but the feasibility study into the enhancement of the existing Council owned 46 ha Tyting Farm site suggests units could be delivered for about £7.5 to £11k. With large areas in the Borough already managed as recreational greenspace or for nature conservation, landowners are likely to bring forward enhancement schemes reducing the cost of units locally. In any event, the viability evidence before the examination uses a generous £20k per unit for sensitivity testing purposes which amounts to an average cost of no more than £2k per dwelling for 20% BNG for the three schemes that were included in the BNG study. Having regard to this evidence, in relation to build and other development costs, I am satisfied that the impact of a 20% BNG policy on viability in Guildford Borough would be marginal and as such would not undermine the deliverability of the LPSS.
32. Turning to the availability of off-site biodiversity units, it is estimated that for 20% BNG about 266 units will be required to facilitate all the housing proposed in the LPSS to 2034. Even if this figure is an underestimate, the Tyting Farm case

study suggests 141 units could be created from that site alone. With numerous other potential sites in the Borough and the financial incentive involved, the availability of off-site units should not be a problem following the lead-in time needed to establish accredited sites.

33. In the light of the evidence, the minimum 20% BNG target in Policy P6/P7 is justified, being aspirational but deliverable in the case of Guildford Borough. Whilst 10% BNG strikes the right balance nationally between the ambition for development and the pressing need to reverse environmental decline, 20% BNG strikes the right balance between those objectives in the Borough.
34. However, as submitted, paragraph (1) of Policy P6/P7 requires development to maximise biodiversity gain without qualification whereas this overall aim on each site should be balanced with delivering other planning priorities. **MM3** makes the necessary change to ensure the policy is justified, amended slightly since consultation to improve clarity. In the interests of clarity and thus effectiveness, **MM3** also amends paragraph 4.44 of the plan to explain the rationale behind the 20% BNG target.
35. Most importantly, to be justified the policy should come into effect at the same time as the national 10% BNG requirement, not on adoption of the plan. Further secondary legislation and guidance is required to clarify the scheme and define exempt development. In addition, adequate lead-in time is necessary to bring forward accredited off-site habitat enhancement schemes. The Council's commitment to use their Tyting Farm site should also be included in the DMP to provide assurance that at least one site will be able to deliver off-site units from the outset, thus avoiding any delay to scheme delivery. To ensure it is justified, **MM3** makes these necessary changes to Policy P6/P7 and paragraph 4.47, amended slightly since consultation to improve certainty. In the interests of effectiveness, **MM3** also clarifies the policy in relation to the requirements for previously developed land.
36. Finally, for Policy P6/P7 to be justified **MM3** introduces new supporting text in paragraph 4.16 to indicate that there may be flexibility over the 20% BNG requirement in cases where a viability assessment demonstrates the overall scale of obligations threatens scheme viability. If necessary, the need for 20% BNG in the location concerned will be balanced against other competing obligations to determine the way forward.

## **Policy D14: Carbon Emissions from Buildings**

37. The purpose of Policy D14 is to amend LPSS Policy D2 to extend support for Combined (Cooling) Heating and Power distribution networks and to update the carbon reduction standards to be achieved in new buildings. The policy as submitted reflects the reduced emission rates which were published for consultation in January 2021 for inclusion in Part L of the Building Regulations.

As these were subsequently introduced in June 2022, **MM4** is necessary to refer to the new regulations in the policy and to require compliance with any changes to the standards in future. **MM4** also removes outdated reasoned justification in paragraphs 5.240-5.243, includes a reference to the guidance in the Council's Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document (SPD) and corrects the policy to refer to new buildings rather than new dwellings.

## Policy ID10: Achieving a Comprehensive Borough Cycle Network

38. In order to encourage cycling as a sustainable means of transport, Policy ID10 seeks to facilitate the development of a high-quality network of cycle routes across the Borough. The policy cross refers to the mapped routes in Appendix A (Figures A1 and A2 covering the whole Borough and urban area respectively) as the network which the plan seeks to deliver over time.
39. As submitted, the DMP describes the network shown in the appendix as the 'basis and starting point' for the identification of cycle route improvements to be provided or funded by new development. However, the majority of routes shown have only been established at a concept level with detailed design and feasibility work still to be undertaken. For the identified route network to be justified and effective, this concept status needs to be clarified with the routes described as only the 'starting point' for the identification of improvements rather than being definitive. In addition, the network shown is not exhaustive, with other improvements potentially being identified through the planning application process. However, new development can only be required to deliver such improvements where these meet the tests for a planning obligation. To ensure it is justified **MM5** makes the necessary changes to Policy ID10 and paragraph 6.85, the former amended slightly since consultation to improve clarity.
40. Policy ID10 as submitted emphasises the delivery of dedicated cycle routes within urban areas. To be effective in the more rural areas of the Borough and to take account of emerging national guidance, the policy should also include the potential for other solutions including the designation of quiet lanes, the use of greenways, speed limits and traffic calming measures. Consequently, in the interests of effectiveness **MM5** also adds these alternative approaches into paragraphs 6.80, 6.91 and 6.93. The change to paragraph 6.91 has been amended slightly since consultation to avoid street clutter and ensure any lighting in rural areas is appropriate.
41. Turning to the mapped network itself, following detailed consideration of route options in connection with residential development at the former Wisley airfield, an additional route to and from the facilities at East Horsley has been identified along the lightly trafficked Long Reach and an existing public right-of-way. To ensure the effectiveness of Policy ID10 this route should be added to Figure A1. **MM6** makes the necessary change.

42. The proposed routes along Old Lane to and from Effingham Junction and Ockham Road North to and from East Horsley should be retained in the proposed route network. Whilst challenging to deliver as dedicated cycle routes, traffic calming measures to improve the routes for all users including cyclists would be deliverable. The routes should also be included in the DMP to be consistent with LPSS Policy A35 (Former Wisley Airfield) requirement 6.

### **Policy ID11: Parking Standards**

43. LPSS Policy ID3 includes general principles in relation to car parking provision but no actual standards. Subsequently, several neighbourhood plans have set minimum vehicle parking standards in the areas concerned, and others may do so in future. The purpose of DMP Policy ID11 is to set maximum vehicle parking standards for the strategic sites allocated in the LPSS, such standards to take precedence over those in neighbourhood plans, whilst neighbourhood plan standards would apply to non-strategic sites. The standards, arrived at by analysing census data, and intended to manage car use, are in Appendix B.
44. In addition to Policy ID11, the Council is preparing a Parking SPD to include detailed guidance and a range of standards for non-strategic sites. This was consulted upon in parallel with the DMP and can be updated as necessary from time to time. As submitted, Policy ID11 requires compliance with the standards in the SPD. This erroneously raises the status of the SPD to that of a statutory development plan and requires compliance with future versions of the document which would be drawn up without independent scrutiny. To ensure it is justified **MM7** is therefore necessary to amend Policy ID10 to require development proposals outside strategic sites to have regard to the SPD, a less stringent test than compliance. It also amends paragraph 6.134 to clarify the level of justification required when the level of parking proposed is slightly below maximum standards.
45. Policy ID11 as submitted also requires compliance with the standards in the SPD for electric vehicle charging points in new developments. However, in June 2022 national standards were introduced through Part S of the Building Regulations. To be consistent with national policy and to require compliance with any increased standards in future, **MM7** also revises the policy to require compliance with the regulations rather than the Parking SPD.

### **Conclusion in relation to Soundness**

46. Having regard to the above, subject to **MMs 1-7**, the policies in the plan are sound, i.e. they are positively prepared, justified, effective and consistent with both national policy and the LPSS.

## Overall Conclusion and Recommendation

47. The plan as submitted has a number of deficiencies in respect of soundness which would preclude it being adopted. However, the Council has requested that I recommend MMs to make the plan sound and/or legally compliant and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix the Guildford Borough Local Plan: Development Management Policies satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*David Reed*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.

# Guildford Borough Local Plan: Development Management Policies

## Schedule of main modifications to accompany final report dated 27 February 2023

The main modifications below are expressed either in the form of ~~strikethrough~~ for deletions and underlined for additions of text, or by specifying the modification in words.

The main modifications set out below are sorted with the order of the Local Plan’s chapters and policy sections.

Main mod number	Policy number	Paragraph number	Modification
MM1	H7	Policy paragraph (1)	If a reduced contribution to affordable housing than that which is required by the Local Plan is proposed and justified on viability grounds, the Council will <u>normally</u> , <del>where it considers appropriate</del> , require a viability review mechanism to be secured.
		Paragraph 2.33	<del>The Council may choose not to impose a</del> <u>Any departure from the</u> requirement for a viability review mechanism <u>will be dealt with on a case-by-case basis but would require substantial and robust justification by the applicant</u> <del>where the developer demonstrates, and the Council is satisfied</del> that the potential for additional contributions is <del>likely to be</del> limited by the circumstances of the case. This could include cases involving smaller scale development where <del>the likelihood of</del> an increased contribution <u>is unlikely.</u> <del>(including offsetting the costs associated with further viability review) is diminished.</del>
		Paragraph 2.39	At the point of review, applicants <del>would be required to</del> <u>should</u> submit an updated <u>full</u> viability assessment consistent with the format <u>and methodology</u> submitted at planning application stage and any supplementary information that the Council requires. <u>Whilst such a full viability assessment using the same methodology as the original assessment may be best suited to the circumstances of the case, a more limited formula-based approach to the review, focussing on any changes to submitted values and build costs, may also be considered where this is agreed by the applicant and the Council.</u> The Council’s costs associated with commissioning an independent review of this assessment will be met by the applicant. The approach should be agreed with the Council prior to submission of an updated viability assessment <u>with the terms set out at the time that planning permission is granted, usually as part of the Section 106 agreement. The terms should include appropriate dispute resolution clauses. This could include reference to the RICS or Law Society to appoint an arbitrator or independent expert for valuation or legal disputes respectively. The updated viability assessment should follow the government’s recommended approach to assessing viability as set out in Planning Practice Guidance.</u>

Main mod number	Policy number	Paragraph number	Modification
MM2	H8	<p>Policy paragraph (1)</p> <p>New paragraph after paragraph 2.53</p>	<p>A minimum of 25% of affordable homes provided either on-site or off-site or as a financial contribution in lieu of on-site provision in line with the Council’s adopted affordable housing requirements are <del>required</del><u>expected</u> to be First Homes.</p> <p><u>It is recognised that, due to exceptionally high average market house prices in the Borough, the national policy requirement for a minimum of 25% First Homes, combined with application of the price cap, may lead to provision of First Homes under the policy being predominantly in the form of one-bedroom homes. Where there is agreement that compliance with this level of provision may lead to an adverse planning outcome in relation to a sub-optimal affordable housing tenure/mix or site design there may be scope for some flexibility. Any substitute for First Homes would be the provision of other forms of affordable housing so that the requirements of Policy H2 are still met. Early engagement with the Council’s Housing team is advised to establish any specific factors that should be considered in terms of local housing needs that may impact on the desired tenure mix.</u></p>
MM3	P6/P7	<p>Policy paragraph (1)</p> <p>Policy paragraph (12)</p> <p>Policy paragraph (13)</p>	<p>Development proposals, including those exempt from minimum biodiversity net gain standards, are required to seek maximum biodiversity gain <u>on site balanced with delivering other planning priorities</u> and to follow the mitigation hierarchy.</p> <p>Qualifying development proposals <u>submitted after the national scheme comes into effect</u> are required to achieve a biodiversity net gain of at least 20 per cent, or the advised national minimum amount, whichever is greater, measured using the national biodiversity net gain calculation methodology.</p> <p><del>Biodiversity net gain is not a requirement on previously developed land, unless it</del> <u>Where previously developed land is exempted from biodiversity net gain under the relevant regulations, a minimum net gain will not be required unless the site</u> supports at least one protected or priority species population or habitat, or an assemblage of species with an otherwise demonstrably high biodiversity value. Where these are present, a measurable <u>20%</u> net gain for <del>those features</del> <u>relevant habitats will be</u> <del>is</del> required.</p>



Main mod number	Policy number	Paragraph number	Modification
		Paragraph 4.16	<p>Maximum biodiversity gain means that opportunities for enhancing and supporting biodiversity <u>on site</u> have been fully explored and implemented <del>wherever possible,</del> <u>balanced with the delivery of other planning priorities.</u> In practice, this means that biodiversity should be considered from the outset of design work. <u>Where an applicant can demonstrate clearly that circumstances particular to the development justify the need for a viability assessment, and that assessment shows that the scale of obligations jeopardise viability, decision makers will prioritise competing needs on a case-by-case basis taking into account the specific local circumstances including the importance attached to biodiversity enhancements in the development's location.</u></p>
		Paragraph 4.44	<p>The NPPF has always incorporated the principle that new developments should achieve biodiversity net gain and since 2019 required plans to identify and pursue opportunities for securing measurable net gains for biodiversity. <u>The Environment Act 2021 proposes a minimum 10% biodiversity net gain, but on commencement of the national scheme</u> <del>The policy therefore requires</del> a minimum 20% biodiversity net gain <u>will be required within the Borough using the national biodiversity net gain calculation methodology. Defra Biodiversity Metric.</u> This <u>higher level is higher than the proposed 10% net gain recommended nationally but reflects the fact that is justified because</u> Surrey has suffered a severe biodiversity decline which is significantly worse than the country as a whole, <u>opportunities to deliver this off-site if necessary are likely to be available locally and the viability of development is unlikely to be unduly impacted in most cases. and is more consistent with the NPPF as the higher figure provides greater certainty that a genuine net gain will be achieved.</u></p>
		Paragraph 4.47	<p>4.47 Biodiversity gains may be achieved through habitat restoration and/or creation on-site. Where the full required net gain cannot be achieved on a development site, the remaining gain may be achieved outside the development site, either by the developer or by a third party. In the unlikely event that the required gains cannot be provided through these routes, the Council may negotiate a justified and proportionate financial contribution which will be used to secure the required gain by obtaining credits from a 'habitat bank'. <u>The Council will offer developers opportunities for off-site biodiversity net gain at its Tyting Farm site and will encourage other sites to be provided in the Borough to ensure the local availability of alternative options.</u></p>

Main mod number	Policy number	Paragraph number	Modification
MM4	D14	Policy paragraph (4)	New <del>buildings</del> dwellings must achieve <u>an emission rate</u> <del>a reduction in carbon emissions of at least 31 per cent and other buildings must achieve a reduction in carbon emissions of at least 27 per cent measured against no higher than</del> the relevant Target Emission Rate (TER) set out in the Building Regulations <del>2010 (as amended)</del> (Part L). <del>This is required to be achieved through improvements to the energy performance of the building and the provision of appropriate renewable and low carbon energy technologies on site and/or in the locality of the development.</del>
		Paragraph 5.240	<del>New dwellings and other buildings must achieve reductions in carbon emissions of at least 31 per cent and at least 27 per cent respectively through the provision of appropriate low and zero carbon energy technologies in the locality of the development and improvements to the energy performance of the building. These are the new national standards proposed by the government in forthcoming changes to the Building Regulations</del>
		Paragraph 5.241	Technologies will be considered appropriate only where they would be effective. <u>The Climate Change, Sustainable Design, Construction and Energy SPD provides some guidance on what ‘appropriate’ and ‘effective’ mean.</u> <del>The reduction in emissions is judged against a baseline of the relevant Target Emission Rate (TER) set out in the Building Regulations. For types of development where no TER is set out, reductions should be made against the typical predicted energy use of building services. The 31 and 27 per cent figure represents a minimum standard and applicants are strongly encouraged to improve upon this standard.</del> The NPPF paragraph 134 calls for significant weight to be accorded to “outstanding or innovative designs which promote high levels of sustainability”.
		Paragraph 5.242	<del>The baseline for the carbon reduction is the relevant Target Emission Rate set out in the Building Regulations 2010 (as amended). The 2010 Building Regulations have been subject to a number of amendments, including changes to carbon emissions standards in 2013. The baseline for the carbon reduction is therefore the relevant 2013 Target Emission Rate.</del>
		Paragraph 5.243	<del>The carbon emission standard applies to each new building individually.</del>
MM5	ID10	Policy paragraph (1)	The routes and infrastructure which comprise the Comprehensive Guildford Borough Cycle Network, including the cycle elements of the Sustainable Movement Corridor, as represented on the Policies Map, will be the <del>basis</del> <b>and</b> starting point for the identification of improvements, primarily for utility cycling, provided and/or funded by new development.

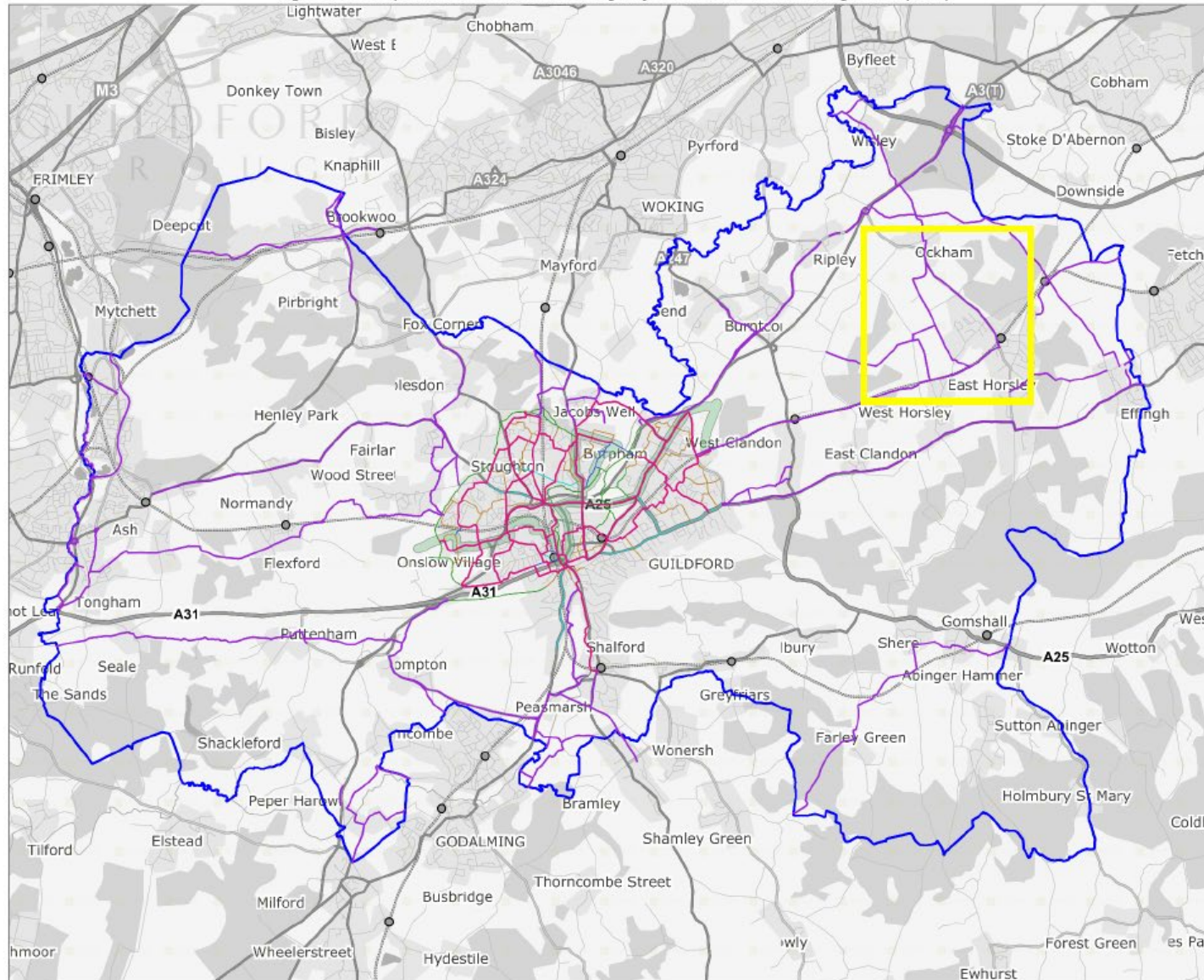
Main mod number	Policy number	Paragraph number	Modification
		Policy paragraph (2)	Development proposals are also required to deliver the site-specific requirements for cycle infrastructure as identified in site allocation policies and also <u>may include</u> <del>any</del> further requirements identified as part of the planning application process <u>where justified</u> .
		Policy text	<del>For consultation purposes,</del> The mapped routes which comprise the 'Comprehensive Guildford Borough Cycle Network' can be found in Appendix A.
		Paragraph 6.80	Infrastructure – can include high quality cycle tracks segregated from motorised and pedestrian traffic, crossings, low traffic neighbourhoods <sup>276</sup> , 20mph speed limits and modal filters <sup>277</sup> , dependant on location. <u>In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures.</u>
		Paragraph 6.85	The map is <u>a starting point</u> , not exhaustive, and consideration will be given to proposals not presently included in the Policies Map. <u>Further to this, the majority of routes identified have only been established at a concept level and the identification of improvements will, in such cases, require feasibility and design stages to be undertaken. This will involve undertaking road safety auditing and impact assessments, as appropriate, taking into account any relevant statutory designations.</u>
		Paragraph 6.91	The measures applicable to each development proposal will vary on a case-by-case basis, but all should take account of the needs of cyclists, for example by providing safe, secure, convenient, accessible and <u>suitably</u> direct access to, from and within development. This may be achieved through cycle lanes or tracks, low traffic neighbourhoods, 20mph speed limits and modal filters, dependant on location. <u>In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures.</u> Infrastructure should be integrated, well signed ( <u>avoiding street clutter</u> ), lit ( <u>if appropriate</u> ) with high quality surfaces, benefit from attractive landscape design and comprehensive wayfinding and further enhanced by sufficient, convenient, safe and secure cycle parking facilities (discussed further in Policy ID11 Parking Standards).
		Paragraph 6.93	Conflict can arise between walkers and cyclists on shared use paths. By providing a comprehensive Guildford borough cycle network and adhering to national guidance, this conflict will be reduced as shared use facilities will generally no longer be appropriate, unless it can be demonstrated that segregated facilities cannot or should not be provided. <u>Shared use facilities may be appropriate in some rural settings such as greenways and Quiet Lanes.</u> The delivery of a comprehensive Guildford borough cycle network does not mean the importance of the pedestrian network should be overlooked.

Main mod number	Policy number	Paragraph number	Modification
MM6	ID10	Appendix A Figure A1	[Add additional route along Long Reach, West Horsley whilst also retaining the routes along Old Lane and Ockham Road North – See Appendix A map below]
MM7	ID11	Policy paragraph 2 (e)	the provision of electric vehicle charging will provide at least the minimum requirements set out in the <a href="#">Building Regulations (Part S) Parking SPD</a> ;
		Policy paragraph 3 (a)	the provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, <del>will not exceed</del> <a href="#">will have regard to</a> the maximum standards set out in the Parking <a href="#">Standards for New Development</a> SPD;
		Policy paragraph 3 (b)	the provision of car parking in new residential development in village and rural areas, for use by residents themselves, <del>should meet</del> <a href="#">will have regard to</a> the expected standards set out in the Parking <a href="#">Standards for New Development</a> SPD;
		Policy paragraph 3 (d)	the provision of non-residential car parking <del>will not exceed</del> <a href="#">will have regard to</a> the maximum standards set out in the Parking <a href="#">Standards for New Development</a> SPD;
		Policy paragraph 3 (e)	the provision of electric vehicle charging will provide at least the minimum requirements set out in the <a href="#">Building Regulations (Part S) Parking SPD</a> ;
		Policy paragraph 3 (f)	the provision of cycle parking <del>will provide at least</del> <a href="#">will have regard to</a> the minimum requirements set out in the Parking <a href="#">Standards for New Development</a> SPD.
		Policy paragraph 4 b) iv)	that the car-free status of the development can be <del>enforced</del> <a href="#">assured</a> by planning obligations and/or on-street parking controls;
		Paragraph 6.134	<a href="#">Where the level of car parking provision is proposed to be slightly below the maximum standards (a traditional development in terms of car parking provision) there is unlikely to be any significant justification required as this would not be proportionate. However, in <del>in</del> instances where significantly lower car use...</a>



Appendix A - Comprehensive Guildford Borough Cycle Network

Figure A1. Comprehensive Guildford Borough Cycle Network – Full Borough View (MM6)



**Legend**

- Rest of Borough - Existing and proposed routes
- Guildford town - Primary routes
- Guildford town - Secondary routes
- Guildford town - Green cycle routes
- Guildford town - Lower standard routes
- Guildford town - Key new connections
- Sustainable Movement Corridor
- Borough Boundary

**Original cycle network**

**Amended cycle network**

Publication Date: 2022-12-13

Scale at A3: 1:86,000

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# Additional Modifications comprising of minor modifications to and errata for the Submission Local Plan: Development Management Policies (2022)

The minor modifications/errata below are expressed either in the form of ~~strikethrough~~ for deletions and underlined for additions of text, or by specifying the modification in words.

The minor modifications/errata set out below are sorted with the order of the Local Plan’s chapters and policy sections.

Chapter or Policy	Paragraph number or section	Minor Modification	Reason for modification
Throughout document	N/A	Minor grammatical, typographical, factual, and formatting errors have been corrected throughout.	To provide clarity.
Throughout document	Policy title	Policy ID11: Parking Standards <u>for New Development</u>	To aid clarity - resulting from confusion with Council run off-street and on-street car parking/ parking charges.
Throughout document	N/A	Parking <u>Standards for New Development</u> SPD	To aid clarity.
Policy H7: Review Mechanisms	2.40	The review will <u>include</u> <u>assessing</u> changes to gross development value and development costs, (the key variables that are most likely to be subject to change) at the review stage, from what were assumed to be the case at the	To aid clarity.

		planning application stage, allowing for developer profit on any changes in value (consistent with the allowance at planning application stage).	
Policy H8: First Homes	Policy paragraph 4)	4) Residential development proposals on qualifying small sites comprising primarily First Homes will be permitted where <u>the proposed scheme is</u> <del>they are</del> : a) adjacent to <u>an</u> existing settlements <del>s</del> , and b) proportionate in size to <u>it</u> <del>them</del> .”	To aid clarity.
Policy H8: First Homes	Definitions, paragraph 2.47	Insert new footnote after “First Homes are a specific form of discounted market sale housing which are discounted by a minimum of 30% against the market value”, as follows:  <u><sup>48</sup> Market value should be ascertained by a valuation from a registered valuer acting in an independent capacity, and the valuation should be in accordance with the RICS red-book valuation guidance for new-build homes. The sale price should only change following consideration of a mortgage or home purchase plan if the lender’s valuation is lower than the agreed sale price.</u>	To align with national guidance.
Policy H8: First Homes	Paragraph 2.52	“The PPG allows local authorities to set their own local eligibility criteria in addition to the national criteria (see First Homes definition). The <u>initial</u> sale of First Homes in the borough will therefore be restricted during the first three months of marketing to households who are current or recent former residents of the borough or that have a current employment or family connection to it....”	To add clarity.
Policy H8: First Homes	Paragraph 2.57	“...The evidence <u>of significant local need for one or more of these types of housing</u> that applicants will be required to provide will need to be in the form of a Local Housing Needs Assessment, local authority Housing Register, or other sufficiently rigorous local evidence...”	To add clarity.



Policy E11: Animal-related Development	3.13	<del>General advice on grazing agreements and other useful information is available from Surrey County Council's website<sup>59</sup>.</del>	Factual update
Policy E11: Animal-related Development	Footnote 59	<del>Available online at: <a href="https://www.surreycc.gov.uk/land-planning-and-development/countryside/advice/horse-care">https://www.surreycc.gov.uk/land-planning-and-development/countryside/advice/horse-care</a></del>	Factual update
Policy E11: Animal-related Development	3.14	The second part of Policy E11, <u>which deals solely with commercial development, includes a requirement</u> <del>requires</del> that commercial animal-related development proposals do not prejudice the agricultural operation of any holding.	To add clarity.
Policy P6/P7: Biodiversity in New Developments	4.21	...Where a development falls within <del>or adjacent to</del> a BOA, the scheme's biodiversity measures are required to be consistent with these statements. <u>For sites adjacent to a BOA, on-site works are required to support the priority habitats and species, aims, objectives and targets in the statements where feasible.</u>	To aid clarity by making it clear that sites outside of BOAs do not need to undertake offsite works in order to support the BOAs.
Policy P6/P7: Biodiversity in New Developments	4.46	The Environment Act and associated regulations exempt some types of development from the national biodiversity net gain (BNG) <u>minimum</u> requirement. The same exemptions apply for the biodiversity net gain requirement in this policy <u>(unless covered by policy paragraph 13)</u> . However, the remainder of the policy applies to all developments.	To add clarity.
Policy P6/P7: Biodiversity in New Developments	4.48	BNG measures may be acceptable on SANGs (see LPSS 2019 policy P5) where they would complement the recreational purpose and uses of the SANG, and where new or enhanced BNG habitats and the species they are intended to benefit would not suffer as a result of SANG uses. <u>Proposals must calculate biodiversity gains from an appropriate baseline and meet any requirements on additionality in accordance with Natural England's SANG guidelines, legislation and national guidance.</u> <del>Habitat creation or enhancement on SANGs will only be</del>	Factual update.

		<p><del>considered BNG measures (rather than ordinary SANG works) where they provide measurable additionality over and above the minimum requirements of the SANG, demonstrated through use of the Biodiversity Metric <u>national biodiversity net gain calculation methodology</u>, using the SANG quality requirements set out in Natural England’s SANG guidelines as the baseline. In order to demonstrate this, it will be necessary for the management plans for SANGs to clearly differentiate between SANG works and BNG measures so that decision makers are able to judge whether the SANG works alone enable the site to meet SANG quality standards. For the purposes of the BNG calculation, the baseline value of the SANG is the site with the Habitat Regulation key required habitat features incorporated as set out in the SANG guidelines. BNG calculations should be done from this baseline in order to clearly demonstrate the additional biodiversity unit uplift beyond the minimum SANG requirements.</del> The revision of previously consented SANGs to alter approved landscaping or planting schemes, mitigation works, or habitat or landscape management plans is likely to require an application to amend the scheme or a new planning application. <del>Such applications should use the initially proposed outcomes for biodiversity as the baseline for BNG calculations.</del></p>	
Policy P6/P7: Biodiversity in New Developments	4.49	<p>All habitat that is created or enhanced in order to meet the net gain requirement is required to be secured and maintained for at least 30 years in order to ensure that it is able to reach maturity and attain a sufficient quality. This figure is consistent with the <del>proposed</del> national approach <u>set out in the Environment Act at time of writing</u>. However, <del>the national approach may be subject to change as the Environment Bill passes through parliament.</del> If a longer time period is specified nationally, the policy requires <del>d</del> the longer period to apply. The Council encourages longer time periods including maintenance in perpetuity.</p>	<p>Factual update following the making of the Environment Act and to correct a typographical error.</p>
Policy P8/P9: Protecting Important	Policy paragraph 4 b	<p>b) An appropriate buffer <del>around</del> <u>between new development and</u> the ancient woodland of a minimum of 15 metres or a greater distance if specified by national policy.</p>	<p>To aid clarity by making it clear the buffer applies to new development and</p>

Habitats and Species			not existing development.
Policy P8/P9: Protecting Important Habitats and Species	4.57	Ancient woodland - woodland that meets the NPPF definition of “an area that has been wooded continuously since at least 1600 AD” and any woodland identified on <u>an established Ancient Woodland Inventory, including</u> Surrey’s Revised Ancient Woodland Inventory (2011)...	To aid clarity by aligning with the language in policy paragraph 3 and following an update to Natural England and Forestry Commission standing advice on Ancient Woodland.
Policy P8/P9: Protecting Important Habitats and Species	4.59	<i>Significant trees</i> – all ancient and veteran trees, ancient woodland, trees that are special because of a special heritage, recreational, social or aesthetic value, and trees covered by a Tree Protection Order (TPO) or are of TPO quality, <u>established through an arboricultural report.</u>	To aid clarity by identifying the methodology for identifying significant trees.
Policy P8/P9: Protecting Important Habitats and Species	4.66 g	Irreplaceable habitats include, but are not limited to, the following habitats. ... g) Ancient hedgerows, and ‘important’ hedgerows that <del>contain</del> <u>support an established population of</u> protected, endangered, vulnerable or rare species.	To aid clarity by making it clear the policy refers to hedgerows that support a relevant population rather than those that are visited by a single member of a relevant species during the survey.
Policy P8/P9: Protecting Important Habitats and Species	4.70	An appropriate buffer of a minimum of 15 metres around ancient woodland should be set at a distance necessary to preserve the nature, health and setting of the ancient woodland, taking into account the nature and area of proposed development. <u>This may necessitate a buffer of greater than the minimum 15m.</u> If national policy sets a wider minimum distance, the greater distance will apply.	To aid clarity.

Policy P8/P9: Protecting Important Habitats and Species	4.74	... Ancient hedgerows tend to be the most biodiverse in terms of both plants and animals and where an ‘important’ hedgerow <del>contains</del> <u>supports an established population of</u> protected, endangered, vulnerable or rare species, the assemblage of species is such that replacing the hedgerow would be technically difficult or take a very significant time....	To aid clarity by making it clear the policy refers to hedgerows that support a relevant population rather than those that are visited by a single member of a relevant species during the survey.
Policy P8/P9: Protecting Important Habitats and Species	4.77	For the purposes of the policy, an important hedgerow will be considered an irreplaceable habitat if it qualifies as ‘important’ because it <del>contains</del> <u>supports an established population of</u> protected species listed in the Wildlife and Countryside Act 1981 (or successor legislation) and/or threatened species as identified in Red Data lists and reviews....	To aid clarity by making it clear the policy refers to hedgerows that support a relevant population rather than those that are visited by a single member of a relevant species during the survey.
Policy P8/P9: Protecting Important Habitats and Species	Monitoring indicators	<u>Number of D</u> -developments resulting in loss or harm to irreplaceable habitats, priority species and habitats, sites designated for their biodiversity value <del>and</del> <u>or</u> aquatic habitats.	To aid clarity through clearer meaning.
Policy P11: Air Quality and Air Quality Management Areas	4.126	<u>Initial</u> Air Quality Assessments must be completed during the early stages of the design and preparation of the development proposal. If the applicant has engaged the Council’s preapplication service, the <u>initial</u> Air Quality Assessment should be submitted and reviewed as part of this.	To aid clarity.
Policy P12: Water Quality, Waterbodies	4.147	Development proposals that contain or are in the vicinity of a waterbody covered by the WER should work with the relevant catchment partnership to	To aid clarity by making it clear that ‘measures’

and Riparian Corridors		identify <u>and incorporate</u> measures that will help to deliver WER and RBMP objectives...	refers to measures on the development site.
Policy P12: Water Quality, Waterbodies and Riparian Corridors	4.152	... The Environment Agency and Wey Landscape Partnership (WLP) are updating the Wey Catchment Plan and producing a Habitat Restoration Strategy for the Wey catchment which identifies actions needed to bring the River Wey into good ecological status. The RBMP also identifies beneficial projects for rivers. New development should <u>incorporate measures that</u> support the delivery of these improvements.	To aid clarity by making it clear that ‘measures’ refers to measures on the development site.
Policy P12: Water Quality, Waterbodies and Riparian Corridors	4.155A (new paragraph)	<u>4.155A Landscape and Ecological Management Plans for main river buffer zones should cover all areas of public realm, amenity and green infrastructure as well as ecology.</u>	To aid clarity on the scope of Landscape and Ecological Management Plans.
Policy P13: Sustainable Surface Water Management	4.175A (new paragraph)	<b>Reasoned justification</b> <u>4.175A The control of runoff at source (or as close as possible) is a key principle in sustainable drainage. Drainage proposals should be designed to intercept as much runoff, including from off the site, as possible in order to maximise the amount that is subject to SuDS processes.</u>	To aid clarity by providing context for paragraph 1 of the policy.
Policy P13: Sustainable Surface Water Management	4.181		Replaced the image showing the SuDS Sustainability Hierarchy with a table version to meet the Accessibility regulations by making it text readable and to update it following a change to Surrey County Council guidance.

<p>Policy P13: Sustainable Surface Water Management</p>	<p>Footnote 94</p>	<p>Available online at <del><a href="https://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-planning-advice">https://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-planning-advice</a></del> <a href="https://www.surreycc.gov.uk/community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-drainage/drainage-guidance">https://www.surreycc.gov.uk/community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-drainage/drainage-guidance</a></p>	<p>Factual update following a change to the URL for Surrey County Council’s SuDS Design Guidance.</p>
<p>Policy P14: Regionally Important Geological / Geomorphologi cal Sites</p>	<p>Policy Title</p>	<p><u>Policy</u> P14: Regionally Important Geological / Geomorphological Sites</p>	<p>To ensure consistency with the rest of the document.</p>
<p>Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness</p>	<p>Policy paragraph 3</p>	<p>3) Development proposals are required to incorporate high quality design which should contribute to local distinctiveness by demonstrating a clear understanding of the place. Development proposals should respond positively to:</p> <ul style="list-style-type: none"> <li><u>a)</u> the history of a place;<sub>i</sub></li> <li><u>b)</u> significant views (to and from);<sub>i</sub></li> <li><u>c)</u> surrounding context;<sub>i</sub></li> <li><u>d)</u> built and natural features of interest;<sub>i</sub></li> <li><u>e)</u> prevailing character;<sub>i</sub></li> <li><u>f)</u> landscape;<sub>i</sub> and</li> <li><u>g)</u> topography.</li> </ul>	<p>To aid clarity and to be consistent with the approach taken elsewhere in the plan.</p>

		<u>3A)</u> The use of innovative design approaches, including use of materials and construction techniques, will be supported where this presents an opportunity to create new or complementary identities that contributes to and enhances local character.	
D6: Shopfront Design and Security	Policy paragraph 6	... <del>Planning permission for</del> external solid shutters that obscure the shopfront <del>then planning permission</del> will be refused.	To aid clarity.
Policy D7: Advertisements, Hanging Signs and Illumination	Paragraph 5.57	Advertisements <del>are</del> <del>has become</del> a very important and significant part of the built environment and can be found pretty much everywhere, from signage upon commercial and retail premises, such as fascia and projecting signs, to large poster hoardings and window decals.	To aid clarity.
Policy D7: Advertisements, Hanging Signs and Illumination	Paragraph 5.69	In the case of conservation areas, the <del>advertisement's</del> <del>advertisements</del> acceptability will be guided by the published character appraisal of that area.	Grammatical error.
Policy D7: Advertisements, Hanging Signs and Illumination	Paragraph 5.70	Where <del>advertisement or</del> signage is to be fixed to a <u>statutory</u> listed building Listed Building Consent will be required, irrespective of whether or not Advertisement Consent is required.	To aid clarity.
Policy D7: Advertisements, Hanging Signs and Illumination	Paragraph 5.72	Care should also be taken to ensure that the wiring or cabling required to serve the illumination is <u>concealed as far as practical</u> <del>hidden from view</del> and does not harm or impede on architectural features and detailing	To aid clarity.
D9: Residential Infill Development Proposals	Definitions	<i>Piecemeal development</i> - in the context of this policy relates to uncoordinated development where individual applications are submitted for development across a larger developable area <u>where this is done in order to deliberately</u>	To aid clarity.

		<u>avoid infrastructure provision, contributions or affordable housing that are triggered at certain thresholds.</u>	
D10a: Light Impact and Dark Skies	Footnote 142	<sup>142</sup> Available online at: <del><a href="https://cdn.bats.org.uk/pdf/Resources/ilp_guidance_note_8_bats_and_artificial_lighting_compressed.pdf?mtime=20181113114229">https://cdn.bats.org.uk/pdf/Resources/ilp_guidance_note_8_bats_and_artificial_lighting_compressed.pdf?mtime=20181113114229</a></del> <a href="https://cdn.bats.org.uk/uploads/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?v=1542109349">https://cdn.bats.org.uk/uploads/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?v=1542109349</a>	Factual update.
D12: Sustainable and Low Impact Development	Paragraph 5.211	Consideration of the lifecycle of buildings and public spaces means they have been designed to be adaptable for changing social and economic needs. This will extend their useful lives and avoid the need for extensive modification and refurbishment or demolition and replacement. <u>The embodied carbon cost of demolition works that take place prior to construction should also be considered.</u>	To aid clarity.
Policy D15: Renewable and Low Carbon Energy Generation and Storage	Policy Title	<u>Policy</u> D15: Renewable and Low Carbon Energy Generation and Storage	To ensure consistency with the rest of the document.
D15: Renewable and Low Carbon Energy Generation and Storage	Paragraph 5.246	The Council's ambition is for the borough to become <u>net</u> zero carbon by 2030. This will require a significant or total reduction in the use of fossil fuels and a switch to low carbon energy. The national grid will not be fully decarbonised at that point so the amount of renewable and low carbon energy produced within the borough must also increase. Rooftop solar and domestic scale low carbon energy schemes are unlikely to be sufficient alone, so it is necessary to consider standalone energy installations. Additionally, new low carbon energy schemes will be needed to allow the national grid to fully decarbonise.	Factual update.



Policy D15: Renewable and Low Carbon Energy Generation and Storage	Paragraph 5.253, item 4	“The temporary nature of the development and the limited harm that results, and proposals to remediate and potentially improve the social <u>and/or</u> environmental value of the land at the end of the development’s life.”		To add clarity.
Policy D15: Renewable and Low Carbon Energy Generation and Storage	Paragraph 5.261	In the event that proposals are received for wind turbines greater than domestic scale, the Council will consult with Gatwick Airport, <u>the Ministry of Defence</u> and NATS (the national air traffic system provider).		Factual update to ensure consistency with PPG Paragraph: 016 Reference ID: 5-016-20140306.
Policy D16: Designated Heritage Assets	Paragraph 5.262	<u>Valued Features of heritage significance the historic environment can include, buildings, monuments, sites, places, areas or landscapes and their setting, and those which are identified as having a degree of special interest or significance that merits consideration in planning decisions</u> <del>these</del> are referred to as heritage assets.		Factual correction
Policy D16: Designated Heritage Assets	Table D16a	<b>Heritage Assets</b>	<b>Numbers in Guildford Borough</b>	Factual correction
		<b>Statutory Listed Buildings</b>	1097*	
		<i>Grade I</i>	34	
		<i>Grade II*</i>	41	
		<i>Grade II</i>	1022	
		<b>Conservation Areas</b>	40	

		<table border="1"> <tr> <td style="text-align: center;"><i>With Article 4 Directions</i></td> <td style="text-align: center;">8</td> </tr> <tr> <td style="text-align: center;"><b>Scheduled Monuments</b></td> <td style="text-align: center;">32</td> </tr> <tr> <td style="text-align: center;"><b>Registered Parks and Gardens</b></td> <td style="text-align: center;"><del>108</del></td> </tr> </table>	<i>With Article 4 Directions</i>	8	<b>Scheduled Monuments</b>	32	<b>Registered Parks and Gardens</b>	<del>108</del>	
<i>With Article 4 Directions</i>	8								
<b>Scheduled Monuments</b>	32								
<b>Registered Parks and Gardens</b>	<del>108</del>								
Policy D16: Designated Heritage Assets	Paragraph 5.281	Supplementary planning documents such a Conservation Area Character Appraisals and the Guildford Town Centre Views SPD <sup>178</sup> <u>apart from being material considerations in determining relevant planning applications</u> , are <u>also</u> useful tools that can help with the assessment of significance.	To add clarity						
Policy D18: Conservation Areas	Paragraph 5.336	These appraisal documents, <u>which are a material planning consideration</u> , undertake analysis that helps with justifying the reasons for designating the area. <u>These documents can be used as a material planning consideration in determining planning applications within these areas.</u>	To add clarity						
Policy D21: Conservation Areas	Paragraph 5.454	To prevent enabling development being carried out <u>with</u> the heritage benefits (including longterm maintenance arrangements) being realised the Council will employ the use of legally enforceable mechanisms such as planning conditions and Section 106 (S.106) legal agreement. The Council will use its professional discretion in determining the most appropriate method, however, because of the importance of meeting the heritage objective and the potential for matters that are beyond the scope of planning conditions, a S.106 agreement is usually the most appropriate <u>mechanism employed, however other options could include phasing, escrow accounts or the use of a trust. - especially where issues such a payment of monies / transfer of land are apparent or phasing.</u>							
Policy ID5: Protecting Open Space	Policy paragraph 1	1) Open space will be protected in line with LPSS 2019 Policy ID4: Green and Blue Infrastructure and national policy.  <u>1A)</u> Exceedance of the minimum standards set out in the Open Space, Sport and Recreation Assessment will not mean that land designated as open	To aid clarity.						

		<p>space<sup>241a</sup> is surplus to requirements. A surplus will only be considered to exist where analysis has shown that:</p> <p>a) the land is no longer needed as open space, and its loss would not result in, or worsen, a local deficit of that particular open space typology in terms of accessibility, quality or quantity; and</p> <p>b) the site cannot be improved or repurposed to correct deficits in other open space typologies.</p>	
Policy ID5: Protecting Open Space	Policy paragraph 1A	<p>Insert new footnote after “land designated as open space”, as follows:</p> <p><u><sup>241A</sup> In this context, open space refers to land that fits into one or more of the typologies of open space assessed in the Open Space, Sport and Recreational Assessment (2017) and referred to in Table 6 (page 35) of that document. These open spaces are protected for their sport and/or recreational purposes, though they may also have public value for aesthetic, biodiversity or other reasons.</u></p>	To aid clarity, and for consistency with paragraph 6.9.
Policy ID5: Protecting Open Space	Policy paragraph 1A	...land designated as <del>o</del> Open <del>s</del> Space...	Grammatical error.
Policy ID5: Protecting Open Space	Definitions, paragraph 6.3	The NPPF Annex 2: Glossary defines Open Space as "all open spaces <del>s</del> of public value, <u>including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs)</u> which offer important opportunities for sport and recreation and can act as visual amenity".	Factual update to ensure consistency with the updated definition in the 2021 NPPF Annex 2: Glossary.
Policy ID5: Protecting Open Space	Paragraph 6.8	“...However, it might include, for example, data on usage from more recent household surveys than those undertaken for the OSSRA, and <u>or</u> a detailed further assessment of access and quality issues...”	To add clarity.

Policy ID6: Open Space in New Developments	Policy ID6, Table ID6a	Insert new footnote from 'ANGST standard', as follows: <u><sup>253A</sup> See footnote 252</u>	To improve clarity regarding Natural England's ANGSt standard.
Policy ID6: Open Space in New Developments	Policy ID6, Table ID6a	Insert new row at the bottom of Table ID6a to include a total figure in ha/1,000 people for all of the open space typologies listed in the table.	To aid clarity.
Policy ID5: Protecting Open Space	Paragraph 6.15	The Council's Open Space, Sports and Recreation Assessment <u>(2017)</u> (OSSRA) <sup>251</sup>	To aid clarity.
Policy ID5: Protecting Open Space	Definitions – Paragraph 6.17	"Allotment – An allotment, <u>or allotment garden</u> , is land wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for consumption by him/her or his/her family <sup>254</sup> . They do not include private gardens or commercial premises..."	To aid clarity.
Policy ID6: Open Space in New Developments	Definitions – Paragraph 6.17	The statutory definition of an allotment within Guildford borough is an area of land with a measurement <u>no</u> greater than 20 poles <u>in extent</u> <sup>254A</sup> ( <del>100.5</del> <u>500</u> sqm).	To correct factual error in the existing draft wording
Policy ID6: Open Space in New Developments	Definitions – Paragraph 6.17 – New footnote below paragraph	<u><sup>254A</sup> Allotments Act 1950, S9</u>	Factual update

Policy ID6: Open Space in New Developments	Definitions – Paragraph 6.19A	<u>6.19A Parks and Recreation Grounds – These include formal parks, recreation grounds and outdoor sports space, for both pitch and non-pitch sports. They also include the general open space surrounding play areas, sports facilities etc. used for general recreation (but not informal recreation space in and around housing developments which is separately classified as amenity green space).</u> <sup>255A</sup>	To aid clarity.
Policy ID6: Open Space in New Developments	Definitions –Paragraph 6.19A – New footnote below paragraph	<sup>255A</sup> <u>For a more detailed explanation and examples of this open space typology, see Section 5.1.3 of the Open space, Sports and Recreation Assessment (2017), available at <a href="https://www.guildford.gov.uk/localplan/openspace">https://www.guildford.gov.uk/localplan/openspace</a>.</u>	To aid clarity.
Policy ID6: Open Space in New Developments	Footnote 259	As the Play Strategy is updated, its key requirements and those of the <del>OSSRA</del> <u>Open Space, Sports and Recreation Assessment (2017)</u> in relation to quality of play space will be incorporated into the Planning Contributions SPD.	To aid clarity.
Policy ID6: Open Space in New Developments	Paragraph 6.29	“Where sites are considered too small to provide open space onsite, as indicated <u>by a dash</u> in Table ID6b, the policy requires an equivalent financial contribution in lieu of onsite provision...”	To aid clarity.
Policy ID6: Open Space in New Developments	Paragraph 6.36	<del>6.36 New allotments provided onsite to comply with the standards in policy ID6 will be required to be of at least the minimum size for a statutory allotment (see definitions), unless there is adequate existing provision of allotments of this size in the local area to meet demand arising from the proposal.</del>	Factual update to ensure consistency with the corrected definition for allotment at paragraph 6.17.
Policy ID6: Open Space in New Developments	Paragraph 6.36	Applicants should be aware that community growing space will not be considered as a substitute for provision of allotments on strategic sites, or for financial contribution towards allotments on non-strategic sites. The OSSRA (Section 6.2) provides some general quality recommendations for new	To aid clarity

		allotments, <u>which should be viewed as standards for them in accordance with policy paragraph (9)</u> <sup>263</sup> .	
Policy ID10: Achieving a Comprehensive Guildford Borough Cycle Network	Definitions - Paragraph 6.81	“Sustainable Movement Corridor - will provide a priority pathway through the urban area of Guildford for buses, pedestrians and cyclists, <u>including</u> serving the new communities at Blackwell Farm, Weyside Urban Village and Gosden Hill Farm”	To aid clarity.
Policy ID10: Achieving a Comprehensive Guildford Borough Cycle Network	Paragraph 6.86	“Natural and built barriers hinder the quality of infrastructure provided and accessibility. <del>such as</del> <u>This can be caused by</u> guardrail, <del>and</del> bollards, a lack of dropped kerbs or safe crossing facilities <del>and</del> , <u>including at</u> crossings for rail, road and waterways <del>which include steps or steep gradients on approach...</del> ”	To aid clarity.
Policy ID10: Achieving a Comprehensive Guildford Borough Cycle Network	Paragraph 6.94	“If e-scooters were to be legalised <u>by Government or allowed as part of a Government sanctioned trial by Surrey County Council</u> - either privately owned e-scooters or as part of a public hire scheme, or both - it <del>is envisaged</del> <u>may be</u> that e-scooters would be treated in the same vein as pedal cycles and therefore able to be used on the road or <del>on</del> dedicated cycling infrastructure.”	To aid clarity in terms of the use of e-scooters on the proposed network.
Policy ID11: Parking Standards	Paragraph 6.98	The provision of high-quality cycle parking and the implementation of Electric Vehicle Charge Points (EVCPs) <del>through this policy</del> contribute to an integrated transport system	Factual update to reflect that EVCP standards are not set in DPD.
Policy ID11: Parking Standards	Definitions – paragraph 6.101	<i>Allocated parking</i> – a parking space found within the curtilage of <del>the a</del> <u>residential</u> property, such as a garage or driveway, <del>and includes or</del> any space found in off-plot provision <del>clearly</del> <u>which is</u> dedicated to a particular property.	To aid clarity.

Policy ID11: Parking Standards	Definitions – paragraph 6.104	<i>Village &amp; rural</i> – areas outside the ‘urban’ boundary as defined on the Policies Map. Whilst the <del>F</del> former Wisley Airfield is within the village and rural area, the standards for strategic sites will be applicable on this site given its proposed size and characteristics.	Grammatical error.
Policy ID11: Parking Standards	Definitions – paragraph 6.106	<i>Local Centre</i> – includes the urban local centres set in Policy E9(3) and shown on the Policies Map and new local centres set in <u>Policy</u> E9(5):	To ensure consistency with the rest of the document.
Policy ID11: Parking Standards	Definitions – paragraph 6.109	<i>Car-free</i> – development in which there are no parking spaces provided within the <del>curtilage of the</del> site for use by residents, employees or customers, other than for disabled residents or visitors.	Factual update.
Policy ID11: Parking Standards	Definitions – paragraph 6.110	<i>Independent access</i> – this refers to the need for cycles parked in garages to be able to be accessed <u>without</u> obstruction <del>free from</del> <u>by</u> parked cars, bins or household storage.	To provide clarity.
Policy ID11: Parking Standards	Paragraph 6.118	Car availability trends are influenced by a number of longer-term societal trends such as urbanisation, advances in information and communication technologies, work patterns, changing demographics, shifts in income across the population, economic growth or recession and the rise <u>and evolution of smartphone apps which give users access to new travel data and mobility services such as</u> <del>alternative modes of transport such as ride hailing apps and</del> car clubs. These factors all play a part in an evolving travel demand setting.	To provide clarity.
Policy ID11: Parking Standards	Paragraph 6.118	Locally, the number of vehicles registered in the borough since the 2011 Census has increased, however this rate mirrors the increase in the housing stock locally with the average number of vehicles per <del>household</del> <u>property</u> remaining approximately static.	Factual update.
Policy ID11: Parking Standards	Paragraph 6.119	<u>Maximum parking standards are appropriate in the borough’s urban areas in order to manage the local road network – with its challenges particularly of congestion, local air quality and severance – and also for optimising the</u>	To aid clarity regarding the main driver for the

		<p><u>density of development in urban centres and other locations that are well served by public transport. Further, this policy approach also allows for new developments to shape travel demands in ways that are cognisant of national and local net-zero targets.</u> Recent research has identified that modal shift is required at a UK scale to meet the Government’s net-zero policy. The Committee on Climate Change’s (2019) net-zero scenarios assume a 10% transport modal shift from private cars to other modes of transport by 2050. Similarly, Transport for Quality of Life (2018) find that ‘electrification [of vehicles] is insufficient on its own, and demand management to reduce traffic volumes will also be necessary.’</p>	inclusion of maximum standards.
Policy ID11: Parking Standards	Paragraph 6.120	<p>As such, the setting of parking standards could be, and has in this instance, used to plan for matching <del>current, observed car availability in like settings. The policy also enables the</del> <u>and enabling a potentially</u> lower provision of <del>car availability</del> <u>vehicle parking</u> in new residential developments in urban settings and for the strategic sites, <del>in line with the societal trends, potential future scenarios and net zero target set out above.</del></p>	To aid clarity.
Policy ID11: Parking Standards	Paragraph 6.121	<p><del>For example, the delivery of 5 two-bedroom houses in a suburban location, with a maximum car parking provision of 1.5 spaces each (a total of 7.5 spaces throughout the development), would be rounded down to 7. In the example of a development of a single property, the same rounding method would apply.</del> <u>Several worked examples are given in the Parking for New Development SPD. These include identifying the potential need for additional spaces for visitors, servicing and deliveries.</u></p>	Factual update and to provide clarity.
Policy ID11: Parking Standards	Paragraph 6.123	<p>The car parking standards for non-residential developments define the maximum levels permitted for various types of development in the borough, based on that provided as guidance by SCC in their Vehicle <del>ular, and</del> <u>and</u> <del>and</del> <u>Electric Vehicle</u> Parking Guidance (20<u>21</u><del>18</del>).</p>	Factual update.



Policy ID11: Parking Standards	Paragraph 6.126	The expansion of electric vehicle (EV) charging infrastructure supports, and is necessary to meet, the <del>g</del> Government's ambition to phase out the sale of new petrol and diesel vehicles by 2030.	Grammatical error.
Policy ID11: Parking Standards	Paragraph 6.126	<del>These</del> <u>Government's EVCP standards for new development are based on the assumption that</u> <del>aim to allow</del> the majority of charging <del>will to</del> take place at home, <del>within off-street parking provided by new development</del> , and be carried out overnight with supplementary charging taking place in the likes of workplaces, retail destinations and public car parks.	Factual update.
Policy ID11: Parking Standards	Footnote 290	This <u>refers to</u> <del>may include</del> 'low car' development which <del>are those which</del> offers a limited amount of parking and <del>are</del> <u>is</u> designed to <u>facilitate and</u> encourage travel by sustainable modes <u>and marketed as such</u>	As set out in GBC hearing statement (page 10 para. 5.15) and discussed at the examination hearing sessions (Day 3, Matter 6).
Policy ID11: Parking Standards	Paragraph 6.135	Car club vehicles are typically newer and environmentally cleaner than the average car <u>as</u> <del>and the requirements for car club spaces to be fitted with an EVCP reflects the popularity of</del> <u>Electric Vehicles (EVs)</u> or Plug-in Hybrid Electric Vehicles (PHEVs) <u>are now commonly used in</u> <del>for</del> these schemes.	Factual update.
Policy ID11: Parking Standards	Paragraph 6.137	This type of development <del>is</del> <u>could be</u> appropriate in areas in or close to Guildford town centre or <u>the</u> urban district centres at <u>Wharf Road in Ash</u> with frequent public transport and accessible active travel routes.	To aid clarity.
Policy ID11: Parking Standards	Paragraph 6.138	In cases of car-free development undertaken in the town centre in recent years, the developer <u>has paid</u> <del>pays</del> for the Traffic Regulation Order for the Controlled Parking Zone to be amended through a Section 106 contribution, ensuring residents of car-free development are not entitled to an on street parking permit. <u>This mechanism could also be used to apply to low-car development.</u> Similarly, the sustainable alternatives offered must be actively	Factual update – mechanism would be the same for both low-car and car-free.

		incentivised and monitored over the lifetime of the development. Further information in relation to these aspects can be found in the Parking SPD.	
Policy ID11: Parking Standards	Paragraph 6.141	The following guidance should be consulted for best practice, Inclusive Mobility: <a href="#">a guide to best practice on access to pedestrian and transport infrastructure</a> (DfT, <del>2005</del> 2021) <sup>306</sup> and <del>Traffic Advisory Leaflet 5/95 Parking for Disabled People (DfT, 1995)</del> <sup>307</sup> .	Factual update – one guidance document updated and the other withdrawn.
Policy ID11: Parking Standards	Footnote 306	Available online at: <del><a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/3695/inclusivemobility/pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/3695/inclusivemobility/pdf</a></del> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1044542/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1044542/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf</a>	Factual update.
Policy ID11: Parking Standards	Footnote 307	<ul style="list-style-type: none"> <li><del><sup>4</sup> Available online at: <a href="https://tsrgd.co.uk/pdf/tal/1995/tal-5-95.pdf">https://tsrgd.co.uk/pdf/tal/1995/tal-5-95.pdf</a></del></li> </ul>	Factual update – guidance withdrawn
Policy ID11: Parking Standards	Key evidence	<ul style="list-style-type: none"> <li><a href="#">Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure</a> (Department for Transport, <del>2005</del> 2021)</li> </ul>	Factual update.
Policy ID11: Parking Standards	Key evidence	<ul style="list-style-type: none"> <li><del><a href="#">Traffic Advisory Leaflet 5/95 Parking for Disabled People (Department for Transport, 1995)</a></del></li> </ul>	Factual update – guidance withdrawn
Appendix A	Figure A2	Minor modification to cycle network map (See Appendix A of this document).	Factual update - the route as previously illustrated is likely not achievable as a cycle connection.

Appendix B	Table B2 title	Table B2. Strategic sites – maximum provision of non-residential car parking <b>standards</b>			Grammatical error.
Appendix B	Table B2	<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m2 GFA)		Factual update.
		Schools/ colleges/ children’s centres	Individual assessment/justification See notes on School Parking on page <del>7</del> <u>8</u> of Surrey County Council’s Vehicle, <del>ar</del> and Cycle <u>and Electric Vehicle</u> Parking Guidance <u>for New Development</u> ( <del>2018</del> <u>21</u> ).		
Appendix B	Wording below Table B2	<p>Please note:</p> <ul style="list-style-type: none"> <li>• All parking levels <u>expressed for an area of space</u> relate to gross floor area and are recommended as a maximum unless otherwise stated.</li> <li>• Provision for uses marked “individual assessment” will require their own justification and the inclusion of parking management plans, travel plans and cycle strategies where appropriate. The content of each and need for the plan(s) would be discussed and agreed with the County Highway Authority.</li> <li>• Levels of parking per member of staff (full time equivalent) should be calculated using the average of those employed on site at any one time.</li> </ul>			To provide clarity.
Appendix B	Table B3 title	Table B3. Strategic sites – <del>M</del> minimum provision of cycle parking <b>requirements</b> for residential and non-residential development			To ensure consistency with the rest of the document.
Appendix B	Table B3	<b>Development Type</b>	<b>Minimum cycle parking spaces provided – short stay</b>	<b>Minimum cycle parking spaces provided – long stay</b>	To provide clarity.

		Residential																									
		All except sheltered/ elderly housing or nursing homes	Individual assessment/ justification 1 per bedroom																								
Appendix C	N/A	E11: <del>Animal</del> Equine-related Development																									
Appendix D	Change format of heading	<b>Appendix D – List of superseded policies</b>																									
General	Whole document	<p>Amended paragraph numbers, Policy numbers and Policy ordering. See table below for clarity:</p> <table border="1"> <thead> <tr> <th>Policy Number at Submission</th> <th>Policy Number at Adoption</th> </tr> </thead> <tbody> <tr> <td>H5: Housing Extensions and Alterations including Annexes</td> <td>H4: Housing Extensions and Alterations including Annexes</td> </tr> <tr> <td>H6: Housing Conversion and Subdivision</td> <td>H5: Housing Conversion and Subdivision</td> </tr> <tr> <td>H7: Review Mechanisms</td> <td>H6: Review Mechanisms</td> </tr> <tr> <td>H8: First Homes</td> <td>H7: First Homes</td> </tr> <tr> <td>E11: Equine-related Development</td> <td>E10: Animal-related Development</td> </tr> <tr> <td>P6/P7: Biodiversity in New Developments</td> <td>P7: Biodiversity in New Developments</td> </tr> <tr> <td>P8/P9: Protecting Important Habitats and Species</td> <td>P6: Protecting Important Habitats and Species</td> </tr> <tr> <td>P10: Land Affected by Contamination</td> <td>P8: Land Affected by Contamination</td> </tr> <tr> <td>P11: Air Quality and Air Quality Management Areas</td> <td>P9: Air Quality and Air Quality Management Areas</td> </tr> <tr> <td>P12: Water Quality, Waterbodies and Riparian Corridors</td> <td>P10: Water Quality, Waterbodies and Riparian Corridors</td> </tr> <tr> <td>P13: Sustainable Surface Water Management</td> <td>P11: Sustainable Surface Water Management</td> </tr> </tbody> </table>		Policy Number at Submission	Policy Number at Adoption	H5: Housing Extensions and Alterations including Annexes	H4: Housing Extensions and Alterations including Annexes	H6: Housing Conversion and Subdivision	H5: Housing Conversion and Subdivision	H7: Review Mechanisms	H6: Review Mechanisms	H8: First Homes	H7: First Homes	E11: Equine-related Development	E10: Animal-related Development	P6/P7: Biodiversity in New Developments	P7: Biodiversity in New Developments	P8/P9: Protecting Important Habitats and Species	P6: Protecting Important Habitats and Species	P10: Land Affected by Contamination	P8: Land Affected by Contamination	P11: Air Quality and Air Quality Management Areas	P9: Air Quality and Air Quality Management Areas	P12: Water Quality, Waterbodies and Riparian Corridors	P10: Water Quality, Waterbodies and Riparian Corridors	P13: Sustainable Surface Water Management	P11: Sustainable Surface Water Management
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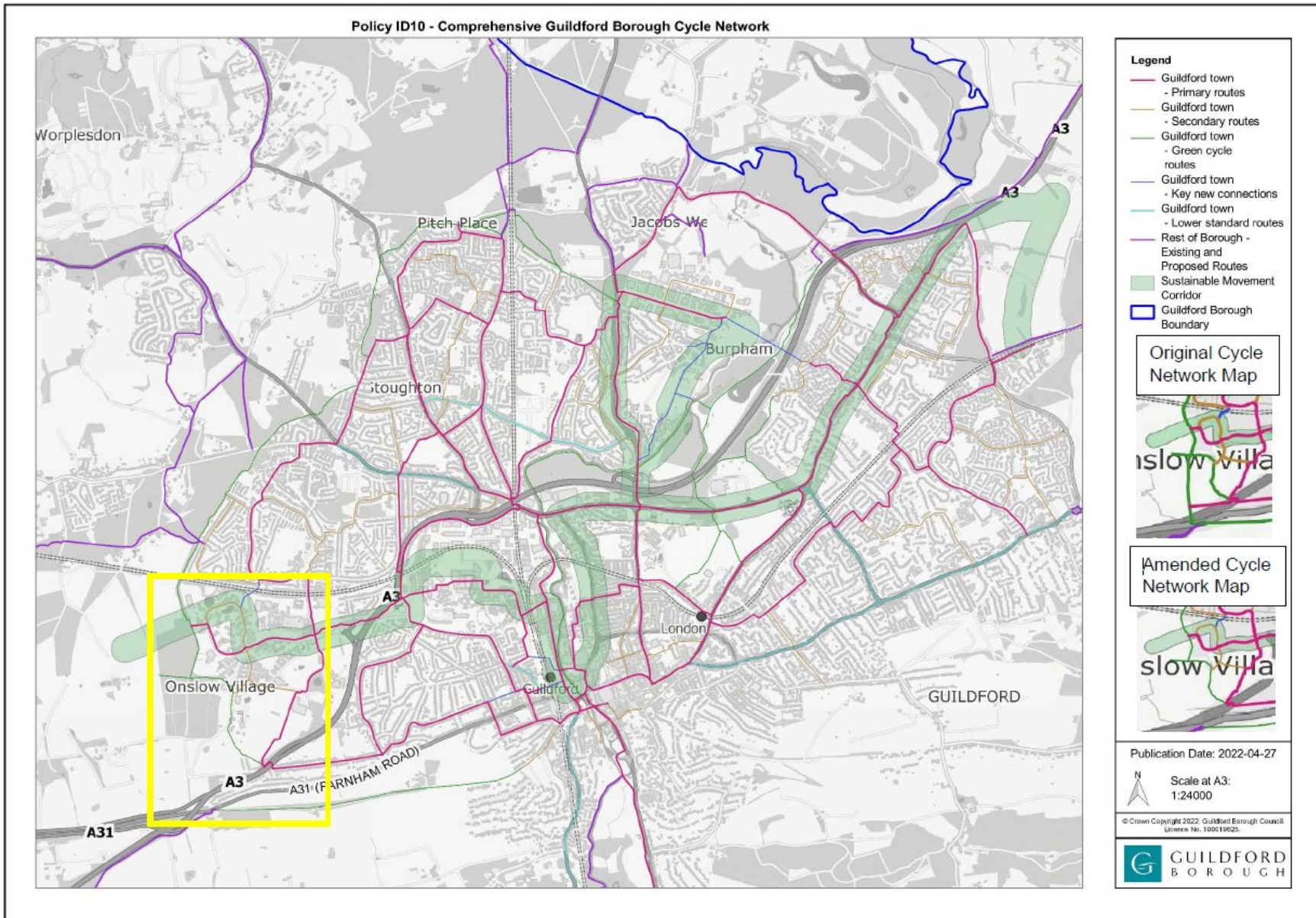
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		D6: Shopfront Design and Security	D9: Shopfront Design and Security	
		D7: Advertisements, Hanging Signs and Illumination	D10: Advertisements, Hanging Signs and Illumination	
		D8: Public Realm	D7: Public Realm	
		D9: Residential Infill Development	D8: Residential Infill Development	
		D10: Noise Impacts	D11: Noise Impacts	
		D10a: Light Impacts and Dark Skies	D12: Light Impacts and Dark Skies	
		D11: The Corridor of the River Wey and Godalming Navigations	D13: The Corridor of the River Wey and Godalming Navigations	
		D12: Sustainable and Low Impact Development	D14: Sustainable and Low Impact Development	
		D13: Climate Change Adaptation	D15: Climate Change Adaptation	
		D14: Carbon Emissions from Buildings	D16: Carbon Emissions from Buildings	
		D15: Renewable and Low Carbon Energy Generation and Storage	D17: Renewable and Low Carbon Energy Generation and Storage	
		D16: Designated Heritage Assets	D18: Designated Heritage Assets	
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		ID9: Retention of Public Houses	ID8: Retention of Public Houses	
		ID10: Achieving a Comprehensive Guildford Borough Cycle Network	ID9: Achieving a Comprehensive Guildford Borough Cycle Network	
		ID11: Parking Standards	ID10: Parking Standards for New Development	



# Appendix A: Comprehensive Guildford Borough Cycle Network (proposed addition to the Policies Map)



Figure A2. Comprehensive Guildford Borough Cycle Network – Guildford Urban Area View





# Guildford Borough Local Plan: Development Management Policies

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Adopted on 22 March 2023



## **Alternative formats**

If you would like to read this document in a different format such as large print or a different language, please contact Planning Policy:

Telephone: 01483 444 471

Email: [Planningpolicy@guildford.gov.uk](mailto:Planningpolicy@guildford.gov.uk)

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## Foreword

**Councillor Joss Bigmore**

**Deputy Leader of the Council and Lead Member for Planning Policy**

The borough of Guildford is a wonderful place with a vibrant market town, picturesque villages and wonderful countryside. To help guide our future growth, the Local Plan: Development Management Policies supplements the policies of the Local Plan: Strategy and Sites adopted in 2019. These new detailed planning policies will protect and enhance our borough for generations to come.



The Local Plan: Development Management Policies, is incredibly important to the borough of Guildford, which is undergoing significant growth and development. The class-leading policies in this plan protect and enhance our treasured natural environment and conserve our beloved heritage. They also tackle pertinent issues related to Climate Change. The document will result in high quality and well-designed sustainable developments that will stand the test of time and enhance our borough to the benefit of its residents, businesses, visitors, and nature.

The Local Plan: Development Management Policies is the culmination of an extensive preparation process. In drawing up the plan we have engaged with partner organisations, local communities, agencies, consultants and neighbouring local authorities. Throughout the process there has been extensive engagement with borough councillors through the cross-party Local Plan Panel. We have also asked you for your views about how the plan can help to shape the future of the borough. The comments you provided through consultation on our Issues and Preferred Options document (2020), Proposed Submission Local Plan (2022), and the Local Plan public examination have been crucial in producing the most comprehensive and sustainable plan possible.

The Local Plan: Development Management Policies recognise the complex challenges facing the area and looks to address them, whilst meeting local aspirations and complying with national requirements. The document will ensure the very special environment and history of the borough of Guildford is conserved and enhanced while meeting local development needs.

**Councillor Joss Bigmore**

**Deputy Leader of the Council and Lead Member for Planning Policy**

# 1. Introduction

## Summary

- 1.1 The Council adopted the Local Plan: strategy and sites in 2019. This is the second part of the Local Plan, the Guildford borough Local Plan: development management policies. The policies are consistent with and build upon the strategic policies and will help when determining planning applications.
- 1.2 The **Local Plan: strategy and sites** (LPSS 2019<sup>1</sup>) planning document sets out our vision, objectives and approaches to development (our strategy) and the location of key development sites in our borough. The **Local Plan: development management policies** (LPDMP) document provides further and more detailed planning policies to use in determining planning applications.

## How to read this plan

### Blue boxes

contain the drafted POLICY

### Green boxes

contain important information sources that support the POLICY

### Pink boxes

contain information on how the POLICY will be monitored

## Introduction

- 1.3 The Guildford borough Local Plan consists of two parts:  
**Part 1:** The Local Plan: strategy and sites<sup>2</sup>. This sets out our vision, aims and strategy for the borough up to 2034. The document contains key facts about our borough, our spatial vision, strategic objectives, overarching planning policies and allocates land for housing, employment, community facilities and other types of development. It also contains development management policies relating to the topics of Retail, Employment and Green Belt. This document was adopted on 25th April 2019.

<sup>1</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>2</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

**Part 2:** The Local Plan: development management policies. This document has detailed development management policies which will be used to determine planning applications in the borough.

- 1.4 The Local Plan should be read as a whole. This includes both the strategy and sites and the development management policies. Each policy is accompanied by a reasoned justification to explain its context and how it should be applied.

## Plan-making

- 1.5 Local Plans must comply with the law as set out in the Localism Act 2011<sup>3</sup> (covering the Duty to Cooperate and Neighbourhood Planning) and the Planning and Compulsory Purchase Act 2004<sup>4</sup> (and amendments in subsequent Acts). Specific plan-making requirements are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012<sup>5</sup>. Other legal frameworks are also currently relevant to the plan-making process.
- 1.6 The Local Plan must be consistent with the National Planning Policy Framework<sup>6</sup> (NPPF). The NPPF instructs us to prepare a plan that is positive about development and requires councils to cooperate with neighbouring authorities when producing their plan, alongside more detailed requirements. National Planning Practice Guidance<sup>7</sup> (NPPG) also guides us in the plan-making process.
- 1.7 The Localism Act 2011<sup>8</sup> and Local Plan Regulations 2012<sup>9</sup> introduced the Duty to Cooperate<sup>10</sup>. This requires us to engage in constructive, active and ongoing dialogue with neighbouring local authorities and other relevant organisations during the plan-making process.
- 1.8 The NPPF requires that plans make explicit which policies are 'strategic' and which are 'non-strategic'. This is set out in Appendix C.

## Neighbourhood planning

- 1.9 England and Wales operate a 'plan-led' planning system. This means that the development plan is the first consideration in determining planning applications. Our LPSS 2019<sup>11</sup> also sets out allocated sites for development in the borough across the plan period and provides an up-to-date framework for local communities who are preparing Neighbourhood Plans<sup>12</sup>. Parish Councils or Neighbourhood Forums can create Neighbourhood Plans to set out a local vision and planning policies for a designated neighbourhood area. Neighbourhood Plans must have regard to national policies and guidance, and be in general conformity with the strategic policies of our Local Plan. Once adopted they form part of the statutory development plan. Planning decisions must be determined in accordance with the development plan, unless material considerations indicate otherwise.

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<sup>3</sup> Available online at: <https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

<sup>4</sup> Available online at: <https://www.legislation.gov.uk/ukpga/2004/5/contents>

<sup>5</sup> Available online at: <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

<sup>6</sup> National Planning Policy Framework 2021 at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>7</sup> Available online at: <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>8</sup> Available online at: <https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

<sup>9</sup> Available online at: <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

<sup>10</sup> Section 33A of the Planning and Compulsory Purchase Act 2004 at: <https://www.legislation.gov.uk/ukpga/2004/5/section/33A>

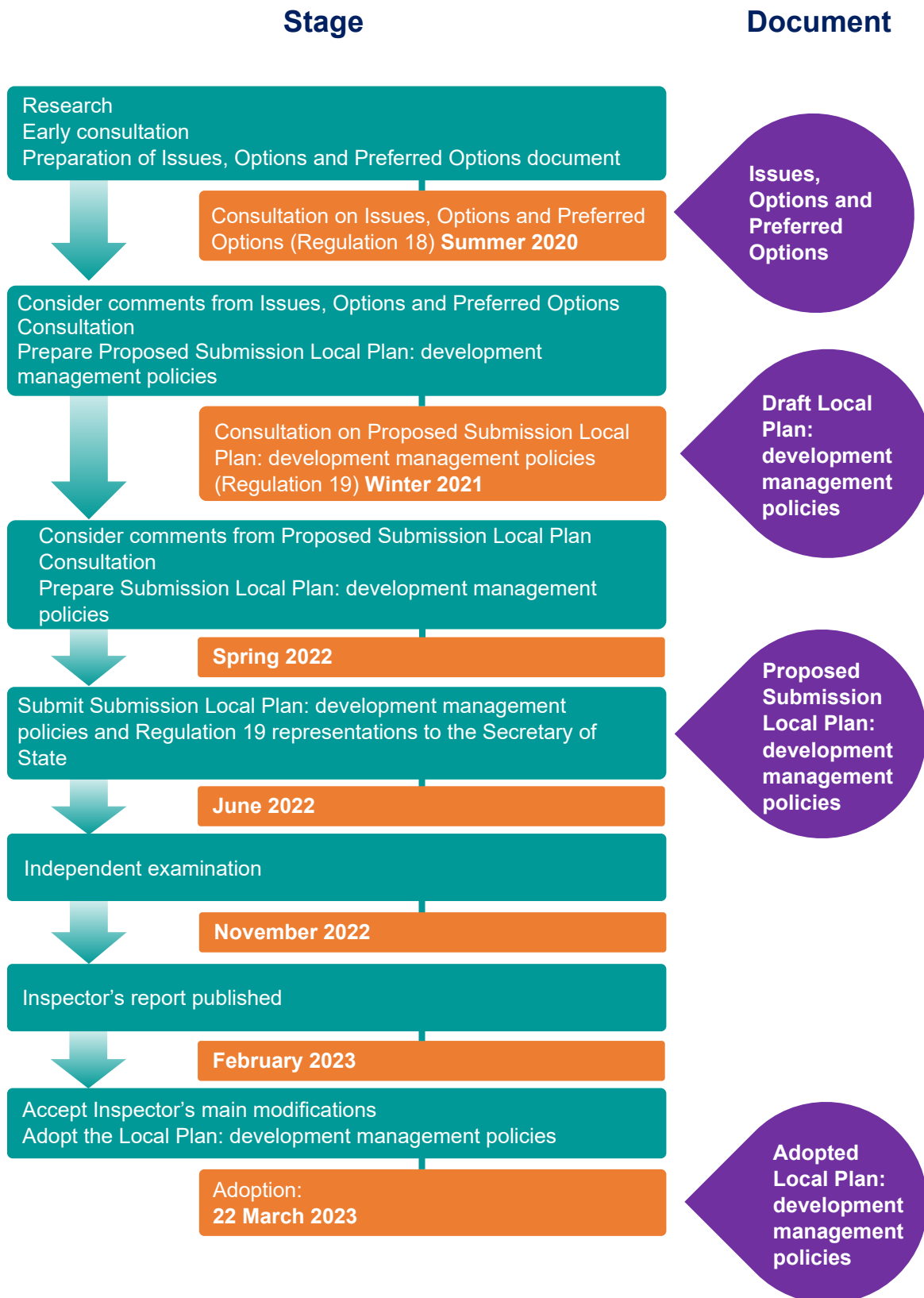
<sup>11</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>12</sup> Available online at: <https://www.guildford.gov.uk/neighbourhoodplanning>



## Key stages in preparing this document

1.10 The key stages in preparing this document are set out in the following diagram.



## Monitoring indicators

- 1.11 We need to assess whether this Local Plan is meeting its aims and objectives and have appropriate mechanisms in place so that we can recognise if it is not and actions can be taken accordingly. To help achieve this, each policy in this document is accompanied by monitoring indicators. Where policies are failing to deliver against the strategic objectives of the Local Plan, necessary actions will be identified in our Authority's Monitoring Report<sup>13</sup>.

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<sup>13</sup> Available online at: <https://www.guildford.gov.uk/localplan/monitoring>

## 2. Housing chapter

### Policy H4: Housing Extensions and Alterations including Annexes

#### Introduction

- 2.1 Extensions to homes can be a convenient way of providing additional living space for growing households or to adapt homes to meet changing needs. High house prices in a competitive housing market have had the impact of people choosing to remain in their existing home and extend, renovate or improve it to meet their needs rather than move. Grown-up children now tend to live in the family home for longer due to the unaffordability of owner occupation, ineligibility for social housing or high renting costs. This can lead to a demand for loft or basement conversions to increase living space. Older people are more likely to have a long-term health problem or disability and consequently may need to adapt their home or move into accommodation with their family. The necessity to work from home in recent years has also led to rethinking and reconfiguring how we use our homes. Our housing stock therefore needs to be flexible to adapt to the occupant's changing needs and this planning policy will guide household improvements.

#### Policy H4: Housing Extensions and Alterations including Annexes

- 1) Development proposals for residential extensions and alterations are required to have regard to the impact on the street scene, neighbouring properties and the existing property such that they:
  - a) respect the existing context, scale, height, design, appearance and character of, and have no unacceptable impact upon the adjacent buildings and immediate surrounding area;
  - b) have no unacceptable impact on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to sunlight and daylight; and
  - c) take into account the form, scale, height, character, materials and proportions of the existing building.

#### Basement extensions

- 2) Development proposals for basement extensions are required to:
  - a) be proportionate and ensure that their potential impact on the local environment, trees, tree roots, garden area, architectural character of the property, neighbouring properties and residential amenity is acceptable;
  - b) have clear internal access to upper floors;
  - c) have no unacceptable impact on local ground water conditions, flooding or drainage issues; and

- d) include a structural impact report from a certified structural engineer. The report should show that there is no unacceptable impact to land and the structural stability of the application site and adjacent properties during construction and once built.

#### **Annexes**

- 3) Development proposals for a residential annex are required to demonstrate that:
  - a) it is an extension that would be subordinate in scale to the main residence;
  - b) it is functionally integrated with the main dwelling;
  - c) it clearly and unequivocally shares either bathroom or kitchen facilities with the main dwelling; and
  - d) it would share the vehicular access and garden area.

#### **Definitions**

- 2.2 *Annex* - is additional accommodation for dependents and family members which must remain ancillary to the main house. One main facility, usually the kitchen, is shared with the main dwelling.
- 2.3 *Dwelling* - is a single self-contained unit of accommodation. Self-containment is where all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use. Non self-contained household spaces at the same address should be counted together as a single dwelling.
- 2.4 *Extensions and Alterations* - include roof extensions of dwellings.
- 2.5 *Subordinate* - means smaller scale, subservient and dependant on the main dwelling, with a shared facility. It is not self-contained.
- 2.6 *Immediate surrounding area* - relates to nearby properties within the street scene.

#### **Reasoned Justification**

- 2.7 When proposing extensions and alterations to a property, consideration must be given to other relevant Local Plan Strategy and Sites policies and Neighbourhood Plan<sup>14</sup> policies. Regard must also be had to the Guildford Borough Council Residential Extensions and Alterations Supplementary Planning Document 2018<sup>15</sup> (or any document which replaces it) which gives additional detailed guidance. It is particularly important that special care and attention is taken when altering a listed building or building in a conservation area, as addressed by other policies within this plan.
- 2.8 Development proposals (including extensions and alterations<sup>16</sup>) in areas at medium or high risk of flooding, as identified on the latest Environment Agency flood risks maps and the Councils

<sup>14</sup> Available online at: <https://www.guildford.gov.uk/neighbourhoodplanning>

<sup>15</sup> Available online at: <https://www.guildford.gov.uk/boroughwideplanningguidance>

<sup>16</sup> The Town and Country Planning Act 1990 Section 55. Available online at: <https://www.legislation.gov.uk/ukpga/1990/8/section/55>

Strategic Flood Risk Assessment<sup>17</sup>, must comply with Policy P4: Flooding, flood risk and groundwater protection zones. Attention is drawn to the need to provide a site-specific flood risk assessment.

- 2.9 New development should always be rooted in the local context, respect the local character and build on the existing natural and built environment. Well-designed extensions and alterations to a property can enhance the living accommodation of a home whilst respecting the existing and neighbouring properties and the character and context of the immediate surrounding area.

*Extensions and alterations*

- 2.10 An extension or alteration can spoil an existing dwelling by poor attention to detail and materials. Careful consideration should be given to items such as doors, windows, gutters, pipes, ironmongery and decorative features. The texture, colour, grain and dimensions of materials will need careful consideration. It is important to consider how details and materials come together to form the whole dwelling and to examine carefully the 'joins' between the existing and the new.
- 2.11 It is important where possible to retain garden trees that make a positive contribution to the residential environment. Trees can help to integrate and soften the visual impact of a new extension. Trees and gardens create a pleasant residential environment and contribute towards biodiversity, health and well-being.

*Basement extensions*

- 2.12 High residential land values and development constraints within Guildford borough have led to more planning applications for basement development beneath existing houses. The construction of basements needs careful consideration as it can cause disturbance and disruption and can impact on land and structural stability as well as causing local flooding or drainage issues. Factors to consider include impact on local environment, trees and roots, garden areas, landscape, biodiversity, architectural character of property, neighbouring properties and amenity, residential amenity, local ground water conditions, flood risk and drainage impacts, land and structural stability, archaeology and heritage assets, air and light pollution and the impacts of noise, vibration, dust and site waste.
- 2.13 By virtue of their low lying and subterranean nature basements are vulnerable to many types of flooding and in particular sewer flooding. To avoid flooding, all new basements that include a waste outlet (for example those with a toilet, bathroom or utility room) should install a suitable (positively) pumped device. Applicants should show the location of the device on the drawings submitted with the planning application.
- 2.14 Any exposed areas of basement should be sub-ordinate to the original property and respect the original dwelling's design and proportions. The loss of more than 50% of the amenity space (garden or front courtyard) will be resisted. Further details are in the Guildford Borough Council Residential Extensions and Alterations Supplementary Planning Document 2018<sup>18</sup>.

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<sup>17</sup> Available online at: <https://www.guildford.gov.uk/localplan/strategicfloodriskassessment>

<sup>18</sup> Available online at: <https://www.guildford.gov.uk/boroughwideplanningguidance>

*Annexes*

- 2.15 The Council anticipates a rise in the demand for residential annexes in the future as intergenerational living increases, people live longer and high costs continue to be associated with residential care in later life. To help support families and an ageing population, well-designed development which helps households to adapt to changing circumstances is supported provided it has a degree of dependency on the main dwelling house to ensure the retention of a single planning unit. An annex must be ancillary to an existing dwelling and clearly and unequivocally share either a bathroom or kitchen.

### Key Evidence

- West Surrey Strategic Housing Market Assessment (Guildford Borough Council, 2015) and Guildford Addendum Report 2017.

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy H4.	N/A	Planning appeals.

## Policy H5: Housing Conversion and Sub-division

### Introduction

- 2.16 National policy and the Council's priorities recognise the importance of access to suitable housing, which includes a variety of types of housing. Smaller housing units, such as flats, studio flats and bedsits can provide a valuable source of accommodation to meet the needs of some of the local population. They can offer a more affordable way to live in Guildford borough, particularly for students, young adults, low paid workers or key workers. However, it is important to get the balance of housing types right in an area to ensure it remains a vibrant and mixed community and maintains the character of the area. The conversion or sub-division of houses is a popular and efficient way to provide additional, smaller living units. For a material change of use and alterations that require planning permission they will be considered against the policy below.

### Policy H5: Housing Conversion and Sub-division

- 1) Development proposals involving the conversion and/or sub-division of buildings into houses, flats, studios or bedsits are required to ensure that:
  - a) there would not be an unacceptable impact on the character of the immediate locality;
  - b) there would not be an unacceptable impact on the amenity of neighbouring residents; and
  - c) sufficient amenity space, parking, bin storage and cycle parking is available.

### Definitions

- 2.17 *Amenity space* - is the outside space associated with a home or homes. It may be private or shared.
- 2.18 *House, flat and studio* - a single self-contained unit of accommodation. Self-containment is where all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use. A 'bedsit' is a one-roomed unit of accommodation typically consisting of combined bedroom and sitting room with cooking facilities; it normally has a shared bathroom. Non self-contained household spaces at the same address should be counted together as a single dwelling.
- 2.19 *Immediate locality* - relates to nearby properties within the street scene and reflects the area that could be impacted by the proposal.

### Reasoned Justification

- 2.20 As set out in the National Design Guide<sup>19</sup>, well-designed homes provide good quality internal and external environments which promote health and well-being. They relate positively to the

<sup>19</sup> Available online at: <https://www.gov.uk/government/publications/national-design-guide>

private, shared and public spaces around them, contributing to social interaction and inclusion, and they resolve the details of servicing so that they are unobtrusive and well-integrated into their neighbourhoods.

- 2.21 The Guildford Borough Council Residential Extensions and Alterations Supplementary Planning Document 2018<sup>20</sup> sets out good design principles and gives detailed guidance to help guide new development proposals. A well designed and executed scheme benefits not only the property and its occupants but the locality. It is particularly important that special care and attention is taken when altering a listed building or a building in a conservation area.
- 2.22 For building sub-divisions and conversions in an area of medium to high flood risk (flood zones two and three) you will require a site-specific flood risk assessment in accordance with paragraph 167 of NPPF<sup>21</sup>. This must explain how the development will be safe to its users and occupiers throughout its lifetime and must include the consideration of safe access and egress.
- 2.23 The appearance and use of a building can impact on the character of an area. A conversion or sub-division is an intensification of the use and can have a wider impact on the locality. A concentration or cluster of Houses in Multiple Occupation, subdivided or converted dwellings can impact more significantly on the public environment, character and amenity of an area compared to a dispersed pattern. This can be particularly noticeable if there is a diminishing proportion of family homes on a street, the loss of which is undesirable where it adversely affects the balance of housing types.
- 2.24 A conversion or subdivision of a building must not be detrimental to the amenity of neighbouring properties. This includes the loss of privacy and access to sunlight and daylight. Having sufficient amenity space for the occupiers of the new dwellings is important. Garden area, landscaping and open space all contribute to both private and local amenity. These issues are covered in more detail in Policy D5: Protection of Amenity and Provision of Amenity Space.
- 2.25 Well-designed homes and communal areas within buildings should provide a good standard and quality of internal space. This includes consideration of features such as accessibility, privacy, room sizes, floor-to-ceiling heights, separation between functions such as kitchens, living rooms and bedrooms, adequate noise insulation, internal and external storage, sunlight, daylight and ventilation. All new residential development must conform to the nationally described space standards<sup>22</sup> as set out by the Ministry of Housing, Communities and Local Government and required by LPSS 2019<sup>23</sup> Policy H1(3): Homes For All. To be clear, new development includes conversions and subdivisions which must comply with the nationally described space standards.
- 2.26 Providing sufficient well sited parking is an important consideration and the requirements are addressed in greater detail in LPSS 2019<sup>24</sup> Policy ID3: Sustainable Transport for New Developments. The benefits of having sufficient parking need to be balanced with the impact of proposed parking spaces, for example converting the front garden to parking may have an

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<sup>20</sup> Available online at: <https://www.guildford.gov.uk/boroughwideplanningguidance>

<sup>21</sup> Available online at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>22</sup> Available online at: <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

<sup>23</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>24</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>



unacceptable impact on the character and appearance of the area.

- 2.27 The servicing of dwellings such as the storage of bicycles and bins, access to meter boxes, space for drying clothes or places for deliveries should be carefully considered. Cycle parking is addressed in greater detail in Policy ID10: Parking Standards for New Development. External servicing, including bin storage, is addressed in more detail in Policy D6: External Servicing Features and Stores.

### Key Evidence

- West Surrey Strategic Housing Market Assessment (Guildford Borough Council, 2015) and Guildford Addendum Report 2017.

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy H5	N/A	Planning appeals

## Policy H6: Review Mechanisms

### Introduction

- 2.28 The Council want to ensure policy compliant development, which maximises public benefits in line with the policies of the Local Plan. This includes provisions for contributions to affordable housing in line with LPSS 2019<sup>25</sup> Policy H2: Affordable homes, Policy H7: First Homes as well as the intent of the Authority's corporate plan and housing strategy.
- 2.29 In this regard, where proposals are being considered that at the outset may not meet Local Plan affordable housing requirements, the Council will seek a review of viability of the scheme with the aim of achieving policy compliance over time. This review will allow for any improvements in scheme viability between the date that the planning permission was granted and that established at (a) later date/s during the implementation of the scheme to contribute toward meeting minimum policy requirements that were not possible to achieve at the point that the scheme was consented.

### Policy H6: Review Mechanisms

- 1) If a reduced contribution to affordable housing than that which is required by the Local Plan is proposed and justified on viability grounds, the Council will normally require a viability review mechanism to be secured.
- 2) Based on the outcome of the review/s of viability, the Council will seek to recover in full or in part any affordable housing contributions that would otherwise have been secured under the Local Plan affordable homes policy.
- 3) The viability review mechanism will specify a trigger point or points for undertaking viability review which will reflect:
  - a) a late stage review which should be undertaken prior to the sale or lease of 75% of market homes, or at an agreed similar point; and
  - b) for large-scale phased development, an additional mid-stage review prior to implementation of the second half or later phase/s of the development.
- 4) In the case of a late stage review, the contribution will be by payment in lieu, unless otherwise agreed. Should an additional mid-stage review be agreed, the Council will seek any additional affordable housing provision on-site unless it is satisfactorily demonstrated to be impractical.
- 5) Any further contributions secured via this review mechanism will be capped at the extent of additional contribution necessary to meet the minimum Local Plan affordable housing policy requirement considering what was already secured at the time of determining the planning application.

<sup>25</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

## Definitions

- 2.30 *Large-scale phased development* - refers to schemes (residential or mixed use) that deliver 500 or more residential units in a number of phases.

## Reasoned Justification

- 2.31 In general, the Council expect development proposals to be compliant with the Local Plan policies including achieving the standards set and meeting the required planning contributions in full, considering that viability assessment has occurred at plan-making stage. The NPPF reflects that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
- 2.32 The weight given to such a viability assessment is a matter for the Council. However, as part of decision-making, LPSS 2019<sup>26</sup> Policy H2 (6) allows for the Council to consider certain mechanisms to assist with delivering a scheme in cases where developers satisfactorily demonstrate that providing affordable housing in line with the policy would not be economically viable. This may include reducing the overall number of affordable homes.
- 2.33 In such circumstances, and to ensure that the maximum reasonable contribution to affordable housing is realised over time in line with LPSS 2019 Policy H2: Affordable homes, the Council will normally require a review mechanism to be secured through legal agreement for relevant residential and residential / mixed use schemes. This will most likely be via Section 106 agreement but may also be reflected within a Unilateral Undertaking. Any departure from the requirement for a viability review mechanism will be dealt with on a case-by-case basis but would require substantial and robust justification by the applicant that the potential for additional contributions is limited by the circumstances of the case. This could include cases involving smaller scale development where an increased contribution is unlikely.
- 2.34 The Council recognises that the property market fluctuates over time. Changes to costs and values may result in scheme viability being different from what was considered at the planning application stage. This is particularly the case for schemes that deliver over a number of years where viability may be more likely to differ with what was originally reflected at the planning application stage. This presents an opportunity for schemes with improved viability to achieve a greater contribution toward the Council's affordable housing requirement than was the case at the point of determination of the application.
- 2.35 National planning guidance<sup>27</sup> recognises the potential for changes in viability and for reassessment of scheme viability to further assist in achieving policy compliance. In this regard, it indicates that plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles<sup>28</sup>.

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<sup>26</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>27</sup> Available online at: <https://www.gov.uk/guidance/viability>

<sup>28</sup> See PPG: Viability, Paragraph: 009 Reference ID: 10-009-20190509 Revision date: 09 05 2019.

- 2.36 It is important to be clear that the implementation of viability review cannot result in the scheme providing a reduced level of planning obligations from that of the originally permitted scheme. It is a means to ensure full/er policy compliance over time, optimising benefits for contributions to affordable housing.
- 2.37 In terms of the timing of potential viability review/s, the Council has sought an approach which is most likely to reflect an accurate assessment of the actual viability of schemes. Thus, with regard to informing the setting of trigger points, a late-stage review is considered appropriate across all development schemes that engage this policy as this provides for up to date and accurate viability assessment including actual sales values and costs, whilst retaining the opportunity to secure additional affordable housing contributions in line with policy requirements. The outcome of this review will typically be in the form of a financial contribution (payment in lieu) toward off-site affordable housing provision, as inclusion of further on-site units is likely to be impractical at this point in the development process. However, there is flexibility in this regard and the Council would encourage its preference for on-site affordable housing to be considered.
- 2.38 It is recognised that in certain cases it may be appropriate to include provision for further trigger points for viability review in legal agreements. This is considered to be relevant to large-scale phased development where delivery will occur across different stages in an economic cycle, justifying additional points where viability could be reviewed. A further viability review may thus be sought at a mid-stage in the delivery of schemes before the later phases are implemented. This provides an opportunity to secure additional affordable housing on-site as part of the later phases of the development.
- 2.39 At the point of review, applicants should submit an updated full viability assessment consistent with the format and methodology submitted at planning application stage and any supplementary information that the Council requires. Whilst such a full viability assessment using the same methodology as the original assessment may be best suited to the circumstances of the case, a more limited formula-based approach to the review, focussing on any changes to submitted values and build costs, may also be considered where this is agreed by the applicant and the Council. The Council's costs associated with commissioning an independent review of this assessment will be met by the applicant. The approach should be agreed with the Council prior to submission of an updated viability assessment with the terms set out at the time that planning permission is granted, usually as part of the Section 106 agreement. The terms should include appropriate dispute resolution clauses. This could include reference to the RICS or Law Society to appoint an arbitrator or independent expert for valuation or legal disputes respectively. The updated viability assessment should follow the government's recommended approach to assessing viability as set out in Planning Practice Guidance.
- 2.40 The review will include assessing changes to gross development value and development costs, (the key variables that are most likely to be subject to change) at the review stage, from what were assumed to be the case at the planning application stage, allowing for developer profit on any changes in value (consistent with the allowance at planning application stage). It should assess the entire development, taking into account values and build costs that have been realised in the initial stages of the development as well as estimates for the subsequent stages to identify any surplus that exists.

- 2.41 Should a surplus be identified through a review, the level of affordable housing contributions that will need to be provided will be capped at the minimum Local Plan affordable housing policy requirement. Viability reviews should be prepared on the basis that will be made publicly available, other than commercially sensitive or personal information in line with National Planning Guidance.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy H6	N/A	Planning appeals
Percentage of permissions subject to viability review mechanism where provision of below minimum affordable housing requirement has been permitted.	100%	Planning permissions and appeals

## Policy H7: First Homes

### Introduction

- 2.42 Ensuring wider access to home ownership is a key central government priority and is in line with our policy for affordable housing (LPSS 2019<sup>29</sup> Policy H2: Affordable Homes). First Homes are now the Government's preferred discounted market tenure and are required under national Planning Practice Guidance (PPG) to account for a minimum of 25% of all affordable homes delivered by developers through Section 106 planning obligations, on new planning applications received after 28 June 2021. This includes at least 25% of financial contributions secured in lieu of on-site affordable housing under local authorities' housing policies<sup>30</sup>.
- 2.43 The PPG indicates that local and neighbourhood plans should include policies for First Homes<sup>31</sup>, taking into account the national requirements for them<sup>32</sup>. These policies should indicate the contributions expected from development, including the levels and types of affordable housing provision required.
- 2.44 First Homes is a specific type of discounted market sale housing and meets the definition of 'affordable housing' for planning purposes, required to meet the following criteria under the PPG:
- a) must be sold at a discount of at least 30% against market value;
  - b) may be sold only to purchaser(s) who are first-time buyers<sup>33</sup> and whose annual household income (combined if more than one purchaser) in the tax year immediately preceding the purchase did not exceed £80,000 (outside Greater London), with purchasers also required to have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price;
  - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure the discount is passed on at each subsequent title transfer<sup>34</sup>; and,
  - d) must be sold at a price no higher than £250,000 (outside Greater London)<sup>35</sup> (initial sale, after the market discount has been applied).
- 2.45 Developers are required to be able to show that the homes they intend as First Homes meet the above criteria.
- 2.46 The PPG also makes provision for the development of First Homes exception sites (on land which is not already allocated for housing). These sites should be adjacent to existing

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<sup>29</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>30</sup> PPG: First Homes, Paragraph 012: Reference ID: 70-012-20210524. (<https://www.gov.uk/guidance/first-homes>).

<sup>31</sup> PPG: First Homes, Paragraph: 013 Reference ID: 70-013-20210524. This applies to any plans not subject to the transitional arrangements in Paragraph 018: Reference ID: 70-018-20210524.

<sup>32</sup> First set out in the Written Ministerial Statement: Affordable Homes Update, made on 24 May 2021 (<https://questions-statements.parliament.uk/written-statements/detail/2021-05-24/hcws50>).

<sup>33</sup> As defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers. See PPG: First Homes, Paragraph: 007 Reference ID: 70-007-20210524.

<sup>34</sup> When the home is resold in future, the seller should secure a valuation from a registered valuer which is in accordance with RICS red-book valuation guidance for new-build homes

<sup>35</sup> See PPG: First Homes, Paragraph: 001 Reference ID: 70-001-20210524.

settlements and proportionate in size to them<sup>36</sup>. They cannot come forward in areas designated as Green Belt, or designated rural areas, and should comply with any local design policies and standards. A small proportion of market homes may be allowed to make the scheme viable.

## Policy H7: First Homes

### Minimum requirements

- 1) A minimum of 25% of affordable homes provided either on-site or off-site or as a financial contribution in lieu of on-site provision in line with the Council's adopted affordable housing requirements are expected to be First Homes.
- 2) First Homes are required to be sold at a minimum discount of at least 30% of the market value of homes available for sale locally of the same size and type as those proposed. The minimum discount will be secured in perpetuity.
- 3) Where the affordable housing contribution for a proposed development comprises a mixture of homes and financial contributions towards affordable housing, First Homes are required to form 25% of the overall monetary value of affordable housing contributions.

### First Homes Exception Sites

- 4) Residential development proposals on qualifying small sites comprising primarily First Homes will be permitted where the proposed scheme is:
  - a) adjacent to an existing settlement; and
  - b) proportionate in size to it.
- 5) The minimum number of market homes required to make delivery of a First Homes Exception Site viable without grant funding will be permitted where:
  - a) an applicant demonstrates that the scheme would be unviable without the inclusion of market housing;
  - b) inclusion of market housing does not inflate the threshold land value<sup>37</sup>; and
  - c) any market housing is suitably integrated into the First Homes development.
- 6) Small quantities of other forms of affordable housing may also be permitted on a First Homes exception site where the applicant demonstrates evidence of significant local need for that type of housing.

## Definitions

2.47 *First Homes* – First Homes are a specific form of discounted market sale housing which are

<sup>36</sup> Written Ministerial Statement: Affordable Homes Update, made on 24 May 2021 (<https://questions-statements.parliament.uk/written-statements/detail/2021-05-24/hcws50>).

<sup>37</sup> This is the minimum land value likely to trigger an owner to sell the land.

discounted by a minimum of 30% against the market value<sup>38</sup> and are sold to first-time buyers meeting the eligibility criteria set out in the PPG<sup>39</sup>. On their first sale, First Homes have a restriction registered on the title at HM Land Registry to ensure the discount is passed on at each subsequent title transfer. The initial sale after the discount has been applied must be at a price no higher than £250,000 (outside Greater London. First Homes are considered to meet the Government's definition of 'affordable housing' for planning purposes.

- 2.48 *First Homes Exception Sites* – Small sites used predominantly for First Homes, which are not allocated in the Local Plan, adjacent to existing settlements and proportionate in size to them. First Homes Exception Sites are not permitted within the Green Belt or in a designated rural area<sup>40</sup>, where rural exception sites are the only type of exception sites that may be permissible<sup>41</sup>. A small proportion of market housing or other types of affordable housing may be allowed at the local authority's discretion, for example where essential to enable the delivery of First Homes without grant funding.

#### **Reasoned justification**

- 2.49 The minimum discount for First Homes should help to make home ownership more affordable for a greater number of first-time buyers than other affordable housing products such as Discounted Market Sales (DMS) and shared ownership, which are both required to be sold at a minimum of just 20% below market value<sup>42</sup>.
- 2.50 The high cost of homes in expensive areas such as Surrey means that DMS and shared ownership properties are likely to remain beyond the reach of many residents/prospective buyers with this level of market discount, however the price cap of £250,000 for a First Home will ensure that this tenure of home is likely to be a realistically affordable option for many potential first-time buyers in the borough.
- 2.51 The discount for First Homes is also required to be applied in perpetuity each time a First Home is resold (subject to certain specific exclusions) and should ensure that the discounted cost built into this tenure is retained in the value of the property in perpetuity. This will be secured by means of a planning obligation in line with national guidance.

#### *Local eligibility criteria*

- 2.52 The PPG allows local authorities to set their own local eligibility criteria in addition to the national

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<sup>38</sup> Market value should be ascertained by a valuation from a registered valuer acting in an independent capacity, and the valuation should be in accordance with the RICS red-book valuation guidance for new-build homes. The sale price should only change following consideration of a mortgage or home purchase plan if the lender's valuation is lower than the agreed sale price.

<sup>39</sup> Restricted to purchaser(s) who are first-time buyers and whose annual household income (combined if more than one purchaser) in the tax year immediately preceding the purchase did not exceed £80,000 (outside Greater London). See PPG: First Homes. Paragraph: 001 Reference ID: 70-001-20210524.

<sup>40</sup> Designated rural areas are those areas referred to in Section 157 of the Housing Act 1985 and designated by the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order 1997.

<sup>41</sup> PPG: First Homes. Paragraph: 025 Reference ID: 70-025-20210524. Note that other housing proposals are not generally permitted outside of a defined settlement boundary or Local Plan allocation under LPSS Policy P3: Countryside.

<sup>42</sup> See the National Planning Policy Framework (2021), Annex 2 glossary entry for Affordable housing, under Discounted market sales housing and Other affordable routes to home ownership.



criteria (see First Homes definition). The initial sale of First Homes in the borough will therefore be restricted during the first three months of marketing to households who are current or recent former residents of the borough or that have a current employment or family connection to it. If a suitable buyer has not reserved a home after this period, then, in accordance with the PPG and to widen the consumer base, this local restriction will fall away, and eligibility will revert to the national criteria<sup>43</sup>.

*Relationship between Policy H7 and the LPSS 2019 policy for affordable housing*

- 2.53 The requirement for First Homes delivery will not impede the requirement in LPSS 2019 Policy H2: Affordable Homes and the Council's Housing Strategy that 70% of all affordable homes delivered through affordable housing contributions will be for affordable rent, with First Homes requirements being delivered within the 30% required under the policy as being for other forms of affordable housing within the NPPF definition.
- 2.54 It is recognised that, due to exceptionally high average market house prices in the Borough, the national policy requirement for a minimum of 25% First Homes, combined with application of the price cap, may lead to provision of First Homes under the policy being predominantly in the form of one-bedroom homes. Where there is agreement that compliance with this level of provision may lead to an adverse planning outcome in relation to a sub-optimal affordable housing tenure/mix or site design there may be scope for some flexibility. Any substitute for First Homes would be the provision of other forms of affordable housing so that the requirements of Policy H2 are still met. Early engagement with the Council's Housing team is advised to establish any specific factors that should be considered in terms of local housing needs that may impact on the desired tenure mix.

*First Homes Exception Sites*

- 2.55 First Homes Exception Sites are a potential option for developers wishing to build affordable homes on sites beyond the borough's existing built up area where certain planning constraints may make approval of an open market housing scheme less likely. However, they should not be viewed as an alternative to rural exception housing (which is delivered by Registered Providers) as the PPG does not permit First Homes Exception sites within the Green Belt or in a designated rural area<sup>44</sup>.
- 2.56 To ensure applicants take account of the criteria under paragraph (5) (a) and (b) of the policy, where it is proposed that a scheme requires market housing to be included to make an exception site viable, a development appraisal will be required to be submitted to demonstrate that this is the case.
- 2.57 In considering the land value, the threshold land value of the site will be limited to no more than ten times the agricultural land value at the time of application submission. Where agreement cannot be reached, external consultants will be appointed at the applicant's cost to provide an independent assessment of the scheme's viability.

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<sup>43</sup> See PPG: First Homes. Paragraph 008 Reference ID: 70-008-20210524

<sup>44</sup> Designated rural areas are designated under Section 157 of the Housing Act 1985 and include all parishes in Guildford except for East Horsley and Send.

- 2.58 Paragraph (6) of the policy is in line with the PPG, which allows the proportion of affordable housing on a First Homes exception site to be altered to include small quantities of other affordable housing products. The evidence of significant local need for one or more of these types of housing that applicants will be required to provide will need to be in the form of a Local Housing Needs Assessment, local authority Housing Register, or other sufficiently rigorous local evidence<sup>45</sup>.

### Key Evidence

- New-build sale prices in Guildford, HM Land Registry.
- West Surrey Strategic Housing Market Assessment (Guildford Borough Council, 2015) and Guildford Addendum Report 2017.

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of qualifying schemes providing 25% First Homes as a proportion of their affordable housing contribution.	100%	Planning applications

<sup>45</sup> See PPG: First Homes. Paragraph: 029 Reference ID: 70-029-20210524

### 3. Economy chapter

#### Policy E10: Animal-related Development

##### Introduction

- 3.1 Many households keep animals at home, and, in rural areas, which includes many parts of the borough, animals can also provide an additional source of business income to farmers and others. Whilst animal-related commercial activities may generate economic benefits for rural areas, poorly designed and/or located developments can, either individually or cumulatively, lead to a multitude of adverse impacts for the countryside and the amenity of residents.
- 3.2 Horse and other equine-related developments, for example, can adversely affect the countryside's openness and rural character with the introduction of stables, hay stores and tack rooms, paddocks, fencing and on-site riding facilities such as jumps and fences. Horse keeping can also result in the erosion of paths and bridleways, fragmentation of viable agricultural holdings, reduced pasture quality from overgrazing and reduced opportunities for recovery of biodiversity.
- 3.3 Commercial animal-related developments have the potential for even greater adverse impacts than domestic/private developments, due to their greater intensity of use and potential for increased traffic generation.
- 3.4 In the case of non-equine animals, such developments – if poorly controlled – may result in amenity and disturbance impacts for owners and occupants of nearby properties, for instance noise from barking of dogs kept at commercial boarding kennels. Because a certain amount of noise from these uses is inevitable, kennels are often more appropriate in rural rather than urban locations, however care must still be taken over their location relative to existing residential and other uses, and over their design.
- 3.5 It is important that planning policies guiding animal-related development are clear and that any new proposed development that requires planning permission makes appropriate provision for animal welfare. This should include adherence to latest national standards and Government advice for the design of stable buildings, fencing and pasture for equine animals<sup>46</sup>.

#### Policy E10: Animal-related Development

- 1) Development proposals for private and/or commercial animal-related developments are required to:

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<sup>46</sup> Note that welfare standards for premises within England offering boarding, including day care, for dogs and cats are addressed through licencing restrictions. Details are available at <https://www.gov.uk/guidance/boarding-for-cats-or-dogs-licence-england>. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 also applies to these and to commercial horse-related activities (<https://www.legislation.gov.uk/ukdsi/2018/9780111165485>).

- a) be of a scale, location, design and layout that is acceptable in relation to its intended use and in terms of its impact on the character of the built environment and surrounding landscape;
  - b) have no unacceptable impact on the nature conservation or biodiversity value of the site and the quality of pasture;
  - c) re-use existing buildings where feasible, or, in the case of a new facility, be satisfactorily integrated with existing buildings, avoiding isolated or otherwise visually prominent locations;
  - d) have no unacceptable impact on the amenity of neighbouring or nearby properties by reason of noise, smell, overlooking, lighting of external areas or other general disturbance; and
  - e) in the case of equine-related development, provide adequate stabling, fencing and land for grazing and exercise to ensure the proper care of the animals, in compliance with the latest Government-published guidelines and standards.
- 2) Particular consideration will be given to the cumulative adverse impacts of animal-related development proposals in the vicinity of the proposed site and the wider area and conditions may be imposed to control these where necessary.

#### **Commercial developments**

- 3) Commercial animal-related development is also required to meet the following criteria:
- a) Development proposals are required to ensure that they do not prejudice the agricultural operation of any holding.
  - b) Development proposals likely to generate a significant number of vehicular trips are required to be accompanied by a transport statement or transport assessment to show that there will be no unacceptable impacts on highway safety and that the safety of horses, riders and other road users will not be compromised.

#### **Reasoned justification**

- 3.6 Animal-related development, if it requires planning permission, should be designed and sited sensitively to ensure it does not lead to unacceptable visual, amenity and biodiversity impacts, or adverse impacts on highway safety.
- 3.7 Amenity impacts can result from several causes, as detailed in point 1) d) of Policy E10. Noise and light impacts of proposed animal-related developments should be addressed by applicants as per policies D11: Noise Impacts and D12: Light Impacts and Dark Skies. Adverse visual impacts can result from new buildings or other permanent structures in or on the edge of open countryside for which planning permission would be required<sup>47</sup>, and which are not restricted by other policies which would directly prevent them. Examples of buildings for non-equine animal-

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<sup>47</sup> A breeding or boarding use within a domestic outbuilding could also be considered a change of use and therefore subject to planning permission which will require consideration of its potential visual or amenity impacts (noise is likely to be the primary amenity impact, in this case).

related development that this might apply to, in addition to kennels, that fall within the remit of this policy are pavilions or static caravans used for the sale of refreshments, or public convenience blocks on private land for the intended use by businesses offering training for dogs and their owners.

*Equine-related development*

- 3.8 In relation to point 1) e) of Policy E10, the Department for Environment, Food and Rural Affairs' (Defra) *Equine Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids*<sup>48</sup> (December 2017) sets out a comprehensive range of welfare standards covering provision of stabling, pasture quality and the appropriate minimum amount of space per animal for exercise and grazing. The British Horse Society has also published recommended minimum standards for stabling on its website<sup>49</sup>, alongside other pointers on horse care, behaviour and management.
- 3.9 We will assess development proposals according to the standards in Defra's Code of Practice, or any Government-published standards that may supersede these in future.
- 3.10 The reasons for providing a minimum amount of land for pasture are for animal welfare and to ensure that the land is not overgrazed and consequently degraded. Defra's Code of Practice states that horses generally require approximately 0.5 to 1 hectares (or 1.25 to 2.5 acres) per animal where no supplementary feed is provided, and more if the land is also used for exercise and/or hay production. Anything below this is not considered to provide adequate grazing unless the horse is principally stabled with supplementary feeding.
- 3.11 The assessment of whether an animal-related development's scale is acceptable will be considered as a planning judgement on an individual application basis. In particular, quantifying the amount of pasture that may be considered suitable for any given site is not an exact science and depends on a number of factors as indicated in the published standards and guidelines referred to above.
- 3.12 We will also take account of constraints on the use of the land such as existing or proposed buildings and landscape features e.g. access tracks, trees or watercourses, which would reduce the total amount of 'useable' pasture available.
- 3.13 Applications for stables or loose boxes on land below 0.5 hectares may only be considered acceptable where the applicant demonstrates adequate provision of accessible, available land to allow for the proper care (exercise and grazing) of the proposed number of animals. This might take the form of long-term agreements for the use of adjoining land not under the direct ownership of the applicant (i.e. leased or rented land). If there is uncertainty that adequate land will be available over the longer period, then permission may not be granted.

*Commercial animal-related development*

- 3.14 The second part of Policy E10, which deals solely with commercial development, includes a

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<sup>48</sup> Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/700200/horses-welfare-codes-of-practice-april2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700200/horses-welfare-codes-of-practice-april2018.pdf)

<sup>49</sup> Available online at: <https://www.bhs.org.uk/advice-and-information/horse-care>

requirement that commercial animal-related development proposals do not prejudice the agricultural operation of any holding. Such developments may be applied for as a permanent means of diversification of the existing agricultural business to a non-agricultural commercial use, which could include uses such as boarding stables or riding schools. These may involve subdividing the land and could potentially have an adverse impact on the ongoing agricultural operation, rather than helping to support it.

- 3.15 Farmland is a vital local and national resource, the loss of which has economic, environmental and social costs. To address point a) of this second part of the policy, landowners or their planning agents are advised to provide some form of evidence with their planning application to demonstrate that the loss of any land in existing agricultural use that could occur as the result of a proposed commercial animal-related development would not have adverse impacts for the viable operation of the farm business.

### Key Evidence

- Defra (2017) Equine Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids
- British Horse Society: Horse Care, Behaviour and Management Standards

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy E10.	N/A	Planning Appeals

## 4. Protecting chapter

### Introduction

- 4.1 Biodiversity (biological diversity) refers to the variety of life, encompassing all plants, animals, other organisms and the ecological relationships between them. Maintaining biodiversity is important to ensure healthy and resilient species communities, habitats and ecosystems, both natural and human-made.
- 4.2 Biodiversity is declining globally at a rate unprecedented in human history, with around one million animal and plant species threatened with extinction<sup>50</sup>. The UK is recognised as one of the most biodiversity depleted countries. The abundance and distribution of UK species has declined over recent decades with many species experiencing rapid population contractions. This severe decline driven by agricultural intensification, land use change and development, climate change, pollution and other factors is set to continue. There is a national ambition to reverse the decline.
- 4.3 Surrey is a comparatively biodiverse county and Guildford is one of its most biodiverse districts<sup>51</sup>. Our borough is home to areas of internationally and nationally restricted habitats of importance such as lowland heath, and chalk and neutral grassland, and it has a large number of sites designated nationally and locally for their nature conservation importance.
- 4.4 This natural richness is an asset that provides many direct benefits for human health and wellbeing, and for our economy through leisure, tourism and agriculture, and more broadly from the ecosystem services that support all our economic activities and sustain our lives. Biodiversity and landscapes are inextricably linked, with features like woodlands, shaws and hedgerows integral to the character of our rural areas. At a global scale, ecosystems and soils play an important role in carbon sequestration so help to mitigate climate change.
- 4.5 However, the decline in local biodiversity is even more pronounced than the national decline; the county has historically suffered a high degree of habitat loss and fragmentation. The Surrey Nature Partnership's (SyNP) report, "The State of Surrey's Nature"<sup>52</sup>, estimates that 12% of the County's species have been lost, 21% are in decline and heading for local extinction, 15% are rare but stable and only 3% of rare species are recovering.
- 4.6 In order to coordinate the protection and recovery of the county's natural environment, the SyNP is working with Surrey local authorities to set out a county-wide approach that operates at a landscape scale. The strategies and other documents can be seen on the SyNP website at <https://surreynaturepartnership.org/>. The Surrey Biodiversity Information Centre provides information about known populations of protected and other locally present priority species.
- 4.7 The government has made reversing the decline in biodiversity a national priority. This recognises that just by continuing to simply *protect* important and declining species and habitats we can never hope to recover former levels of diversity, and that significant enhancements to

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<sup>50</sup> UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services 2019.

<sup>51</sup> [Biodiversity & Planning in Surrey, Appendix II Revised October 2018 v.1](#), sheets 15-18 (Surrey Nature Partnership)

<sup>52</sup> Available online at: [https://surreynaturepartnership.files.wordpress.com/2014/11/state-of-surreys-nature\\_web.pdf](https://surreynaturepartnership.files.wordpress.com/2014/11/state-of-surreys-nature_web.pdf)

biodiversity are also necessary. This, combined with Surrey's poor and worsening biodiversity situation, provides a strong rationale for urgent and robust action.

- 4.8 A central theme of the national approach to biodiversity recovery is to work with, and to restore, natural processes and ecosystem services through measures such as rewilding, appropriate management of habitats, naturalisation of developed land and the use of natural flood management in place of engineered solutions. This approach can provide multiple benefits alongside biodiversity improvements such as reducing the costs and carbon emissions that result from managing open spaces, improving resilience to surface water and river flooding and creating habitats that have a high carbon sequestration capacity, like wetlands.

### **Policy P6: Protecting Important Habitats and Species**

- 4.9 National and local ambitions for the restoration of our nature cannot be achieved if important habitats and species continue to decline. As a result, it is imperative that development proceeds in a way that preserves important components of the natural environment, some of which are irreplaceable.

#### **Policy P6: Protecting Important Habitats and Species**

- 1) Development proposals for sites that contain or are adjacent to irreplaceable habitats, priority habitats, habitats hosting priority species, sites designated for their biodiversity value and all aquatic habitats are required to preserve the relevant ecological features through the application of the mitigation hierarchy, and to deliver enhancements to the ecological features in line with Policy P7. The habitats should be protected by appropriate buffers and, if necessary, barriers in order to prevent adverse impacts, including those resulting from recreational use.

##### **Irreplaceable habitats**

- 2) Irreplaceable habitats will be protected. Development proposals that result in the loss, damage or deterioration of irreplaceable habitats will be refused, unless there are wholly exceptional reasons and the exceptional benefits of the development proposal outweigh the loss of the habitats. Proposals for compensation will not form part of this assessment. However, if wholly exceptional reasons have been demonstrated, a suitable compensation strategy to address the level of harm predicted will be required that delivers appropriate and proportionate compensation in terms of quality and quantity. Proposals for compensation will be additional to other requirements relating to biodiversity, including biodiversity net gain requirements.
- 3) A habitat will be considered to be irreplaceable if it meets the definition in the NPPF glossary or guidance issued by the Surrey Nature Partnership, or if it is identified as irreplaceable in the Local Nature Recovery Strategy, or it is on land identified in an established inventory, such as the Revised Ancient Woodland Inventory (RAWI).



### **Ancient woodland and significant trees**

- 4) Where ancient woodland falls within or adjacent to a development site, the following measures are required.
  - a) The submission of information setting out the location of all significant ancient or veteran trees (a BS5837 Survey).
  - b) An appropriate buffer between new development and the ancient woodland of a minimum of 15 metres or a greater distance if specified by national policy.
  - c) A clear separation between the woodland and the rest of the development, delineated by a physical feature such as a wildlife permeable barrier, a cycle lane, path or lightly trafficked road.
  - d) Site design that discourages harmful activities such as the use of the woodland as a cut-through where well-used paths do not currently exist.
- 5) Development proposals for sites that contain significant trees, including ancient and veteran trees and ancient woodland, are expected to incorporate the trees and their root structures and understorey in undeveloped land within the public realm, and to provide green linkages between them.

### **Priority species and habitats**

- 6) Development proposals are required to protect and enhance priority species and habitats. They include:
  - a) Species and Habitats of Principal Importance for Conservation (of biological diversity in England);
  - b) species and habitats identified as priorities in the Local Nature Recovery Strategy and strategies produced by Natural England and the Surrey Nature Partnership;
  - c) wildlife corridors and stepping-stones as defined by the NPPF or identified in the Local Nature Recovery Strategy, in Development Plan Documents, by Natural England, in Supplementary Planning Documents and in Surrey Nature Partnership documents; and
  - d) compensatory habitat sites and biodiversity net gain sites.

### **Definitions**

- 4.10 *Mitigation hierarchy* – see policy P7.
- 4.11 *Irreplaceable habitats* - habitats that meet the NPPF definition of “habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity”, and/or meet the locally specific guidance issued by the SyNP<sup>53</sup>.

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<sup>53</sup> Currently “Irreplaceable habitats guidance for Surrey (2020)”, available at: <https://surreynaturepartnership.org/our-work/>

- 4.12 *Species and Habitats of Principal Importance* - the 'habitats of principal importance for the conservation of biological diversity in England' and 'species of principal importance for the conservation of biological diversity in England' as listed under Section 41 Natural Environment and Rural Communities Act 2006 (or any successor legislation).
- 4.13 *Compensatory habitat sites* - sites where habitat has been created in order to offset harm to habitats elsewhere.
- 4.14 *Biodiversity net gain sites* - sites that host habitat creation or enhancement for the purpose of providing offsite biodiversity net gains for developments on other sites.
- 4.15 *Ancient woodland* - woodland that meets the NPPF definition of "an area that has been wooded continuously since at least 1600 AD" and any woodland identified on an established Ancient Woodland Inventory, including Surrey's Revised Ancient Woodland Inventory (2011). The PPG clarifies that "'wooded continuously' does not mean there's been a continuous tree cover across the whole site. Not all trees in the woodland have to be old. Open space, both temporary and permanent, is an important component of ancient woodlands."
- 4.16 *Lightly trafficked road* - a minor road that would have traffic levels low enough to avoid harm to ancient woodland and its ecology through pollution, noise or light.
- 4.17 *Significant trees* – all ancient and veteran trees, ancient woodland, trees that are special because of a special heritage, recreational, social or aesthetic value, and trees covered by a Tree Protection Order (TPO) or are of TPO quality, established through an arboricultural report.
- 4.18 *Ancient or veteran trees* - defined in the NPPF glossary as "a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but they are old relative to other trees of the same species." Additionally, a veteran tree does not have to be very old but could have decay features such as branch death and hollowing which contribute to its biodiversity, cultural and heritage value.

#### **Reasoned justification**

- 4.19 It is essential to protect important habitats and species in order to preserve the environmental, social and economic health of the borough. Additionally, national and local ambitions for reversing the decline in biodiversity will not be achievable if these key features are lost.

#### *Barriers*

- 4.20 Barriers should be used to protect habitats where necessary but only where alternative options would not be effective. They should prevent harmful activity but not impede the spread of plants and wildlife. Consideration should be given to the use of soft measures such as dense planting rather than fences and walls, especially where this can also provide biodiversity benefit.

#### *Irreplaceable habitats*

- 4.21 The NPPF protects irreplaceable habitats as follows: "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists" (NPPF 180c). It is important that compensation measures do not form part of an

assessment to determine whether the “wholly exceptional reasons” for a development proposal outweigh the loss as compensation cannot replace irreplaceable habitats. However, should a development proposal that is detrimental to irreplaceable habitats be approved then compensation measures will still be sought.

- 4.22 Compensation measures must not overlap with other biodiversity measures, or measures delivered for biodiversity net gain, which must be truly additional to compensation measures. This preserves the disincentive for harming irreplaceable habitats and to reflect the very high value placed on irreplaceable habitats, and preserves the principle embedded in the national approach to biodiversity net gains which is that the measures must be truly additional to other works.
- 4.23 The evidence needed to justify any harm or loss to irreplaceable habitats must be robust. The compensation measures that are necessary will be established in part through the use of an appropriate net gain to loss ratio.
- 4.24 Irreplaceable habitats include, but are not limited to, the following habitats.
- a) Ancient woodland and replanted ancient woodland.
  - b) Ancient and veteran trees.
  - c) Ancient wood pasture and historic parkland (including the open space between trees).
  - d) Unimproved grassland.
  - e) Stretches of river that have had little historic modification.
  - f) Heathland and associated mires (including bogs).
  - g) Ancient hedgerows, and ‘important’ hedgerows that support an established population of protected, endangered, vulnerable or rare species.

*Ancient woodland*

- 4.25 Development can affect ancient woodland through direct loss and also through changes to drainage and damage to root systems. Development can also have impacts on the ecosystem of an ancient woodland through pollution, recreation pressure, fly-tipping, and changes to noise and lighting that can affect its unique wildlife. The Council has experienced problems in the past where residents come to regard nearby woodland as an extension of their private curtilage and cleared it for access or used it for disposal of garden waste; activities that can be harmful to woodland ecology. Therefore, it is important that areas of valuable ancient woodland are protected by an appropriate buffer, and that the border between private space and ancient woodland on public land is clearly delineated, for example by running a physical feature such as a path, low-use road or ditch between the built development and the woodland.
- 4.26 Surrey’s Revised Ancient Woodland Inventory 2011 (RAWI) provides a well-documented and consistent approach to establish whether land is ancient woodland. Natural England and the Forestry Commission will sometimes provide bespoke advice on whether woodland qualifies as ancient and have produced standing advice for planning authorities which includes an assessment guide which can be completed by those with suitable specialist knowledge of woodland ecology in order to determine whether a woodland is ancient. Challenges to a listing on the RAWI should be made prior to a planning application, and the listing amended with agreement provided in writing by the relevant authority.

- 4.27 Some areas of ancient woodland may appear not to qualify as such, or may appear to of be lower value e.g. due to limited flora. For example, PAWS are areas of ancient woodland (or within ancient woodland) that may have been clear or partly-felled and replanted, often with commercial stands of timber (typically fast growing softwoods) so they may not appear to be an irreplaceable habitat. However, much of the value of ancient woodland lies in their soils and many remnants of the ancient habitat will remain. Consideration of the value of the habitat will take into account the potential of the land for ancient woodland species to migrate and young featureless trees to eventually become veterans.
- 4.28 An appropriate buffer of a minimum of 15 metres around ancient woodland should be set at a distance necessary to preserve the nature, health and setting of the ancient woodland, taking into account the nature and area of proposed development. This may necessitate a buffer of greater than the minimum 15m. If national policy sets a wider minimum distance, the greater distance will apply.
- 4.29 Proposals for new SANGs must follow Natural England's SANG guidelines and accordingly must avoid negative impacts on habitats of high nature conservation value, including Ancient Woodland. SANG proposals must ensure that Ancient Woodland is protected and enhanced in accordance with this policy.

*Ancient wood pasture and historic parkland*

- 4.30 Ancient wood pasture and historic parkland are often forms of ancient woodland. They are areas of land that have been historically managed through grazing, have a very open structure, a tree canopy cover generally above 20 per cent (though possibly with considerable variation), and where the habitat type has been in continuous existence since at least 1600. Ancient wood pasture and historic parklands may not be included in the Ancient Woodland Inventory if their low tree density failed to register them as woodland on historical maps. The presence of ancient and veteran trees is a key indicator but other factors including the presence of historic features, permanent pasture and scrub will also be taken into account. Ancient wood pasture and historic parkland habitats may have been altered by activities such as sward improvement, overgrazing and tree felling, or become in-filled with secondary woodland. However, associated indicative species will remain present and, as with ancient woodland, the habitat can be effectively restored. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse, so open space between trees in an area of ancient wood pasture or historic parkland is also subject to the same protections as ancient woodland.

*Ancient and veteran trees*

- 4.31 Where ancient and veteran trees exist within a development site, they should be incorporated into the public realm where they can be appropriately managed and will not be vulnerable to damaging operations carried out by a private landowner. Additionally, this means that these often-attractive trees remain visible for all to enjoy.

*Hedgerows*

- 4.32 Hedgerows are some of the most important habitats in parts of Britain, providing marginal connective habitat for a large number of threatened species. They provide a refuge for creatures

displaced by the incremental destruction of more natural habitats to make way for increasingly intensive agriculture, and can act as dispersal corridors allowing movement of important pollinating invertebrates through farmland areas. They also provide breeding, nesting and feeding habitat for many birds. Ancient hedgerows tend to be the most biodiverse in terms of both plants and animals and where an 'important' hedgerow supports an established population of protected, endangered, vulnerable or rare species, the assemblage of species is such that replacing the hedgerow would be technically difficult or take a very significant time. These types of hedgerows therefore meet the NPPF definition for irreplaceable habitat.

- 4.33 Ancient hedgerows are those that existed before the Enclosures Acts (mainly passed between 1720 and 1840). All ancient hedgerows are considered to be irreplaceable habitats.
- 4.34 'Important' hedgerows are hedgerows that are at least 30 years old and meet at least one other criteria, set out in national guidance<sup>54</sup>.
- 4.35 For the purposes of the policy, an important hedgerow will be considered an irreplaceable habitat if it qualifies as 'important' because it supports an established population of protected species listed in the Wildlife and Countryside Act 1981 (or successor legislation) and/or threatened species as identified in Red Data lists and reviews. Any hedge that supports or is associated with populations of these species will be considered to 'contain' them.

#### *Priority species and habitats*

- 4.36 Pressures on many of Surrey's priority habitats are already close to critical levels and small changes can represent tipping points for flora and fauna, or result in increased management costs for priority habitat sites. Priority should be given to conserving species that are locally rare and in decline, even if the national population elsewhere is apparently stable.
- 4.37 The species and habitats identified as priorities in strategies produced by Natural England and the Surrey Nature Partnership include the priority species and habitats relevant to each BOA set out in the relevant BOA policy statement in the appendices of the SyNP document 'Biodiversity Opportunity Areas: the basis for realising Surrey's ecological network'. SyNP has set out priority habitats and species that are extant or have at least been recorded in the recent past across Surrey, and a longer, categorical list of recorded species that have importance locally as Surrey's 'Species of Conservation Concern'.
- 4.38 Defra's Magic map service<sup>55</sup> sets out areas where national priority species and habitats are known to occur. Natural England's associated Habitat Network dataset<sup>56</sup> suggests areas where the enhancement and creation of specific habitats may be appropriate.

#### *Aquatic habitats*

- 4.39 All aquatic habitats, including watercourses and areas of standing water like lakes and natural and/or historic ponds, should be treated as priority habitats. Watercourses frequently function as highly important green corridors that link habitats and allow species to disperse, so play a vital role in the health and recovery of our natural environment. Areas of standing water frequently

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<sup>54</sup> Available at <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>

<sup>55</sup> Available at <https://magic.defra.gov.uk/>

<sup>56</sup> Available at <https://data.gov.uk/dataset/0ef2ed26-2f04-4e0f-9493-ffbdbfaeb159/habitat-networks-england>

support a diverse range of aquatic and terrestrial species, provide storage for environmental water stocks and contribute to visual amenity and leisure opportunities. Almost 70% of the UK's natural ponds have been lost and populations of water dwelling insects and amphibians have dwindled as a result.

### Key Evidence

- Irreplaceable habitats guidance for Surrey (Surrey Nature Partnership, 2020)
- Biodiversity Opportunity Areas: The basis for realising Surrey's ecological network (Surrey Nature Partnership, 2019)
- Biodiversity Opportunity Area Policy Statements (Surrey Nature Partnership, 2019)

### Monitoring Indicators

Indicator	Target	Data Source
Number of developments resulting in loss or harm to irreplaceable habitats, priority species and habitats, sites designated for their biodiversity value or aquatic habitats.	N/A	Planning applications

## Policy P7: Biodiversity in New Developments

- 4.40 The majority of developments that are larger than householder scale include open land for recreation, landscaping, flood alleviation and other purposes. These spaces form part of the borough's network of green infrastructure and national policy expects them to fulfil a variety of functions and deliver a wide range of environmental and quality of life benefits.
- 4.41 Open spaces can be designed to benefit biodiversity without compromising their primary purpose, and the biodiversity benefit can be maximised by taking account of relevant biodiversity strategies and guidance. Conversely, space can be set aside for biodiversity, but can also provide further benefits such as improvements to visual amenity. New buildings and other structures can also play a role in helping to reverse the decline in biodiversity through the integration of appropriate biodiversity measures.

### Policy P7: Biodiversity in New Developments

#### General principles

- 1) Development proposals, including those exempt from minimum biodiversity net gain standards, are required to seek maximum biodiversity gain on site balanced with delivering other planning priorities and to follow the mitigation hierarchy.
- 2) Development proposals within or adjacent to a Biodiversity Opportunity Area (BOA) are required to:
  - a) contribute towards the achievement of the objectives of the BOA as set out in the relevant BOA policy statement<sup>57</sup> (and its successor revision documents);
  - b) protect and enhance designated and priority habitats and species within the BOA; and
  - c) improve habitat connectivity across and/or into the BOA.
- 3) In addition to the BOAs, biodiversity measures are required to align with and deliver the Local Nature Recovery Strategy (to be prepared) and take account of other national, regional and local biodiversity strategies.
- 4) Major development proposals are required to set out plans for long term management and maintenance of on-site biodiversity.

#### Planting schemes, landscaping and water management

- 5) Planting and landscaping schemes, open spaces, Sustainable Drainage Systems (SuDS) and Natural Flood Management measures are expected to incorporate species, habitats and management regimes that provide best biodiversity benefit as set out in BOA policy statements and other strategies.

<sup>57</sup> SyNP (2019) Biodiversity Working Group. [Online]. Available online at <https://surreynaturepartnership.org/our-work/>

- 6) Tree canopies are expected to be retained and new tree planting is expected to focus on the creation of new connected tree canopies and/or the extension of existing canopies, unless doing so would adversely impact on sensitive species or habitats. Tree planting schemes are expected to provide resilience in terms of climate, disease and ageing, incorporating large species with long lifespans where opportunities arise.
- 7) Planting schemes are expected to use UK sourced, native species, unless imported strains of native species would offer greater resilience and are free from disease.

#### **Measures on building structures**

- 8) Development proposals are required to include appropriate features in or on building structures that support nature, will last for the lifetime of the development and will cater for appropriate species and habitats.

#### **Site design**

- 9) Development proposals are expected to be designed to create areas of new habitat and provide appropriate links and corridors between new and existing habitats, avoiding and reversing fragmentation and species isolation. Development sites and built features are expected to be permeable for wildlife.
- 10) In areas where invasive species are present, site design should not facilitate their spread. Where invasive species are present on development sites, they should be eradicated, or controlled where eradication is not possible. Planting schemes must not include invasive plants.
- 11) Major development proposals are expected, and minor development proposals are encouraged, to deliver measures that promote a sense of community ownership of green spaces and habitats.

#### **Biodiversity Net Gain**

- 12) Qualifying development proposals submitted after the national scheme comes into effect are required to achieve a biodiversity net gain of at least 20 per cent, or the advised national minimum amount, whichever is greater, measured using the national biodiversity net gain calculation methodology.
- 13) Where previously developed land is exempted from biodiversity net gain under the relevant regulations, a minimum net gain will not be required unless the site supports at least one protected or priority species population or habitat, or an assemblage of species with an otherwise demonstrably high biodiversity value<sup>58</sup>. Where these are present, a measurable 20 per cent net gain for relevant habitats will be required.
- 14) Biodiversity gains are required to be delivered in a manner that is consistent with the biodiversity policies in this plan and LPSS 2019 Policy ID4: Green and Blue Infrastructure

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<sup>58</sup> For example, identified through Natural England's IUCN Species Status Review project. Available online at: <http://publications.naturalengland.org.uk/category/4707656804597760>



so that measures are focused on local priorities and will provide the best biodiversity value.

- 15) New habitats and habitat improvements that contribute towards the achievement of biodiversity net gain are required to be secured and maintained for at least 30 years, or a period of time set out in national policy or legislation if this is greater.
- 16) Where the applicant is unable to provide the gains on-site, provide the gains off-site or fund gains off-site on third-party sites, a justified and proportionate financial contribution to fund off-site measures will be secured.
- 17) Development proposals for the creation of biodiversity sites will be supported where these are well located and will be appropriately managed in order to align with local, regional and national strategies and provide best biodiversity value.

### **Definitions**

- 4.42 *Biodiversity Opportunity Area (BOA)* - extensive areas where improved habitat management, as well as efforts to restore and re-create priority habitats, will be most effective in enhancing connectivity to benefit the recovery of priority species in the borough's fragmented landscape. Surrey BOAs and their boundaries are established by SyNP.
- 4.43 *Invasive species* - any non-native species that spreads aggressively, including (but not limited to) those identified in Schedule 9 of the Wildlife and Countryside Act.
- 4.44 *Qualifying development (for biodiversity net gain)* - any development that is not exempted from the requirement to achieve a biodiversity net gain by national policy or legislation. Where sites contain a mixture of land that is exempt because it is previously developed land and other land, the exemption will only be applied to the previously developed land.
- 4.45 *Biodiversity site* – a site that hosts habitats and/or species for the purposes of providing biodiversity net gain, compensation for biodiversity loss or for the general purpose of nature conservation including sites that form components of Local Nature Recovery Strategies.

### **Reasoned Justification**

- 4.46 The health of our society and economy is directly linked to the health of the natural environment. Therefore, the severe, indicative decline in biodiversity seen in Surrey over recent decades demands a strong and effective response. It is imperative that the decline is reversed and not just arrested in order to safeguard the long-term prosperity of our borough, to align with national biodiversity objectives and to deliver development that is environmentally, socially and economically sustainable.

#### *Maximum biodiversity gain*

- 4.47 Maximum biodiversity gain means that opportunities for enhancing and supporting biodiversity on site have been fully explored and implemented, balanced with the delivery of other planning priorities. In practice, this means that biodiversity should be considered from the outset of design work. Where an applicant can demonstrate clearly that circumstances particular to the development justify the need for a viability assessment, and that assessment shows that the

scale of obligations jeopardises viability, decision makers will prioritise competing needs on a case-by-case basis taking into account the specific local circumstances including the importance attached to biodiversity enhancements in the development's location.

- 4.48 All open land should be multi-functional and provide the best biodiversity benefit achievable while still meeting its primary function. Landscaping and open spaces should cater for a range of species by providing a variety of habitats appropriate for the site location, size and characteristics. Where open spaces are primarily lower value habitats like mown grass, low growing pollinator species can be mixed in and more valuable habitats should be provided around their margins wherever possible.
- 4.49 Greenfield development sites are frequently highest in biodiversity value at their margins where there may be hedgerows, patches of woodland or other habitats that have been subject to less disturbance. These features should be retained and habitat fragmentation should be reduced by connecting up hedgerows, providing stepping-stones between areas of habitat, and by providing green corridors of more varied, mosaic habitats to allow wildlife to move through the site.

*Mitigation hierarchy and net gain*

- 4.50 The mitigation hierarchy is set out below. Measures at each stage of the hierarchy must be maximised before moving on to the next stage:
1. Avoid adverse impacts on habitats.
  2. Minimise habitat damage and loss where it cannot be avoided.
  3. Restore/remediate any damaged or lost habitats.
  4. Offset/compensate losses through habitat enhancement or creation. Where adverse impacts cannot be avoided, and retained habitats cannot be wholly restored, rehabilitated or enhanced to deliver the required level of biodiversity net gain, new habitat should be created (including off-site in the locality of the development or elsewhere within the Borough, preferably within BOAs).
- 4.51 Development proposals are required to demonstrate clearly how, in the first instance, they have retained the most important habitat(s) on site; that any loss of remaining habitat(s) has next been mitigated using all measures available; and after this, how any (net) remaining habitat loss is to be compensated, that will result in an actual net gain of biodiversity.

*Biodiversity Opportunity Areas*

- 4.52 "Biodiversity Opportunity Areas: the basis for realising Surrey's ecological network" (SyNP, revised 2019)<sup>59</sup> sets out the role and function of the BOAs in detail. The appendices contain a 'Policy Statement' for each BOA which includes a profile, the aims, objectives and targets, and a list of the priority species and habitats for the BOA. Where a development falls within a BOA, the scheme's biodiversity measures are required to be consistent with these statements. For sites adjacent to a BOA, on-site works are required to support the priority habitats and species, aims, objectives and targets in the statements where feasible.
- 4.53 The boundaries of the Biodiversity Opportunities Areas (BOA) are shown on the Interactive

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<sup>59</sup> Available online at: <https://surreynaturepartnership.org/our-work/>

Planning Map<sup>60</sup>. These boundaries will be updated if amended by SyNP.

- 4.54 Individual sites will differ in character and site-specific characteristics should be considered alongside the BOA policy statements when designing proposals.

*National, regional and local biodiversity strategies*

- 4.55 The BOAs set a strategic framework for improving habitat connectivity at a landscape scale. When considering how schemes can provide the best biodiversity benefit, further sources of strategy and information should be considered alongside the BOA policy statements and Local Nature Recovery Strategy (to be prepared). The Council will produce a Green and Blue Infrastructure Supplementary Planning Document (the SPD) that will signpost the relevant strategies and sources of information that should be considered. The following list is not exhaustive and will be updated through the SPD.

- 4.56 Sources of strategy and information include:

- The Council's Countryside Strategy<sup>61</sup>;
- Data and strategies from nature conservation organisations such as Buglife's 'B-lines' network of insect pathways, Hedgehog Street's hedgehog maps and the Royal Society for the Protection of Birds' swift maps;
- Sites identified as containing priority species or habitats by the Surrey Biodiversity Information Centre;
- Planning designations that may help guide planting schemes in order to address local issues (e.g. Air Quality Management Areas);
- Biodiversity policies and strategies in neighbourhood plans.

*Long term management and maintenance of on-site biodiversity*

- 4.57 Major development proposals are required to set out how on-site biodiversity will be managed and maintained in the long term. An ecological management plan should be provided that is proportionate to the scale of the development and the nature of the existing and proposed on-site biodiversity. In the case of larger developments of over 100 dwellings and/or 10,000 square meters of non-residential floor space a landscape management plan may also be necessary, and can be combined with that for biodiversity<sup>62</sup>. The plans should include details of how habitats will be monitored and managed to ensure their continued protection and enhancement, and details of adequate financial provision, whether this is to be maintained by the developer, a third party or given as a commuted sum to the Council.
- 4.58 Details of the ecological management plan should be provided at the submission of an application to enable it to be considered before determination, and conditions/legal agreements may be used to secure the implementation of measures and management. Where a commuted sum is offered to the Council, the full management proposals will need to have been identified and agreed so the Council can be sure the costings are accurate.

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<sup>60</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>61</sup> Available online at: <https://www.guildford.gov.uk/countryside>.

<sup>62</sup> This document may be referred to as a Landscape Environmental Management Plan (LEMP) or a Landscape and Biodiversity Environmental Management Plan (LBEMP).

*Planting schemes, landscaping and water management measures*

- 4.59 Proposals should demonstrate that best biodiversity benefit will be achieved by designs that maximise opportunities to support local species; nectar, nuts, seeds, native vegetation and berries along with trees and shrubs, logs and stones. A mix of native species that cater for a range of local species and provide year-round benefit should be used. Water management should use natural forms and avoid hard engineering wherever possible.
- 4.60 Planting schemes are expected to demonstrate resilience and be designed to last for the life of the development so that the biodiversity benefits are retained in the long term. The climate is changing, and planting schemes will need to take into account the shift toward hotter, drier summers and warmer, wetter winters. Guidance on selecting species for climate resilience is available from a number of bodies such as the Trees and Design Action Group.
- 4.61 Some species in the UK are under threat from disease (e.g. elm, ash and oak trees). Proposals should commit to the use of disease-resistant stock of these threatened species where these are available to ensure the new plants are resistant to attack and to help self-generation of future local populations from resistant strains. The risk of future disease outbreaks among trees should be reduced by planting a mix of tree species. Trees of different ages or species with different lifespans should be used so the trees do not die at the same time.

*Tree canopies*

- 4.62 Trees and woodlands are under increasing threat from climate change, changes in land use and tree pests and diseases. In the last 25 years there has been a 76% loss of small woodlands of less than two hectares nationally, and today an estimated 6 million ash trees within the county are 'at risk' from ash dieback. Retaining and increasing tree canopy cover while improving the resilience of woodlands are therefore priorities.
- 4.63 Tree planting schemes should create connected canopies as well as extend existing canopies as this provides greater biodiversity benefit than the same number of trees planted separately. Biodiversity benefit should be considered in terms of canopy area rather than simply the number of trees. Grouped trees should be adequately spaced at maturity.
- 4.64 However, the creation of new canopies should avoid adverse impacts on sensitive habitats and species e.g. by replacing or fragmenting important habitats such as acid grassland or lowland meadow, reducing the availability of water locally or preventing the movement of wildlife, and there may be cases where a greater benefit can be achieved through a more even distribution of trees throughout new greenspaces.

*Measures on building structures*

- 4.65 Degradation of the natural environment is leading to a rapid reduction in the habitats of many species. Some species commonly live on or within built structures (e.g. swifts, house martins, house sparrows and many bats) but modern construction techniques and energy efficient design have eliminated many of the features and gaps in building structures that these species exploit. To reverse the decline, these losses must be replaced.
- 4.66 Proposals that include new building structures should incorporate measures that provide opportunities for species to grow, nest, roost and forage such as integrated roosting and nesting

boxes, bee bricks and green and brown roofs and walls that provide foraging and nesting habitats for birds and insects. The measures should be built into the structure of the building and composed of enduring materials so that they will last for the lifetime of the building.

- 4.67 In order to be considered appropriate, the measures chosen should cater for the right species taking into account the BOAs, other biodiversity strategies and the proximity to different types of foraging habitat. The measures should be placed in appropriate locations on buildings with the right height and orientation to ensure that they will be effective for the target species. The location should also take account of building features that can discourage the target species, like external lighting, windows or noisy service equipment.

#### *Site design*

- 4.68 Public and private open spaces within development sites can provide foraging, roosting and nesting opportunities for wildlife, but only if the spaces are accessible. New areas of habitat will provide greater benefit if they connect to other habitats.
- 4.69 Development proposals should incorporate green links and wildlife corridors between habitats inside and outside of the site in order to enable animals to travel between them and plant species to disperse. Development curtilages should be permeable for wildlife and allow creatures to safely travel into and around the development. Site boundaries should be permeable to connect up with the wider environment, ideally by linking up corridors and habitats. New developments should not reduce permeability through existing corridors.
- 4.70 Built features such as walls, fences and other barriers should incorporate gaps that allow wildlife to pass through (e.g. hedgehog highways). Garden ponds and other surface water features are important habitats for amphibians, and it is important that these residents can move between ponds. Culverts under paths and roads should be incorporated to provide a means for amphibians, reptiles and mammals to safely cross, and road drains should be fitted with amphibian ladders. Where roads cross watercourses, passage for water mammals such as otters should be provided. For very large developments and infrastructure developments, green bridges that connect habitats across roads should be considered.

#### *Invasive species*

- 4.71 Invasive species can disrupt aquatic and terrestrial ecosystems and habitats, out-compete or prey on native species, and some invasive plants can damage buildings. Some invasive species, such as Japanese knotweed and Himalayan balsam, are already established in Surrey and may be present on development sites, so it is important that developers are alert to the possibility and take appropriate action when they are found.
- 4.72 Where invasive species are present on a development site, these should be eradicated or, where this is not possible, controlled through the implementation of a management regime. Site design should take into account the need to prevent invasive species from spreading through the site, including when improving habitat connectivity.
- 4.73 Some invasive plants are available in garden centres and nurseries and many, such as buddleia and non-native cotoneaster varieties, are commonly seen in British gardens. However, despite this widespread availability, planting schemes must not include any invasive species.

Organisations such as Plantlife and the Royal Horticultural Society identify plant species that should be considered invasive.

*Community ownership*

- 4.74 Habitats are likely to be more valued when the local community is engaged and develops a sense of ownership. Major developments are expected to implement measures to assist this, and smaller development are encouraged to do so where possible. Habitats of all scales can be addressed, whether a single veteran tree or a substantial area. The measures used should be proportionate to the scale and type of the habitat(s) and can include interpretation boards that provide information about on-site and local habitats and species, bespoke 'blinds' or hides for observing (especially wetland) wildlife, supporting educational engagement and the involvement of local volunteer groups in ongoing management decisions. Access arrangements should be designed to comply with established accessibility and Disability Discrimination Act standards and good practice guidance such as the 'Countryside for All' guide<sup>63</sup>.

*Biodiversity Net Gain*

- 4.75 The NPPF has always incorporated the principle that new developments should achieve biodiversity net gain and since 2019 required plans to identify and pursue opportunities for securing measurable net gains for biodiversity. The Environment Act 2021 proposes a minimum 10% biodiversity net gain, but on commencement of the national scheme a minimum 20% biodiversity net gain will be required within the Borough using the national biodiversity net gain calculation methodology. This higher level is justified because Surrey has suffered a severe biodiversity decline which is significantly worse than the country as a whole, opportunities to deliver this off-site if necessary are likely to be available locally and the viability of development is unlikely to be unduly impacted in most cases.
- 4.76 The methodology used to calculate net gain will be the Defra Biodiversity Metric version that is in use nationally at the time the planning application is considered, or an alternative methodology if the Defra Biodiversity Metric is replaced nationally. Implementation should conform to 'BS 8683: Process for designing and implementing biodiversity net gain' produced by the British Standards Institution.
- 4.77 The Environment Act and associated regulations exempt some types of development from the national biodiversity net gain (BNG) minimum requirement. The same exemptions apply for the biodiversity net gain requirement in this policy (unless covered by policy paragraph 13). However, the remainder of the policy applies to all developments.
- 4.78 Biodiversity gains may be achieved through habitat restoration and/or creation on-site. Where the full required net gain cannot be achieved on a development site, the remaining gain may be achieved outside the development site, either by the developer or by a third party. In the unlikely event that the required gains cannot be provided through these routes, the Council may negotiate a justified and proportionate financial contribution which will be used to secure the required gain by obtaining credits from a 'habitat bank'. The Council will offer developers opportunities for off-site biodiversity net gain at its Tyting Farm site and will encourage other

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<sup>63</sup> Available at <https://www.pathsforall.org.uk/resource/countryside-for-all>

sites to be provided in the Borough to ensure the local availability of alternative options.

- 4.79 BNG measures may be acceptable on SANGs (see LPSS 2019 policy P5) where they would complement the recreational purpose and uses of the SANG, and where new or enhanced BNG habitats and the species they are intended to benefit would not suffer as a result of SANG uses. Proposals must calculate biodiversity gains from an appropriate baseline and meet any requirements on additionality in accordance with Natural England’s SANG guidelines, legislation and national guidance. The revision of previously consented SANGs to alter approved landscaping or planting schemes, mitigation works, or habitat or landscape management plans is likely to require an application to amend the scheme or a new planning application.
- 4.80 All habitat that is created or enhanced in order to meet the net gain requirement is required to be secured and maintained for at least 30 years in order to ensure that it is able to reach maturity and attain a sufficient quality. This figure is consistent with the national approach set out in the Environment Act. However, if a longer time period is specified nationally, the policy requires the longer period to apply. The Council encourages longer time periods including maintenance in perpetuity.
- 4.81 The biodiversity value of a development site must not be artificially reduced before the baseline for the net gain is set. Where the Council considers that on-site habitat has been degraded or removed intentionally, it will require the baseline to reflect at least the full biodiversity value of the site before the degradation occurred and will apply any punitive measures set out in legislation. Biodiversity sites must likewise not be intentionally cleared or degraded in order to increase the potential for biodiversity gain.

### Key Evidence

- Biodiversity Opportunity Areas: the basis for realising Surrey’s ecological network (Surrey Nature Partnership, 2019)
- Biodiversity Opportunity Area Policy Statements (Surrey Nature Partnership, 2019)
- State of Surrey’s Nature; lists of Species of Conservation Concern (Surrey Nature Partnership, 2017)
- A Vision for Guildford Borough’s Countryside Sites 2017 – 2027 (Guildford Borough Council, 2017)

### Monitoring Indicators

Indicator	Target	Data Source
Gains in biodiversity provided by development on sites of 25 homes or greater	All qualifying developments to provide a minimum 20% net gain	Planning applications

## Policy P8: Land Affected by Contamination

### Introduction

- 4.82 Contributing to the delivery of sustainable development is the primary purpose of the planning system. In achieving this, the NPPF is clear that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses:
- [giving] substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land<sup>64</sup>.*
- 4.83 Historic land contamination, involving a complex range of substances, effects land throughout England. Background levels of substances are present on all land. However, there are greater concentrations of contaminants on some land, often associated with historic industrial land use or waste disposal, that may present sufficient risk to the health of sensitive receptors to be considered contaminated<sup>65</sup>.
- 4.84 The historic, industrial nature of Guildford borough's town and villages has given rise to contamination, or potential contamination, in some areas. Failing to adequately deal with contamination on proposed development sites can cause harm to the health of sensitive receptors, comprising of people, wildlife and the natural environment, including sensitive habitats and sites designated for their nature conservation value.
- 4.85 Contaminated land is a material consideration for the purposes of the Town and Country Planning Act 1990. Therefore, in the determination of planning applications, consideration will be given to the impact of the proposed development in terms of the risk that is presented to sensitive receptors, both on-site and off-site, from exposure to the identified harmful contaminants.
- 4.86 Part 2A of the Environmental Protection Act (1990) provides Local Authorities with a duty to investigate and regulate contaminated land. The Council's Contaminated Land Strategy (2001), alongside further information on contaminated land within Guildford borough is available on the Council's website<sup>66</sup>. In accordance with the Council's Contaminated Land Strategy, the redevelopment of contaminated sites comprises the primary mechanism for dealing with contaminated land in the borough.
- 4.87 Where land contamination is identified as part of a development proposal, remediation of the land will be required to ensure that the proposed development does not present an unacceptable risk to the health of sensitive receptors, including the present and/or future occupants or users or the development, from harmful hazardous materials either on-site or off-site.

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<sup>64</sup> National Planning Policy Framework (2021), paragraph 120(c).

<sup>65</sup> Department for Environment, Food & Rural Affairs (2012) Contaminated Land Statutory Guidance. Available online at: <http://www.gov.uk/government/publications/contaminated-land-statutory-guidance>

<sup>66</sup> Available online at: <https://www.guildford.gov.uk/article/25084/What-is-contaminated-land>



## Policy P8: Land Affected by Contamination

- 1) Development proposals that comprise or include land that is known or suspected to be affected by contamination are required to submit appropriate Site Risk Assessments, which establish the full nature and extent of any land contamination that may adversely affect sensitive receptors, both on-site and in the surrounding area.
- 2) Where evidence of contamination is identified, an Options Appraisal and Remediation Strategy are required to be submitted, which must demonstrate that the land is to be made fit for its intended purpose, detailing:
  - a) the appropriate sustainable remediation measures that will be implemented in order to prevent and/or avoid significant harm to sensitive receptors, both on-site and in the surrounding area, including future users of the site; and
  - b) the appropriate mitigation measures that will be implemented in order to reduce to a minimum any risks presented to the health of sensitive receptors from land contamination.
- 3) A Verification Report must be submitted to the Council and approved prior to either occupation or use, which demonstrates the agreed remediation measures have been implemented effectively.
- 4) Where insufficient information is provided, or the relevant reports indicate that there will be an unacceptable adverse impact on sensitive receptors which cannot be adequately prevented, avoided, and/or mitigated through appropriate remedial measures, the planning application will be refused.

### Definitions

- 4.88 *Contamination* – The presence of naturally occurring and/or manufactured hazardous substances. The source-pathway-receptor conceptual model will help to identify where contamination exists.
- 4.89 *Land Affected by Contamination* – As defined at paragraph 78A(2) of the Environmental Protection Act (1990) – Land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that:
- a) significant harm is being caused or there is a significant possibility of such harm being caused; or
  - b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.
- 4.90 *Remediation* - The action required to prevent, minimise, remedy, or mitigate the effects of the unacceptable risks presented by hazardous substances.
- 4.91 *Sensitive Receptors* – Features that are prone to damage from pollution, such as living organisms, ecological systems, land use, controlled waters, and the natural environment.

### **Reasoned Justification**

- 4.92 For general guidance on the consideration of land affected by contamination within the development management process, applicants should refer to national Planning Practice Guidance<sup>67</sup>.
- 4.93 The Environment Agency (2020) has published detailed guidance on the assessment and management of the risks from land contamination. Development proposals for which land contamination is a relevant concern are expected to demonstrate compliance with the Environment Agency's Land Contamination Risk Management (LCRM) strategy<sup>68</sup>. The LCRM presents a risk-based approach to the assessment and management of land contamination, comprising three stages;
1. Risk Assessment;
  2. Options Appraisal; and
  3. Remediation and verification.
- 4.94 At each stage of the LCRM process, the development proposal must demonstrate compliance with relevant British Standards. Relevant British Standards are noted in the Environment Agency's guidance. The general site investigation standards are:
- a) BS 10175: Investigation of potentially contaminated sites – code of practice
  - b) BS 5930: Code of practice for ground investigations
- 4.95 The Department for Environment, Food and Rural Affairs (2012) has published detailed statutory guidance that sets out the process of identifying and dealing with land that poses an unacceptable level of risk under the Part 2A of the Environmental Protection Act 1990 regime for remediating statutorily defined contaminated land<sup>69</sup>. The guidance also elaborates on the remediation provisions of Part 2A, such as the goals of remediation, and how regulators should ensure that remediation requirements are reasonable. Where land contamination is a relevant concern, as defined under Part 2A specifically, prospective applicants are required to refer to the statutory guidance.
- Site Risk Assessment*
- 4.96 In order to satisfy paragraph (1) of this policy, development proposals that include or comprise land that is known or suspected to be affected by contamination are required to submit a Site Risk Assessment. Site Risk Assessments must be completed in accordance with the Environment Agency's LCRM guidance and should be appropriate for the scale of the likely risk presented by the potential contamination.
- 4.97 Where land contamination is suspected, a Preliminary Site Risk Assessment may be required, in order for the Council's Environment and Regulatory Services to make an informed decision. Where a Preliminary Site Risk Assessment indicates that the proposed development site may present any potentially unacceptable risks to sensitive receptors, detailed Site Risk

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<sup>67</sup> Available online at: <http://www.gov.uk/guidance/land-affected-by-contamination>

<sup>68</sup> Available online at: <http://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

<sup>69</sup> Available online at: <http://www.gov.uk/government/publications/contaminated-land-statutory-guidance>

Assessments will be necessary.

- 4.98 Where required, the Site Risk Assessment must be completed during the early stages of the design and preparation of the development proposal. If the Site Risk Assessment indicates that the proposed development site would present an unacceptable risk to the health of sensitive receptors as a result of land contamination, the applicant must continue to progress through the Environment Agency's LCRM strategy. Where the applicant has engaged the Council's pre-application service, the Site Risk Assessment should be submitted and reviewed as part of this process.

*Options Appraisal and Remediation Strategy*

- 4.99 Where the Site Risk Assessment process identifies evidence of land contamination, an Options Appraisal and Remediation Strategy will be required in order to satisfy paragraph (2) of this policy. The Options Appraisal and Remediation Strategy must be produced in accordance with the Environment Agency's LCRM guidance.
- 4.100 Detailed guidance covering the development of an appropriate remediation strategy is available in the CL:AIRE Water and Land Library (INFO-OA3)<sup>70</sup>.
- 4.101 Remediated land must, as a minimum, not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. In all cases, the remediation of contaminated land must be sufficient to ensure that sensitive receptors are prevented from exposure to unacceptable risk from hazardous materials, whether through avoidance or mitigation measures, implemented as part of the remediation strategy.
- 4.102 Where a Remediation Strategy cannot demonstrate that the proposed development site would be remediated appropriately, or if insufficient information is provided to make this determination, the planning application will be refused.

*Verification Report*

- 4.103 A Verification Report is required to be submitted and agreed by the Council's Environment and Regulatory Services as part of the Remediation Strategy, in accordance with the Environment Agency's LCRM strategy.
- 4.104 The Verification Report is required to demonstrate that any risk of significant harm to sensitive receptors have been prevented, avoided, and/or mitigated as appropriate and that the remediation objectives and criteria have been met. Verification Reports are required to implement a quantitative assessment of the remediation performance using the lines of evidence approach as set out in the verification plan contained in the Remediation Strategy. The Verification Report will need to provide a complete record of all remediation activities and evidence that the remediation has been successful.

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<sup>70</sup> Available online at: <http://www.claire.co.uk/useful-government-legislation-and-guidance-by-country/200-developing-the-remediation-strategy-info-oa3>

### Key Evidence

- Department for Environment, Food & Rural Affairs (2012) Contaminated Land Statutory Guidance.
- Environment Agency (2018) Groundwater Protection Position Statements.
- Environment Agency (2021) Land Contamination Risk Management Guidance.
- Guildford Borough Council (2001) Contaminated Land Inspection Strategy.
- Guildford Borough Council (2007) A Developer's Guide to Contaminated Land.

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy P8	N/A	Planning Appeals

## Policy P9: Air Quality and Air Quality Management Areas

### Introduction

- 4.105 Clean air is vital for environmental and human health. Poor air quality represents the largest environmental health risk in the UK. It shortens lives and contributes to chronic illness. Health can be affected both by short-term exposure to high-pollution episodes and by long-term exposure to lower levels of pollution.
- 4.106 Similarly, air pollution also negatively impacts plants and animals, natural habitats, ecosystems, and environmental processes. Serious environmental impacts of air pollution occur as a result of nitrogen deposition, acid deposition, and direct toxic effects of pollutants in the air.
- 4.107 Air pollution comes from many sources. Emissions from distant and local sources can build up into high local concentrations of pollution. Although there are legally-binding limits, there are no 'safe' levels. Therefore, it is essential that any new development within the borough of Guildford avoids creating, or contributing to, poor air quality levels both within and outside the Borough boundary.
- 4.108 The NPPF<sup>71</sup> is clear that:
- Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.*
- 4.109 Therefore, in the determination of planning applications, consideration will be given to the impact of development in terms of the impacts on air quality caused both by the operational characteristics of the development and the vehicular traffic generated by it. Consideration will be given to the impacts of all sources of emissions to air, but particular attention should be provided to the most damaging air pollutants (fine particulate matter, ammonia, nitrogen oxides, sulphur dioxide, non-methane volatile organic compounds).

### *Air Quality Management Areas*

- 4.110 Local Authorities are required to periodically review and assess the current, and likely future, air quality in their area against national air quality objectives, as set out by the Environment Act 1995<sup>72</sup> and the UK's Air Quality Strategy<sup>73</sup>. Where an objective is unlikely to be met by the relevant deadline, Local Authorities are required to designate those areas as Air Quality Management Areas ('AQMAs') and take action to work toward meeting those objectives. Development within, and in close proximity to, AQMAs will therefore require careful consideration to ensure that a positive contribution is made towards the Council's Air Quality

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<sup>71</sup> National Planning Policy Framework (2021), paragraph 186

<sup>72</sup> See Part IV. Available online at: <https://www.legislation.gov.uk/ukpga/1995/25/contents>

<sup>73</sup> Available online at: <https://www.gov.uk/government/publications/the-air-quality-strategy-for-england-scotland-wales-and-northern-ireland-volume-1>

Strategy and the relevant Air Quality Action Plan.

### **Policy P9: Air Quality and Air Quality Management Areas**

- 1) Development proposals should have regard to the need to improve air quality and reduce the effects of poor air quality.
- 2) Development proposals must not result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and any sites designated for their nature conservation value, from any sources of emissions to air.
- 3) Development proposals are required to include a detailed Air Quality Assessment, where:
  - a) major development is proposed and has the potential, including when combined with the cumulative effect of other approved developments and site allocations, to have significant adverse impacts on air quality;
  - b) the proposed development has the potential to result in significant adverse impacts and is within, and in close proximity to, a sensitive habitat, including any site designated for its nature conservation value;
  - c) development would introduce or intensify sensitive uses within an area that is known to experience existing poor air quality conditions, including an Air Quality Management Area (AQMA); and/or
  - d) the proposed development would be likely to result in the increase of air pollution levels within an Air Quality Management Area (AQMA).
- 4) Where an Air Quality Assessment identifies potential significant adverse impacts on sensitive receptors from any source of emissions to air, the applicant must submit an Emissions Mitigation Assessment, detailing the appropriate avoidance and mitigation measures that will be implemented to prevent significant adverse impacts on sensitive receptors, including future occupiers or users of the site, from any sources of emissions to air.
- 5) Proposed avoidance and mitigation measures are expected to follow the 'Air Quality Avoidance and Mitigation Hierarchy' and be designed to maximise their ecological and aesthetic value.
- 6) Development proposals within, and in close proximity to, Air Quality Management Areas (AQMA) are required to demonstrate how the proposed avoidance and mitigation measures would make a positive contribution towards the aims of the Council's Air Quality Strategy and the appropriate Air Quality Action Plan.
- 7) A 'Verification Report' must be submitted to the Council and approved prior to the development's occupation or use, which demonstrates the agreed avoidance and mitigation measures have been implemented effectively.
- 8) Where required, planning obligations will be used to secure contributions to tackle poor air quality and/or for air quality monitoring.

- 9) Where there will be significant adverse impacts that cannot be effectively mitigated, the planning application will be refused.

### Definitions

- 4.111 *Sensitive Receptors* - Features that are prone to damage from pollution, such as living organisms, including humans and animals, ecological systems, sensitive habitats, and the natural environment.
- 4.112 *Sensitive Uses* – Land uses where sensitive receptors are concentrated, including residential properties, schools and nurseries, hospitals, care facilities, and public amenities.

### Reasoned Justification

- 4.113 For general guidance on the consideration of air quality within the development management process, applicants should refer to national Planning Practice Guidance<sup>74</sup>.
- 4.114 Further guidance on the consideration of air quality within development is available on the Institute of Air Quality Management's (IAQM's) website<sup>75</sup>. In having regard to the need to improve air quality and reduce the effects of poor air quality, applicants should demonstrate that the proposed development has been designed and will be implemented in accordance with 'good practice' principles outlined in the IAQM guidance – 'Land-Use Planning and Development Control: Planning for Air Quality' (2017)<sup>76</sup>, or any updated published guidance that replaces or supplements this.
- 4.115 Detailed guidance in relation to the assessment of air quality impacts on sensitive habitats and sites designated for their nature conservation value has also been published by the Institute of Air Quality Management (2020)<sup>77</sup>. The effects of poor air quality on ecosystems and their function have been documented comprehensively within the scientific literature. As a result, air quality is a pathway of impact that requires considered assessment within the determination of a planning application.
- 4.116 The Chartered Institute of Ecology and Environmental Management (CIEEM) have published a detailed 'Advisory Note: Ecological Assessment of Air Quality Impacts' (2021)<sup>78</sup> that complements the IAQM guidance cited above, providing further detail. The guidance sets out the serious adverse biochemical impacts that various air pollutants may have on sensitive habitats. The document details the serious impacts of excessive nitrogen deposition on many of the sensitive habitats present within Guildford borough, including Ancient Woodland.
- 4.117 Although average NO<sub>x</sub> concentrations are reducing in most of the UK, atmospheric concentrations of ammonia are continuing to increase in many areas, or remain stable in excess of 'critical load' levels for many of the borough's sensitive habitats. Emissions of ammonia from vehicular traffic contributes to roadside nitrogen deposition, which must be considered within Air

<sup>74</sup> Available online at: <http://www.gov.uk/guidance/air-quality--3>

<sup>75</sup> Available online at: <http://iaqm.co.uk/guidance/>

<sup>76</sup> Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

<sup>77</sup> Available online at: <https://iaqm.co.uk/text/guidance/air-quality-impacts-on-nature-sites-2020.pdf>

<sup>78</sup> Available online at: <https://cieem.net/wp-content/uploads/2020/12/Air-Quality-advice-note.pdf>

Quality Assessments.

- 4.118 Planning applications for particular large-scale ammonia-emitting developments, such as for intensive livestock units, within 5km of Ancient Woodland sites, must demonstrate that the development would not have significant adverse impacts on Ancient Woodland habitats. The Department for Food and Rural Affairs (2018) has published the Code of Good Agricultural Practice (COGAP), which provides best-practice guidance for reducing ammonia emissions from farms in England<sup>79</sup>.

*Air Quality Management Areas*

- 4.119 Currently, three AQMAs have been declared within Guildford borough, due to exceedances of the annual mean Air Quality Strategy ('AQS') objective for NO<sub>2</sub> of 40µgm-3 (micrograms per cubic metre). These are located at 'The Street, Compton', 'A281, The Street, Shalford' and 'Guildford Town Centre'. In each case, road traffic emissions comprise the primary source of NO<sub>2</sub>. Further AQMAs may be designated during the lifetime of this Plan. Applicants are advised to check for the status and extent of AQMAs on the Council and the Department for Environment, Food and Rural Affairs' websites<sup>80</sup>.
- 4.120 The Council must develop an Air Quality Action Plan ('AQAP') for each AQMA, which sets out a strategy for improving the air quality conditions for that area, to fulfil its duties under the Local Air Quality Management framework. These are available on the Council's website<sup>81</sup>.
- 4.121 The Council has a statutory duty to work toward the UK's Air Quality Objectives. In fulfilling this duty, the Council has developed an Air Quality Strategy (2017 – 2022), which identifies key air quality issues within the borough and sets out an approach toward maintaining and improving air quality, including specific actions that will be undertaken to achieve this.
- 4.122 Furthermore, Guildford Borough Council has a legal duty to protect the life and wellbeing of local communities, under Article 2 and Article 6 of the Human Rights Act and common-law duties, and is compelled to take action to reduce pollution to ensure amenity is preserved, under Article 2 and Article 8 of the European Convention on Human Rights.

*A3 Guildford trunk road*

- 4.123 National Highways, which is responsible for the Strategic Road Network, has identified that a section of the A3 Guildford trunk road is experiencing exceedances of the limit value for annual mean NO<sub>2</sub> air pollution which are adversely affecting sensitive receptors including residents and users of a footpath.<sup>82</sup> The section of the road is, for National Highways' air quality assessment work, known as Pollution Climate Mapping link number 17736. This is located between the left

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<sup>79</sup> Available online at: <https://www.gov.uk/government/publications/code-of-good-agricultural-practice-for-reducing-ammonia-emissions>

<sup>80</sup> Available online at: <https://www.guildford.gov.uk/article/21335/Guildford-air-quality-management-areas> and <https://uk-air.defra.gov.uk/aqma/list>

<sup>81</sup> Available online at: <https://www.guildford.gov.uk/article/21335/Guildford-air-quality-management-areas%20>

<sup>82</sup> See Air Quality on England's Strategic Road Network: Progress Update (Commission No. 1 - 101 Pollution Climate Mapping links on the SRN - Analysis of potential non-compliance with limit values for Nitrogen Dioxide, as identified by Government's Pollution Climate Mapping Model) (National Highways, July 2021). Available at <https://nationalhighways.co.uk/our-work/environment/air-quality-and-noise/air-quality/air-quality-reports/>



in/out junction of Wilderness Road with the southbound carriageway to the west and Dennis interchange to the east. National Highways' forecast is that, by 2030, the limit value will continue to be exceeded, including with a potential barrier which is under consideration by National Highways.

#### *Air Quality Assessments*

- 4.124 Air Quality Assessments may be required for the reasons outlined in paragraph (3) of this policy. In accordance with paragraph 3(c) specifically, the Council's Environment and Regulatory Services will confirm whether the available evidence demonstrates the proposed development would introduce or intensify sensitive uses within an area that is known to experience existing poor air quality conditions. Where there is a risk that ambient pollutant levels may cause significant adverse effects on the health of sensitive receptors in the area, an Air Quality Assessment will be required.
- 4.125 Where an Air Quality Assessment is required, the applicant should seek confirmation from the Council's Environment and Regulatory Services on the appropriate approach and methodology to be used in conducting the assessment. The specific approach and methodology required for each assessment should be tailored to address the key issues driving the need for the assessment. In all cases, the Air Quality Assessment should be undertaken using an approach that is appropriate to the scale of the likely adverse impacts.
- 4.126 Initial Air Quality Assessments must be completed during the early stages of the design and preparation of the development proposal. If the applicant has engaged the Council's pre-application service, the initial Air Quality Assessment should be submitted and reviewed as part of this.
- 4.127 In order to ensure that a consistent approach is used in producing Air Quality Assessments, all assessments are expected to be prepared in accordance with guidance provided by Environmental Protection UK and the Institute of Air Quality Management: 'Land-Use Planning & Development Control: Planning For Air Quality' (2017)<sup>83</sup>. Specifically, the report detailing the results of the assessment is expected to contain the information set out at paragraph 6.22 (a) – (m) of that guidance.
- 4.128 Once the report has identified the magnitude of potential adverse impacts and described these for each relevant source and/or sensitive receptor, the applicant must seek agreement from the Council's Environment and Regulatory Services as to the 'significance' of those impacts. As a discipline, assessment of Air Quality impacts does not benefit from the rigid application of a significance matrix. The determination of 'significance' must therefore be made by the Council's Environment and Regulatory Services on a case-by-case basis, in agreement with the air quality professional that conducted the assessment. Further guidance on the determination of 'significance' within air quality assessment is available from the Institute of Air Quality Management (2017)<sup>84</sup>.
- 4.129 Where an Air Quality Assessment identifies potential significant adverse impacts on sensitive receptors, an Emissions Mitigation Assessment must be completed. The Emissions Mitigation

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<sup>83</sup> Available online at: <http://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

<sup>84</sup> Available online at: <http://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

Assessment must detail the appropriate avoidance and mitigation measures that will be implemented to prevent significant adverse impacts on sensitive receptors, including future occupiers or users of the site, from any sources of emissions to air. Emissions Mitigation Assessments should normally be submitted as part of the overall Air Quality Assessment and inform the conclusions made within it.

*Air Quality Avoidance and Mitigation Hierarchy*

- 4.130 The 'Air Quality Avoidance and Mitigation Hierarchy', as set out below, is based on published guidance by the Chartered Institute of Ecology and Environmental Management (CIEEM)<sup>85</sup>. Development proposals are required to incorporate appropriate avoidance and mitigation measures in the design of the scheme, in accordance with the preferences set out in the hierarchy. Emissions Mitigation Assessments are required to set out how the proposed measures have been incorporated in relation to the order of preference established in the hierarchy.
- 4.131 In accordance with the Air Quality Avoidance and Mitigation Hierarchy, development proposals should seek to avoid exposure to the pollutant in the first instance. Having implemented avoidance measures as far as is reasonably practicable, both technically and economically, development proposals should then implement appropriate mitigation measures in order to reduce the potential effects of exposure.

**Table P9a: Air Quality Avoidance and Mitigation Hierarchy**

Approach	Notes
Avoid	1) Eliminate or isolate sources of emissions. 2) Replace sources with lower-emission alternatives. 3) Maximise distance between sources and sensitive receptors.
Mitigate	4) Mitigation measures that act on the source. 5) Mitigation measures that act on the pathway. 6) Mitigation measures at or close to the point of exposure that address impacts upon the receptor.

- 4.132 In each case that an avoidance or mitigation measure is implemented, measures that are designed to operate passively should take preference over measures that require management or maintenance.

*Verification Report*

- 4.133 Prior to the occupation or use of the development, a Verification Report is required to be submitted and approved by the Council. The Verification Report is required to confirm that the avoidance and mitigation measures that are set out in the Air Quality Assessment have been implemented as described. The report must be completed by an independent and suitably qualified individual.

<sup>85</sup> CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK: Terrestrial, Freshwater, Coastal and Marine version 1.1. Chartered Institute of Ecology and Environmental Management. Available at: <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>

## Key Evidence

- Institute of Air Quality Management (2017) Land-Use Planning and Development Control: Planning for Air Quality.
- Guildford Borough Council (2017) Air Quality Strategy (2017 – 2022).
- Guildford Borough Council (2019) Air Quality Action Plan – Compton Village.
- Guildford Borough Council (2020) Air Quality Action Plan – Shalford.
- National Highways (2021) Air Quality on England’s Strategic Road Network: Progress Update (Commission No. 1 - 101 Pollution Climate Mapping links on the SRN - Analysis of potential non-compliance with limit values for Nitrogen Dioxide, as identified by Government’s Pollution Climate Mapping Model)

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy P9	N/A	Planning Appeals

## Policy P10: Water Quality, Waterbodies and Riparian Corridors

### Introduction

- 4.134 The provisions of the EU Water Framework Directive have been retained in domestic law through The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WER) following the UK's exit from the EU. The Water Environment Regulations set a methodology for measuring ecological health across a river catchment ecosystem and chemical health based on the presence of 'priority substances' such as mercury. All surface waterbodies are required to achieve 'good' ecological and chemical status (or 'good' ecological potential for heavily modified and artificial waterbodies), and all groundwater bodies are required to achieve 'good' quantitative and chemical status.
- 4.135 The majority of watercourses in the borough fail to achieve 'good' ecological status or 'good' ecological potential. Much of the River Wey in the borough currently achieves 'moderate' with some tributaries achieving only 'poor' or 'bad'. The River Wey carries high levels of phosphate and has many reaches that are heavily modified. The national picture is similar with just 16% of English waters (14% of rivers) meeting the criteria for 'good' ecological status. Around three fifths of groundwater bodies within the Thames Basin catchment (which covers Guildford borough) achieve 'good' chemical or quantitative status.
- 4.136 Watercourses are subject to pollution from a number of sources including sewage, agriculture, Nitrogen Oxide (NOx) from traffic exhaust fumes and plastic particles from tyre road wear, and are subject to further harm through water shortage, which is likely to become an increasing problem due to climate change. Improving the flow and water quality of rivers is necessary in order to restore their biodiversity value.
- 4.137 The Environment Agency has published the River Basin Management Plan (RBMP) for the Thames river basin district. This statutory document sets objectives and identifies projects and measures in order to achieve WER targets.
- 4.138 The borough supports important resources that supply our drinking water, identified as Drinking Water Protected Areas (DrWPAs). They include a Groundwater Safeguard Zone (GSZ), which protects the chalk aquifer (defined as a 'Principal' aquifer) beneath the North Downs. Additionally, there is a wider-ranging Surface Water Safeguard Zone extending across most of the Borough north of the Downs that protects surface waterbodies from which drinking water is routinely abstracted including the lower River Wey and its tributaries. The Environment Agency's 'Approach to groundwater protection' sets out position statements for different types of development in areas designated as Groundwater Source Protection Zones or identified as Drinking Water Protection Areas.
- 4.139 The River Wey & tributaries (R04) and River Blackwater (R03) Biodiversity Opportunity Areas set a framework for habitat recovery for those two rivers. The Basingstoke Canal is designated as a Site of Special Scientific Interest (SSSI) for much of its length, and the section that runs through Guildford Borough is largely within Biodiversity Opportunity Area TBH04: Ash, Brookwood & Whitmoor Heaths.
- 4.140 LPSS 2019 Policy ID4: Green and Blue Infrastructure sets a requirement for development to

protect and enhance the ecological, landscape and recreational value of watercourses, to avoid adverse impacts on the functions (including across their catchments) and setting of watercourses and their corridors, to demonstrate how they will support the achievement of Water Framework Directive objectives (now WER objectives) and to follow guidance from the Environment Agency regarding the River Basin Management Plan and flood risk management, and guidance in local catchment management plans.

- 4.141 LPSS 2019 Policy P4: Flooding, Flood Risk and Groundwater Protection Zones requires development within Groundwater Source Protection Zones (the Principal Aquifer of the North Downs) to avoid adverse impacts on the quality of the public water supply.

### **Policy P10: Water Quality, Waterbodies and Riparian Corridors**

- 1) Development proposals that would result in a deterioration in the chemical or ecological status/potential of a waterbody, or prevent improvements to the chemical or ecological status/potential, will not be permitted.
- 2) Development proposals that contain or are in the vicinity of a waterbody are required to demonstrate that they have explored opportunities to improve its chemical and ecological status/potential. Where a waterbody is covered by the Water Environment Regulations, proposals are required to align with the objectives of the Thames river basin district River Basin Management Plan<sup>86</sup>.
- 3) Non-residential developments, excluding essential infrastructure, that would have a very high water usage are expected to include water collection and storage measures sufficient to avoid, or significantly reduce if avoidance is not possible, abstraction from existing surface-level and groundwater resources or recourse to the public water supply.

#### **Development affecting watercourses**

- 4) Development proposals are required to explore opportunities to improve and/or restore the flow and functioning of a watercourse.
- 5) Development proposals are required to retain or reinstate an undeveloped buffer zone on both sides of a main river measuring a minimum of 10 metres from the top of the riverbank that is supported by a working methods statement detailing how the buffer zone will be protected during construction, and a Landscape and Ecological Management Plan detailing how it will be enhanced in the long-term. For ordinary watercourses, an appropriate buffer is expected that is sufficient to protect and enhance the biodiversity and amenity value of the watercourse.
- 6) Development proposals that include the culverting of watercourses, hard bank revetment or which prevent future opportunities for de-culverting and naturalisation of watercourse banks will not be permitted. Development proposals are expected to return banks to a natural state.

<sup>86</sup> Available online at <https://www.gov.uk/government/publications/thames-river-basin-district-river-basin-management-plan>

- 7) Where barriers to fish movement (e.g. weirs) are present in a watercourse, proposals are expected to include the removal of that barrier, or measures to allow for the natural movement of fish within the watercourse where removal is not feasible.
  - 8) Development proposals are required to identify opportunities for Natural Flood Management, creating wetland features and reconnecting rivers with their floodplains in order to restore natural processes, enhance biodiversity and help manage flood risk.
- Ground and surface drinking water**
- 9) Development proposals within Source Protection Zones and Drinking Water Protected Areas are required to demonstrate that they have had regard to all Environment Agency position statements that are relevant to the proposals.

### Definitions

- 4.142 *Waterbody* – any body of water including groundwater, watercourses and standing water.
- 4.143 *Watercourse* – any natural or artificial channel that carries flowing water, such as a river, brook, ditch or stream, including culverted stretches.
- 4.144 *Main river* – larger rivers and streams designated as such by the Environment Agency<sup>87</sup>.
- 4.145 *Ordinary watercourse* – a watercourse other than a main river.

### Reasoned Justification

#### *WER and RBMP objectives*

- 4.146 Development proposals that would harm the WER status of a waterbody, or would hinder the achievement of WER targets, will not be permitted. There are very limited circumstances where such developments may be permitted, set out in WER regulation 19<sup>88</sup>. In the event that such a development is proposed, the Council will seek legal advice on the application of the legislation.
- 4.147 Development proposals that contain or are in the vicinity of a waterbody covered by the WER should work with the relevant catchment partnership to identify and incorporate measures that will help to deliver WER and RBMP objectives. The SyNP maintains a list of catchment partnerships on its website.
- 4.148 Paragraph 174e of the NPPF states that development should, wherever possible, help to improve local environmental conditions, taking into account relevant information such as river basin management plans. Alongside this, the protection and enhancement of aquatic habitats and their associated green corridors is fundamental for habitat recovery and the achievements of national biodiversity targets.
- 4.149 The River Wey & Godalming Navigations are owned and managed by the National Trust. Parts of the Wey Navigation are waterbodies that are subject to the WER. The National Trust places a

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<sup>87</sup> The environment agency maintain a map available online at:  
<https://environment.maps.arcgis.com/apps/webappviewer/index.html?id=17cd53dfc524433980cc333726a56386>

<sup>88</sup> Available online at: [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

priority on the conservation of the historic environment whilst respecting the needs of those using or wishing to use the Navigations for leisure purposes. There may be instances where this priority conflicts with achieving WER objectives, for example where the conservation of historic wharves and artificial moorings prevents the naturalisation of riverbanks, or where improvements to recreational access may have impacts on ecology. Decision makers will take this situation into account when considering applications for development within the vicinity of the Wey Navigation, alongside the legal obligations surrounding WER targets.

*Development with high water usage*

- 4.150 Some developments, such as golf courses, can have a very high water usage. Guildford borough is within a region of serious water stress and the Environment Agency is seeking to reduce the amount of water abstracted from environmental water stocks in order to improve environmental health. At the same time, climate change will significantly increase water stress. Placing unnecessary further pressure on water stocks would prevent the achievement of WER targets and inhibit biodiversity recovery. As a result, it is important that such developments with high water usage include water storage facilities so that they can meet their need for non-potable water from natural rainfall and do not abstract water from the environment or use public water supplies for non-potable uses. The developments that would be covered by this requirement will be considered on a case-by-case basis.

*Development affecting watercourses*

- 4.151 The borough's watercourses and their corridors are an important resource that provide multiple benefits including green space and water for leisure and recreation, flood mitigation, walking and cycling links, habitats of high ecological value, wildlife corridors and a contribution to landscape character.
- 4.152 Development can negatively impact watercourses in many ways including through encroachment/loss of river corridor habitat, pet predation, disturbance, pollution, impacts on hydromorphology and river processes, culverting and increased pressure on sewage treatment works. However, it can also be a mechanism for bringing about improvements to riparian environments. The Environment Agency and Wey Landscape Partnership (WLP) are updating the Wey Catchment Plan and producing a Habitat Restoration Strategy for the Wey catchment which identifies actions needed to bring the River Wey into good ecological status. The RBMP also identifies beneficial projects for rivers. New development should incorporate measures that support the delivery of these improvements.
- 4.153 Floodplains should be reconnected to their river to restore lost habitat and floodwater storage. Around 90% of the UK's floodplains have been lost or degraded, which has resulted in habitat fragmentation, the disruption of fluvial ecosystems and has exacerbated flooding problems. As a result, it is necessary to treat remaining floodplains as an integral part of riparian corridors and seek their improvement and restoration.

*Watercourse buffers*

- 4.154 In order to protect and enhance main rivers, a minimum 10-metre undeveloped buffer on both sides provides the minimum width of habitat needed to provide for the functioning of wildlife

habitats while being able to facilitate informal access for enjoyment of the river. Such a buffer can make a contribution to the borough's green infrastructure providing wildlife corridors that connect larger areas of habitat, space for recreation and leisure, areas of natural flood management and it can reduce pollution reaching aquatic habitats. This buffer zone should be considerably larger on previously undeveloped land.

- 4.155 This width also ensures that the river is buffered from land-based activities, thereby avoiding shading from buildings, reducing the levels of diffuse pollution reaching the watercourse, which can degrade water quality, and allowing the watercourse to adjust its alignment as it naturally erodes and deposits without the need for damaging bank protection. These processes of erosion and deposition are essential to the ecological functioning of a watercourse.
- 4.156 Landscape and Ecological Management Plans for main river buffer zones should cover all areas of public realm, amenity and green infrastructure as well as ecology.
- 4.157 Ordinary watercourses are expected to be provided with a buffer of an appropriate width on both sides. The extent of the buffer will be decided on a case-by-case basis but must be adequate to enable the protection and enhancement of the watercourse, riparian environment and water quality in line with the policies in this plan. Where possible, a 10 metre buffer should be provided.
- 4.158 The buffer zone must be free from all built development and light intrusion in line with policy D12: Light Impacts and Dark Skies. Domestic gardens and formal landscaping should not be incorporated into the buffer zone as this would preclude the benefits listed above. The buffer zone should be planted with locally native species of UK genetic provenance and appropriately managed under an agreed scheme. The buffer zone and river corridor should become or continue to be a valued part of the green infrastructure network.
- 4.159 The buffer forms part of the watercourse corridor (which is protected by policy ID4: Green and Blue Infrastructure) but should not be considered the extent of the corridor. A river or riparian corridor will be considered to constitute a stretch of watercourse, its banks, neighbouring land that forms an integral part of the functioning of the river and/or river habitat and all land that functions as flood plain.

*Natural rivers and riverbanks*

- 4.160 The loss of natural banks resulting from hard bank protection has negative impacts on ecology and hydromorphology. Hard bank protection alters a river's natural hydromorphological processes of erosion and deposition which are important for in-stream habitat creation. In addition, natural banks themselves provide habitat for a range of terrestrial and aquatic species (plants, invertebrates, birds, small mammals). Development proposals that seek to replace natural banks will not be considered to align with WER objectives. Aquatic habitats are considered important habitats while unmodified rivers are considered irreplaceable habitats (see policy P6: Protecting Important Habitats and Species) and will be protected accordingly.
- 4.161 Notwithstanding the above, any modifications to an ordinary watercourse require consent from the Lead Local Flood Authority. Modifications to a main river require consent from the Environment Agency.



- 4.162 Where watercourses have been historically modified, the watercourse should be restored. This includes the de-culverting of watercourses, re-naturalisation of riverbanks and restoring the natural width/depth of a watercourse where it has been degraded. Opportunities for Natural Flood Management, creating wetland features and reconnecting rivers with their floodplains should be fully explored wherever possible in order to restore natural processes, enhance biodiversity and reduce flood risk downstream.

*Ground and surface drinking water*

- 4.163 The Environment Agency’s ‘Approach to groundwater protection’ (February 2018)<sup>89</sup> contains Groundwater Protection Position Statements for specific developments that can have negative impacts on groundwater resources (such as ground source heat pumps, cesspits and cemeteries). Development proposals that may have an impact on, or are affected by, groundwater are required to refer to the position statements, and this includes all development proposals within Source Protection Zones and Drinking Water Protected Areas. The WER requires the input of hazardous substances into groundwater to be prevented (with some exemptions).
- 4.164 Defra’s Magic map<sup>90</sup> sets out ground and surface water protection designations within Guildford borough.

**Key Evidence**

- Biodiversity Opportunity Areas: The basis for realising Surrey’s ecological network Appendix 9: River Biodiversity Opportunity Area Policy Statements (Surrey Nature Partnership, 2019)
- Thames river basin district River Basin Management Plan (Defra, updated 2015)

**Monitoring Indicators**

Indicator	Target	Data Source
Progress towards Water Environment Regulations objectives.	N/A	Environment Agency
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy P10	N/A	Planning Appeals

<sup>89</sup> Available online at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

<sup>90</sup> Available online at <https://magic.defra.gov.uk/MagicMap.aspx>

## Policy P11: Sustainable Surface Water Management

### Introduction

- 4.165 Development has tended to extend the amount of impermeable surfaces which inhibits the natural infiltration of surface-water and increases surface-water runoff rates and volumes. This can overload drainage infrastructure and increase local and downstream flood risk.
- 4.166 Conventional drainage infrastructure focuses on moving water away from a development as quickly as possible. Combined sewers, which collect both surface-water runoff and foul wastewater, can be overwhelmed during heavy rain periods which increases the risk that polluted water is released into rivers. The increase in intense rainfall events that will result from climate change will exacerbate this problem. Conventional drainage can also contribute to the deterioration of water quality through diffuse pollution.
- 4.167 Natural Flood Measures (NFM) use natural processes to deal with surface water. Sustainable Drainage Systems (SuDS) mimic natural drainage and focus on reducing the rate and quantity of surface water runoff by allowing it to infiltrate into the ground or attenuating rainfall close to where it falls. They can work alongside or replace conventional drainage methods and can provide benefits additional to flood risk reduction such as groundwater recharge, enhancements to biodiversity and visual amenity and opportunities for leisure.
- 4.168 The NPPF (paragraphs 167 and 169) requires new developments to avoid increasing flood risk elsewhere, and major developments and developments in areas at risk of flooding to incorporate SuDS unless there is clear evidence that this would be inappropriate. SuDS proposals are required to take account of advice from the Lead Local Flood Authority (LLFA). The LLFA for Guildford is Surrey County Council.
- 4.169 LPSS 2019 Policy P4 Flooding, Flood Risk and Groundwater Protection Zones requires all development proposals to demonstrate that land drainage will be adequate and will not result in an increase in surface water runoff, and prioritises the use of SuDs to manage surface water drainage unless it can be demonstrated that they are not appropriate. Where SuDs are provided, arrangements must be put in place for their management and maintenance over their full lifetime.

### Policy P11: Sustainable Surface Water Management

#### All development proposals

- 1) Drainage schemes are required to intercept as much rainwater and runoff as possible, including runoff from outside the site.
- 2) Greenfield sites are required to achieve runoff rates and volumes consistent with greenfield conditions. Previously developed sites are required to achieve runoff rates and volumes as close as reasonably practicable to greenfield runoff rates. In any case, runoff rates and volumes must be no greater than the conditions of the site prior to the development.

3) Development proposals are required to maximise the use of permeable surfaces across the development site.

4) Drainage schemes are expected to avoid the use of boreholes or other deep structures for the discharge of surface water to ground, except for clean roof water.

**Major developments and developments in areas at risk of flooding**

5) Development proposals are required to follow the discharge hierarchy and prioritise the use of Natural Flood Management (NFM) and Sustainable Drainage Systems (SuDS) for all surface water that is not captured for later use. Alternative drainage systems may be used only if there is clear evidence that SuDS would be inappropriate.

6) SuDS are required to be considered from the earliest stage of site design to ensure they are fully integrated into the development and that the greatest multifunctional benefits are realised.

7) When designing SuDS, development proposals are required to:

- a) follow the SuDS sustainability hierarchy;
- b) comply with the technical standards and design requirements set out in Defra's non-statutory technical standards for sustainable drainage systems;
- c) comply with guidance produced by the Lead Local Flood Authority;
- d) ensure that surface water runoff is managed as close to its source as possible;
- e) maximise biodiversity and amenity value, taking full advantage of opportunities for habitat creation and enhancement and improvements to water quality;
- f) incorporate a management treatment train to minimise risk of pollution to ground and surface waterbodies; and
- g) ensure that runoff from all hard surfaces receives an appropriate level of treatment.

8) Proposals for infiltration SuDS are required to:

- a) provide evidence showing that there is at least 1 metre of vertical distance between the base of the infiltration system and the maximum likely groundwater level.
- b) if located within Source Protection Zone 1, an area of known land contamination and/or an area with high seasonal groundwater, undertake a hydrogeological risk assessment where anything other than clean roof drainage is to be received.

**Definitions**

- 4.170 *Greenfield Runoff Rate* – The surface-water runoff rate from a site in its natural state, prior to any development. This should be calculated using one of the runoff estimation methods set out in Table 24.1 of CIRIA C753 The SuDS Manual.
- 4.171 *Permeable Surfaces* – Any surface that allows water to infiltrate including soft surfaces and pervious or permeable hard surfaces.

- 4.172 *Areas at risk of flooding* – Flood Zone 2, Flood Zone 3 and any area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.
- 4.173 *Natural Flood Management (NFM)* - the use of natural features and processes that help to alleviate flood risk. NFM primarily focusses on increased infiltration, water storage and slowing flows. Measures are often large scale (e.g. river naturalisation or restoring flood plans) but can operate at smaller scales (e.g. tree planting).
- 4.174 *Sustainable Drainage Systems (SuDS)* – Systems designed to reduce the rate of rainwater runoff from a development, mitigating the risk of flooding elsewhere whilst delivering benefits for biodiversity, water quality and amenity. SuDS cover a range of measures from permeable paving and green walls to soft engineered structures such as swales, infiltration basins and trenches.
- 4.175 *SuDS Management Treatment Train* – Drainage components used in a series to change the flow and quality characteristics of the runoff in stages, and to achieve a robust surface water management system that avoids an unacceptable risk of pollution to groundwater.
- 4.176 *Infiltration SuDS* - features where water is stored until it gradually infiltrates through the soil of the basin floor (as opposed to attenuation or slow conveyancing SuDS which store and/or slow down surface water).

#### **Reasoned Justification**

- 4.177 The control of runoff at source (or as close as possible) is a key principle in sustainable drainage. Drainage proposals should be designed to intercept as much runoff, including from off the site, as possible in order to maximise the amount that is subject to SuDS processes.
- 4.178 The Environment Agency discourages the use of boreholes or deep infiltration systems as these can significantly reduce the potential for natural attenuation in the soils and unsaturated zone, or may bypass them altogether and allow direct input of pollutants to groundwater. Such systems will only be acceptable where they will not result in pollution to groundwater, where there are clear and overriding reasons why the discharge cannot be made indirectly and where evidence shows the increased pollution risk from direct inputs will be mitigated<sup>91</sup>.
- 4.179 Soft surfaces provide biodiversity benefit, urban cooling and amenity as well as good infiltration and low runoff rates so should be used wherever possible. Where this is not possible, permeable or pervious surfaces that provide the best infiltration and lowest runoff rates should be used, with impermeable surfaces used only where necessary.
- 4.180 Defra's Non-statutory technical standards for sustainable drainage systems<sup>92</sup> sets a target for greenfield sites to achieve greenfield runoff rates and volumes and for previously developed sites to achieve rates and volumes as close to greenfield values as possible. It is important that development sites do not result in increased runoff rates and volumes as this would increase flood risk elsewhere and would therefore not comply with local policy or the NPPF (paragraph

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<sup>91</sup> These tests are set out in the Environment Agency's 'Approach to groundwater protection', Policy statement G1

<sup>92</sup> Available online at: <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

167).

*SuDS prioritisation*

- 4.181 The NPPF (paragraphs 167 and 169) and Written Ministerial Statement HCWS161 require major developments and all new developments in areas at risk of flooding to incorporate SuDS unless there is clear evidence that this would be inappropriate. As the most sustainable approach to drainage, the use of SuDS is necessary to achieve sustainable development and to deliver the multifunctional benefits called for by the NPPF. Major development proposals must be reviewed and agreed by the LLFA

*Discharge hierarchy and SuDS sustainability hierarchy*

- 4.182 Drainage schemes should be designed to manage surface water in accordance with the following discharge hierarchy.
1. At source reductions and reuse.
  2. Infiltration to ground.
  3. Attenuated discharge to a surface waterbody.
  4. Attenuated discharge to a public surface water sewer
  5. Attenuated discharge to other drainage system (approval for discharge to a highways drainage system is highly unlikely to be given).
  6. Attenuated discharge to a foul or combined sewer (only with the agreement of the sewerage undertaker).
- 4.183 Where SuDS are employed, the design of SuDS should provide the greatest multifunctional benefit by following the SuDS sustainability hierarchy.

SuDS Technique	Flood Reduction	Pollution Reduction	Wildlife & Landscape Benefit
<b>Green/Living Roofs &amp; Walls</b>	Yes	Yes	Yes
<b>Infiltration:</b> Infiltration trenches & basins Soakaways: (standard or crate system)	Yes	Yes	Yes
<b>Filter strips and Swales</b>	Yes	Yes	Yes
<b>Basins and ponds:</b> Wetlands Balancing Ponds Detention Basins Retention Basins Conveyance swales	Yes	Yes	Yes
<b>Permeable Surfaces &amp; filter drains:</b> Gravelled areas Porous paving	Yes	Yes	No
<b>Tanks &amp; Piped Systems:</b> Crated Attenuation Tanks Oversize pipes	Yes	No	No

(Source: SuDS Design Guidance, Surrey County Council)

- 4.184 The capture and storage of rainwater for irrigation and other non-potable uses is prioritised due to the serious water stress within the South East region. By reducing pressure on environmental water stocks and the public supply, this helps to deliver climate change adaptation. Infiltration helps to recharge environmental stocks and so delivers climate change mitigation and is therefore favoured above attenuation. After infiltration, attenuation helps to decrease the severity of flooding and can provide significant biodiversity benefits where it provides or enhances habitats of standing water. Attenuated discharge to a sewer or other artificial drainage system results in this benefit being lost and is therefore not favoured. Discharge to a combined sewer will not generally be acceptable, and may only be acceptable where the sewerage undertaker confirms that capacity is available such that discharge will not result in an increase in sewerage overflow to waterways. The discharge of surface waters to the foul sewer can be a major contributor to sewer flooding.
- 4.185 The application of both hierarchies will depend on site density, the position of watercourses, the ground conditions including permeability, contamination and the sensitivity of groundwater receptors. Proposals may diverge from the hierarchies where the particular conditions on the

development site mean that an alternative approach would provide a greater sustainability benefit.

#### *SuDS Design*

- 4.186 Planning applications for major development and developments in an area of flood risk should be accompanied by a site-specific drainage strategy that complies with the NPPF, Defra's non-statutory technical standards for sustainable drainage systems and LLFA guidance.
- 4.187 SuDS need to be considered early in the design process to ensure that they are effective, work with the existing landform, integrate into the development and deliver of multi-functional benefits such as open space, biodiversity and visual amenity whilst ensuring land is used efficiently. Development proposals are required to demonstrate in their Design and Access Statement (DAS) and Flood Risk Assessment (FRA) that drainage has been addressed at an early stage of the design and preparation of the proposal, and that the work aligns with the discharge and SuDS sustainability hierarchies
- 4.188 SuDS proposals are required to comply with the SuDS design guidance produced by Surrey County Council as the Lead Local Flood Authority (LLFA)<sup>93</sup>. Pre-application advice should also be sought from the LLFA to discuss SuDS and surface water drainage matters.
- 4.189 SuDS proposals are also required comply with Defra's non-statutory technical standards for sustainable drainage systems which cover the design, maintenance, and operation of SuDS. The Association of SuDS Authorities (formerly the Local Authority SuDS Officer Organisation) has published practice guidance for meeting these standards<sup>94</sup>.
- 4.190 The Construction Industry Research and Information Association ('CIRIA') has published a collection of guidance documents that cover the opportunities and challenges related to general water management<sup>95</sup>. The 'C753 SuDS Manual' (2015) covers the planning, design, construction, and maintenance of SuDS, outlining how to maximise amenity and biodiversity benefits, and deliver the key objectives of managing flood risk and water quality.
- 4.191 The Planning Practice Guidance provides guidance covering the design and implementation of SuDS in the sections 'Flood risk and coastal change' and 'Water supply, wastewater and water quality'.
- 4.192 The location and capacity of existing drainage should be considered to determine what infrastructure could or should be reused in a SuDS scheme. When building on brownfield or pre-developed sites, existing on-site infrastructure should be documented and mapped.
- 4.193 SuDS design should take into account the hydrology of the proposed development area, along with landform, geology, drainage and food risk. This information will help to identify the form of SuDS that will work best. The design should aim for minimal disruption to the existing topography and site form, working with existing hydrological features and natural processes and taking a gravity drained approach. Pumped systems should not be used and will only be

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<sup>93</sup> Available online at <https://www.surreycc.gov.uk/community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-drainage/drainage-guidance>

<sup>94</sup> Available online at: <https://www.suds-authority.org.uk/knowledge-resources/>

<sup>95</sup> Available online at: <https://www.ciria.org/>

acceptable where it can be clearly demonstrated that no other practical alternative exists.

*Biodiversity*

- 4.194 The NPPF at paragraph 169 requires SuDS to provide multifunctional benefits where possible. SuDS are required to be designed so that they maximise opportunities for habitat creation and wildlife and provide an attractive setting and placemaking features for new development. The biodiversity policies set out in this plan provide a framework for achieving the best biodiversity benefit and it should be noted that standing water is a priority habitat in several Surrey Biodiversity Opportunity Areas, and that aquatic habitats are considered important for the ecological health of the borough. Existing networks of watercourses, ponds and natural drainage should be incorporated and enhanced as part of the overall strategy for surface water management, open space and biodiversity.
- 4.195 When discharging to a watercourse, outfalls should be via open-flow routes that have minimal impact on the receiving watercourse. Outfalls are expected to be set-back in order to reduce the loss of natural bank and the impact on the natural functioning of watercourses, and to allow additional backwater habitat to be created. Opportunities should be taken for opening up culverts, reinstating meanders and restoring and naturalising riverbeds and banks to benefit wildlife and improve public access and flood attenuation.

*Protecting water quality (paragraphs 7f, 7g and 8)*

- 4.196 Drainage systems are required to be designed and constructed so that discharged surface water does not adversely impact the water quality of receiving water bodies, both during construction and when operational. When considering the runoff destination, potential effects on water quality should be investigated taking account of the potential hazards arising from development and the sensitivity of the runoff destination. Applicants are required to establish that proposed outfalls are hydraulically capable of accepting the runoff from SuDS.
- 4.197 Development proposals are required to ensure that runoff from hard surfaces receives an appropriate level of treatment in order to reduce the risk of pollution to waterbodies or other habitats. The Construction Industry Research and Information Association's Sustainable Drainage Systems guidelines set out guidance on how this can be achieved.
- 4.198 A SuDS Management Treatment Train should be used to prevent pollution to groundwater or surface waterbodies. The management train starts with prevention (preventing runoff by reducing impermeable areas) and progresses through local source controls to larger downstream site and regional controls. Only if the water cannot be managed on site should it be (slowly) conveyed elsewhere. This may be due to the water requiring additional treatment before disposal or the quantities of runoff generated being greater than the capacity of the natural drainage system at that point. Excess flows would therefore need to be routed off site.
- 4.199 Infiltration SuDS should provide at least 1 metre of vertical distance between the base of the infiltration system and the maximum likely groundwater level to ensure that the natural attenuation of any contamination being discharged is not significantly depth limited.
- 4.200 Developments within Source Protection Zone 1, an area of known land contamination and/or an area with high seasonal groundwater represent areas where the risk or impact of contamination



to ground water is particularly severe. As a result, if anything other than clean roof drainage is to be received by infiltration SuDS in these zones, a hydrogeological risk assessment must be undertaken. Infiltration SuDS must not be used if the assessment indicates an unacceptable risk to groundwater.

### Key Evidence

- SuDS Design Guidance (Surrey County Council, undated)
- Non-statutory technical standards for sustainable drainage systems (Defra, 2015)

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy P11	N/A	Planning Appeals

## Policy P12: Regionally Important Geological / Geomorphological Sites

### Introduction

- 4.201 Regionally Important Geological / Geomorphological Sites ('RIGS') are sites of regional or local importance for their educational, scientific, historical or aesthetic value.

### Policy P12: Regionally Important Geological / Geomorphological Sites

- 1) Development proposals that are likely to materially harm the conservation interests of Regionally Important Geological/Geomorphological Sites (RIGS) as shown on the Policies Map, and any unmapped features that meet the definition of a RIGS, are required to demonstrate that the need for the development clearly outweighs the impact on the conservation interests.
- 2) Development proposals are required to make every effort to prevent harm to the conservation interests of the RIGS through avoidance measures. Where this is not possible, every effort is required be made to minimise harm through mitigation measures. The applicant is required to demonstrate that any necessary avoidance and mitigation measures will be implemented and maintained effectively.

### Reasoned Justification

- 4.202 RIGS quality geological and geomorphological features make an important contribution to the natural heritage of the borough and can be important for the Earth sciences. Such features must be protected in order to ensure that the specific value they hold is not lost. The NPPF requires policies to protect and enhance valued landscapes and sites of geological value (para. 174a), and to protect and enhance geodiversity (para. 179).
- 4.203 RIGS are designated because of<sup>96</sup>:
1. their value for educational fieldwork in primary and secondary schools, at undergraduate level and in adult education courses;
  2. their value for scientific study by both professional and amateur Earth scientists whereby the sites demonstrate, alone or as part of a network, the geology or geomorphology of an area;
  3. their historical significance in terms of important advances in Earth science knowledge; and/or
  4. their aesthetic qualities in the landscape, particularly in relation to promoting public awareness and appreciation of Earth sciences.
- 4.204 RIGS quality features that fall within SSSIs and SNCIs are protected by those designations so are not designated as RIGS.

<sup>96</sup> GeoConservationUK provides guidance for designating RIGS sites, available online at <https://geoconservationuk.org/geoconservationuk-documents/local-geological-geomorphological-sites-logs/>

4.205 The RIGS designation currently applies to the following ten sites:

1. Earl of Onslow Pit (West Clandon Chalk Pit)
2. Newlands Corner Car Park
3. Albury Downs (Water Lane) Chalk Pit
4. Albury Sand Pit
5. Water Lane Sand Pit
6. Guildford Lane, Albury
7. Blackheath Lane, Albury
8. Compton Mortuary Pit
9. Wood Pile Quarry
10. Warren Lane, Albury

4.206 Designated RIGS are shown on the Policies Map. Unmapped features will be considered to be of RIGS quality where they meet one or more of the criteria at paragraph 4.203.

### Key Evidence

- GeoConservationUK RIGS Selection guidance

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy P12	N/A	Planning Appeals

## 5. Design chapter

### Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

#### Introduction

- 5.1 The National Planning Policy Framework makes clear that creating high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve<sup>97</sup>. It goes on to say that planning policies should ensure that developments will function well over its lifetime, are visually attractive, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible<sup>98</sup>.
- 5.2 Importantly NPPF paragraph 134 also states that:
- ‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>99</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
  - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.’*
- 5.3 The NPPF places great emphasis on delivering beauty through the use of design codes and guidance. These can be prepared at an area-wide, neighbourhood or site-specific scale. The Council will continue to prepare design guidance where it is considered that this will add value, and work with neighbourhood groups and developers to support them in developing any neighbourhood plan policies or site-specific design codes.
- 5.4 There is expected to be an increased level of development over the next 10-15 years as a result of the growth identified in the LPSS 2019. It is crucial that the anticipated development is of the highest quality, responds to its local context and maximises the opportunity to improve the quality of the area.

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<sup>97</sup> National Planning Policy Framework (2021), paragraph 126

<sup>98</sup> National Planning Policy Framework (2021), paragraph 130

<sup>99</sup> Contained in the National Design Guide and National Model Design Code

## **Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness**

- 1) Development proposals are required to demonstrate how they will achieve the ten characteristics of well-designed places as set out in the National Design Guide:
  - a) Context – enhances the surroundings
  - b) Identity – attractive and distinctive
  - c) Built form – a coherent pattern of development
  - d) Movement – accessible and easy to move around
  - e) Nature – enhanced and optimised
  - f) Public space – safe, social and inclusive
  - g) Uses – mixed and integrated
  - h) Homes and buildings – functional, healthy and sustainable
  - i) Resources – efficient and resilient
  - j) Lifespan – made to last
- 2) Development proposals are required to have regard to relevant national and local design guidance or codes.
- 3) Development proposals are required to incorporate high quality design which should contribute to local distinctiveness by demonstrating a clear understanding of the place. Development proposals should respond positively to:
  - a) the history of a place;
  - b) significant views (to and from);
  - c) surrounding context;
  - d) built and natural features of interest;
  - e) prevailing character;
  - f) landscape; and
  - g) topography.
- 4) The use of innovative design approaches, including use of materials and construction techniques, will be supported where this presents an opportunity to create new or complementary identities that contributes to and enhances local character.

- 5) Development proposals are expected to demonstrate high quality design at the earliest stages of the design process, and then through the evolution of the scheme, including in relation to:
  - a) Layout – settlement pattern of roads, paths, spaces and buildings, urban grain, plot sizes, building patterns, rhythms and lines
  - b) Form and scale of buildings and spaces - height, bulk, massing, proportions, profile and roofscapes
  - c) Appearance
  - d) Landscape – landform and drainage, hard landscape and soft landscape
  - e) Materials
  - f) Detailing
- 6) Development proposals are required to reflect appropriate residential densities that are demonstrated to result from a design-led approach taking into account factors including:
  - a) the site size, characteristics and location;
  - b) the urban grain of the area and appropriate building forms, heights and sizes for the site; and
  - c) the context and local character of the area.
- 7) Development proposals are expected to make efficient use of land and increased densities may be appropriate if it would not have a detrimental impact on an area's prevailing character and setting.
- 8) Development proposals are expected to be designed so as not to hinder the potential future delivery of adjoining development sites.

#### **Masterplanning and Design Codes**

- 9) Strategic sites listed in LPSS 2019 Policy D1(13) are required to produce masterplans and follow a Design Code approach through the planning application process. This will require a Design Code to be agreed prior to the granting of full or reserved matters planning permission for any phase of the development. Where outline planning permission has been agreed subject to Design Code agreement, any relevant Reserved Matters applications which are submitted without the Design Code being agreed will be refused.
- 10) Masterplans and Design Codes will also be required for any site that will be developed in more than one phase or by more than one developer. Failure to agree a Design Code approach is likely to result in the refusal of an application.
- 11) A design code will be required for any other site or part of a site where it is considered necessary to set design parameters.

## Definitions

- 5.5 *Local distinctiveness* - The positive features of a place and its communities which contribute to its special character and sense of place.

## Reasoned Justification

- 5.6 The National Design Guide 2019<sup>100</sup>, or guidance superseding it, outlines and illustrates the Government's priorities for well-designed places in the form of ten characteristics. In a well-designed place, an integrated design process brings the ten characteristics together in a mutually supporting way. They interact to create an overall character of place. Good design considers how a development proposal can make a contribution towards all of them. Whilst this policy is applicable to proposals of all sizes, some characteristics will be more relevant in larger schemes than smaller ones. The evidence provided should be proportionate to the nature, size and sensitivity of the site and proposal.
- 5.7 In addition to the National Design Guide, development proposals should be guided by any other national and local design guidance that is in place at the time. National guidance includes the National Model Design Code<sup>101</sup>, Building for a Healthy Life 2020<sup>102</sup>, and other guidance produced by statutory bodies such as Sport England's 'Active Design' (2015)<sup>103</sup>. Local guidance currently includes supplementary planning documents and other related guidance such as the Strategic Development Framework SPD (2020)<sup>104</sup> and Guildford Town Centre Views SPD (2019)<sup>105</sup>, evidence base such as the Surrey Landscape Character Assessment Guildford report (2015)<sup>106</sup> and Guildford's Landscape and Townscape Character Assessment (2007)<sup>107</sup>, together with all relevant neighbourhood plans.
- 5.8 Well-designed new development should respond positively to the features of the site itself and the surrounding context beyond the site boundary by enhancing positive qualities and improving negative ones. To achieve this, development proposals should be shaped by a clear understanding of the site and the surrounding context within which it sits including the opportunities for design as well as any constraints upon it. This analysis should also be proportionate to the nature, size and sensitivity of the site and proposal.
- 5.9 Accurate Visual Representations (AVRs) are a useful means of assessing the likely impact of development on the townscape/landscape setting or nearby heritage asset. AVRs are expected to be submitted from views that have been agreed with the Council (which may include the use of VuCity or a similar equivalent tool). In the town centre, they will be expected for any visually prominent proposals or proposals for additional storeys. In other conservation areas and the AONB, they will be expected on any major development proposals whilst for the rest of the

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<sup>100</sup> Available online at: [www.gov.uk/government/publications/national-design-guide](http://www.gov.uk/government/publications/national-design-guide)

<sup>101</sup> Available online at: [www.gov.uk/government/publications/national-model-design-code](http://www.gov.uk/government/publications/national-model-design-code)

<sup>102</sup> Available online at: [www.udg.org.uk/publications/othermanuals/building-healthy-life](http://www.udg.org.uk/publications/othermanuals/building-healthy-life)

<sup>103</sup> Available online at: [www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/](http://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/)

<sup>104</sup> Available online at: [www.guildford.gov.uk/strategicdevelopmentframeworkspd](http://www.guildford.gov.uk/strategicdevelopmentframeworkspd)

<sup>105</sup> Available online at: [www.guildford.gov.uk/viewsspd](http://www.guildford.gov.uk/viewsspd)

<sup>106</sup> Available online at: <https://www.surreycc.gov.uk/culture-and-leisure/countryside/management/strategies-and-guidance/landscape-character-assessment>

<sup>107</sup> Available online at: [www.guildford.gov.uk/article/24722/Read-Guildford-s-Landscape-Character-Assessment-reports](http://www.guildford.gov.uk/article/24722/Read-Guildford-s-Landscape-Character-Assessment-reports)

borough, they are likely to only be necessary on significant development proposals. Applicants may also be required to submit digital models of proposed developments so that their impacts can be assessed independently by the Council through the use of software such as VuCity or similar. Applicants are advised to engage with the Council at pre-application stage to agree both the views / models and how they are presented (i.e. full renders or wirelines) and, if required, the software package to be used.

- 5.10 It is important that proposals are based on a meaningful understanding of the context and character of an area and those positive characteristics which define local distinctiveness. The introduction of standard or generic building types can erode local distinctiveness and result in 'anywhere' places. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development which integrates into its surroundings.
- 5.11 This does not necessarily mean simply replicating what is already there. For some sites, particularly those located in more sensitive areas where there is already a strong or unique local character, it may be more appropriate to reflect aspects of the local vernacular within the scheme's design. This could range from adopting typical building forms to using local materials and architectural detailing. In other instances, particularly on larger or less sensitive sites, there may be opportunities for more innovative and forward-thinking design solutions which can create a new character and identity whilst still contributing to local distinctiveness. This includes the use of modern methods of construction which are becoming more common and can offer significant environmental benefits as well as being more cost and time effective to construct. Character is often derived through change and the variety of buildings built over different periods.
- 5.12 A well-designed place is not simply about the way the buildings look. Instead, it is important that the principles of good design are embedded at each stage of the design process. A well-designed place will evolve through making the right choices at all levels, from the scheme's layout through to the detailing of individual buildings.
- 5.13 Given the significant variation in character, both within individual settlements and across the borough, it is not considered appropriate or justified to prescribe minimum densities within this plan. Instead, an appropriate density on a site (or parts of a site) should result from a design-led approach that considers the site's characteristics, proposed building types and form, and the context and character of the area. It should be an outcome of a process, as opposed to reflecting a predetermined density.
- 5.14 National policy requires the promotion of 'an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'<sup>108</sup>. Optimising the density on development sites including those allocated in the LPSS 2019 enables the delivery of much needed homes to meet the housing requirement whilst minimising the need for additional sites, which may be more sensitive or less sustainably located.
- 5.15 Increased densities are likely to be appropriate on a range of sites, in particular on larger sites which are capable of delivering a range of densities across them. This enables higher density

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<sup>108</sup> National Planning Policy Framework (2021), paragraph 119



development to be located in less sensitive parts of the site and in close proximity to services and facilities with lower densities in more sensitive parts such as on the edge of the settlement in order to form a sympathetic transition between the built up area and the countryside beyond.

- 5.16 Providing a range of densities across a site also helps to create a variety of character so that different areas or neighbourhoods each have their own identity. The density of a site will also be influenced by the mix and type of homes provided. A sustainably located town centre site delivering predominantly smaller units as part of flatted development would have a much higher density than a site delivering predominantly houses. The appropriate mix of homes should be appropriate to the site size, characteristics and location. Housing mix and its relationship with site characteristics is addressed in LPSS 2019 Policy H1: Homes for All.
- 5.17 The preparation of Design Codes should follow the principles set out in the National Design Guide and the National Design Code taking into account any other relevant national guidance. Due regard should also be given to any relevant Supplementary Planning Documents and any Neighbourhood Plan requirements. Masterplans and Design Codes should be prepared collaboratively through engagement with the community, the planning authority, highways authority and other stakeholders.
- 5.18 For strategic sites it is likely that an overarching strategic design code would be needed which should be agreed at an early stage. More detailed phase or area Design Codes should then be prepared following a clear hierarchy of the design evolution and following the principles set by a strategic code.
- 5.19 Masterplans and Design Codes will also be required on other sites as specified in the policy in order to deliver schemes that are designed in a comprehensive manner. This will ensure that matters such as the design and location of roads, cycle and pedestrian links, open space, services and facilities are all considered holistically across the wider site. It is also important that any development proposal considers the way in which it will knit into the existing settlement fabric, promoting interconnectedness and avoiding sterilising the future development potential of adjoining land. The need to set design parameters in design codes is most likely to be required where there is design uncertainty, such as in the case of outline or hybrid planning applications for development sites.

### Key Evidence

- National Design Guide (2019)
- National Model Design Code (2021)
- Building for a Healthy Life (2020)
- Sport England: Active Design (2015)
- Strategic Development Framework SPD (2020)
- Guildford Town Centre Views SPD (2019)
- Surrey Landscape Character Assessment Guildford report (2015)
- Guildford Landscape and Townscape Character Assessment (2007)

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D4	N/A	Planning Appeals

## Policy D5: Protection of Amenity and Provision of Amenity Space

### Introduction

- 5.20 It is important that new development does not reduce the quality of the living environment for others. At the same time, ensuring that new development creates a quality living environment for future residents is also critical. Private amenity space can make an important contribution to improving the quality of life of the borough's residents whilst also helping to support and enhance local biodiversity.
- 5.21 The NPPF<sup>109</sup> says that planning policies should ensure that new developments create places which promote health and well-being, with a high standard of amenity for existing and future users. This policy aims to ensure that existing and new residential properties provide an acceptable and healthy living environment, which plays a key role in the well-being and quality of life of the borough's residents.

### Policy D5: Protection of Amenity and Provision of Amenity Space

#### Protection of amenity

- 1) Development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties or resulting in unacceptable living conditions for new residential properties, in terms of:
  - a) Privacy and overlooking
  - b) Visual dominance and overbearing effects of a development
  - c) Access to sunlight and daylight
  - d) Artificial lighting
  - e) Noise and vibration
  - f) Odour, fumes and dust

#### Provision of amenity space

- 2) All new build residential development proposals, including flatted development, are expected to have direct access to an area of private outdoor amenity space. In providing appropriate outdoor amenity space, both private and shared, development proposals are required to:
  - a) take into account the orientation of the amenity space in relation to the sun at different times of the year;

<sup>109</sup> National Planning Policy Framework (2021), paragraph 130(f)

- b) address issues of overlooking and enclosure, which may otherwise impact unacceptably on the proposed property and any neighbouring properties; and
  - c) design the amenity space to be of a shape, size and location to allow effective and practical use of the space by residents.
- 3) All balconies or terraces provided on new flatted development proposals are required to be:
- a) designed as an integrated part of the overall design; and
  - b) a minimum of 4sqm.
- 4) Development proposals are required to have regard to relevant national and local design guidance or codes, including in relation to garden sizes and residential building separation distances.

### **Definitions**

- 5.22 *Amenity* - A positive element or elements that contribute to the overall character or enjoyment of an area.
- 5.23 *Amenity space* - The outside space associated with a home or homes. It may be private or shared.

### **Reasoned Justification**

#### *Protection of amenity*

- 5.24 This policy is only concerned with the amenity impact of a proposal once it has been built. Amenity related issues that may occur during the construction phase are covered by separate Environmental Health legislation.
- 5.25 Care should be taken to ensure development proposals do not overshadow or visually dominate existing properties or have an unacceptable impact on existing levels of privacy. There are many factors that need to be considered when designing a scheme to ensure that this does not occur. In terms of the buildings themselves, consideration should be given to their layout and orientation both with each other, if proposing more than one property, but also with any existing neighbouring residential properties. Potential amenity issues can also be avoided through consideration of the internal room layout, and the positioning and glazing of windows.
- 5.26 Access to daylight and sunlight will depend both on the way new and existing buildings relate to one another, as well as the orientation of windows in relation to the path of the sun. In particular, windows that are overshadowed by buildings, walls, trees or hedges, or that are north-facing, will receive less light. Solar gain should also be optimised to reduce the need for mechanical heating, but with appropriate measures to prevent overheating in line with LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy, Policy D14: Sustainable and Low Impact Development and Policy D15: Climate Change Adaptation.
- 5.27 Excessive light and noise can have a major impact on amenity. Development proposals for

noise/light generating uses or noise/light sensitive uses should also consider the requirements in Policy D11: Noise Impacts and Policy D12: Light Impacts and Dark Skies.

- 5.28 Odours, fumes and dust generated from activities such as commercial cooking and industrial processes have the potential to cause a range of health problems and amenity issues. Nuisance odours can be mitigated through various means including the use of extraction equipment. The design of any extraction equipment or ducting should consider the requirements in Policy D6: External Servicing Features and Stores.

*Provision of amenity space*

- 5.29 Provision of outdoor amenity space has many benefits, including contributing positively to character, biodiversity, flood mitigation and the general health and well-being of residents. Private amenity space in particular can offer a greater amenity value and often forms a valuable extension to residents' living space offering additional opportunities for socialising and relaxing.
- 5.30 Given the significant benefits, there is an expectation that all new build development proposals provide private amenity space unless it can be demonstrated that it is not appropriate. For new housing schemes this will be in the form of private gardens. Whilst there may be instances whereby communal gardens are considered to be the most appropriate form of provision, this is likely to be relatively rare and will need to be justified on the basis of site-specific circumstances. Private amenity space for new flatted schemes is likely to be provided in the form of balconies or terraces. Whilst opportunities for providing balconies/terraces should be maximised, factors such as the location of the scheme, the type of development, the orientation of the building and neighbouring land uses are likely to mean that they may not always be appropriate. Opportunities to provide private amenity space as part of conversions is supported where this would not have a detrimental impact on the character of the area or the building.
- 5.31 All outdoor amenity space should be designed to maximise its usage and functionality. Factors such as orientation, privacy, shape and accessibility should all be considered. Its size should also reflect the likely number of occupants that it will serve. Private outdoor amenity space should be sufficient to accommodate a table and chairs, a garden shed/storage box if there is no additional storage provided as part of a garage, refuse and recycling bins, an area to dry washing, circulation space, areas for planting and, for family homes, an area for children to play in.
- 5.32 It is important that if balconies are provided as part of flatted schemes, they are designed in such a way that they can be multi-functional, long lasting and form an attractive part of the scheme. To maximise the amenity value of balconies they should be large enough to accommodate a table and chairs. Balconies that are too small often end up being used as storage space rather than amenity space. Balconies should also be designed from the outset as an integrated part of the overall design, rather than as unattractive and less durable bolt-on structures.

**Key Evidence**

- No key evidence to support this policy

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D5	N/A	Planning Appeals

## Policy D6: External Servicing Features and Stores

### Introduction

- 5.33 It is important that development proposals for new and extended buildings are designed to meet the day-to-day functional needs of its users, and of those responsible for their servicing. At the same time, it is important that they are carefully designed so that they do not have an unacceptable impact on the character of the area.

### Policy D6: External Servicing Features and Stores

- 1) Development proposals are required to demonstrate that:
  - a) bin storage, cycle parking and electric vehicle charging points, whilst being designed to meet practical needs, are integrated into the built form and do not detract from the overall design of the scheme or the surrounding area; and
  - b) external servicing features are designed as an integrated part of the overall design or are positioned to minimise their visual impact.

### Definitions

- 5.34 *External servicing features* – all external fixtures including meter cupboards, drainpipes, gutters, flues, vents, satellite dishes and aerials.

### Reasoned Justification

- 5.35 Modern lifestyles have led to an increasing number of external features that are critical in meeting the daily needs of the users of community, commercial and residential buildings. If not designed properly from an early stage in the design process, they can create a cluttered and unattractive appearance or result in the features being located in inconvenient places which may limit their practical use.
- 5.36 To encourage modal shift, it is important that development proposals provide the necessary level and standard of cycle parking and electric vehicle charging points in accordance with Policy ID10: Parking Standards for New Development. Cycle parking characteristics will depend on the length of time the cycle is to be parked, but should be convenient and secure yet not detract from the overall design of the development. Long term cycle parking should have demonstrable security and weatherproofing provided through an enclosed and lockable shelter, store or compound. Charging points and associated cables should not impede pedestrian safety. Further design guidance is available in the Parking Standards for New Development SPD.
- 5.37 It is also important to maximise the potential for residents and businesses to recycle as much waste as possible and dispose appropriately of any non-recyclable waste. Development proposals must provide adequate and conveniently located space for the range of bins required whilst ensuring that they do not detract from the appearance or amenity of the street. The bins must also be located and stored in such a way that they can be collected efficiently. Relevant

legislation is set out in Building Regulations 2010: *Drainage and Waste Disposal Part H6 Solid waste storage* and consultation should take place with the Council's Waste and Recycling Team to determine their requirements.

- 5.38 External servicing features are necessary to ensure a building can function properly. If designed as an integrated part of the overall design, they can help contribute positively to the character of the building and area. Careful consideration should be given to their positioning, design and materials.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D6	N/A	Planning Appeals



## Policy D7: Public Realm

### Introduction

- 5.39 The public realm includes all publicly accessible space between buildings, whether public or privately owned, and includes alleyways, streets, parks, squares and open spaces. Some internal spaces can also be considered as part of the public realm such as shopping malls, station concourses and public buildings. The public realm should be considered as a series of connected routes and spaces that help to define the character of a place and enable navigation through the built form.
- 5.40 Good quality public realm is important in creating vibrant areas in which people want to live, work and spend time. The public realm contributes considerably to a sense of place and the overall attractiveness of the borough. Poorly designed public realm can create unattractive and difficult to navigate areas and can add to perceptions of poor safety.
- 5.41 Delivering high quality public realm is important at all scales of development, but particularly so for larger sites where new communities are being created and the public realm forms a significant part of the new development. A coherent and well-designed public realm, that can be enjoyed by both existing and future residents, plays an important role in creating successful new places.

### Policy D7: Public Realm

- 1) All public realm is required to be designed as an integral part of new development and its future care and maintenance secured.
- 2) High quality new or improved public realm proposals are required to demonstrate that:
  - a) they are informed by their context, including the landscape, townscape, important views and historic character;
  - b) the design responds to the character, location and function of the spaces and surrounding buildings, and creates a sense of identity;
  - c) it contains and reveals focal points and landmarks to enable ease of movement and legibility
  - d) it creates attractive, safe and, where appropriate, lively streets with visual interest at pedestrian level;
  - e) it maximises opportunities for activity and enjoyment, and encourages social interaction and community cohesion;
  - f) it maximises opportunities to incorporate soft landscaping including trees, hedges and other planting, appropriate to both the scale of buildings and the space available;
  - g) all new streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate, and their long-term maintenance is secured;

- h) the materials are sustainable, durable and long-lasting, and help create and reinforce local distinctiveness; and
  - i) it takes a coordinated approach with adjacent sites/phases in terms of the palette of materials, and the design and siting of street furniture, boundary treatments, lighting and signage.
- 3) Proposals for public spaces are expected to consider the opportunity to provide:
- a) flexible, multi-use and adaptable community spaces;
  - b) a mobility hub on its fringes, facilitating access to low carbon and shared modes of transport; and
  - c) public art that responds appropriately to local context and history, contributes to community engagement and ownership, has been considered and assessed against the Council's Art Strategy and where its future care and maintenance is secured.

### Definitions

- 5.42 *Legibility* – the ease with which a person is able to see, understand and find their way around an area.
- 5.43 *Mobility hub* - a recognisable place with an offer of low carbon, public and shared transport modes supplemented with enhanced facilities and information features. A mobility hub is modular in nature and can be tailored to local needs. Example components of a hub could include car club vehicles, bike share, bus stops, cycle parking, an information sign/screen and neighbourhood facilities such as package delivery lockers, café, coworking space and/or mini fitness/play area.

### Reasoned Justification

- 5.44 Buildings and the spaces around them should be thought about holistically, with the public realm being as important as the buildings themselves. Successful public realm design will integrate development into its surroundings and enhance its function, character and amenity value. LPSS 2019 Policy D1: Place Shaping contains further policy in relation to public realm proposals. The National Design Guide<sup>110</sup> also contains detailed guidance on well-designed public spaces and should be considered when designing development proposals.
- 5.45 The identity or character of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them. It is not just about the buildings or how a place looks, but how it engages with all of the senses.
- 5.46 Public realm should be designed with its specific function in mind. One of the most obvious functions of public realm is a means to move through the built form. Streets should therefore be designed to enable easy movement and maximise the opportunity to support active travel and encourage walking. New streets should be interconnected and designed to integrate into the

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<sup>110</sup> Available online at: [www.gov.uk/government/publications/national-design-guide](http://www.gov.uk/government/publications/national-design-guide)

wider network. People will be much more likely to walk rather than drive if the route to their destination is direct, legible, safe and provides for a pleasant experience. Whilst the use of appropriate signage can help to make places more legible by signposting routes, distances and destinations, focal points and landmarks can also help people find their way. These could be memorable buildings or landscape features.

- 5.47 Views between places, planting and street design can all help to emphasise key pedestrian routes and make an attractive walking environment. Visible routes and destinations, together with appropriate lighting, help ensure that users of the space feel safe.
- 5.48 Public spaces such as plazas, parks or squares also provide the opportunity for people to meet, congregate, socialise or simply appreciate quiet enjoyment. Successful public spaces are those where people choose to spend time. To encourage greater use of these spaces they should be attractive, safe and functional. Their design should take account of climatic conditions such as sunlight, there should be sufficient seating opportunities and they should be located conveniently in relation to services and facilities. The uses around its edges should reinforce its appeal and help make it into a destination.
- 5.49 Landscaping can offer multi-functional benefits alongside its primary purpose of making the public realm more attractive. Areas of landscaping can be designed to provide habitats that support and enhance biodiversity, opportunities for recreation, natural flood measures and urban cooling. Landscaping proposals should consider how the species selected will mature in relation to the space and surrounding uses. In particular, any trees planted should be of an appropriate scale to avoid any pressure for their removal in the future. The NPPF<sup>111</sup> requires that all new streets are tree lined.
- 5.50 There are a number of factors that need to be considered when choosing the most appropriate palette of materials. The choice of materials has an important role in shaping the character of the area and can help to reinforce local distinctiveness and create a sense of identity. Materials should be of high quality, have a long lifespan and be capable of withstanding a high level of usage. This is important to ensure that they can be easily and affordably maintained. Furthermore, consideration should be given to the sustainability and embodied carbon of materials in accordance with Policy D14: Sustainable and Low Impact Development.
- 5.51 It is important that any public realm proposals are coordinated and integrate well with adjoining sites and the wider area. For some aspects of public realm, it might be preferable to continue with the same choice of materials or design, such as the paving on pavements or signage, to achieve a more cohesive feel to an area. Conversely, different materials or design approaches might be appropriate in order to help create new identities and define an area's character. The siting of street furniture, such as seating and bins, should be coordinated across a wider area to avoid unnecessary street clutter and to ensure their location is convenient and their usage can be maximised.
- 5.52 Well-designed places and spaces should be adaptable and respond to changing social, technological and economic conditions. Public spaces should be designed so that they can cater for a range of different needs and uses. For example, some larger public spaces should be

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<sup>111</sup> National Planning Policy Framework (2021), paragraph 131

multi-functional so that they can cater for organised events, such as markets and music events, as well as normal day-to-day incidental use.

- 5.53 A mobility hub can help promote transport sustainability for local residents and businesses. Optimising access to shared and connected modes of transport can lower private car use and, in turn, reduce local congestion and improve air quality, whilst the hub also provides a focal point for the community. The modular nature of mobility hubs means they can be tailored to local circumstances, including space considerations, existing transport services and other community infrastructure needs such as seating or package delivery lockers. At a minimum a mobility hub should conveniently co-locate public and shared mobility modes, improve the public realm by redesigning and reducing space for the private car and be identifiable as a mobility hub which is part of a wider network by a sign/pillar, which provides digital travel information.
- 5.54 Public art can take many forms, for example artwork, a statue or a memorial. Public art can contribute considerably to the quality of the environment when it has been carefully considered and designed, and is appropriate to its location. The Council's Arts Development Strategy and Public Art Strategy<sup>112</sup> offers a five-year plan (2018 to 2023) to help meet the needs of residents, customers and the community, and increase opportunities for arts activities, partnerships and funding. For strategic sites, public art strategies should be designed and approved in accordance with the Design Code agreed for each strategic site.

### Key Evidence

- Guildford Borough Council Arts Development Strategy and Public Art Strategy (2018 to 2023)

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D7	N/A	Planning Appeals

<sup>112</sup> Available online at: [www.guildford.gov.uk/article/20309/Arts-development-and-public-art](http://www.guildford.gov.uk/article/20309/Arts-development-and-public-art)

## Policy D8: Residential Infill Development

### Introduction

- 5.55 The National Design Guide<sup>113</sup> sets out the ten characteristics of good design, which the National Model Design Code<sup>114</sup> expands on. These documents provide a common overarching framework for design. This policy builds upon this to help inform infill development proposals and to highlight requirements for high-quality standards of design to inform development proposals.
- 5.56 Residential infill development can make efficient use of land and provide new housing stock and attractive places to live. However, it is important that new homes on infill sites relate well to the existing settlement, its surroundings and the character of an area. This policy will ensure that design issues and other detailed matters are taken into account to successfully integrate new residential development into the existing fabric and landscape setting of the local area.

### Policy D8: Residential Infill Development Proposals

- 1) Residential infill development proposals are required to:
  - a) integrate well with surrounding development and the environment;
  - b) respond positively to the existing character and identity of the local area;
  - c) avoid unacceptable impacts on the amenity of neighbouring residents; and
  - d) incorporate landscaping measures and ensure that sufficient amenity space, parking, bin storage and cycle parking is available and that they relate well to the buildings within the site.
- 2) Piecemeal development proposals will be resisted. Where the Council considers that land has come forward which has been artificially subdivided, it will require appropriate infrastructure contributions commensurate with what would have been required on the larger site. Contributions will be based on a level of development across the comprehensive area which the Council considers appropriate.

#### **Infilling: frontage development proposals**

- 3) Proposals for frontage development are required to have regard to the existing:
  - a) urban grain, plot sizes, building patterns, rhythms and lines;
  - b) form and scale of buildings and spaces - height, bulk, massing, proportions and roofscapes;
  - c) appearance; and
  - d) landscape and boundary treatments.

<sup>113</sup> Available online at: <https://www.gov.uk/government/publications/national-design-guide>

<sup>114</sup> Available online at: <https://www.gov.uk/government/publications/national-model-design-code>

**Infilling: backland development proposals**

- 4) Proposals for backland development are required to:
- a) create a positive 'street' entrance, provide safe pedestrian and cycling access and suitable access for emergency and refuse vehicles, and avoid long, narrow and isolated access points. Access routes must be designed to avoid having an unacceptable impact in terms of noise or light on the existing dwellings; and
  - b) demonstrate that relationships with both existing neighbouring development and buildings/gardens within the site are acceptable, taking into account back to back or back to front distances. The privacy of existing and proposed residential properties should be respected by any new layout.

**Infill development proposals in villages**

- 5) Additionally, proposals for infill development within villages are required to:
- a) reflect development forms which respect the character and context of the village and avoid layouts that are overly formalised where surrounding village patterns have grown organically;
  - b) ensure that the transitional character of edge of village/settlement areas is not lost and that hard urban forms are not introduced in semi-rural environments; and
  - c) maximise the provision of high quality, safe and direct walking and cycling routes and links to key village facilities.

**Definitions**

- 5.57 *Infill development* - this includes any new residential development of a vacant site or the redevelopment of a developed site. It includes residential development within a garden. For the avoidance of doubt this does not carry the same definition as 'limited infilling' for Green Belt purposes.
- 5.58 *Frontage development* – this normally comprises development of a gap in an otherwise continuous built-up frontage, or the redevelopment of existing properties within such a frontage.
- 5.59 *Backland development* – this normally comprises development on land behind the rear building line of existing housing or other development, usually on former garden land or partially enclosed by gardens.
- 5.60 *Piecemeal development* - in the context of this policy relates to uncoordinated development where individual applications are submitted for development across a larger developable area where this is done in order to deliberately avoid infrastructure provision, contributions or affordable housing that are triggered at certain thresholds.

**Reasoned Justification**

- 5.61 Residential infill development must be designed in a sensitive and responsive manner to the local context. Proposals will need to reflect how infill development integrates with the surrounding development and environment, including physically and visually. Existing built form,

open space, and natural corridors and features provide cues for the design of development which is unobtrusive and functionally and visually harmonious with its surrounds.

- 5.62 Open space, including gardens, ponds and mature trees can make an important contribution to local character and biodiversity and development proposals will need to demonstrate that they avoid an unacceptable impact in this regard. LPSS 2019<sup>115</sup> Policy D1: Place shaping (4) requires all new development to be designed to reflect the distinct local character of the area and reinforce locally distinct patterns of development, including landscape setting. Furthermore, Policy D4: High Quality Design and Respecting Local Distinctiveness provides the detailed requirements to ensure that development proposals are grounded in a clear understanding of place. Infill proposals will thus need to reflect upon local character and identity and how this has informed the design of the development. This will include taking account of local design guidance contained within conservation area appraisals<sup>116</sup>, DPDs<sup>117</sup>, Neighbourhood Plans<sup>118</sup> and SPDs<sup>119</sup> where relevant.
- 5.63 Policy D5: Protection of Amenity and Provision of Amenity Space ensures the protection of amenity for existing and new residential properties. Infill proposals will need to reflect how they will avoid an unacceptable impact on the amenity of neighbouring residents whilst also providing acceptable living conditions within the new development. Policy D6: External Servicing Features and Stores is also relevant.
- 5.64 Piecemeal development, where individual applications reflect artificial subdivision from a larger developable area can result in unintegrated development with poor layout, lack of infrastructure or affordable housing provision. Where reasons for bringing forward smaller portions of a developable area are sufficiently justified and it is not considered to be artificial subdivision, development proposals are expected to reflect how they may integrate with remaining undeveloped portions of the development site. Contributions will be calculated on a level of development across the comprehensive area and proportionately applied.

*Infilling: frontage development proposals*

- 5.65 Built frontages are particularly important as they contribute to defining the public realm and the street scene and more broadly the character of places. Built frontages can provide a sense of enclosure whilst breaks along built frontages can provide a sense of visual relief. It is important that proposals for infill along a frontage give consideration to the various design parameters that contribute to the qualities and particular identity of local streets and demonstrate how they might be harmonious with or enhance local character.

*Infilling: backland development proposals*

- 5.66 Securing appropriate access to backland development can be challenging due to existing patterns of development. Inappropriate access arrangements may result in development proposals being resisted, even in cases where new housing development on its own may be

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<sup>115</sup> Available online at: <https://www.guildford.gov.uk/guildfordlocalplan>

<sup>116</sup> Available online at: <https://www.guildford.gov.uk/conservation>

<sup>117</sup> Available online at: <https://www.guildford.gov.uk/article/24205/Guide-to-planning-policy-documents>

<sup>118</sup> Available online at: <https://www.guildford.gov.uk/neighbourhoodplanning>

<sup>119</sup> Available online at: <https://www.guildford.gov.uk/boroughwideplanningguidance>

potentially acceptable. Suitable access arrangements should thus be addressed early in the design process through engagement with relevant stakeholders at Surrey County Council and Guildford Borough Council to ensure acceptability.

- 5.67 The NPPF<sup>120</sup> at paragraph 71 states that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Backland locations have the potential to be particularly sensitive as in many cases they may border existing residential back gardens, which are private space. Factors such as proximity, orientation and height of new development in these locations can result in unacceptable impacts on the amenity and privacy of neighbouring properties and will be refused.

*Infilling in villages*

- 5.68 LPSS 2019 Policy P2: Green Belt, alongside the NPPF, provides the basis for determining whether proposals for limited infilling in villages that are washed over by the Green Belt could be considered appropriate development under NPPF paragraph 149e or not. It is important to be clear that should a development proposal be considered to be appropriate development in terms of Green Belt policy, this does not translate directly into the proposal being acceptable in terms of this design policy. These are separate tests and such proposals would need to demonstrate that they are both appropriate development in Green Belt terms, as well as being acceptable in design terms.
- 5.69 Villages have their own varied and distinct character and have tended to grow organically often reflecting a sporadic development feel that is less 'planned'. Villages tend to become more loose knit particularly as one transitions beyond the core area and towards the edge of a village into open countryside. Development proposals should respect these design cues and not unduly erode the transitional character of the edge of village/settlement area. Careful attention to design elements such as layout, form, scale of buildings and spaces, and landscaping will be necessary to ensure acceptable forms of residential infill development in villages.

**Key Evidence**

- National Design Guide (2019)
- National Model Design Code (2021)

<sup>120</sup> Available online at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>



<b>Monitoring Indicators</b>		
<b>Indicator</b>	<b>Target</b>	<b>Data Source</b>
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D8.	N/A	Planning appeals.

## Policy D9: Shopfront Design and Security

### Introduction

- 5.70 Shopfronts contribute to the character and distinctiveness of town and village centres within the Borough. Their appearance has a direct impact on the character of the area. While their primary function is to display goods for sale, they also play a role in projecting the image of the business. If shopfronts are well cared for and retain their historic features - or in the case of new shopfronts, if they have been designed sympathetically - they will be a positive asset to the area in both visual and economic terms. Attractive and characterful shopping areas create places where people will want to live, shop and work and enjoy their social activities.
- 5.71 Shopping is now not only a necessary activity in terms of purchasing provisions but has also developed into a leisure activity and is an essential component of the local and national economy. Commercial competition has always been a key part of trading, with businesses wanting to appear more attractive, exclusive, or simply different from their competitors and neighbours, however the rise of on-line shopping and home delivery has meant that it has become evermore important for business to cost-effectively distinguish themselves. This has given rise to 'house styles', larger and more striking signage, larger window displays, brighter lighting and interactive installations become more prominent within the town and village centres. However, if left unchecked these can result in visual clutter and confusion which does not help the user or the retailer and which can ultimately detract from the property and/or the streetscape, thus a balance has to be met between the commercial requirements and the protection of the built environment.

### Policy D9: Shopfront Design and Security

- 1) Shopfronts are required to be designed to a high quality, including being responsive to, and where possible enhancing the character and appearance of their surrounding context and the building it forms part of. Development proposals are also required to contribute to the continued preservation or enhancement of the Borough's heritage assets, with their design having been informed by relevant national and local design guidance.
- 2) All new and alterations to shopfronts are expected to use high quality sustainable materials and to be of a design that retains, or relates well to the proportion, scale, detailing, period and character of the host building as a whole, as well as the wider street scene. Unless the architecture of the building indicates otherwise, new and replacement shopfronts are required to include as a minimum the following features within their design:
  - a) Fascia
  - b) Pilasters
  - c) Cornice
  - d) Stall riser(s)

- e) Retail window(s)
- f) Doorway
- 3) Shopfronts that contribute positively to the established character and appearance of the building they form part of, the surrounding context or which are identified as being of architectural or historic interest must be retained or restored.
- 4) Original features and details, including but not limited to fascias, pilasters, transoms, mullions and stall-risers, are expected to be retained where they are of architectural or historic interest, or where they contribute positively to the character and appearance of the street scene or area. Where a shop occupies the ground floor of more than one building, the design and proportions of each shopfront is expected to relate to each individual building. Single shopfronts that span two or more buildings, disregarding architectural detail and decoration will not be supported.
- 5) Shopfronts are expected to present an active frontage to the street scene at all times and ensure access for all.
- 6) Where security is essential, preference will be given to internal open mesh grilles. Where it is demonstrated that additional security is necessary, following the consideration first of other measures such as security glazing, security lighting and closed-circuit TV & alarm systems, external open mesh grilles may be supported. The housing for retractable open mesh grilles should be integrated into the shopfront façade. Planning permission for external solid shutters that obscure the shopfront will be refused.
- 7) Blinds, canopies, awnings or any such similar device affixed to a shopfront are expected to meet the following criteria:
  - a) the size, colour, design and materials are appropriate to the character and features of the building, and the character and appearance of the area;
  - b) the housing unit of retractable canopies is recessed inconspicuously or integrated into the plane of the shopfront and painted in a colour to match; and
  - c) the housing unit does not obscure features of architectural or historic interest when fixed to the building; and by reason of height or degree of projection it does not interfere with free pedestrian or traffic movement.

## Definitions

- 5.72 *Heritage asset* – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are either designated heritage assets or non-designated heritage assets. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas, designated under the relevant legislation. Non-designated heritage assets are identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets, these include locally listed buildings and locally listed parks and gardens.

- 5.73 *Shopfront* – A street-level frontage with a display window, usually serving a retail outlet but also applicable to other commercial premises such as restaurants, bars, banks and building societies.

**Reasoned Justification**

- 5.74 It is important that all of the borough's commercial areas are attractive to both shoppers and investors. Shop frontages are important visual features of the retail environment and the Council wishes to promote the use of good design and materials to ensure they encourage further investment and spending and do not detract from the street scene.

*Shopfront design*

- 5.75 The design and quality of shopfronts can be maintained by retaining or designing high quality shopfronts that refer to the architecture of the host building and neighbouring units and by reflecting the general scale and pattern of shopfront widths in the area. New shopfronts are expected to contribute towards a cohesive streetscape, retain a consistent building line and contribute to the character and attractiveness of the commercial area in which they are sited.
- 5.76 Materials, detailing, craftsmanship and finishes are equally important in achieving high quality shopfront design and should be carefully chosen on the basis of their appropriateness to the character of the area; their visual sympathy with the architectural form and composition above; their long-term durability and their environmental sustainability.
- 5.77 Heritage assets, whether they are in conservation areas, listed or locally listed buildings, or any other identified asset, should be treated with particular care and consideration in view of the requirement to ensure that alterations and additions do not harm the appearance of the area and are sympathetic to the integrity of the original building. This should include an identification of what is of particular significance, consideration for the removal of any existing unsympathetic features and the retention and repair of historic features where appropriate. There is a presumption in favour of the retention of original shopfronts with all heritage assets. In the case of conservation areas, the acceptability of new and replacement shopfronts will be guided by the published character appraisal of that area.
- 5.78 The shopfront should be seen as an integral part of the building and the design of these should consider the building as a whole. The scale, proportions, character and materials of new or replaced elements should be complementary and consistent with the rest of the building as well as to each other. Regardless of traditional or modern forms of construction, a shopfront is nearly always composed from a number of key architectural features that combine together to form a recognisable framework. These key architectural features, all of which serve important practical and visual functions, are as follows; the fascia, pilaster, cornice, stallriser, retail windows, retail doorway. Designs which fail to include one or more of these features run the risk of resulting in a poor quality and incongruous design.
- 5.79 Where original shopfronts survive these should be retained and repairs carried out when necessary to keep them in good order. The replacement of original shopfronts will only be considered appropriate where it can be fully justified. Other shopfronts, which may not be original but are of a high standard of architectural quality, including modern and replacement shopfronts which are deemed to enhance the area should also be retained where possible.

Equally, alterations to existing shopfronts and any new works undertaken should not conceal or remove original or traditional detailing. Wherever possible any works carried out to original shopfronts should endeavour to reinstate any traditional features lost over the course of time.

- 5.80 Oversized fascias which extend above the ground floor or obscure architectural features of value will not be supported as they typically give rise to an unattractive, heavy, and dominant appearance that causes harm to architectural form and proportions of the host building. Likewise, original features and detailing are expected to be retained.
- 5.81 Businesses operating out of two or more adjoining buildings will be expected to have separate shopfronts and signage for each building, particularly where each retains a traditional shopfront as this will help to retain and enhance traditional building patterns and conserve the character and appearance of the commercial streetscape. Similarly, where several businesses occupy a single large building, shopfronts should not create separate architectural identities within the building.
- 5.82 All new retail space should be designed to be outward facing with active frontages and displays. Entrances to retail spaces should be at regular intervals. Long and continuous retail frontages without doors are not acceptable. Inward facing retail space that turns its back onto the high street will not be supported. Large shops like supermarkets or national chains that are unable to make use of window displays should consider sharing retail spaces with smaller retailers, cafes or services providers who can maintain an active frontage onto the high street. Where a host building is situated on a corner plot, it should aim to have a lively display on all sides that front onto a street, however it does not necessarily need to provide a doorway for customer access.
- 5.83 New and replacement shopfronts should allow safe, easy and convenient access for all users of the premises including disabled groups, elderly people and those with pushchairs thus a level access should be provided wherever possible and works should be compliant with *Approved Document M: Volume 2 – Buildings other than dwellings*<sup>121</sup> or guidance superseding it, and the provisions of the Equality Act 2010.<sup>122</sup> Accommodating access to listed buildings or in conservation areas can be difficult to resolve and may require compromises to be made to secure reasonable and perhaps innovative adjustments that respect the architectural and/or historic significance of the asset.

#### *Shopfront security*

- 5.84 The Council is aware that the need to protect commercial premises from vandalism and theft is of utmost importance to businesses within the borough, however this should not be to the detriment of the appearance of the host building or the amenity of the streetscape, particularly with regards to the evening and night-time character of town and village centres, as a proliferation of grilles and shutters can result in a hostile and unappealing environment. Effective security measures must reflect a balance between the protection from criminal activities and the need for streets and commercial areas to remain attractive and welcoming after trading has

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<sup>121</sup> Available online at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/990362/Approved\\_Document\\_M\\_vol\\_2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/990362/Approved_Document_M_vol_2.pdf)

<sup>122</sup> Available online at <https://www.legislation.gov.uk/ukpga/2010/15/contents>

ceased for the day.

- 5.85 Shopfront security can be achieved in a variety of ways, and not all involve the alteration to the shopfront. The emphasis given to security will depend on the location of the premises and the nature of the goods displayed. A hierarchical approach to shopfront security should be followed with the preference for security measures, such as CCTV, alarm systems and security glazing, being fully exhausted before resorting to physical barriers such as external grilles or shutters. Proposals for security measures which adversely affect a heritage asset will not be permitted.
- 5.86 Overt security measures, such as solid roller shutters can create an unattractive and hostile ambience when drawn closed, especially where there is a concentration of properties with similar units, by preventing window shopping, inhibiting display or security lighting from within the property to spill out, hindering the opportunity for natural surveillance and are often a target for graffiti and fly posting. Not only do the shutters themselves have a significant, detrimental visual impact, but the mountings, guides and housing all contribute to a cluttered and unsightly shopfront. It is for all these reasons that open mesh designs, such as lattice, trellis or brick bond, that have been integrally designed into the shopfront unit will be sought, if external shutters are demonstrated to be necessary. The use of solid shutters is deemed to be wholly unacceptable and will be refused.

*External fixtures and fittings*

- 5.87 The purpose of blinds and canopies are primarily for the protection of window displays from damaging sunlight and providing shelter, not to act as a permanent and prominent substitution for a fascia or projection sign. If designed with care and consideration, blinds and canopies can make a positive addition to a building or street scene, contributing to the visual interest and sense of vitality of a commercial area. However, there should be a genuine need for such features in order to avoid unnecessary or extensive clutter. Care should be taken to ensure that they don't conflict with public safety and that their size, shape and position are compatible with the character of the building. Further still, effort should be given to ensuring that they have been integrally designed into the shopfront unit and without harming or impeding on architectural features and detailing of significance, particularly in cases involving heritage assets.

**Key Evidence**

- English Historic Towns Forum (1993) Details of Good Practice in Shopfront Design

**Monitoring Indicators**

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D9	N/A	Planning Appeals

## Policy D10: Advertisements, Hanging Signs and Illumination

### Introduction

- 5.88 Advertisements are a very important and significant part of the built environment and can be found pretty much everywhere, from signage upon commercial and retail premises, such as fascia and projecting signs, to large poster hoardings and window decals. It also includes blinds, canopies, banners and flags containing lettering or logos.
- 5.89 It's a medium that has proven critical to the viability of commercial enterprise and to the health of the local economy. It can be informative and, when well designed and sited, can add an enhanced interest and vitality to the street scene in which it is sited, but equally, a proliferation of bold, dominant or illuminated advertising material could result in harm to the built environment and detract from the quality of the area. This is particularly true in sensitive places such as Conservation Areas and in sensitive rural locations, but can also cause confusion to the user and can impact upon residential outlook. Thus, a balance has to be met between the commercial requirements and the protection of the environment, including pedestrian and highway safety.
- 5.90 Although many signs can be displayed without express consent, the Council has powers to control the most prominent external advertisement under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007. For the avoidance of doubt this policy only applies to advertisement that requires the express consent of the local planning authority. Details on which forms of advertisement require express consent from the planning authority and which are either excluded or have been given deemed consent can be found via the Department for Communities and Local Government (DCLG) publication<sup>123</sup>, *Outdoor advertisement and signs: a guide for advertisers* (2007), or guidance superseding it.

### Policy D10: Advertisements, Hanging Signs and Illumination

- 1) Development proposals for advertisement and signage are required to demonstrate that there is no harm to amenity or public safety by reason of:
  - a) Design
  - b) Size
  - c) Colour
  - d) Position
  - e) Materials
  - f) Amount, type and scale of text
  - g) Method and degree of illumination/luminance

<sup>123</sup> Department for Communities and Local Government (DCLG), *Outdoor advertisement and signs: a guide for advertisers* (2007). Available at: <https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>

- h) Cumulative clutter
- 2) Advertisements and signage are expected to be designed to a high quality, informed by relevant national and local design guidance.
  - 3) Advertisements and signage are expected to be responsive to, and enhance the appearance, character and vitality of an area, by having regard to their size, materials, construction, location, level and method of illumination and cumulative impact.
  - 4) Advertisements and signage on buildings are expected to be integrally designed to respect the entire elevation and proportions of the building and its shop front frame, taking account of any architectural features and detailing of the building, and should be complementary to the street scene in general.
  - 5) Development proposals that would result in harm to, or concealment of, architectural features and detailing of historic or architectural significance will be refused.
  - 6) Development proposals affecting heritage assets and their setting will be required to preserve or enhance and where appropriate better reveal their architectural and/or historical significance.
  - 7) Illuminated advertisements are required to not have a detrimental impact on the amenity of adjoining properties and wildlife habitats.

### Definitions

- 5.91 *Advertisement* – Any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements.
- 5.92 *Amenity* – A positive element or elements that contribute to the overall character or enjoyment of an area.
- 5.93 *Heritage asset* – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are either designated heritage assets or non-designated heritage assets. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas, designated under the relevant legislation. Non-designated heritage assets are identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets, these include locally listed buildings and locally listed parks and gardens.
- 5.94 *Public Safety* – Refers to the potential impact of commercial advertising on transport and traffic (including pedestrians) and on crime prevention and protection.



### **Reasoned Justification**

- 5.95 The Council is required to exercise their expressed powers under the regulations in the interest of public safety, which includes highway safety and amenity, taking into account the provisions of the development plan, so far as they are materially relevant; and any other relevant factors. It is these considerations, rather than the commercial need or advantage, which must be decisive in the determination of any advertisement application.
- 5.96 The character or appearance of a building or area can be easily damaged by advertisements that are ill conceived in terms of their design, placement, scale or proportionality, or by a poor choice in advertisement finishes, such as, materials, fixtures, colouring or illumination. In particular, cumulative accrual can be severely detrimental to the quality of the public realm.
- 5.97 To encourage appropriate displays, the Council will seek to ensure that advertisements and signage are kept to the minimum necessary, looking for opportunities to reduce the number of signs where possible and to remove those which have become redundant. Equally, a high standard of design and materials will be expected throughout the Borough paying particular attention to ensuring that the appearance, character and quality of the streetscape or area in which they are sited is not harmed.
- 5.98 The appropriateness of each design and choice of suitable materials and finishes is very much dependent on the design, materiality and character of the host building, structure or area to which the advertisement is to be displayed. Standardised or corporate displays that have no regard to the character of the building on which they are to be displayed or the general characteristics of the locality are likely to be resisted. This may require firms to adapt their corporate design, format or method of illumination to suit the context of a particular location. The Council is also keen to encourage the use of environmentally sustainable materials, therefore applicants are asked to consider the embodied energy of the materials selected and how easily they can be repaired, reused or recycled.
- 5.99 The size of signage should be proportionate to the scale of the building or structure to which it is fixed, and should not, through its display or method of fixing, interrupt or obscure any architectural features or detailing of significance of the building. This is particularly fundamental for cases where the proposed advertisement or signage is being attached to a statutory listed building or locally listed building.
- 5.100 Advertisements affecting heritage assets, such as conservation areas and listed buildings require particularly detailed consideration given the sensitivity and historic nature of these areas, buildings and structures. Any advertisements on or within the setting of a listed building or in a conservation area must not harm their architectural and/or historic character and appearance and must not obscure or damage specific architectural features of buildings as noted above. In the case of conservation areas, the advertisement's acceptability will be guided by the published character appraisal of that area.
- 5.101 Where signage is to be fixed to a statutory listed building Listed Building Consent will be required, irrespective of whether or not Advertisement Consent is required.

*Illumination*

- 5.102 Illumination can play a positive role in adding to the vitality of commercial areas and contributing to the evening economy, nevertheless, excessive, or indiscriminate use of illumination can have a harmful impact upon visual amenity, particularly in the context of heritage assets and in sensitive rural locations and villages, and can contribute to light pollution. It should therefore be limited to what is reasonably required, and consideration given to the intensity of illumination, surface area to be illuminated and its positioning and colour. Compliance with Policy 12: Light Impacts and Dark Skies is also required.
- 5.103 Where illumination is considered to be acceptable the type and method of illumination (internal, external, lettering, neon, digital etc.) should be carefully considered and determined by having regard to the architectural form, design, materiality and character of the host building, structure or area to which the advertisement is to be displayed. Equally, the method and extent of illumination should be considerate to the need to save energy, opting for the use of low energy light sources or renewable methods of operation, such as solar power. Care should also be taken to ensure that the wiring or cabling required to serve the illumination is concealed as far as practical and does not harm or impede on architectural features and detailing, particularly in cases involving heritage assets.

**Key Evidence**

- No key evidence to support this policy

**Monitoring Indicators**

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D10	N/A	Planning Appeals

## Policy D11: Noise Impacts

### Introduction

- 5.104 Exposure to excessive noise can have significant adverse impacts on environmental and human health. The World Health Organisation (2018)<sup>124</sup> has identified noise as the second-largest cause of human health problems, following the impact of air pollution. Long-term exposure to noise is linked to various direct adverse health outcomes, including sleep disturbance, negative effects on cardiovascular and metabolic systems, and cognitive impairment in children<sup>125</sup>.
- 5.105 Similar effects are observed in non-human sensitive receptors. The European Environment Agency (2019)<sup>126</sup> has identified that anthropogenic sources of noise can result in significant adverse effects on biodiversity, population size and distribution, by interfering with the acoustic communication of both terrestrial and marine species. Furthermore, noise exposure has been linked to reduced animal fitness and reproductive success, changes in foraging behaviours, and increased risk of predation<sup>127</sup>.
- 5.106 Noise exposure can seriously effect quality of life. Disturbances to residential and community amenity can change the way that sensitive receptors behave in the course of their lives. Residential amenity can be seriously affected by noise, forcing residents to keep windows closed throughout the year, for example. Similar disturbances can harm community amenity, impacting sensitive community land uses, such as educational establishments or public parks.
- 5.107 Sources of noise are varied within the borough. Major roads and railways contribute significantly to environmental noise levels. However, there are numerous industrial and commercial sources of noise that operate within the borough, including valued community facilities, businesses, and cultural venues like theatres, pubs, and live-music venues, which are often embedded amongst residential and other sensitive uses. Consequently, the consideration of noise impacts is essential in the planning process.
- 5.108 The NPPF<sup>128</sup> is clear that development should be appropriate for its location, taking account of the likely effects of pollution (including noise) on health, living conditions, and the natural environment. In achieving this, this policy seeks to ensure that:
- a) *existing noise-generating development would not face unreasonable restrictions due to the development of noise-sensitive uses permitted within the surrounding area, and*
  - b) *noise-sensitive uses will be protected from loss of amenity from noise-generating uses.*

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<sup>124</sup> World Health Organization (WHO): Environmental noise guidelines for the European region (2018). Available at: <https://www.who.int/europe/publications/i/item/9789289053563>

<sup>125</sup> European Environment Agency: Environmental Noise in Europe – 2020. Report No. 22/2019 (2019). Available at: <https://www.eea.europa.eu/publications/environmental-noise-in-europe>

<sup>126</sup> European Environment Agency: Environmental Noise in Europe – 2020. Report No. 22/2019 (2019). Available at: <https://www.eea.europa.eu/publications/environmental-noise-in-europe>

<sup>127</sup> Newport, J., Shorthouse, D., and Manning, A. (2014) The effects of light and noise from urban development on biodiversity: implications for protected areas in Australia. *Ecological Management & Restoration*. Vol.15(3): 204–14. Available at: <https://wepa.org.au/wp-content/uploads/2019/08/Newport-et-al-The-effects-of-light-and-noise-from-urban-development-on-biodiversity-2014.pdf>

<sup>128</sup> National Planning Policy Framework (2021), paragraph 185

- 5.109 The 'Agent of Change' principle was introduced into national planning policy with the publication of the revised NPPF in 2018<sup>129</sup>. The agent of change principle comprises the position that a person or business (i.e. the agent) introducing a new land use is responsible for managing the impact of that change.
- 5.110 To achieve this, potential noise impacts must be clearly identified in the early stages of the proposed development and adequately prevented, avoided, and/or mitigated as appropriate in accordance with the policy.

### **Policy D11: Noise Impacts**

- 1) Development proposals for noise sensitive uses are required to clearly identify any likely adverse noise impacts on the sensitive receptors that are intended to use or occupy the development from existing nearby sources of noise.
- 2) Development proposals for noise generating uses are required to clearly identify any likely adverse noise impacts arising from the proposed development on existing nearby sensitive receptors, including the natural environment.
- 3) Where consideration under (1) or (2) indicates the potential for Observed Adverse Effect Levels of noise, planning applications are required to include a Noise Impact Assessment, which considers the relationship in detail.
- 4) Where evidence of an Observed Adverse Effect Level noise impact exists, as defined in the Noise Exposure Hierarchy, the applicant is required to demonstrate how the proposed development proposal will be designed and implemented in order to:
  - a) prevent any present and very disruptive Significant Observed Adverse Effect levels,
  - b) avoid any present and disruptive Significant Observed Adverse Effect levels; and
  - c) mitigate any present and intrusive Lowest Observed Adverse Effect levels.
- 5) The applicant proposing the development proposal (or 'agent of change') is responsible for ensuring that:
  - a) all potential Observed Adverse Effect Levels of noise, either impacting on or emanating from the proposed development proposal, are identified, and
  - b) the prevention, avoidance and/or mitigation measures required to manage those noise impacts are implemented effectively.
- 6) A Verification Report is required to be submitted to the Council and approved prior to the development's occupation or use, which demonstrates the agreed avoidance and mitigation measures have been implemented effectively.
- 7) Where there will be an unacceptable adverse effect on sensitive receptors which cannot be adequately prevented, avoided, and/or mitigated, the planning application will be refused.

<sup>129</sup> National Planning Policy Framework (2021), paragraph 187

## Definitions

- 5.111 *Sensitive Receptors* – Features that are prone to adverse effects from noise, such as living organisms, including humans and animals, ecological systems, sensitive habitats, and the natural environment.
- 5.112 *Noise Generating Uses* – Land uses that have the potential to generate levels of noise capable of resulting in adverse effects on the health and quality of life of sensitive receptors, including commercial and industrial land uses that utilise a building services plant, sports and leisure facilities, and places of entertainment (bars, pubs, clubs, music venues, etc).
- 5.113 *Noise Sensitive Uses* – Land uses where sensitive receptors are concentrated, including residential, schools and nurseries, hospitals, care facilities, and certain public amenities.
- 5.114 *Significant Observed Adverse Effect Level* – This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- 5.115 *Lowest Observed Adverse Effect Level* – This is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- 5.116 *No Observed Effect Level* – This is the level of noise exposure below which no effect at all on health or quality of life can be detected.
- 5.117 *Agent of Change* – The person or business (i.e. the agent) introducing a new land use.

## Reasoned Justification

- 5.118 General guidance on the identification and management of noise impacts in planning is available in national Planning Practice Guidance<sup>130</sup>.
- 5.119 Detailed guidance on the assessment of noise impacts within the development management process has been published by the Institute of Environmental Management and Assessment (IEMA)<sup>131</sup>. This guidance sets out a step-by-step overview of the assessment of noise impacts within impact assessments, including the determination of their significance. Further detail is provided below in relation to the Council's expectations with regard to Noise Impact Assessments ('NIA').
- 5.120 A Working Group comprising the Association of Noise Consultants, the Institute of Acoustics, and the Chartered Institute of Environmental Health has published professional practice guidance covering the identification and management of noise effects (2017)<sup>132</sup>. The guidance sets out a comprehensive, technical overview of industry best-practice in the assessment and management of noise impacts in planning.
- 5.121 In the determination of planning applications, consideration will be given to the impact of development in terms of the potential for Observed Adverse Effect Levels of noise, reflecting the

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<sup>130</sup> Available online at: [www.gov.uk/guidance/noise--2](http://www.gov.uk/guidance/noise--2)

<sup>131</sup> Available online at: <https://www.iema.net/download-document/236678>

<sup>132</sup> Available online at: [www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf](http://www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf)

Noise Exposure Hierarchy as set out in the government's Planning Practice Guidance<sup>133</sup> and the Department for Environment, Food and Rural Affairs' Noise Policy Statement for England (2010)<sup>134</sup>.

*Noise Impact Assessment Process*

- 5.122 Development proposals are required to follow the approach to Noise Impact Assessment as set out below, in order to ensure consistency in the assessment and management of potential noise impacts. Following the staged approach will ensure that Noise Impact Assessments are only submitted where necessary. Detailed technical advice covering the different stages of the process is available in the 'Professional Practice Guidance on Noise & Planning' guidance<sup>135</sup>.
- 5.123 The Noise Impact Assessment approach comprises the following sequential stages:
- Stage 1: Site Noise Risk Assessment
  - Stage 2: Noise Impact Assessment
  - Stage 3: Verification Report
- 5.124 Where the ambient acoustic environment of the proposed development site presents the potential for Observed Adverse Effect Levels of noise, a Site Noise Risk Assessment will be required. The Council's Environment and Regulatory Services should be engaged at an early stage within the design and preparation of a development proposal in order to confirm the need for a Site Noise Risk Assessment.

*Stage 1: Site Noise Risk Assessment*

- 5.125 Site Noise Risk Assessments, completed in accordance with the guidance provided in 'Professional Practice Guidance on Planning & Noise: New Residential Development', may be required to fulfil Criteria (1) and/or (2) of the Policy<sup>136</sup>. Site Noise Risk Assessments for noise-generating development proposals should establish the baseline noise conditions within which the likely levels of noise generated should be considered.
- 5.126 The Site Noise Risk Assessment report is required to conclude with an indication of whether the proposed development site is considered to pose a negligible, low, medium, or high risk from a noise impact perspective, in accordance with Table D11a. The indicative noise levels should not include the acoustic effect of any scheme-specific noise mitigation measures.

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<sup>133</sup> Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/820957/noise\\_exposure\\_hierarchy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/820957/noise_exposure_hierarchy.pdf)

<sup>134</sup> Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69533/pb1375\\_0-noise-policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69533/pb1375_0-noise-policy.pdf)

<sup>135</sup> Available online at: [www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf](http://www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf)

<sup>136</sup> Available online at: [www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf](http://www.ioa.org.uk/sites/default/files/14720%20ProPG%20Main%20Document.pdf)

**Table D11a: Indicative Site Noise Risk Assessment Levels**

Risk	Indicative Daytime Noise Levels LAeq, 16hr (07:00 – 23:00)	Indicative Night-Time Noise Levels LAeq, 8hr (23:00 – 07:00)	Potential Effect Without Noise Mitigation
Negligible	< 50 dB	< 40 dB	No Adverse Impact
Low	≥ 50 dB < 60 dB	≥ 40 dB < 50 dB	 Increasing Risk of Adverse Impacts
Medium	≥ 60 dB < 70 dB	≥ 50 dB < 60 dB	
High	≥ 70 dB	≥ 60 dB	

5.127 If the Site Noise Risk Assessment indicates that the proposed development site experiences negligible risk of noise impacts, it is likely to be acceptable from a noise perspective. However, where an assessment indicates that the site experiences low, medium, or high risk of noise effects, the site may be unacceptable from a noise perspective in the absence of specific acoustic mitigation.

*Stage 2: Noise Impact Assessment*

- 5.128 In accordance with Criteria (3) of this policy, where the Site Noise Risk Assessment indicates that there is potential for Observed Adverse Effect Levels ('OAEL') of noise (low, medium, or high risk indication), a Noise Impact Assessment will be required. Noise Impact Assessments are required to be submitted to fulfil Criteria (4) of this policy and must be produced in accordance with the guidance as set out below.
- 5.129 Noise Impact Assessments should be proportionate to the scale of the proposed development and the likely adverse impacts. The specific approach and methodology undertaken for each assessment should be tailored to address the specific issues driving the need for the assessment.
- 5.130 Noise Impact Assessments are required to clearly identify the potential Observed Adverse Effect Levels of noise that may emanate from, or impact sensitive receptors on, the site. The acoustic design approach that has been undertaken to achieve optimal acoustic conditions, both internally (inside noise-sensitive parts of the building(s)) and externally (in spaces to be used for amenity purposes), as set out in Table D11b, must be detailed within the assessment. Preference should be given to the application of noise control or mitigation measures that effect the source of the noise wherever practicable.
- 5.131 Noise Impact Assessments must conclude whether or not the acoustic design approach is sufficient to adequately prevent and/or avoid any Significant Observed Adverse Effect Levels of noise, and/or mitigate as far as reasonably practicable any Lowest Observed Adverse Effect Levels of noise.
- 5.132 Residential development is expected to not exceed the maximum ambient noise levels contained in table D11b<sup>137</sup>. Noise levels above these will normally be considered to comprise

<sup>137</sup> The internal LAeq target levels shown in the Table are based on the existing guidelines issued by the World Health Organisation and British Standards BS8233:2014.

Observed Adverse Effect Levels and may therefore be unacceptable<sup>138</sup>. Other types of noise sensitive development will be dealt with on a case-by-case basis, using similar principles and with reference to any authoritative specialist acoustic design guidance.

**Table D11b: Ambient Noise Levels for Dwellings**

Situation	Location	07:00 – 23:00 hrs	23:00 – 07:00 hrs
Resting	Living Room	35 dB LAeq, 16 hour	-
Dining	Dining Area	40 dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour
Amenity	External Areas	50 dB LAeq, 16 hour	-

- 5.133 For noise generating development, it may be necessary to predict internal noise levels at the closest and/or worst affected noise sensitive premises and to demonstrate the means of achieving suitable internal noise levels within noise sensitive rooms. The maximum ambient noise levels in table D11b above should be applied in this assessment.
- 5.134 Noise Impact Assessments produced in accordance with the guidance set out above will lead to one of four recommendations regarding the acoustic acceptability of the development proposal:

**Table D11c: Noise Impact Assessment Planning Outcomes**

Potential OAEL <sup>139</sup>	Planning Outcome
Negligible	Planning consent may be granted without any need for noise conditions
Lowest Observed Adverse Effects	Planning consent may be granted subject to the inclusion of suitable noise conditions
<i>Present and Disruptive</i> Significant Observed Adverse Effects	Planning consent should be refused on noise grounds in order to avoid significant adverse effects (“avoid”)
<i>Present and Very Disruptive</i> Significant Observed Adverse Effects	Planning consent should be refused on noise grounds in order to prevent unacceptable adverse effects (“prevent”).

- 5.135 In determining the planning outcome of the Noise Impact Assessment, consideration will be given to whether or not:
- opportunities have been taken to improve or protect the existing acoustic environment, where relevant;
  - a good acoustic design process has been followed and whether or not appropriate acoustic standards have been achieved;
  - a good standard of amenity can be achieved;

<sup>138</sup> It is accepted that in some circumstances, such as in busy urban areas, these standards may be unachievable and a +5dB variance may be considered acceptable, provided the applicant has demonstrated that the noise effects have been mitigated as far as reasonably practicable.

<sup>139</sup> The indicative potential OAEL noise levels should not include the acoustic effect of any scheme-specific noise mitigation measures.



- d) an adverse effect is occurring or likely to occur; and
- e) a significant adverse effect is occurring or likely to occur.

- 5.136 If the Noise Impact Assessment cannot demonstrate that the identified Significant Observed Adverse Effect Levels of noise would be adequately prevented and/or avoided, and/or that any Lowest Observed Adverse Effect Levels of noise are mitigated as far as reasonably practicable, the development will not be acceptable from a noise perspective and should be refused.
- 5.137 If the proposed development cannot be made acceptable from a noise perspective, the applicant should consider whether the existing noise-generating or noise-sensitive use that would be affected by the new development could be adapted (i.e. soundproofed). Where this includes the use of off-site measures, the applicant is responsible for ensuring that the measures are implemented and must provide agreement from the owners of the off-site property. Grampian conditions, which prevents the commencement or occupation/use of a development until off-site works have been completed on land not controlled by the applicant, may be used in these situations.

*Stage 3: Verification Report*

- 5.138 Prior to the occupation or use of the development, a Verification Report is required to be submitted and approved by the Council. The Verification Report is required to confirm that the avoidance and mitigation measures that are set out in the Noise Impact Assessment have been implemented as described. The Verification Report is also required to confirm that the development does not result in exceedances of the maximum ambient noise levels contained in table D11b.

**Key Evidence**

- British Standard 8233: Guidance on Sound insulation and noise reduction for buildings (2014).
- Department for Environment, Food and Rural Affairs (2010) Noise Policy Statement for England.
- Institute of Acoustics, Chartered Institute of Environmental Health, and the Association of Noise Consultants (2017): ProPG: Planning and Noise – New Residential Development.

**Monitoring Indicators**

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D11	N/A	Planning Appeals

## Policy D12: Light Impacts and Dark Skies

### Introduction

- 5.139 Artificial light can comprise an essential part of a development proposal. When designed correctly, external lighting can provide various benefits, such as for the safety of movement across a site, the security of property, the extension of sporting and leisure activities or working practices, and the enhancement of the amenity value of important buildings or settlements.
- 5.140 However, where poorly designed or excessive, artificial lighting has the potential to result in 'obtrusive light', or 'light pollution', and may not be suitable in all locations. Poorly designed external lighting schemes can become an annoyance to people, undermine community amenity by disrupting the enjoyment of the countryside or night sky, and be harmful to wildlife, especially in areas with intrinsically dark landscapes.
- 5.141 The NPPF<sup>140</sup> is clear that development should be appropriate for its location, taking account of the likely effects of pollution (including light pollution) on health, living conditions, local amenity, intrinsically dark landscapes, and nature conservation. In achieving this, this policy seeks to ensure that:
- a) potential adverse impacts of obtrusive light on privacy, amenity, and the natural environment are reduced to a minimum, and
  - b) potential significant adverse impacts of obtrusive light on sensitive receptors are avoided or mitigated as appropriate.
- 5.142 To achieve this, potential significant adverse impacts from external lighting schemes must be identified in the early design stages of the development proposal and adequately avoided and/or mitigated as appropriate in accordance with this policy.
- 5.143 Problems are best avoided at the source, with effective planning controls for new developments in particular, ensuring an adequate level of control that can be enforced. The Clean Neighbourhoods and Environmental Act (2005), amended paragraph 79(1)(fb) of the Environmental Protection Act 1990 to extend the statutory nuisance regime to include light nuisance, referencing: '*artificial light emitted from premises so as to be prejudicial to health or a nuisance*'.
- 5.144 In the determination of planning applications, consideration will be given to the need to balance the necessity for external lighting schemes and the various benefits that they provide against the potential adverse impact that they may have in terms of obtrusive light.

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<sup>140</sup> National Planning Policy Framework (2021), paragraph 185

## Policy D12: Light Impacts and Dark Skies

- 1) Development proposals are required to be designed to minimise obtrusive light (light pollution) and the adverse impacts of obtrusive light on sensitive receptors. Consideration must be given to potential adverse impacts on privacy, amenity, and the natural environment, including wildlife, sensitive habitats, and sites designated for their nature conservation value.
- 2) Proposals for light-generating development, or proposals for light-sensitive development that are likely to be affected by existing artificial lighting, are required to submit a Light Impact Assessment as part of the planning application. Light Impact Assessments are required to clearly detail any potential significant adverse impacts that artificial lighting may have on privacy, amenity, and the natural environment, including wildlife, sensitive habitats and sites designated for their nature conservation value
- 3) Where potential significant adverse impacts from artificial lighting have been identified, Light Impact Assessments are required to detail the appropriate avoidance and mitigation measures that will be implemented to prevent, avoid and/or mitigate those impacts.
- 4) Proposals for light-generating development are required to prevent and/or avoid unacceptable light spillage into natural terrestrial and aquatic habitats, or their buffer zones.
- 5) Where there will be an unacceptable adverse impact on sensitive receptors which cannot be avoided and/or adequately mitigated, the planning application will be refused.

### Dark Skies

- 6) In more remote locations of the Surrey Hills AONB, with darker skies, development proposals that cause light pollution will be resisted.

### Definitions

- 5.145 *Obtrusive Light*: The spillage of light into areas where it is not required. Also known as 'light pollution'.
- 5.146 *Sensitive Receptors* - Features that are prone to adverse effects from light, such as living organisms, including humans and animals, ecological systems, sensitive habitats and species, and the natural environment.
- 5.147 *Light-Generating Development* – Development proposals that comprise or include artificial lighting schemes capable of resulting in adverse effects on the health and quality of life of sensitive receptors; including commercial and industrial development, sports and leisure facilities, and floodlighting schemes.
- 5.148 *Light-Sensitive Development* – Development proposals for land uses where sensitive receptors are concentrated, including residential, hospitals, care facilities, and certain public amenities.

### Reasoned Justification

- 5.149 General guidance on the identification and management of potential adverse impacts from artificial lighting in planning is available in national Planning Practice Guidance<sup>141</sup>.
- 5.150 Detailed technical guidance and recommendations for good practice in the installation of lighting schemes is available from numerous sources. The Chartered Institution of Building Services Engineers (CIBSE) have published the 'Society of Light and Lighting' (SLL)<sup>142</sup> guidance, which provides a compendium of all the lighting recommendations relevant to the United Kingdom, with suggestions as to how these should be interpreted.
- 5.151 The Institute of Lighting Professionals, in collaboration with the Bat Conservation Trust, have published detailed technical guidance on the consideration the impacts of artificial lighting on bat populations<sup>143</sup>. The guidance sets out a step-by-step overview of the assessment of impacts from artificial light on various protected bat species.
- 5.152 Applicants are advised to consider whether there is a Neighbourhood Plan relevant to the proposed development site. Neighbourhood Plans often include policies that relate to artificial lighting installations. The applicant should consider whether there are any additional requirements in the Neighbourhood Plan further to this policy. Neighbourhood Plans can be found on the Council's website<sup>144</sup>.

#### *Planning permission for external lighting*

- 5.153 Planning permission is not required for the majority of artificial lighting installations on residential dwellings. However, the installation of an artificial lighting scheme of such nature and scale that it would represent an engineering operation, typically undertaken by specialist lighting engineers, would constitute 'development' and will require planning permission.
- 5.154 Large-scale artificial lighting installations proposed in their own right, including the floodlighting of leisure facilities and sports pitches, would comprise development and require planning permission. External lighting schemes proposed as part of an industrial or commercial development also normally require planning permission and therefore will be required to be designed in accordance with the policy.
- 5.155 Planning permission would also normally be required for:
- Lights mounted on poles or other similar structures, or if the structures and installation are substantial and affect the external appearance of a dwelling.
  - New lighting structures or works which are integral to other development requiring planning permission.
  - Illuminated advertisements<sup>145</sup>.

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<sup>141</sup> Available online at: [www.gov.uk/guidance/light-pollution](http://www.gov.uk/guidance/light-pollution)

<sup>142</sup> Available online at: [www.cibse.org/knowledge/knowledge-items/detail?id=a0q2000008I6xiAAC](http://www.cibse.org/knowledge/knowledge-items/detail?id=a0q2000008I6xiAAC)

<sup>143</sup> Available online at: <https://cdn.bats.org.uk/uploads/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?v=1542109349>

<sup>144</sup> Available online at: <https://www.guildford.gov.uk/neighbourhoodplanning>

<sup>145</sup> Please refer to Policy D10: Advertisements, Hanging Signs, and Illumination, for further detail.

*Minimising Obtrusive Light*

- 5.156 Paragraph (1) of this policy requires that development proposals are designed to minimise obtrusive light and its potential adverse impacts to sensitive receptors. Ensuring that the proposed lighting is designed in accordance with the Institute of Lighting Professionals' (ILP) guidance note for the reduction of obtrusive light<sup>146</sup> will enable development proposals to achieve this policy requirement.
- 5.157 Development proposals that comprise or include the installation of artificial lighting, or development proposals for light-sensitive uses that are likely to be affected by existing artificial lighting, are required to detail how the proposed development has been designed to minimise obtrusive light and its potential adverse impacts on sensitive receptors.

*Light Impact Assessments*

- 5.158 In accordance with paragraph (2) of this policy, development proposals for light-generating development, or for light-sensitive development in close proximity to existing light-generating development, are required to submit a Light Impact Assessment as part of the planning application.
- 5.159 Light-generating development is normally considered to include external lighting schemes implemented as part of an industrial or commercial development, or the floodlighting of leisure facilities and sports pitches. Artificial lighting included as part of a residential development would not normally require a Light Impact Assessment.
- 5.160 Where required, the Light Impact Assessment must be completed during the early stages of the design and preparation of the development proposal. The assessment may need to be reviewed throughout the planning application process to take account of relevant amendments made to the design of the development proposal. Where the applicant has engaged the Council's pre-application service, the Light Impact Assessment should be submitted and reviewed as part of this process.
- 5.161 Light Impact Assessments should be proportionate to the scale of the proposed development and the likely significant adverse impacts. The specific approach and methodology undertaken for each assessment should be tailored to address the specific issues driving the need for the assessment.
- 5.162 Light Impact Assessments should consider the following factors:
- a) Whether or not opportunities have been taken to improve or protect the existing external lighting environment, where relevant
  - b) Whether or not a good external lighting design process has been followed
  - c) Whether or not a good standard of amenity and privacy can be achieved
  - d) Whether or not an adverse effect is occurring or likely to occur
  - e) Whether or not a significant adverse impact is occurring or likely to occur
- 5.163 Wherever practicable, preference should be given to the application of lighting control or mitigation measures on the source of the artificial light before consideration is given to other

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<sup>146</sup> Available online at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

mitigation measures. Minimising obtrusive light from light sources may be sufficient to ensure that significant adverse impacts on sensitive receptors are prevented, avoided and/or mitigated adequately.

- 5.164 Consideration should also be given to whether the existing light-generating or light-sensitive use that could impact on, or be impacted by, the new development, could be adapted. Where this would include the implementation of off-site measures, the applicant is responsible for ensuring that the measures are implemented and must provide agreement from the owners of the off-site property. Grampian conditions will be used in these circumstances to prevent the commencement or occupation/use of an approved development until off-site works have been completed on land not controlled by the applicant.
- 5.165 Light Impact Assessments are required to conclude whether or not the proposed lighting design approach is sufficient to avoid and/or adequately mitigate any significant adverse impacts on privacy, amenity, and the natural environment, including wildlife, sensitive habitats and sites designated for their nature conservation value.
- 5.166 Aquatic habitats are particularly sensitive to light impacts. To reduce light spill into the river corridor, all artificial lighting should be directional and focused with cowlings. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using/inhabiting the river and its corridor habitat. River channels and waterbodies with their wider corridors should be considered Intrinsically Dark Areas and treated as recommended under the Institute of Lighting Engineers “Guidance Notes for the Reduction of Light Pollution”.

### Key Evidence

- The Chartered Institution of Building Services Engineers (CIBSE) (2012) ‘Society of Light and Lighting’ (SLL): Code for Lighting.
- The Chartered Institution of Building Services Engineers (CIBSE) (2018) ‘Society of Light and Lighting’ (SLL): The Lighting Handbook.
- The Institute of Lighting Professionals (2021) Guidance Note 01/21: The Reduction of Obtrusive Light.
- The Institute of Lighting Professionals, and The Bat Conservation Trust (2018) Guidance Note 08/18: Bats and artificial lighting in the UK. *Bats and the Built Environment series*.

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D12	N/A	Planning Appeals

## Policy D13: The Corridor of The River Wey & Godalming Navigations

### Introduction

- 5.167 The River Wey & Godalming Navigations is a long and sinuous inland canalised waterway owned and managed by the National Trust. In total it provides a 20-mile continuous navigable route from the River Thames at Weybridge, all the way through to Godalming, via Guildford, entering and exiting Guildford Borough at Wisley and Peasmarsh respectively. It passes through a rich tapestry of varied landscapes as it traverses the borough, ranging from tranquil flood plain meadows through to the bustling urban environment of Guildford Town Centre.
- 5.168 The waterway was opened in two sections. The course between Guildford and Wisley, running all the way through to the Thames is historically known as the Wey Navigation and was completed in 1653, making it one of the earliest rivers to be made navigable in England. Whilst the southern extension, the Godalming Navigation, was seamlessly added in 1760. The purpose of its conception was to provide a more efficient and practical means of transportation between Guildford, London and beyond, particularly for commercial traffic. Of particular note, the route has facilitated the transportation of timber to London following The Great Fire in 1666 as well providing a safe conduit for the shipment of gunpowder from Chilworth Powder Mills.
- 5.169 Undoubtably this unique history signifies its national significance and in response the Navigation's entire length is covered by one of five Conservation Area designations. The majority of its course throughout the borough is covered by the Wey & Godalming Navigations Conservation Area, which was designated in 1999, however there are small sections that are encompassed within the following designations:
- Bridge Street Conservation Area
  - Millmead and Portsmouth Road Conservation Area
  - Ockham Mill Conservation Area
  - St Catherines Conservation Area
- 5.170 The boundaries for all of the Conservation Areas noted above are identified on the Policies Map.<sup>147</sup> With regards to The Wey and Godalming Navigations Conservation Area this follows closely the Navigation channel and tow path.
- 5.171 As well as being an important historic feature offering historical enrichment for locals and visitors alike, the Navigations and their immediate setting is a landscape asset of exceptional ecological value that is rich in aquatic and waterside flora and fauna, providing an environmentally sensitive corridor through the borough. This is reinforced by a number of SSSI (Site of Special Scientific Interest) and SNCI (Site of Nature Conservation Importance) adjoining its banks.
- 5.172 The waterway and its towpath also presents an important and easily accessible leisure asset, providing opportunities along its course for informal recreational enjoyment, such as walking, cycling, rowing, canoeing and boating.

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<sup>147</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

## **Policy D13: The Corridor of The River Wey and Godalming Navigations**

- 1) Development proposals which impact The River Wey and Godalming Navigations and its environs are required to:
  - a) conserve and enhance the distinct character of the Navigations, including its visual setting, amenity, recreational and ecological value, and architectural and historic interest;
  - b) protect and conserve landscape features, buildings, structures and archaeological remains that are associated with the river's unique character, history and heritage;
  - c) establish a positive relationship with the Navigations' setting and waterfront character and its historic interest, taking full advantage of its location, addressing the waterway as a frontage and opening up views;
  - d) protect, and where possible, enhance key existing views to, from, across and along the river, including those identified in the Guildford Town Centre Views SPD; and
  - e) integrate flood risk mitigation measures where the design and material palette are responsive to the character and the site's immediate context.
- 2) Development proposals adjoining the river are expected to seek to improve visual and physical public access to and along the river by:
  - a) providing direct, safe and clear public access to and along the river;
  - b) providing a 'joined-up' approach to river access, considering access and uses up and down stream, as well as across the river channel and the adjoining areas to the existing towpath; and
  - c) enabling and supporting the promotion of active and healthier lifestyles.

### **Definitions**

- 5.173 *Amenity* - A positive element or elements that contribute to the overall character or enjoyment of an area.
- 5.174 *Corridor of The River Wey & Godalming Navigations* – An area defined by the natural course of The River Wey, the canalised Navigations, associated towpath and verges, adjoining water-meadows, pastures and recreational sites, as well as development and structures within its immediate setting that has a physical and/or visual relationship with the River Wey and Godalming Navigations.

### **Reasoned Justification**

- 5.175 The Council values The Corridor of The River Wey & Godalming Navigations as a multifunctional asset fulfilling important amenity, biodiversity, transport, leisure and recreation roles. It also forms an essential part of the borough's green infrastructure network and makes a fundamental contribution to the landscape quality and character of the borough.



- 5.176 The extent of the corridor is not spatially delineated on the Policies Map. The corridor reflects the setting or surroundings within which the River Wey and Godalming Navigations is experienced. This may vary as the Navigations and its surroundings evolve. Thus, a degree of planning judgement will be required to determine whether a development proposal might have an impact on the setting of the Navigations and hence whether or not this policy is engaged.
- 5.177 The National Trust, as its owner has compiled a set of guidelines<sup>148</sup> for what it considers are important characteristics of the river and Navigations, and how they should be managed. These include the importance of the river as a 'visually important open corridor' and 'an important leisure asset' as well as a conservation area. These guidelines form a planning consideration.
- 5.178 The character of The River Wey and Godalming Navigations changes dramatically along its course, ranging typically in character from former industrial use, in and around the town, such as around Bedford Wharf and Walnut Tree Close; to the more open meadow or pastoral landscapes between Send and Ripley. This range of experience is fundamentally significant to the value of the River Wey, its corridor and navigations and is something that needs to be respected and retained.
- 5.179 The Navigations and their corridor are an important environmental resource providing a long and continuous habitat through the borough. Their banks, the towpath, verges, hedgerows and even structures such as walls and bridges can provide an array of opportunities for wildlife to exploit, and protection is key. Understanding how wildlife benefits from the Navigation Corridor and its associated features, alongside the impact that new development might have, is fundamental to the design process for proposed developments. From an ecological perspective, successful development along the Corridor needs to be sensitive to this context and habitat enhancement opportunities should be sought. Applications are also expected to have consideration to Policy P10: Water Quality, Waterbodies and Riparian Corridors, Policy P7: Biodiversity in New Developments and Policy D12: Dark Skies and Light Impact.
- 5.180 In response to its historical significance, as already mentioned, the navigations' entire length is covered by Conservation Area designations. Under the NPPF, Conservation Areas are identified as a designated heritage asset and their conservation is to be given great weight in planning permission decisions, therefore in addition to this policy, applications, including those within the setting of the Navigations, will also be considered against Policy D18: Designated Heritage Assets and Policy D20: Conservation Areas. It is important that the richness, diversity and beauty of this historical water corridor is respected. In particular, this requires development to have a positive relationship with its setting.
- 5.181 Along the length of the Navigations can be found structures and assets associated with its history, character and function, such as locks, lock keeper cottages, wharves, mills, bridges and weirs, some of which are statutory listed. These buildings have a particular characteristic and unusual architectural and engineering features which reflect its history and continuing use. The retention and creative reuse of these buildings and structures is inherently sustainable and contributes powerfully to the preservation of local distinctiveness along the Navigations.
- 5.182 The quality of existing buildings and spaces alongside the Navigations make an important

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<sup>148</sup> National Trust (2011) Planning Guidance for development next to the River Wey and Godalming Navigations

contribution to the borough's environment and enjoyment of the river. Each stretch of waterway has its own distinct character, to which proposals for new development will need to respond. Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness will be used to guide development proposals related to context. Nevertheless, where development is proposed along the waterway it should be sited to enhance the spatial quality of the Navigations and should present an attractive face to the waterway as public realm.

- 5.183 The Navigations are experienced through incidental, kinetic and transitional views, constantly changing as a viewer moves through the evolving scenery. These views can range from the tightly framed, as glimpsed between buildings within the town centre, to the panoramic, as observed across a foreground of open land, and those of key landmark buildings. It is important that new development respects key views and vistas and should not block or obstruct views of important landmarks either along the Navigations corridor or beyond it, referring to those identified within Guildford Town Centre Views SPD<sup>149</sup> and the National Trust's guideline document, *Planning Guidance for development next to the River Wey and Godalming Navigation*.
- 5.184 It is important that proposed developments along the Navigation have integrated flood defence measures that are responsive to the waterfront environment and context, with consideration given to the materials and design of schemes to ensure they are appropriate to the area. Opportunities to improve the river frontage should be taken as new defences are constructed.
- 5.185 It is acknowledged that the Navigations are an asset which provide an important recreation and health function and therefore should be available and accessible to all local residents and visitors to the borough. Physical and visual connections to the water also have important benefits for mental and physical wellbeing.
- 5.186 Nevertheless, it is important to distinguish that the Navigations towpaths and the water channel itself are not public rights of way. Unrestricted and free access to the Navigations and their towpath has been allowed by The National Trust as owner, who welcomes pedestrians and cyclists along its banks, but prohibit motorised vehicles and horse-riding. Although priority will be given to pedestrians so that they may benefit for the many opportunities that walking can give, encouragement is also given to cycling, where it is not in conflict with other policy and management priorities and objectives, including those of the National Trust.
- 5.187 Development proposals on or adjacent to the Navigations should seek out opportunities to increase public space as close to waterways as possible, or improved accessibility and connectivity to the tow path, as a means of facilitating greater access and use of this valued asset. Nevertheless, these should be designed to avoid harm to any nature conservation value that might exist on banks and habitats adjacent to the waterway.
- 5.188 There are recognised physical and mental health benefits for people that can live, work or exercise near to water. The Navigations' banks with its existing tow path provides a corridor for walking and cycling routes, as well as spaces for calm reflection, whilst the water course itself can provide leisure and recreation opportunities such as canoeing and kayaking. Existing water-based activities should not be displaced by proposed redevelopment or change of use. Equally

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<sup>149</sup> Available online at: <https://www.guildford.gov.uk/viewsspd>

encouragement is given to the development of the recreational and leisure potential of the canal, in so far as this does not adversely affect the nature conservation interest and is consistent with the capacity of the waterway and the amenity of the surrounding area.

### Key Evidence

- National Trust (2011) Planning Guidance for development next to the River Wey & Godalming Navigations

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D13	N/A	Planning Appeals

## Climate Change and Sustainability

### Introduction

- 5.189 The global climate is changing with rising temperatures, changes to rainfall patterns and the lengths and timings of seasons, and increases in the frequency and severity of extreme weather events. Continued emission of greenhouse gases, including carbon dioxide, will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems<sup>150</sup>. The South East of England will face significant challenges throughout the plan period and beyond. In July 2019, the Council joined a number of Local Governments, including Surrey County Council and other Surrey districts, in declaring a climate emergency in recognition of this situation. The UK has a legally binding target of reducing all greenhouse gas emissions to net zero by 2050 with an interim target of 78% reduction against 1990 levels by 2035.
- 5.190 To improve sustainability and effectively tackle the causes of climate change, new development must be energy efficient and use low carbon energy sources. A 'fabric first' approach should be followed by prioritising reductions in carbon emissions through energy efficient design and materials before efficient building services, and then low carbon energy, are used to reduce emissions further. This principle is established in the energy hierarchy set out in LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy.
- 5.191 All materials and construction processes have embodied carbon. New developments should use resources efficiently, prioritise materials and processes that have low embodied carbon and a low environmental impact, eliminate and reduce waste and reuse materials wherever possible in order to help deliver a circular economy. In this way, new development will align with and support the government's 'Resources and waste strategy for England'.
- 5.192 Mitigation alone is not adequate to address the issue of climate change. Weather patterns and the climate have already changed and will continue to do so for the foreseeable future, so it is important that new developments are suited to current and future climate conditions; new buildings should be comfortable to inhabit in all seasons for their lifetime to avoid the need for retrofitting or replacement further down the line.
- 5.193 Water is a significant issue. Our borough is already in a region of serious water stress<sup>151</sup> and climate change and population forecasts indicate that this is likely to worsen. Water conservation is necessary both to mitigate the impact of increased pressure on water stocks and to adapt to an environment with less water availability.
- 5.194 The Council's Environmental Health team is obliged to step in and take action where homes and other buildings become unsuitable for habitation and present a risk to health. The main reasons for action are excess damp and excess cold. The following policies seek to prevent these issues arising by making sure that homes are energy efficient, warm and well ventilated in order to reduce the burden on public services and help to reduce fuel poverty.
- 5.195 LPSS 2019 Policy D2: Climate Change, Sustainable Design, Construction and Energy sets

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<sup>150</sup> 5th Annual Report, Intergovernmental Panel on Climate Change (2014)

<sup>151</sup> Available online at: <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

standards for energy, carbon and the environmental impact of resources in new developments. It sets key sustainability principles and standards for new developments and requires the submission of sustainability and energy statements for major developments, and information about sustainability and energy for non-major developments. The Council's Climate Change, Sustainable Design and Construction SPD sets out guidance as to what should be included in these documents and information, and provides practical guidance on design, construction and energy.

- 5.196 Surrey County Council has produced Surrey's Climate Change Strategy: Surrey's Greener Future<sup>152</sup> which provides a framework for action on a range of climate change and other sustainability issues across Surrey's local authorities and other partners.

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<sup>152</sup> Available online at <https://www.surreycc.gov.uk/people-and-community/climate-change/what-are-we-doing/climate-change-strategy/surreys-climate-change-strategy-2020>

## Policy D14: Sustainable and Low Impact Development

### Introduction

- 5.197 In order to help achieve national and local targets regarding climate change, natural resources, waste and the environment, new developments should be energy efficient, employ sustainable construction materials and techniques, be designed to have a long useful life and have the ability to evolve with changing lifestyles and home occupation patterns. We also need to encourage energy efficiency improvements to existing buildings as part of the planning process to reduce the emissions from our building stock.

### Policy D14: Sustainable and Low Impact Development

#### Fabric first

- 1) Development proposals are required to demonstrate how they have followed a 'fabric first' approach in line with the energy hierarchy.

#### Embodied carbon

- 2) Development proposals are required to demonstrate that embodied carbon emissions have been minimised by:
  - a) sourcing materials locally where possible; and
  - b) taking into account the embodied carbon emissions of materials based on information provided in a respected materials rating database.
- 3) Proposals for major development are required to demonstrate how they have considered the lifecycle of buildings and public spaces and the materials used to construct them to reduce lifetime carbon emissions.

#### Energy improvements

- 4) Development proposals that will improve the energy efficiency and carbon emission rate of existing buildings to a level significantly better than the Council's adopted standards or national standards for new buildings, whichever is most challenging, are encouraged.

#### Waste

- 5) Proposals for major development, and development proposals that involve the demolition of at least one building and/or engineering works that involve the importation or excavation of hard core, soils, sand and other material, are required to submit a Site Waste Management Plan.

#### Water efficiency

- 6) New developments are expected to incorporate measures to harvest rainwater and conserve water resources and, where possible, water recycling/reuse systems.

## Definitions

- 5.198 *Fabric first* - an approach to development whereby carbon emissions are reduced through the use of low energy design and energy efficient fabric as a first step before making further savings through energy efficient building services and then the use of low carbon and renewable energy technology. Fabric first describes the measures at step 1 of the energy hierarchy set out in LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy.
- 5.199 *Embodied carbon* - the carbon emissions that result from the cumulative energy needed to grow/extract, transport and manufacture construction materials.
- 5.200 *Locally sourced materials* - products that are manufactured locally from locally derived materials, but not those imported over large distances and sold locally.
- 5.201 *Rainwater harvesting measures* - measures that capture rainwater for external, non-potable uses such as irrigation and washing cars.
- 5.202 *Water reuse and recycling measures* - grey-water (wastewater) recycling systems that provide water for non-potable uses such as flushing toilets and irrigation.

## Reasoned Justification

### *Fabric first*

- 5.203 The 'fabric first' approach is established as best practice in sustainable construction. The benefits of reducing carbon emissions through energy efficient building fabric, rather than through efficient building services or low carbon energy generating technologies, include the following.
- Fabric measures generally require less maintenance and upkeep than building services and energy generating technologies.
  - Building services and low carbon energy systems are impermanent and have a limited lifespan which means they are at risk of being replaced by less beneficial systems.
  - The benefits of energy efficient systems and energy generating technologies may be contingent upon building occupants using them effectively.
  - Reducing energy demand improves energy security and reduces fuel poverty for householders; the latter presents a significant risk to human health and life<sup>153</sup>.
  - It can be difficult and expensive to improve the energy efficiency of a completed building; reaching net zero in the future will be easier if the starting point is energy efficient buildings.
- 5.204 Development should follow a fabric first approach. All proposals for new buildings, extensions and refurbishments are required to demonstrate how carbon reductions through energy efficient fabric have been maximised before moving on to measures further down the hierarchy. There may be limited circumstances where greater sustainability benefit can be achieved by not following a fabric first approach, and any proposals that take such an approach must set out a robust justification. Information showing the implementation of a fabric first approach should be included in the energy statement (for major developments) or energy information (for minor developments) that is required under LPSS 2019 Policy D2: Climate change, sustainable

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<sup>153</sup> State of the Market (Ofgem, 2019).

Design, Construction and Energy.

*Embodied carbon*

- 5.205 The continuing improvements to energy efficiency standards and our decarbonising energy supply mean that operational emissions from buildings will continue fall as a proportion of total emissions. As a result, reducing embodied carbon emissions will become more and more critical if the UK is to decarbonise at a rate that aligns with national targets.
- 5.206 The main materials and products used in buildings should be selected with a preference for those with the lowest embodied carbon emissions. This should include consideration of the embodied carbon of energy technologies such as photovoltaic solar panels, which can vary significantly between panel types with some achieving a much lower carbon payback than others<sup>154</sup>.
- 5.207 The embodied carbon in building materials should be established with reference to a database provided by a reputable organisation with relevant expertise. Respected materials ratings databases include:
- The Building Research Establishment's (BRE) Green Guide to Specification and accompanying online database<sup>155</sup>. The BRE provides the Green Guide Calculator which sets a methodology for calculating the impact of materials not yet rated.
  - The Inventory of Carbon and Energy (ICE) database from Circular Ecology<sup>156</sup>.
- 5.208 It is expected that producers and suppliers of building materials will start to include carbon ratings within their brochures as embodied carbon moves up the national agenda. This information will be acceptable where it accords with a respected ratings database.
- 5.209 The requirement to select materials with the lowest embodied carbon may be relaxed where specific materials are needed for conservation reasons.
- 5.210 Embodied carbon emissions also result from the transport of materials to a development site. Where possible, these emissions should be reduced by using locally sourced (locally produced and locally derived) materials, including demolition material sourced from the construction site. Use of local materials has additional benefits such as reinforcing local vernacular design. However, the use of local materials should not result in the use of materials that are not sustainably and responsibly sourced, materials with poor energy performance or the exclusion of low waste, high efficiency construction methods like offsite fabrication.
- 5.211 Consideration of the lifecycle of buildings and public spaces means they have been designed to be adaptable for changing social and economic needs. This will extend their useful lives and avoid the need for extensive modification and refurbishment or demolition and replacement. The embodied carbon cost of demolition works that take place prior to construction should also be considered.
- 5.212 Non-temporary structures should have a long useful life and designs should demonstrate that

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<sup>154</sup> Available online at: [https://circularecology.com/solar-pv-embodied-carbon.html#.Xh3z8cj7SUK?vgo\\_ee=TQLYTaMUxLuVgns98nuK7Q%3D%3D](https://circularecology.com/solar-pv-embodied-carbon.html#.Xh3z8cj7SUK?vgo_ee=TQLYTaMUxLuVgns98nuK7Q%3D%3D)

<sup>155</sup> Available online at <https://www.bregroup.com/greenguide>

<sup>156</sup> Available online at <https://circularecology.com/embodied-carbon-footprint-database.html>



schemes can be adapted with the minimum amount of construction work: for example, new buildings for student accommodation should be able to accommodate other types of residential, and potentially non-residential, uses. Where prefabricated components (e.g. bedroom modules) are used, the ability to change use should be designed-in.

- 5.213 Consideration of the lifecycle should also cover materials, design and the construction process. Materials should be chosen with consideration as to how they can be reused or recycled at the end of the development's life in line with the waste hierarchy. Buildings should be designed for deconstruction rather than demolition in order to maximise the reuse of components and reclamation of useful materials.

#### *Energy improvements*

- 5.214 The Council will support proposals to modify existing buildings where this would result in an energy and carbon performance that is significantly better than either the Council's adopted standard or national standards for new buildings, whichever is better, and extends the useful life of the building. Refurbishments and change of use should take full advantage of the opportunity to improve energy efficiency, aiming for strong reductions in energy use and carbon emissions.

#### *Site Waste Management Plans*

- 5.215 Waste should be considered from the inception of design work in order to ensure that it is 'designed out' wherever possible. Qualifying developments are required to provide a Site Waste Management Plan (SWMP) within or alongside the sustainability statement required by LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy. SWMPs should be in place before construction or demolition work begins and updated as live documents throughout the construction process.
- 5.216 SWMPs must set out how site waste will be managed during construction and demolition in a manner that accords with the waste hierarchy in policy D2. They must demonstrate that waste will be managed efficiently in order to facilitate material reclamation and reuse and, where reuse is not possible, recycling and composting, in order to divert as much material as possible from landfill. Where disposal of material is unavoidable, the SWMP must set out how it will be disposed of legally and responsibly.
- 5.217 SWMPs operate under an established methodology and are well understood by the development industry. The use of SWMPs ensures that development proposals comply with the waste hierarchy in a manner that is compatible with current construction practice.

#### *Water efficiency*

- 5.218 The South East region is an area of serious water stress. The water resource management plans produced by water companies operating within our borough predict that further stress caused by population increase, climate change and reduced abstraction will lead to deficits in supply and call for water efficiency measures to help compensate.
- 5.219 LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy requires new development to meet the highest national standard for water consumption, which at present is optional Building Regulation 36 2(b). This regulation reduces the maximum potable water consumption for dwellings from the national maximum of 125 litres per person per day to 110

litre per person per day. The 110 litre standard can be achieved fully through low flow fixtures and fittings without the need for additional measures. However, all developments should seek to reduce water consumption as far as possible through additional water efficiency measures wherever possible. This can include water harvesting and water reuse/recycling.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D14	N/A	Planning Appeals

## Policy D15: Climate Change Adaptation

### Introduction

- 5.220 Actions to mitigate climate change will not be sufficient to prevent change or reverse the changes that have already occurred. It is expected that we will face significant challenges from hotter and drier summers, warmer and wetter winters, and an increase in heavy rain, storm events and flooding. Rising temperatures, overheating and the increased prevalence of drought and flooding will have significant effects on human health and wellbeing and on the natural environment.
- 5.221 As a result, it is important that buildings and open spaces are designed to be adapted and adaptable for future climate and weather conditions so that people using them will remain safe and healthy for the lifetime of the development, well beyond the plan period.

### Policy D15: Climate Change Adaptation

- 1) Development proposals are required to demonstrate how new buildings will:
  - a) be designed and constructed to provide for the comfort, health, and wellbeing of current and future occupiers over the lifetime of the development, covering the full range of expected climate impacts and with particular regard to overheating; and
  - b) incorporate passive heat control measures, and the exclusion of conventional air conditioning, in line with the cooling hierarchy.
- 2) New buildings likely to accommodate vulnerable people should demonstrate that their specific vulnerabilities have been taken into account with a focus on overheating.
- 3) Major development proposals within the urban areas shown on the Policies Map are required to demonstrate how the urban heat island effect will be addressed through:
  - a) choice of materials;
  - b) layout, landform, massing, orientation and landscaping; and
  - c) retention and incorporation of green and blue infrastructure as far as possible.
- 4) Development proposals are required to demonstrate adaptation for more frequent and severe rainfall events through measures including:
  - a) retaining existing and incorporating new water bodies;
  - b) designing planting and landscaping schemes to absorb and slow down surface water; and
  - c) the use of permeable ground surfaces wherever possible.
- 5) Development proposals in and around areas of high risk of wildfire are required to be designed and managed to prevent the ignition and spread of fire, taking into account the risk to health and potential damage to significant habitats.

### Definitions

- 5.222 *Overheating* - the situation where the internal environment becomes uncomfortably hot due to the accumulation of warmth within the building.
- 5.223 *Passive heat control measures* - unpowered measures that either prevent unwanted heat from entering a building's interior, or allow unwanted heat to escape from a building. They rely on architectural design, building fabric and the use of natural heat sinks (e.g. the atmosphere, wind or earth), rather than mechanical systems.
- 5.224 *Vulnerable people* - any group who would have a specific susceptibility to climate change impacts including the elderly, disabled, infirm and children.
- 5.225 *Urban heat island* - the situation where urban areas are substantially warmer than the rural areas surrounding them.
- 5.226 *Permeable surfaces* - any permeable or pervious surface, hard or soft, that allows water to infiltrate into the soil.
- 5.227 *Areas at high risk of wildfire* - the Thames Basin Heaths Special Protection Area (SPA), heathland outside the SPA boundary, areas of dry grassland, and their immediate environs.

### Reasoned justification

#### *Overheating and vulnerable people*

- 5.228 Overheating has already become a problem and it is likely to worsen<sup>157</sup> due to climate change and improving energy efficiency standards unless steps are taken to reduce overheating risk. Overheating occurs when buildings are heated, whether by the sun or mechanical heating, and the heat is either prevented from escaping or cannot dissipate due to a high outside temperature. The NPPF (paragraphs 153 and 154) requires plans to take account of the risk of overheating from rising temperatures and to promote resilience to climate change impacts.
- 5.229 When considering whether a building would be prone to overheating, regard will be had to the Chartered Institution of Building Services Engineers (CIBSE) definition. CIBSE defines overheating as when the internal temperature rises above 28°C for over 1% of the time. Additionally, it regards 35°C as the internal temperature above which there is a significant danger of heat stress and 24°C as the temperature above which sleep quality may be compromised. For vulnerable people, regard will be had to the World Health Organisation guidance on thermal comfort for temperate zones which states that temperatures above 24°C cause discomfort generally and can cause harm in the more fragile and susceptible members of the population<sup>158</sup>.
- 5.230 CIBSE has produced the TM52 Thermal Comfort Analysis which provides a tool for determining whether a proposed building will be susceptible to overheating at the detailed design.

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<sup>157</sup> The Committee on Climate Change identifies around 2,000 heat related deaths a year presently (<https://www.theccc.org.uk/2017/08/08/hidden-problem-overheating/>) and projects a rise to more than 7,000 a year from overheating by 2040 (<https://www.theccc.org.uk/2018/01/04/uk-cities-climate-change/>).

<sup>158</sup> Health and Thermal Comfort: From WHO guidance to housing strategies (Ormandy and Ezratty, 2011)

*The cooling hierarchy and passive heat control*

- 5.231 The cooling hierarchy is set out below.
1. Passive design to eliminate or minimise unwanted heat gain and to manage heat through; orientation, shading, fenestration, soft landscaping, thermal mass and energy efficient lighting and appliances.
  2. Passive/natural cooling (e.g. cross/passive stack ventilation, night purging) that removes unwanted heat.
  3. Mechanical ventilation that removes unwanted heat.
  4. Active cooling systems (e.g. air conditioning) that cool the internal air.
- 5.232 Measures at each step of the cooling hierarchy should be maximised before moving on to the next step. Applications should set out clearly how the cooling hierarchy has been applied.
- 5.233 Passive design prevents excessive heat from accumulating. Passive cooling combats overheating by allowing unwanted heat to escape during cooler periods, e.g. at night or on cooler days, without the use of mechanical systems that generate carbon emissions. Where passive measures alone would not be adequate, mechanical ventilation systems should be favoured over mechanical cooling as cooling systems use more energy, can simply displace heat from one area to another, and some cooling systems rely on refrigerants that are potent greenhouse gases. Mechanical cooling should be an option of last resort and, where applied, should be localised to only the parts of the building that are likely to overheat. Mechanical cooling may be acceptable where it forms part of a high efficiency tri-generation heat network that offers low carbon heating, power and cooling and results in carbon savings over alternative options.

*Urban heat island*

- 5.234 Overheating can be particularly severe in built up areas due to the urban heat island effect. Urban areas that are similar to Guildford and Ash and Tongham can be up to five degrees warmer than the surrounding rural areas. The effect occurs due to the shape of the urban environment and the use of hard, impervious surfaces that are generally dark, absorb large amounts of solar energy and trap heat. As a result, overheating must be considered in the design of the site as well as the design of individual buildings. Schemes within urban areas should be designed to avoid trapping heat and to allow it to escape during cooler periods.

*Rainfall and flooding*

- 5.235 Wetter winters and more frequent and severe heavy rainfall events will increase the risk of flooding. These impacts can be mitigated by slowing the flow of rainwater, by retaining and providing waterbodies that store rainwater, using surfaces that allow water to infiltrate into the ground and planting species that soak up water and slow down runoff. Additionally, these measures help to recharge environmental water stocks and in doing so help to adapt to the increased prevalence of dry weather. Policy P11 sets out requirements for the use of natural flood management and Sustainable Drainage Systems (SuDS) which deliver these outcomes.

*Areas of high risk of wildfire*

- 5.236 Climate projections indicate that wildfires will become more frequent and more severe in a

county where large wildfire incidents are already regular events. Significant wildfires have occurred in Guildford borough and even small fires can have major impacts including harm to priority species and habitats, economic damage, health impacts and potentially the loss of life.

5.237 Heathland in Surrey is prone to wildfire and dry grassland can also be susceptible. Developments located in and around habitats at risk of wildfire should ensure that measures are taken to prevent increased risk including through site design that prevents the spread of fire, and management that maintains fire prevention measures. The following issues should be considered.

- Uses that may allow open fires (for example, a campsite or barbecue area) will not be acceptable unless measures to prevent the spread of fire will be adequate and retained for the life of the development. The likelihood of other activities that can increase fire risk, such as fireworks displays or the release of wedding lanterns, will also be considered.
- Materials that can be the target of arson, including timber stacks that result from tree felling works and stores of waste and timber, should be kept secure.
- Construction waste must not be burned; this must be reflected in the waste management information submitted in accordance with LPSS 2019 Policy D2: Climate change, sustainable design, construction and energy.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D15	N/A	Planning Appeals

## Policy D16: Carbon Emissions from Buildings

### Introduction

- 5.238 LPSS 2019 Policy D2: Climate Change, Sustainable Design, Construction and Energy sets requirements covering the use of low carbon energy in new developments. Policy D16 supersedes LPSS 2019 Policy D2 as follows: (i) D16(1) – (3) supersedes D2(5) – (7); and (ii) D16(4) supersedes D2(9).

### Policy D16: Carbon Emissions from Buildings

- 1) The development of low and zero carbon and decentralised energy, including low carbon heat distribution networks, is strongly supported and encouraged.
- 2) Where low carbon heat distribution networks already exist, new developments are required to connect to them or be connection-ready unless it can be clearly demonstrated that utilizing a different energy supply would be more sustainable or connection is not feasible.
- 3) Proposals for development within Heat Priority Areas as shown on the Policies Map and all sufficiently large or intensive developments must demonstrate that low carbon heat networks have been given adequate consideration as the primary source of heat.
- 4) New buildings must achieve an emission rate no higher than the relevant Target Emission Rate (TER) set out in the Building Regulations (Part L).
- 5) Development proposals are strongly encouraged to improve upon the standards in paragraph 4.

### Reasoned Justification

- 5.239 Paragraphs five to seven of Policy D2: Climate Change, Sustainable Design, Construction and Energy set requirements for specific developments to appraise the use of Combined (Cooling) Heating and Power (C(C)HP) distribution networks. The policy was developed during a period when heat networks powered by (C)CHP enjoyed strong support within national policy and national energy strategies due to the carbon savings that efficient CHP engines could deliver when measured against gas boilers or electric heating. However, the rapid decarbonisation of the national grid has meant that the carbon emissions associated with electric technologies have fallen dramatically (especially when highly efficient modern heat pumps are used), and building level heat networks powered by heat pumps are becoming more common. As a result, paragraphs one to three of this policy extend the support for (C)CHP heat networks to all low carbon heat networks.
- 5.240 Technologies will be considered appropriate only where they would be effective. The Climate Change, Sustainable Design, Construction and Energy SPD provides some guidance on what 'appropriate' and 'effective' mean. The NPPF paragraph 134 calls for significant weight to be accorded to "outstanding or innovative designs which promote high levels of sustainability".
- 5.241 Improvements to building standards will be necessary if the UK is to reach net zero carbon

emissions by 2050. Domestic emissions alone account for 28 per cent of total emissions in Surrey. The government has signalled its intention to implement a national low carbon standard for homes and buildings (the Future Homes and Future Buildings standards, expected to be implemented by 2025). This policy functions as an interim step.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D16	N/A	Planning Appeals



## Policy D17: Renewable and Low Carbon Energy Generation and Storage

### Introduction

- 5.242 In order to meet national and local targets for reducing carbon emissions and national targets for decarbonisation of electricity, the UK and the borough will need to significantly increase the supply of low and zero carbon energy. National policy requires local plans to take a proactive approach to mitigating climate change in line with this objective (NPPF para. 153 and footnote 53). It further states that the planning system should support renewable and low carbon energy and associated infrastructure (NPPF para. 152) and should help to increase the use and supply of renewable and low carbon energy through a positive strategy... that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts) (para. 155).
- 5.243 The Council's ambition is for the borough to become net zero carbon by 2030. This will require a significant or total reduction in the use of fossil fuels and a switch to low carbon energy. The national grid will not be fully decarbonised at that point so the amount of renewable and low carbon energy produced within the borough must also increase. Rooftop solar and domestic scale low carbon energy schemes are unlikely to be sufficient alone, so it is necessary to consider standalone energy installations. Additionally, new low carbon energy schemes will be needed to allow the national grid to fully decarbonise.
- 5.244 Renewable energy differs from other forms of energy generation in that the supply is more prone to fluctuation. In order to compensate for this, the energy grid needs to increase storage capacity to help balance out the peaks and troughs in demand. Energy storage can also help to improve the viability of renewable energy development.
- 5.245 Surrey's Climate Change Strategy<sup>159</sup>, which is supported by Surrey's 12 Local Authorities, includes the strategic priority of "Expand[ing] renewable energy generation capacity across the county with a focus on solar PV installations as the greatest carbon reduction potential." It identifies Surrey as an area with great potential for solar energy in particular.

### Policy D17: Renewable and Low Carbon Energy Generation and Storage

- 1) Proposals for renewable and low carbon energy generation and energy storage development, covering both power and heat, will be supported, with strong support for community-led initiatives.
- 2) Where such development is proposed in the Green Belt, climate change mitigation and other benefits will be taken into account when considering whether very special circumstances exist.

<sup>159</sup> Available online at <https://www.surreycc.gov.uk/people-and-community/climate-change/what-are-we-doing/climate-change-strategy>

- 3) Proposals are required to demonstrate that the design of the scheme has sought to minimise visual impacts and that the management of the site will maximise opportunities for biodiversity while avoiding practices that are harmful to biodiversity.
- 4) For temporary permissions, provision must be made for the decommissioning of the infrastructure and associated works and the full restoration of the site once operation has ceased.

### **Definitions**

- 5.246 *Renewable and low carbon energy generation development* – for the purposes of this policy, this refers to standalone developments (e.g. ground mounted, not rooftop or domestic energy generation) on land that is currently open. It does not apply to proposals to install energy technologies on or within an existing building.
- 5.247 *Energy storage development* - any development that would provide a store of energy in any form and is either a standalone facility or is linked to a low carbon energy generation development.

### **Reasoned Justification**

#### *Scope of policy*

- 5.248 Applications for energy developments that are large enough to fall under the National Significant Infrastructure Projects regime are not subject to this policy.

#### *Green Belt*

- 5.249 The NPPF (paragraph 151) states:

*When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.*

- 5.250 Whether a renewable energy or storage project will be considered ‘inappropriate development’ depends on the scale and character of the development and its impact on the openness of the Green Belt. Where a proposal does comprise inappropriate development, it is required to demonstrate ‘very special circumstances’ by setting out benefits that outweigh any harm. The following matters will be considered when weighing up the potential benefits:

1. Environmental benefits including:
  - a. the contribution that will be made to national and local targets for low carbon energy generation and carbon emissions reductions including through the reinvestment of income into other low carbon projects;
  - b. the wider contribution to the public good through climate change mitigation; and
  - c. improvements to biodiversity in line with the policies in this plan.
2. Economic benefits including:

- d. benefits to the local economy through job creation and investment; and
  - e. improvements to the sustainability of the rural economy through diversification of agricultural land and by creating alternative income streams for farmers and other landowners.
3. Community benefits including:
- f. community ownership or part ownership of the scheme and/or reinvestment of profits into community funds;
  - g. reduction in fuel poverty and increased energy security for local people;
  - h. the decarbonisation of local homes, particularly where the homes currently use high carbon sources of energy such as stored oil;
  - i. helping to deliver policies and outcomes identified in neighbourhood plans; and
  - j. contributing to the continuing use of community buildings.
4. The temporary nature of the development and the limited harm that results, and proposals to remediate and potentially improve the social and/or environmental value of the land at the end of the development's life.
5. Whether the impact on the openness of the Green Belt has been considered at the design stage and whether the scheme has been designed to minimise harm after exploring all reasonable options to limit or mitigate visual impacts.

#### *Visual impacts*

- 5.251 In order to demonstrate that visual impacts have been minimised, development proposals should demonstrate that best practice on design has been applied. Guidance is available from a variety of sources setting out how good design can minimise impacts on the landscape and character. For example, Cornwall Council has produced detailed guidance on the design of renewable energy schemes and the Building Research Establishment has produced design guidance for large-scale ground mounted solar installations<sup>160</sup>.
- 5.252 Submitted information should also demonstrate that options for reducing the impact of the proposed development on the landscape, Green Belt or rural character of the countryside have been fully explored and that the least impactful options have been chosen. This could include the use of construction materials that are commonly used locally, landscaping techniques that respect the surrounding landscape and ecology and by incorporating biodiversity enhancements that support the local ecology.
- 5.253 When assessing visual impacts, cumulative impacts will be taken into account.

#### *Biodiversity and agriculture*

- 5.254 Development proposals should be supported by a management plan that sets out how the installation will be managed in a manner that will maximise benefits to biodiversity and support biodiversity recovery. Opportunities to include beneficial planting and management regimes should be taken in accordance with the biodiversity policies in this plan. The use of chemicals to control plant growth must be avoided with complementary measures such as light grazing

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<sup>160</sup> Available online at <https://www.cornwall.gov.uk/planning-and-building-control/planning-policy/adopted-plans/planning-policy-guidance/> and <https://www.bre.co.uk/nsc/page.jsp?id=3435>

employed where necessary. The Building Research Establishment has produced two guidance documents that set out best practice for the delivery and management of ground mounted solar schemes to maximise biodiversity benefit and compatibility with agriculture<sup>161</sup>. The biodiversity guidance is supported by a number of wildlife and nature groups, and the agricultural guidance is supported by the National Farmers Union.

- 5.255 There is evidence that by reflecting polarized light solar panels can have negative impacts on water breeding insect populations, but that this can be effectively mitigated by reducing the reflection of polarised light or by affixing a white grid to the panel surface<sup>162</sup>. The ecological health of watercourses is a critical issue for the borough and measures to protect water insect populations should be implemented.

*Decommissioning and restoration*

- 5.256 Planning permissions for renewable and low carbon energy developments are likely to be temporary permissions covering the period of the useful life of the infrastructure. At the end of this period, the land use will revert to its former use, likely to be agricultural use if the land is greenfield.
- 5.257 Proposals for developments on greenfield sites should provide a plan showing how the site will be decommissioned and restored once the installation reaches the end of its life. The decommissioning and the restoration of the site must remove all works undertaken for the purposes of the development including hardstanding and security fencing and return the site to a condition that is suitable for its former use. If the land is designated as Green Belt, the site must be returned to a condition that meets the purposes of the Green Belt.

*Wind turbines*

- 5.258 In the event that proposals are received for wind turbines greater than domestic scale, the Council will consult with Gatwick Airport, the Ministry of Defence and NATS (the national air traffic system provider).

### Key Evidence

- Surrey's Climate Change Strategy (Surrey County Council, 2020)

### Monitoring Indicators

Indicator	Target	Data Source
Number of renewable energy developments delivered	N/A	Planning applications

<sup>161</sup> Available online at <https://www.bre.co.uk/nsc/page.jsp?id=3435>

<sup>162</sup> See 'The Potential Ecological Impacts Of Ground-Mounted Photovoltaic Solar Panels In The UK' (BSG Ecology , 2019) which reviews existing studies

## Policy D18: Designated Heritage Assets

### Introduction

- 5.259 The rich and varied historic environment of Guildford borough makes a fundamental contribution to the distinctiveness of the area, influencing the character of the built environment and shaping its sense of place and distinct identity. It is intrinsically linked to the quality of life for the borough's residents, the success of its existing businesses and the wider cultural profile it projects to potential investors and visitors. Valued features of the historic environment can include buildings, monuments, sites, places, areas or landscapes, and those which are identified as having a degree of special interest or significance that merits consideration in planning decisions are referred to as heritage assets.
- 5.260 The protection and enhancement of our historic environment is vital if the character of Guildford borough is to be maintained. Population growth and development will place greater demands on the historic environment which is a finite and non-renewable resource. It is therefore essential that development is managed to maintain our heritage assets for future generations and to ensure that development proposals are well designed and do not detract from existing local characteristics and built form that makes a positive contribution.
- 5.261 Heritage assets are formed of 'designated' and 'non-designated' heritage assets, however for the avoidance of doubt this policy only applies to Designated Heritage Assets. Non-designated Heritage Assets are covered in Policy D23: Non-designated Heritage Assets.
- 5.262 Designated heritage assets are those which are recognised in statute and include:
- a) Listed buildings - designated by Department for Culture Media and Sport (DCMS)
  - b) Conservation Areas - designated by Guildford Borough Council in accordance with the Planning (Listed Building and Conservation Areas) Act 1990
  - c) Scheduled Monuments - designated by Department for Culture Media and Sport (DCMS)
  - d) Registered Parks and Gardens - designated by Department for Culture Media and Sport (DCMS)
- 5.263 These assets are protected by robust legislation and very strong national policy. The presence of a Designated Heritage Asset does not necessarily preclude the possibility of development.
- 5.264 A summary of the diversity of Guildford's Designated Heritage Assets as currently identified is provided in Table D18a (below) but are also identified on the Policies Map<sup>163</sup> and within the following reference document Guildford Borough Council (2016) Guildford Borough Historic Environment Information.<sup>164</sup> They are also additionally identified in Surrey's Historic Environment Record (HER).<sup>165</sup>

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<sup>163</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>164</sup> Available online at: <https://www.guildford.gov.uk/article/25520/Historic-environment-information>

<sup>165</sup> Available online at: <https://www.exploringsurreypast.org.uk/collections/search/?s=surrey&map=1>

**Table D18a: Designated Heritage Assets in Guildford Borough**<sup>166</sup>

<b>Heritage Assets</b>	<b>Numbers in Guildford Borough</b>
<b>Statutory Listed Buildings</b>	1097*
<i>Grade I</i>	34
<i>Grade II*</i>	41
<i>Grade II</i>	1022
<b>Conservation Areas</b>	40
<b>Scheduled Monuments</b>	32
<b>Registered Parks and Gardens</b>	8

\*Does not include buildings or structures in the curtilage of a listed building, a listing may include a complex of buildings.

## **Policy D18: Designated Heritage Assets**

### **Supporting Information**

- 1) All development proposals affecting designated heritage assets, including curtilage buildings and structures and their setting, are required to be supported by an evidence-based Heritage Statement. The level of detail provided within the statement is expected to be proportionate to the asset's importance and is sufficient to facilitate an understanding of the potential impact. To accord with the requisite of validation a Heritage Statement must:
  - a) have referred to the relevant Historic Environment Record;
  - b) demonstrate a clear understanding of the asset's significance including all those parts affected by the proposals, and where applicable the contribution made by its setting;
  - c) explain how the asset and its setting will be affected by the proposal, including how the proposal preserves or enhances the heritage asset or better reveals its significance;
  - d) demonstrate what steps have been taken to avoid, minimise or mitigate any resultant harm; and
  - e) present a justification for the proposals that explains why any resultant harm is considered to be necessary or desirable.
- 2) Where applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.

<sup>166</sup> Data accurate up to July 2021

### **Harm to/Loss of Significance**

- 3) Development proposals which result in harm to, or loss of, the significance of a designated heritage asset will be considered in line with national policy and guidance.
- 4) Positive action will be sought for those heritage assets at risk through neglect, decay, vacancy, or other threats where appropriate.

### **Definitions**

- 5.265 *Heritage Assets* – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are either designated heritage assets or non-designated heritage assets. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas, designated under the relevant legislation. Non-designated Heritage Assets are identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets, these include locally listed buildings and locally listed parks and gardens.
- 5.266 *Historic Environment Record* – Information services that seek to provide access to comprehensive and dynamic resources in relation to the historic environment of a defined geographic area for public benefit and use.
- 5.267 *Setting* – The surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 5.268 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

### **Reasoned Justification**

#### *Supporting information*

- 5.269 Crucial to the conservation and enhancement of heritage assets is an understanding of what makes them significant, and how the setting contributes to that significance. Historic England guidance<sup>167</sup> states that 'the ability to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process is very important to an applicant in order to conceive and design a successful development'. Assessing significance before a proposal is planned can lead to better outcomes as it is able to influence the design by mitigating harmful impacts on significance at the earliest opportunity, enhancing significance where possible, and thereby showing how any remaining harm is justified.
- 5.270 Heritage statements have become a key proactive tool for projects that affect the historic

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<sup>167</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/>

environment. They can be standalone documents, or this information may be provided as part of an Archaeological Report or as part of a Design and Access Statement. They are recognised planning documents as referenced in the guidelines about conserving heritage assets in the National Planning Policy Framework (NPPF) and within many of Historic England's guidance documents, including *Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment* (2008)<sup>168</sup>. This makes them a validation requirement for any application that affects a designated heritage asset and their production should always be factored in at the very early stages of any project, no matter how large or small.

- 5.271 The statement should sufficiently assess the significance of the historic environment that will be impacted by a proposal as well as the contribution that each specific element makes to the significance of the heritage asset as a whole, including any contribution made by their setting. Likewise, it should also present an assessment of the potential impact that a development will have on the significance. Only by requiring this assessment can it be ensured that the impact of proposed development on an asset(s) or its/their setting, be it positive or negative, is understood and appropriately considered.
- 5.272 The amount of detail that is required will vary according to each case but fundamentally it needs to be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal upon significance. For example, a major scheme that affects several assets or involves substantial work to, or affecting the setting of, a heritage asset is likely to require an extensive and professionally produced heritage statement, whilst a small-scale scheme that has limited impacts will likely require a short statement. Nevertheless, as a minimum, the Historic Environment Record (HER) should have been consulted and be evidenced within the submission. A copy of the list entry will not be sufficient to meet this requirement.
- 5.273 Guidance provided by Historic England advocates for a systematic staged approach informed by the scope of the proposal that encompasses all of the following steps:
- Analysis of form and history
  - Assessment of significance
  - Impact on the significance
  - Details of mitigation strategy

*Analysis of form and history*

- 5.274 This section of a heritage statement should set out an understanding of the heritage asset, including for instance its historic development and analysis of its surviving fabric. This is likely to be developed through a combination of one or more of the following:
- Site visit
  - Listing description
  - Desk-based assessment
  - Documentary research

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<sup>168</sup> Available online at: <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>



- Architectural history and archaeological investigation
- Photographic analysis
- Historical drawing and cartography
- Planning history

5.275 Analysis of a heritage asset's setting is only required where changes to the setting by the proposal would affect the significance of the heritage asset or how that significance is appreciated.

*Assessment of significance*

5.276 Significance is one of the fundamental principles extending through the historic environment section of the NPPF. The Framework defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest. Such interest may be archaeological, architectural, artistic or historic and it may derive not only from a heritage asset's physical presence, but also from its setting'. It therefore follows from the NPPF requirements as a whole, that an understanding of significance must stem from the interest(s) of the heritage asset, whether archaeological, architectural, artistic, or historic, or a combination of these; and that this understanding:

- must describe significance following appropriate analysis, no matter what the level of significance or the scope of the proposal;
- should be sufficient, though no more, for an understanding of the impact of the proposal on the significance, both positive and negative; and
- sufficient for the Decision Maker to come to a judgement about the level of impact on that significance and therefore on the merits of the proposal.

5.277 In assessing the significance of a heritage asset, its heritage values need to be considered. Of particular relevance are those core principles identified in the NPPF's definition of significance:

- Archaeological interest - There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- Architectural and Artistic interest - These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.
- Historic interest - An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

5.278 Supplementary planning documents such a Conservation Area Character Appraisals and the Guildford Town Centre Views SPD,<sup>169</sup> apart from being material considerations in determining

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<sup>169</sup> Available online at: <https://www.guildford.gov.uk/viewsspd>

relevant planning applications are also useful tools that can help with the assessment of significance.

*Impact on significance*

- 5.279 This section should provide an explanation of the design concept in detail as well as detailing how the proposed works might affect the significance of the building. Extensions and development can alter the historic character of a building or area dramatically, and also affect historic fabric. Loss of historic legibility, whether of the external appearance of the building or its plan form, is always damaging. Changes to materials such as roof tiles or render, and to windows, could have an aesthetic impact with the potential to alter the appearance of a building.
- 5.280 Common themes that may be relevant to consider include:
- Loss, damage or concealment of key features or historic fabric
  - Changes to historic layout
  - Intrusion into/disturbance of key views to and from the building/site
  - Impact on the relationships between buildings
  - Changes to size, scale, bulk and massing
  - Loss of archaeological evidence
- 5.281 In some cases methodologies and/or condition and structural surveys may usefully be referenced to explain why a particular course has been chosen.

*Details of mitigation strategy*

- 5.282 The NPPF emphasises that impact on heritage assets should be avoided, therefore an explanation of what steps have been taken to avoid, minimise or mitigate any harm to the significance of the heritage asset(s) is required and should consider the following:
- Minimal intervention and reversible works – Are the works absolutely required? Can it be designed so it can be easily installed/removed without causing damage to significant building fabric or archaeological deposits?
  - Alternative methods of development – Do other options exist that would meet the development objectives?
  - Sensitive design and/or material palette – Is the design/material palette the most appropriate, in terms of compatibility and performance with existing fabric and visual sympathy with the architectural form?

*Harm to/loss of significance*

- 5.283 Designated heritage assets are an irreplaceable resource. As custodians of our past there is an onus to ensure that they are preserved for the enjoyment of future generations to which the Council is committed. Equally, the Council recognises that many aspects of the historic environment are 'living' places and there is often a need for them to be sensitively sustained and managed through development, adaptation, active use, and repair.
- 5.284 These changes need not be at odds with the historic environment and an asset's significance. Consistent with the NPPF, great weight will be attached to proposals that secure the preservation, conservation or enhancement of a heritage asset, or which do not prejudice the

integrity or conservation of the historic environment, having regard to the significance of the asset and whether the proposal would lead to substantial or less than substantial harm.

- 5.285 Once the significance of a designated heritage asset is understood, it should become clear whether and to what degree repair, restoration, alteration, extensions or demolition would harm, maintain or enhance the heritage asset. Significance can be harmed or lost through actions such as inappropriate repairs; unsympathetic, incremental or cumulative alterations and extensions; incongruous development (including within curtilage and/or the setting); and demolition.
- 5.286 The NPPF advises that substantial harm to or loss of any designated heritage asset of the highest significance, which includes grade I and II\* listed buildings, registered parks and gardens, and scheduled monuments, should be 'wholly exceptional' and for any grade II listed buildings or grade II registered park or gardens should be 'exceptional'.
- 5.287 Substantial harm to or total loss of significance of a designated heritage asset will not be permitted unless it can be clearly demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh this harm or loss, or all the tests set out in the NPPF are demonstrated to apply. Not all elements of a designated heritage asset will contribute positively to its significance, and where a development proposal is demonstrated to constitute less than substantial harm this will be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.288 It is expected that any public benefits identified will be directly related to the use of the heritage asset and/or its setting, however, off-site benefits which are proportionate to the proposed development will be considered where appropriate.
- 5.289 Whilst not exhaustive, the following is a list of potential public benefits.
- New or improved public access to the heritage asset and/or its setting
  - Conversion of the asset to a public use (i.e. tourist attraction, education facility etc...)
  - Restoration/reinstatement of the setting of the heritage asset with associated public access
  - Biodiversity enhancement on site with associated public access
  - Provision of employment opportunities
- 5.290 The appropriateness and significance of the benefits identified by the applicant will be examined in the round. Simply because an application demonstrates a public benefit output does not necessarily mean that the application will be automatically supported. Further guidance on public benefits is set out in National Planning Practice Guidance.<sup>170</sup>
- 5.291 Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

*Heritage at risk*

- 5.292 Historic England maintains an annual Register of Heritage at Risk with the assistance of the Council for the purpose of providing an understanding of the overall state of the historic

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<sup>170</sup> Available online at: <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment> - (Paragraph: 020 Reference ID: 18a-020-20140306)

environment nationally, and identifying designated assets, including Listed Buildings (grade I & II\*), statutory listed places of worship, Scheduled Monuments, Registered Parks and Gardens and Conservation Areas, most at risk of being lost as a result of neglect, decay or inappropriate development. To ensure continuity the assessment of assets is carried out in accordance with nationally set criteria produced by Historic England.

- 5.293 When assessing a heritage asset, consideration is given to the level of risk to the structure or area, looking at its external appearance, occupancy and vulnerability. This risk scale is divided into 6 categories, ranging from A – in very poor condition, to F – repairs in progress. Heritage assets will often move between categories, according to the work undertaken. The most up to date register, along with additional information can be viewed online via Historic England’s website.<sup>171</sup>
- 5.294 Presently the Borough has very few assets on the Register of Heritage at Risk (three in total), however the annual nature of this assessment means that this number is not a static one.
- 5.295 The Council is committed to addressing those heritage assets at risk, seeking to work proactively with asset owners, developers, interested parties and Historic England to take positive action to secure their maintenance, repair, restoration and/or reuse. At the very least there is an expectation that they are maintained and secured to prevent them from further or accelerated decay. Not only would this assist in terms of helping to prevent the loss of significant historic fabric, but it would also help to prevent costs from escalating to such an extent that repair of the asset becomes economical unviable.

### Key Evidence

- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2019) Statements of Heritage Significance: Analysing Significance in Heritage Assets - Historic England Advice Note 12
- Historic England (2015) Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning:2
- Guildford Borough Council (2016) Guildford Borough Historic Environment Information
- Historic England (2020) Heritage at Risk: London & South East Register 2020

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D18	N/A	Planning Appeals

<sup>171</sup> Available online at: <https://historicengland.org.uk/advice/heritage-at-risk/search-register>

## Policy D19: Listed Buildings

### Introduction

- 5.296 A Listed Building is a building, object or structure which is statutorily protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. This Act makes provision for lists to be prepared of buildings of special architectural or historic interest which conform to a set of national standards and criteria. The List of Buildings of Special Architectural or Historic Interest is a national register drawn up by the Secretary of State for Digital, Culture, Media and Sport (DCMS), on the advice of Historic England, and consists of a wide variety of buildings, objects and structures, such as castles, cathedrals and cottages to mileposts, bridges and walls. All entries on the statutory list are either classified as:
- Grade I: Buildings of exceptional interest.
  - Grade II\*: Particularly important buildings of more than special interest; or
  - Grade II: Buildings of special interest which warrant every effort to preserve them.
- 5.297 The grading of a building represents its architectural and/or historic interest and quality. It does not, however, represent the extent of the building that is listed and the degree of importance that may be placed upon it. All assets are covered by the same level of protection.
- 5.298 The statutory list includes a description of each asset, which refers to some, but not necessarily all, important features, and is included for identification purposes only. Irrespective of a building's designated grade, every part of the building is protected, including all interior fabric (and any later alterations and additions). Equally any objects or structures fixed to a listed building or included within the curtilage of the building which have formed part of the land since before 1948 are included in the listing including boundary walls and gates. Just because a feature is not mentioned in the entry does not mean the feature is not of interest. This is especially relevant for internal features of interest.
- 5.299 These buildings by virtue of their inclusion on the 'list' benefit from enhanced protection by the planning system, as afforded by both legislation and the NPPF. These additional controls are particularly necessary where permitted development is concerned, and also where internal works are carried out that in normal circumstances would not be defined as 'development'. As a general rule, Listed Building Consent will be required for works of demolition, and for works of alteration or extension which affect the special interest of a listed building.<sup>172</sup> Where planning permission is required for a works to a listed building there is always a requirement to obtain Listed Building Consent as well. In these cases, it is advocated that both should be applied for concurrently.
- 5.300 Guildford currently has approximately 1,100 entries on the list which form an integral part of the borough's historic environment and cultural landscape. They include historic properties such as Abbots Hospital and Hatchlands, public houses, ecclesiastical buildings such as Watts Chapel and structures such as telephone kiosks, bridges, vaults and tombstones. Of these list entries 34 are designated as grade I and 41 are identified as grade II\*.

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<sup>172</sup> Section 7 Planning (Listed Buildings and Conservation Areas) Act 1990

- 5.301 Whilst the designation of a building or structure on 'the List' will be reflected on the Land Charge Register and will also be identified on the Council's online interactive planning information map,<sup>173</sup> the National Register<sup>174</sup> is the primary source to which reference should be made.

### **Policy D19: Listed Buildings**

- 1) Development proposals are expected to conserve, enhance and where appropriate better reveal the significance of listed buildings and their settings. Where harm to significance is identified this will be considered against Policy D18(3).
- 2) Repairs, alterations or extensions, that directly, indirectly or cumulatively affect the special interest of a statutory listed or curtilage listed building, or development affecting their settings are expected to:
  - a) be of an appropriate scale, form, height, massing and design which respects the host building and its setting;
  - b) have regard to the historic internal layout as well as the architectural and historic integrity that form part of the special interest of the building;
  - c) reinforce the intrinsic character of the building through the use of appropriate materials, details and building techniques; and
  - d) respect the setting of the listed building including inward and outward views.
- 3) Development proposals for the demolition/removal of objects or structures fixed to the building or within the curtilage of a Listed Building are required to demonstrate that they are:
  - a) incapable of repair for beneficial use or enjoyment; or
  - b) not of special architectural or historic interest as an ancillary structure to the principal Listed Building.
- 4) Proposals involving a change of use of part or the whole of a listed building are required to provide full details of all intended alterations to the building and its curtilage. Support will only be given to those proposals that demonstrate that a building or structure is capable of accommodating the proposed change of use without considerable alteration and consequential loss of special interest or harm to significance.
- 5) Support will be given to proposals that seek to mitigate the effects of climate change through energy efficiency improvements where they are consistent with all of the following:
  - a) The heritage asset's special architectural or historic interest
  - b) The heritage asset's character and appearance

<sup>173</sup> Available online at: [www.guildford.gov.uk/planningmap](http://www.guildford.gov.uk/planningmap)

<sup>174</sup> Available online at: [www.historicengland.org.uk/listing/the-list/](http://www.historicengland.org.uk/listing/the-list/)

- c) The long-term conservation of the built fabric
- d) The wider setting of the heritage asset
- 6) Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change will be weighed against any harm to the significance of the heritage asset(s).

### Definitions

- 5.302 *Curtilage* – Any area of land and other buildings that is around and associated with the principal building.
- 5.303 *Demolition* – In respect of listed buildings demolition is defined as ‘the total or substantial demolition of a building or structure’. This definition can include the demolition of a building behind a retained facade but does not include the demolition of part of a building, e.g. an extension or a shopfront.
- 5.304 *Setting* – The surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 5.305 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

### Reasoned Justification

- 5.306 The Planning (Listed Building and Conservation Areas) Act 1990<sup>175</sup> requires those considering applications for works to a listed building or proposals for development that affect a listed building, or its setting, to have special regard to the desirability of preserving the building or its setting, or any of its features of special architectural or historic interest which it possesses. The Council is committed to the conservation, preservation and enhancement of all heritage assets in Guildford borough and therefore will attach substantial weight to the preservation of listed buildings and their setting. Preservation in this context means not harming the architectural or historical significance, as opposed to keeping it entirely unchanged.
- 5.307 Legislation also provides that buildings and other structures that pre-date July 1948 and are within the curtilage of a listed building are to be treated as part of the listed building. It is important that these are identified, because altering or demolishing such curtilage structures may require listed building consent and carrying out works without having obtained listed building consent when it is needed is a criminal offence. Determining the exact curtilage of any building can be complex, however guidance is available from Historic England (2018) *Listed Buildings and Curtilage: Historic England Advice Note 10*.<sup>176</sup> Of particular note is that case law

<sup>175</sup> Section 16(2) and 66(1)

<sup>176</sup> Available online at: <https://historicengland.org.uk/images-books/publications/listed-buildings-and-curtilage-advice-note-10/heag125-listed-buildings-and-curtilage/>

has identified three key factors to be taken into account when determining curtilage status:

- the physical layout of the listed building and the structure;
- the ownership, both historically and at the date of listing; and
- the use or function of the relevant buildings, both historically and at the date of listing.

5.308 Development within the curtilage of a Listed Building will almost always require planning permission.

*Harm to significance*

5.309 Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals and making a conclusion on whether there is any resultant harm. Identifying this significance and the cultural and heritage value requires first an understanding of its history, fabric and character, how and why it has changed over time, together with the technology of its construction and the form and condition of its constituent elements and materials. As required by Policy D18(1): Designated Heritage Assets, an assessment of these issues should be submitted as part of a planning application, in a degree of detail proportionate to the nature and scale of the proposed development. Further details on this are provided in the supporting text to Policy D18: Designated Heritage Assets.

5.310 The significance of heritage assets can be harmed or lost through actions such as, inappropriate repairs; unsympathetic, incremental or cumulative alterations and extensions; incongruous development (including within curtilage and/or the setting); and demolition. In instances where these are identified, the resultant harm will be considered against Policy D18(3): Designated Heritage Assets.

*Repairs, alterations and extensions*

5.311 All owners of listed buildings have a duty of care to them since these buildings and structures are a finite and irreplaceable resource. This duty of care should reflect its special interest and national importance. The majority of the borough's listed assets have survived for hundreds of years and are still performing well and are structurally sound, thus a conservative approach to repairs and alterations to historic fabric is fundamental to good conservation – so retaining as much of the significant historic fabric and keeping changes to a minimum are of key importance. It is therefore advisable to contact the Council before commencing works on a statutorily listed building or a building within its curtilage to establish whether or not listed building consent will be required. Listed building consent is required for any works, either internal or external, which in the Council's judgement would affect the special character of a listed building. Consent may also be required for repairs, alterations, development or demolition of buildings and structures within the curtilage of a listed building.

5.312 Where repairs are necessary and justified, they must relate sensitively to the original building and will require craftsmanship and professional skills of a high standard. Best practice dictates that these should be carried out in a 'like-for-like' manner where the existing materials and construction techniques are traditional and historic. The use of non-traditional materials will not be accepted. Historic England provides guidance on some of the more common repair works



undertaken in the historic environment, this includes repointing works, window repairs and lead roof repairs. These documents (or superseding guidance) should be consulted before embarking on any of the respective works.

- Historic England (2017) Repointing Brick and Stone Walls: Guidelines for best practice<sup>177</sup>
- Historic England (2017) Traditional Windows: Their care, repair and upgrading<sup>178</sup>
- Historic England (1997) Lead Roofs on Historic Buildings<sup>179</sup>

- 5.313 Where structural repairs are required these should be low-key involving minimum disruption of the existing fabric and structure such as the re-instatement or strengthening of the structure only where appropriate. Structural repairs will, in most circumstances require listed building consent, particularly where they involve alterations to the original structure/fabric and the introduction of new work. Where possible reinstatement of missing elements of structure such as removed partitions should be considered as an alternative to more radical structural intervention.
- 5.314 Listed Buildings do vary greatly in the extent to which they can accommodate change without harm to their architectural and/or historic significance, with some buildings more likely to be able to accommodate change than others. The extent to which a building can sustain alteration or extension will depend on building type and significance and the merit of the new work. Almost every listed building will have unique characteristics, usually related to its original or subsequent function and its evolution and this should be respected to the greatest extent practicable in any proposals for alterations. Special interest is not restricted to external architectural features but may include orientation, plan form, fenestration patterns, internal details, fixtures and fittings, or other aspects discernible from documentary evidence.
- 5.315 Alterations which affect the character and appearance of a Listed Building, will almost always required Listed Building Consent. The term alteration can include everything from altering the internal layout or floor plan, to replacement of windows and extensions. Alterations will need to be justified accordingly, yet the fact that a building is listed should not, in itself, be used as the reason for not supporting proposed alterations.
- 5.316 Many listed buildings have previously been altered, in most cases before they were 'listed', to cater for the requirements of owners and some of their interest may result from the way in which the present form and layout reflects changing uses and architectural, social and economic aspirations. When contemplating alterations, as a general principle historic fabric should be conserved and historic architectural detailing respected, whether it is original or a later addition of special interest.
- 5.317 The qualities of a listed building are not necessarily diminished by later additions and minor accretions. Later features of interest, such as more contemporary extensions can often be part of buildings' evolutionary story, thus should not necessarily be removed simply to restore a building to an earlier form, particularly if based on conjecture rather than evidence. Nevertheless, there may be cases where later work is of little special interest in itself and which

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<sup>177</sup> Available online at: <https://historicengland.org.uk/images-books/publications/repointing-brick-and-stone-walls/heag144-repointing-brick-and-stone-walls/>

<sup>178</sup> Available online at: <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/heag039-traditional-windows-revfeb17/>

<sup>179</sup> Available online at: <https://historicengland.org.uk/images-books/publications/lead-roofs-on-historic-buildings/>

may detract from the special architectural and historic interest of the building. In these instances, removal may be justified. It may also be acceptable to remove unsympathetic alterations that disfigure or mask earlier work of interest, but this will still require clear analysis of their special interest. Removal of later changes, such as poor technical detailing and unsuitable materials, can be justified where these are causing physical damage to the original structure.

- 5.318 The addition of extensions can significantly affect, not only the character and appearance of a listed building, but also its architectural and historic interest and its setting. The opportunities for extensions generally will depend on the property or structure's age, type, style and location as well as how much it has been altered previously.
- 5.319 Where extensions are considered acceptable in principle, they should take on a subordinate and harmonious design (both from a physical and a visual perspective) in terms of scale, materials, situation, or impact on setting. Successful extensions require a thorough understanding of the building type and sensitive handling. The design of new elements intended to stand alongside historic fabric needs to be very carefully considered and to be successful, should respect the setting and the fundamental architectural principles of scale, height, massing, alignment, and use of appropriate materials. They also are expected to avoid removing, damaging, or concealing historic/original features, no matter whether they are less than ideal from the point of view of convenience.

*Materials and detailing*

- 5.320 Materials, detailing, craftsmanship and finishes are equally important in achieving high quality design and should be carefully chosen on the basis of their, compatibility and performance with existing fabric; visual sympathy with the architectural form and composition of the host building; their appropriateness to the character of the area; their long-term durability and their environmental sustainability. Artificial 'look-alike' materials will rarely be considered as acceptable.

*Setting*

- 5.321 The grounds and structures contained within the curtilage are likely to form an important part of that setting. For example, a principal building, together with its grounds and ancillary structures, may all be part of a unified design. The setting can, however, extend much further than the curtilage and may often include assets or sites some distance from it. It includes landscapes, street scenes and layouts that are part of a building's context, and views to and from the Listed Building.
- 5.322 The setting may encompass a collection of other properties. The setting of individual Listed Buildings can often owe its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them.
- 5.323 Where a Listed Building forms an important visual element in the streetscape or in significant internal or external views, consideration is expected to be given to any development within the setting of the building having regard to the guidance set out in Historic England's *The Setting of*

*Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*<sup>180</sup>, or guidance superseding it, and where relevant the Guildford Town Centre Views SPD<sup>181</sup>. Development proposals should normally be subservient to the listed building and therefore should be seeking to avoid:

- dominating the Listed Building or its curtilage buildings in scale, form, massing or appearance
- damaging the context, attractiveness or viability of a Listed Building
- harming the visual character or morphological relationship between the building and its surroundings (landscape or townscape)

*Removal of curtilage buildings, objects and structures*

5.324 Objects and structures attached to a listed building, such as adjoining buildings, boundary walls, sundials or panelling will be covered by the listing if the structure was ancillary to the principal building at the date of listing, unless it is otherwise explicitly excluded in the list entry. In the case of objects, this will be determined by:

- the method and degree of annexation of the object to the building, the ease with which it can be removed, and the damage caused to the structure or object by its removal; and
- the objective and purpose of the annexation to the building – whether this was for the improvement of the building or for the enjoyment of the object itself.

5.325 Equally the Act<sup>182</sup> confirms that a Curtilage Listed Building (a building or structure within the historic boundaries of the Listed Building that has a historic relationship to the Listed Building and was built before 1 July 1948) should be treated the same as Listed Buildings.

5.326 Based on the above there is a presumption that fixed objects/structure and curtilage listed structures, which make a positive contribution to the setting of the Listed Building, will be retained except in cases where they are incapable of repair for beneficial use or enjoyment; or are not of special architectural or historic interest as an ancillary structure to the principal Listed Building.

*Change of Use*

5.327 The best use of a listed building is its original use, for that which it was designed, however it is accepted that in some cases this use may not be viable. To ensure that listed buildings and curtilage listed buildings and structures continue in a beneficial use, it may be appropriate for a change of use to be supported. It is however important that the use is considerate to the character of the building and that features and detailing which contribute to its significance are retained. In considering such applications, implications including alterations to the plan form; introduction of new services; sound and thermal insulation; floor loadings, and fire protection all need to be considered. The building or structure should be capable of being converted into the

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<sup>180</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>

<sup>181</sup> Available online at: <https://www.guildford.gov.uk/viewsspd>

<sup>182</sup> Planning (Listed Building and Conservation Area) Act 1990 – Available online at: <https://www.legislation.gov.uk/ukpga/1990/9/contents>

new use without substantial extensions or modifications and without seriously compromising the architectural character and/or historic fabric and its setting. Additional information such as evidence of the building's redundancy, financial evidence and structural reports may also be required to justify a change of use proposal.

*Climate change mitigation and energy efficiency improvements*

- 5.328 Climate change and the emerging energy deficit have necessitated a response and focus on energy efficiency that is inevitably leading to changes to the historic environment. Opportunities to respond to the challenge faced are in principle to be welcomed. However, it is incorrect to assume that the older a building is, the less energy efficient it is. Research suggests that old buildings can perform well in energy terms as the thick walls and small windows provide a high thermal mass compared with many modern construction methods. Old buildings have embodied energy including an existing investment in materials and have been proven to be robust. Natural ventilation supports the building's breathability and enables moisture management.
- 5.329 The Council recognises and accepts that the historic environment should play its part to deliver energy efficiencies and greater resilience to climate change, however, it is still expected that adaptation and mitigation measures must avoid conflicting with the breathability and natural performance of the historic built fabric and causing harm to the intrinsic qualities that contribute to the Listed Building's special character and significance. There are many measures that can be applied to properties to improve their energy performance, each will have benefits and harm that will need to be weighed-up and balanced. Getting the right balance between benefit and harm is therefore best done with a holistic approach that uses an understanding of the building, its context, its significance and all the factors affecting energy use as the starting point for devising an energy-efficiency strategy. Examples of potential public benefits are referenced in the supporting text to Policy D18: Designated Heritage Assets. This 'whole building approach' will ensure that the measures employed are robust, well integrated, properly coordinated, and sustainable. Before embarking upon such works, consultation of the following (or superseding) documents is strongly advised.
- Historic England (2018) Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency<sup>183</sup>
  - Historic England (2020) Energy Efficiency and Traditional Homes. Historic England Advice Note 14<sup>184</sup>
  - Historic England (2017) Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to Historic and Traditionally Constructed Buildings<sup>185</sup>

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<sup>183</sup> Available online at: <https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/>

<sup>184</sup> Available online at: <https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14/heag295-energy-efficiency-traditional-homes/>

<sup>185</sup> Available online at: <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/heag014-energy-efficiency-partll/>

## Key Evidence

- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2017) The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3 (2<sup>nd</sup> Edition)
- Historic England (2018) Listed Buildings and Curtilage: Historic England Advice Note 10
- Historic England (2020) Energy Efficiency and Traditional Homes. Historic England Advice Note 14
- Institute of Historic Building Conservation (2021) Guidance of Alteration to Listed Buildings

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D19	N/A	Planning Appeals
Number of Listed Buildings identified on the Heritage At Risk Register	N/A	Historic England

## Policy D20: Conservation Areas

### Introduction

- 5.330 Conservation Areas are areas that are designated because of their special architectural or historic interest, the character of which it is desirable to preserve or enhance. They are not designated on the basis of individual buildings but on the basis of the quality and interest of the area. They can come in a variety of sizes and types, ranging from villages, neighbourhoods and parts of towns, with every area having its own distinct character, derived from features such as its topography, historic development and layout, current uses, groupings of buildings, scale and detailing of open spaces, and vernacular form.
- 5.331 The provision for designation is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under the NPPF Conservation Areas are identified as a designated heritage asset and their conservation is to be given great weight in planning decisions.
- 5.332 Conservation areas have been designated by Guildford Borough Council since the late 1960's and are a material consideration in planning decisions. The borough presently has 40 Conservation Areas, which cover many parts of the Guildford town centre and many of the borough's rural villages, both of which make a very significant contribution to the character and distinctiveness of the district. These are all listed in Table D20a (below) but are also identified on the Policies Map.<sup>186</sup>

**Table D20a: Conservation Areas within Guildford Borough**<sup>187</sup>

Conservation Area	Designation Date
Abbotswood	20 <sup>th</sup> October 2011
Abinger Hammer	26 <sup>th</sup> March 1974
Albury	8 <sup>th</sup> February 1989
Basingstoke Canal North	12 <sup>th</sup> October 1985
Basingstoke Canal South	12 <sup>th</sup> October 1985
Bisley Camp	6 <sup>th</sup> August 1991
Bridge Street, Guildford	6 <sup>th</sup> February 2003
Charlotteville and Warren Road	23 <sup>rd</sup> January 1990
Chilworth Gunpowder Mills	17 <sup>th</sup> July 2008
Compton	27 <sup>th</sup> April 1971
Eashing	27 <sup>th</sup> April 1971
East Clandon	31 <sup>st</sup> July 1973
East Horsley	31 <sup>st</sup> July 1973
Effingham	23 <sup>rd</sup> October 1971

<sup>186</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>187</sup> Accurate up to July 2021

Guildford Town Centre	28 <sup>th</sup> October 1969
Holmbury St Mary	23 <sup>rd</sup> January 1990
Littleton	18 <sup>th</sup> December 1973
Millmead and Portsmouth Road	3 <sup>rd</sup> May 1989
Ockham	28 <sup>th</sup> July 1981
Ockham Mill	5 <sup>th</sup> October 1993
Onslow Village	7 <sup>th</sup> February 1990
Peaslake	23 <sup>rd</sup> January 1990
Pirbright	18 <sup>th</sup> December 1973
Puttenham	27 <sup>th</sup> April 1971
Ripley	27 <sup>th</sup> April 1971
St Catherines	28 <sup>th</sup> October 1969
Seale	18 <sup>th</sup> December 1973
Shackleford	27 <sup>th</sup> April 1971
Shalford	21 <sup>st</sup> July 1973
Shere	31 <sup>st</sup> July 1973
Stoke Fields	14 <sup>th</sup> June 1989
Stoughton Barracks	27 <sup>th</sup> August 1973
Wanborough	18 <sup>th</sup> December 1973
Waterden Road	3 <sup>rd</sup> May 1989
West Clandon	31 <sup>st</sup> July 1973
West Horsley	31 <sup>st</sup> July 1973
Wey and Godalming Navigations	23 <sup>rd</sup> March 1999
Wisley	3 <sup>rd</sup> March 1989
Worplesdon	18 <sup>th</sup> December 1973

- 5.333 Thirteen of the borough's Conservation Areas are presently complemented by an adopted Conservation Area Character Appraisal (CACA). These appraisal documents undertake analysis that helps with justifying the reasons for designating the area and provides a meaningful understanding of the unique qualities and characteristics that contribute to its significance. The appraisals can be used as a material planning consideration in determining planning applications within these areas, the documents can be publicly accessed online via the Council's website.<sup>188</sup>
- 5.334 The Council has also introduced Article 4 Directions on domestic properties within eight of the designated Conservation Areas within the Borough. This is a mechanism for tightening planning controls over changes that are likely to directly impact on public views, typically affecting development to the front of houses facing onto a public highway or open space. Those

<sup>188</sup> Available online at: <https://www.guildford.gov.uk/conservation>

Conservation Areas which benefit from an Article 4 Direction designation are identified on the Policies Map, and the supporting document Guildford Borough Council (2016) *Guildford Borough Historic Environment Information*.<sup>189</sup>

## Policy D20: Conservation Areas

- 1) Development proposals within or which would affect the setting of a Conservation Area are expected to preserve or enhance its special character and appearance. Where harm to/loss of significance is identified this will be considered against Policy D18(3): Designated Heritage Assets.
- 2) Development proposals are required to show how they respect and respond to the history of place, the surrounding context and the preservation or enhancement of the Conservation Area's special character and local distinctiveness, by having regard to:
  - a) the retention of buildings, groups of buildings, existing street patterns of the area, building lines and ground surfaces, and the impact on significant open spaces;
  - b) the retention of architectural details and features of interest that contribute positively to the character and appearance of the area, such as windows, doors, and boundary treatments;
  - c) the protection, and where appropriate, the enhancement of key views and vistas, to, from and through a Conservation Area; and
  - d) the protection of trees and landscape that contribute positively towards the character and appearance of the area.
- 3) Development proposals within or which would affect the setting of a Conservation Area are required to be of a high-quality design and are expected to take the opportunity to enhance the special interest of the area. They are required to reinforce or complement the character and local distinctiveness and characterisation of the Conservation Area, including having regard to:
  - a) size, height, bulk, massing, scale, layout, landscape and appearance;
  - b) the use of good quality sustainable building materials and detailing, appropriate to the locality and sympathetic in colour, profile and texture; and
  - c) maximising opportunities to mitigate and adapt to climate change through energy efficiency improvements.

### Definitions

- 5.335 *Local distinctiveness* – The positive features of a place and its communities which contribute to its special character and sense of place.
- 5.336 *Setting* – The surrounding in which a heritage asset is experienced. Its extent is not fixed and

<sup>189</sup> Available online at: <https://www.guildford.gov.uk/article/25520/Historic-environment-information>



may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

- 5.337 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

**Reasoned Justification**

- 5.338 A Conservation Area designation is not intended to prevent new development or stifle the area's economic life or potential. Its purpose is to seek to ensure the local character is strengthened rather than diminished by change, to secure the proper preservation, and where necessary, reinstatement of those features which contribute to the character of the area, as there is a statutory duty placed upon the Council to ensure their preservation and enhancement.

*Assessing significance*

- 5.339 In accordance with Policy D18(1): Designated Heritage Assets, the special architectural or historic interest of a Conservation Area needs to be understood and articulated for all development proposals that directly or indirectly impact upon one or more of the borough's 40 Conservation Areas. Identifying this significance and the cultural and heritage value requires first an understanding of its history, fabric and character, how and why it has changed over time, together with the technology of its construction and the form and condition of its constituent elements and materials. As required by Policy D18(1): Designated Heritage Assets, an assessment of these issues should be submitted as part of a planning application, in a degree of detail proportionate to the nature and scale of the proposed development. Further details on this are provided in the supporting text to Policy D18: Designated Heritage Assets, however applicants should be having regard to any Conservation Area Character Appraisals that exists.
- 5.340 As noted, there are presently 27 Conservation Areas which do not currently benefit from a Conservation Area Character Appraisal. The Council is embarking on a programme to prepare individual character appraisals for those outstanding, in order to satisfy its statutory obligation. For those Conservation Areas that do not yet have an appraisal in place, applicants are still required to identify significance by consulting the Historic Environment Record (a source of information held by Surrey County Council relating to landscapes, buildings, monuments, sites, places areas and archaeological finds) but also by proportionately defining the area's significance by considering the key characteristics. Simultaneously the Council is also required to identify and assess the particular significance, as directed by the NPPF. The conclusions from the Council will form part of the Officer's report.

*Harm to significance*

- 5.341 Within Conservation Areas, the presumption will be in favour of retaining buildings or structures which make a positive contribution to the architectural or historical interest of the area, even if change of use or some alteration is necessary. Demolition of such buildings will be considered to cause harm to the significance of a Conservation Area and therefore will have to be considered against Policy D18(3): Designated Heritage Assets. Nevertheless, consent for

demolition will only be deemed acceptable in exceptional circumstances where it can be demonstrated that the building or structure is beyond repair and incapable of beneficial use, or the benefits of any succeeding redevelopment would be greater than the harm caused by the demolition. Examples of potential public benefits are referenced in the supporting text to Policy D18: Designated Heritage Assets.

- 5.342 There are occasions where buildings have been purposefully neglected and allowed to fall into disuse in the hope that planning permission will be granted to redevelop the site. To discourage such practices, where buildings and structures make a positive contribution to a Conservation Area, supporting evidence that demonstrates that the property has been offered for sale for a reasonable time, at a price that reflects its condition, rather than its redevelopment potential will be expected.
- 5.343 Where permission for demolition is approved, the Council will wish to ensure that the clearance of a site is only undertaken when the implementation of the replacement scheme immediately follows, in order to avoid leaving unsightly gaps in the Conservation Area. This will be controlled by means of conditions or planning obligations.
- 5.344 Not all forms of harm to significance are as result of demolition. Harm can equally come about from actions such as incongruous development, unsympathetic alterations, incremental or cumulative alterations, removal of trees and loss of open spaces. In instances where these are identified, the resultant harm will be considered against Policy D18(3): Designated Heritage Assets.

*Retention of buildings and features of significance*

- 5.345 Where planning permission is required for alterations and adaptations to an existing building, these should contribute to the character of a Conservation Area and be undertaken in a sensitive manner, taking account of both the host property and the wider streetscape. Changes that may appear relatively minor, can individually and cumulatively have a detrimental impact on the character of both the building and area, especially when it comes to the incremental loss of traditional or distinctive architectural details and features, such as historic windows, traditional front doors, decorative roof embellishments, and traditional dormers. This principle also applies to outbuildings and boundary structures. Therefore, there is a presumption in favour of retaining these features, especially in instances where they make a positive contribution to the special architectural and/or historic interest of a Conservation Area. Equally, the Council will seek to achieve appropriate enhancements through the removal and replacement of inappropriate and incongruous architectural details and features, such as uPVC windows and rainwater goods.
- 5.346 Where repairs are required to retain architectural detailing and features, this should be undertaken carefully, using materials and techniques that are sensitive to the fabric, such as, pointing/repointing being carried out using a suitable lime mortar of a good colour match. If it can be demonstrated that such components are beyond repair, replacement should typically be on a like-for-like basis. Historic England provides guidance on some of the more common repair works undertaken in the historic environment, this includes repointing works, window repairs and lead roof repairs. These documents should be consulted before embarking on any of the respective works.

- Historic England 2017 Repointing Brick and Stone Walls: Guidelines for best practice<sup>190</sup>
- Historic England 2017 Traditional Windows: Their care, repair and upgrading<sup>191</sup>
- Historic England 1997 Lead Roofs on Historic Buildings<sup>192</sup>

*Views and landscape*

- 5.347 All of the borough's Conservation Areas are experienced through incidental, kinetic and transitional views, constantly changing as a viewer moves through the place. These views can range from the tightly framed, as glimpsed between buildings, to the panoramic, as observed across a foreground of open land, and those of key landmark buildings. It is important that new development respects key views and vistas and should not block or obstruct views of important landmarks either within or outside the Conservation Area. Likewise, the setting of a Conservation Area often makes a contribution to the special interest of the area. Elements of a setting may make a positive, negative or neutral contribution to the special interest of the Conservation Area. Views are often used to define the extent and importance of setting. However, whilst views of an area's surroundings play an important role in the way the setting of the Conservation Area is experienced, there are other factors which can also contribute. These include, but are not limited to, the pattern and appearance of the surrounding townscape/landscape, the noise, ambience and use of the surrounding area and the historic relationships. Careful consideration should be given to the setting of Conservation Areas in line with Historic England's published guidance.<sup>193</sup>
- 5.348 Trees, hedges and other street greenery can also be a vital element of Conservation Areas, not only in public places, but on private land as well. They can provide visual enclosure, act as an attractive backdrop, bring colour and soften the hard-urban environment, and deliver improved environmental and natural habitat benefits to the area. In more urban areas they are an important component of the urban landscape and public realm, whilst in more suburban and rural locations they are an integral part of the character and appearance of an area. Development proposals are required to protect trees or landscape features where they are deemed important to the character and appearance of a Conservation Area. Further to this, trees sited in Conservation Areas that are not protected by Tree Preservation Orders (TPO) are also given special protection. This means that written notice needs to be submitted to the Council for any proposed works to any tree within a Conservation Area greater than 7.5cm in diameter (as measured at 1.5m above ground level). Written notice should be given at least six weeks before works are due to start. This allows the Council to make an inspection of the tree(s) and consider if a TPO should be made.
- 5.349 In schemes where new planting and landscaping is being proposed consideration must be given to Policy P7: Biodiversity in New Developments.

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<sup>190</sup> Available online at: <https://historicengland.org.uk/images-books/publications/repointing-brick-and-stone-walls/heag144-repointing-brick-and-stone-walls/>

<sup>191</sup> Available online at: <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/heag039-traditional-windows-revfeb17/>

<sup>192</sup> Available online at: <https://historicengland.org.uk/images-books/publications/lead-roofs-on-historic-buildings/>

<sup>193</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>

*Principles of development*

- 5.350 The character and appearance of a Conservation Area are inextricably linked with the physical fabric of which it is made, with many providing evidence of their past in their buildings, street patterns and open spaces, and which contribute significantly to the area's distinct identity. The placement of buildings within their plots and the layout, form and density of development, can be a characteristic of a place or area, nevertheless intensification of development, or the subdivision of plots, based on suburban plot shapes and modern expectation of size, can often result in conflict with the characteristic grain or settlement pattern, and can start to diminish its overall character and disposition.
- 5.351 The historic or locally distinctive character of Conservation Areas is not only attractive, but it can act as a catalyst for creative new designs. Whilst it is important for designers to look to and reference development in the immediate locality, particularly those buildings of a high architectural quality, in order to provide the equivalent quality of built form for the future, it however should not necessarily be directly copied. Instead, new development is required to positively respond to its context by having regard to the established qualities and characteristics on display.
- 5.352 Development, including extensions, within Conservation Areas must seek to enhance the special interest and character of the area and should embrace the opportunity it provides to mend potential mistakes of the past. The Council is keen to embrace new buildings and development in Conservation Areas, where justified, but not at the expense of the continuation or introduction of mediocre or poor design. Only designs which show a complete understanding of their context (including respect for views and vistas) and a clear design rationale for size, height, bulk, scale, layout, landscape, and appearance will be supported.
- 5.353 Materials, detailing, craftsmanship and finishes are equally important in achieving high quality design and should be carefully chosen on the basis of their appropriateness to the character of the area; their visual sympathy with the architectural form and composition; their long-term durability and their environmental sustainability. This means that the use of bricks of an inappropriate colour and/or texture, artificial stone, concrete and interlocking roof tiles, or plastics such as uPVC, which all detract from the local distinctiveness and character of Conservation Areas, will not be supported. The selection of appropriate materials also extends to both hard and soft landscaping and boundary treatments.
- 5.354 The Council recognises that in order to make properties situated within Conservation Areas robust for contemporary use, they are likely to necessitate some changes to deliver energy efficiencies and greater resilience to climate change. However, it is still expected that adaptation and mitigation measures should avoid harming the intrinsic qualities that contribute to the Conservation Areas special character and appearance, including giving due consideration to the effect on the appearance and characteristics of the host building. There are many measures that can be applied to properties to improve their energy performance, each will have benefits and harm that will need to be weighed-up and balanced. Getting the right balance between benefit and harm is therefore best done with a holistic approach that uses an understanding of the building, its context, its significance and all the factors affecting energy use as the starting point for devising an energy-efficiency strategy. This 'whole building approach' will ensure that the

measures employed are robust, well integrated, properly coordinated, and sustainable. Before embarking upon such works consultation of the following documents is strongly advised.

- Historic England 2018 Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency<sup>194</sup>
- Historic England 2020 Energy Efficiency and Traditional Homes. Historic England Advice Note 14<sup>195</sup>
- Historic England 2017 Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to Historic and Traditionally Constructed Buildings<sup>196</sup>

### Key Evidence

- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2019) Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1
- Historic England (2017) The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3 (2<sup>nd</sup> Edition)
- Historic England (2020) Energy Efficiency and Traditional Homes. Historic England Advice Note 14

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D20	N/A	Planning Appeals
Number of Conservation Areas identified on the Heritage At Risk Register	N/A	Historic England

<sup>194</sup> Available online at: <https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/>

<sup>195</sup> Available online at: <https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14/heag295-energy-efficiency-traditional-homes/>

<sup>196</sup> Available online at: <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/heag014-energy-efficiency-partll/>

## Policy D21: Scheduled Monuments

### Introduction

- 5.355 Scheduled Monuments are the most comprehensively protected archaeological remains in England. They constitute a finite and non-renewable resource that are valuable for their own sake and for their role in education, leisure and tourism, yet, in many cases these assets are highly fragile and vulnerable to damage and destruction. They are not only protected by the terms of the Ancient Monuments and Archaeological Areas Act 1979, but also through the Town and Country Planning Act 1990.
- 5.356 Under the terms of the 1979 Act, the Secretary of State has a duty to compile and maintain a schedule of monuments of national importance, the purpose being to help preserve them, so far as possible, in the state in which they present to us today. The Act also makes provision for a system of Scheduled Monument Consent for any works to a designated monument.
- 5.357 There are over 200 'classes' of monuments on the schedule, and they can range from below-ground archaeological remains to freestanding buildings and structures, and date from any period of human history, however only deliberately created structures, features and remains can be scheduled.
- 5.358 There are presently 38 Scheduled Monuments within Guildford Borough, these are listed in Table D21a (below) and are identified on the Policies Map<sup>197</sup> as well as the National Heritage List for England,<sup>198</sup> where the asset's list entry can also be found.

**Table D21a: Scheduled Monuments within Guildford Borough**<sup>199</sup>

Scheduled Monument	Date First Listed
Anglo-Saxon fortified centre, Eashing	1st July 1975
Bell Barrow on Cockcrow Hill, Wisley	16th November 1934
Bowl Barrow at Newlands Corner, Guildford	16th January 1998
Bowl Barrow on Shere Heath, Shere	3rd March 1993
Bowl Barrow west of Cockcrow Hill, Wisley	7th July 1993
Bowl Barrow 90m west of Tyting Farm, Chilworth	30th November 1925
Chilworth Gunpowder Works, Chilworth	14th April 1982
Disc Barrow on Whitmoor Common, Guildford	7th February 1949
Earth circles on St Martha's Hill, Chilworth	30th November 1925
Eashing Bridge, Lower Eashing	30th November 1925
Frowsbury Mound: a Bowl Barrow of 70m south of Clear Barn, Puttenham Heath	30th November 1925
Guildford Castle, Guildford	1st January 1920
Hengi-form monument at Red Hill, Wisley	30th January 1980

<sup>197</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>198</sup> Available online at: <https://historicengland.org.uk/listing/the-list/>

<sup>199</sup> Accurate up to July 2021

Henley Fort: a London Mobilisation Centre, Guildford	21st June 1973
Hillbury Hillfort, Putterham Common	30th November 1925
Holmbury Camp: a small multivallante hillfort north of Three Mile Road, Holmbury St Mary	30th November 1925
Large Univallate Hillfort at Felday, Holmbury St Mary	5th July 1994
Linear boundary on Whitmoor Common, Guildford	7th February 1949
Medieval moated site and fishponds, Greatlee Wood, Effingham Junction	11th October 1954
Medieval moated site and earlier earthwork south of Boughton Hall, Send	11th October 1954
Medieval moated site at Guildford Park Manor, Manor Farm, Guildford	2nd May 1990
Medieval undercroft at 72/74 High Street, Guildford	27th August 1976
Medieval undercroft remains at 50-52 High Streets, Guildford	4th April 2011
Newark Priory: an Augustinian Priory north of the River Wey, Ripley	30th November 1925
Romano-British temple and enclosure on Farley Heath, Farley Green	16th November 1934
Romano-celtic temple complex 385m west of Long Common, Wanborough	9th March 2001
Roman villa north of Limnerslease, Down Lane, Compton	16th November 1934
Soldier's Ring Hillfort, Crooksbury Common, Seale	30th November 1925
St Catherine's Chapel, Artington	30th November 1925
The Treadwheel Crane, Guildford	20th April 1970
Two bowl barrows, Littleworth Clump, Seale	11th January 1993
Two bowl barrows on Culverswell Hill, Seale	16th November 1934

- 5.359 No works to a Scheduled Monument can occur without express permission from Historic England. This procedure is known as Scheduled Monument Consent (SMC). Works are defined by the 1979 Act as demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or tipping material onto the monument. It is an offence, punishable by fine, to do works to a scheduled monument without first obtaining scheduled monument consent. It is also an offence to damage or destroy a scheduled monument as well as failure to comply with the terms of an SMC. The maximum penalty for this is an unlimited fine and/or a period of two years imprisonment.
- 5.360 Under the NPPF, Scheduled Monuments are identified as a designated heritage asset and their conservation is to be given great weight in planning decisions. In some instances, Scheduled Monuments can also be identified as a Listed Building, where this occurs the Scheduled Monument legislation will take precedent.

## Policy D21: Scheduled Monuments

- 1) Development proposals are required to conserve and enhance those elements which contribute to the significance of a Scheduled Monument including setting, with a presumption in favour of preservation *in situ*. Where harm to/loss of significance is identified this will be considered against Policy D18(3): Designated Heritage Assets. Development proposals that adversely affect the physical survival, setting or historical or architectural significance will be refused.
- 2) Where development proposals are likely to affect the significance of a Scheduled Monument, including its setting, a preliminary archaeological desk-based assessment will be required as part of the planning application. The assessment must:
  - a) detail the extent, character and condition of the archaeological resource; and
  - b) assess the significance of the archaeological remains and the likely impact of the development on the archaeological remains.
- 3) In cases where the results of any preliminary archaeological desk-based assessment are inconclusive, or where they produce evidence of significant archaeological remains, an archaeological field examination may also be required.

### Definitions

- 5.361 *Setting* – The surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 5.362 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

### Reasoned Justification

- 5.363 Scheduled Monuments provide important evidence of our past which brings an understanding and enjoyment of the present, however their significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Therefore, the preservation of these assets (standing or submerged), including their setting, will always be sought. Development proposals which adversely affect the physical survival, setting or historical or architectural significance of the monument, thereby causing harm to significance will be considered against Policy D18(3): Designated Heritage Assets.
- 5.364 Their identity as being of national importance means that there is a presumption for preservation *in situ*. The preservation of material *in situ* does not necessarily preclude development as such, deposits may be sealed or incorporated into the design of a structure, as a mitigatory strategy. In such circumstances details on the mitigation measures proposed will need to be provided in support of an application. Nevertheless, where preservation *in situ* is not, as a result of either a



desk-based assessment or field work, justifiably possible or not necessary, applicants will be required to make adequate provision for preservation through archaeological recording in accordance with an approved written scheme of investigation that is submitted in advance of an application's determination.

- 5.365 An archaeological desk-based assessment should be prepared prior to the submission of a planning application so that the archaeological implications of development can be fully considered. It should be an assessment of published and unpublished archive and historical material, including documentary, cartographic and photographic sources, and should focus upon the nature, character, quality, date and extent of known archaeological assets as well as the potential of new discoveries. Advice should preferably be sought from Historic England and/or Surrey County Council's Historic Environment Planning Team early in the process to discuss the potential for archaeological impact and to agree the scope and focus of the assessment, equally it is expected to conform to the Chartered Institute for Archaeology (CIfA) 'Standard for desk-based assessments'.<sup>200</sup>
- 5.366 Archaeological fieldwork, trial work and site investigation may be required where the proposed application has implications for surviving archaeological monuments or remains, or where the results of the desk-based assessment are inconclusive. It is used to verify the conclusions of an assessment and provide data on the nature, extent, date and character of the archaeological resource. This information can then be used to establish the impact that development may have on the remains, and the weight that should be attached to their preservation. This will be used as a material consideration when assessing a planning application. It may also be used to develop options for avoiding and/or minimising damage to the remains.
- 5.367 The field evaluation can take a number of forms including remote sensing, geophysical survey, trial trenches and/or test pits, and this will vary depending upon the scale, nature and importance of the site in question. Guidance on the most appropriate technique to employ will come from either Historic England and/or Surrey County Council's Historic Environment Planning Team, equally it is expected to conform to the Chartered Institute for Archaeology (CIfA) 'Standard for archaeological field evaluation'.<sup>201</sup>
- 5.368 All archaeological work should be undertaken by a suitably qualified party in accordance with professional standards and guidance published by Historic England and the Chartered Institute for Archaeologists (CIfA).

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<sup>200</sup> Available online at: [www.archaeologists.net/sites/default/files/CIfAS%26GDBA\\_4.pdf](http://www.archaeologists.net/sites/default/files/CIfAS%26GDBA_4.pdf)

<sup>201</sup> Available online at: [www.archaeologists.net/sites/default/files/CIfAS%26GFieldevaluation\\_3.pdf](http://www.archaeologists.net/sites/default/files/CIfAS%26GFieldevaluation_3.pdf)

## Key Evidence

- Department for Culture Media & Sport (2013) Scheduled Monuments & Nationally important but Non-scheduled Monuments
- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2017) The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3 (2<sup>nd</sup> Edition)
- Chartered Institute for Archaeologists (2014) Standard and guidance for historic environment desk-based assessment
- Chartered Institute for Archaeologists (2014) Standard and guidance for historic environment archaeological field evaluation

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D21	N/A	Planning Appeals

## Policy D22: Registered Parks and Gardens

### Introduction

- 5.369 Since 1983, Historic England has maintained a Register of Historic Parks and Gardens of Special Historic Interest<sup>202</sup> whose main objective is to celebrate designed landscapes of note and to encourage appropriate protection. As with Listed Buildings, these registered landscapes are graded as per the following criteria:
- Grade I sites are of exceptional interest
  - Grade II\* sites are particularly important of more than special interest
  - Grade II sites are of special interest, warranting every effort to preserve them
- 5.370 Those registered include private gardens, public parks and cemeteries, rural park land and other green spaces with the emphasis on inclusions being the significance of the place as a designed landscape, rather than its botanical importance. The criteria for inclusion on this list include age and rarity, influence, examples of styles of garden design or the work of important garden designers, historic association with significant events or people and examples of major planting schemes. More detail on these can be gained from the following Historic England publications:
- Register of Parks and Gardens Selection Guide – Landscapes of Remembrance (2018)<sup>203</sup>
  - Register of Parks and Gardens Selection Guide – Urban Landscapes (2018)<sup>204</sup>
  - Register of Parks and Gardens Selection Guide – Rural Landscapes (2018)<sup>205</sup>
  - Register of Parks and Gardens Selection Guide – Institutional Landscapes (2018)<sup>206</sup>
  - Introduction to Heritage Assets – War Memorial Parks and Gardens (2015)<sup>207</sup>
- 5.371 Inclusion on the register does not provide statutory protection nor does it imply any specific additional powers to control development or work, but the NPPF deems them to be a designated heritage asset and consequently the effect of any development on their significance or setting is a material consideration in the determination of a planning application.
- 5.372 There are currently 8 Registered Parks and Gardens within the borough, these are listed in Table D22a (below) but are also identified on the Interactive Planning Map<sup>208</sup> as well as the National Heritage List for England<sup>209</sup>, where the asset's list entry can also be found.

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<sup>202</sup> Available online at: <https://historicengland.org.uk/listing/the-list/>

<sup>203</sup> Available online at: <https://historicengland.org.uk/images-books/publications/drpgsg-landscapes-remembrance/heag091-landscapes-of-remembrance-rpgsg/>

<sup>204</sup> Available online at: <https://historicengland.org.uk/images-books/publications/drpgsg-urban-landscapes/heag093-urban-landscapes-rpgsg/>

<sup>205</sup> Available online at: <https://historicengland.org.uk/images-books/publications/drpgsg-rural-landscapes/heag092-rural-landscapes-rpgsg/>

<sup>206</sup> Available online at: <https://historicengland.org.uk/images-books/publications/drpgsg-institutional-landscapes/heag090-institutional-landscapes-rpgsg/>

<sup>207</sup> Available online at: <https://historicengland.org.uk/images-books/publications/iha-war-memorial-parks-gardens/heag076-war-memorial-parks-gardens-iha/>

<sup>208</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>209</sup> Available online at: <https://historicengland.org.uk/listing/the-list/>

**Table D22a: Registered Parks and Gardens within Guildford Borough<sup>210</sup>**

Name	Grade	Date first listed
Albury Park	I	1 <sup>st</sup> June 1984
Clandon Park	II	1 <sup>st</sup> June 1984
Compton Cemetery	II*	5 <sup>th</sup> March 2014
Hatchlands	II	27 <sup>th</sup> July 2007
Jellico Roof Gardens, Guildford	II	30 <sup>th</sup> August 2000
Littleworth Cross	II	1 <sup>st</sup> April 1988
Merrow Grange	II	1 <sup>st</sup> June 1984
RHS Wisley	II*	1 <sup>st</sup> June 1984

- 5.373 The Local Planning Authority is required to consult Historic England when considering applications which affect those assets which are either Grade I or II\*, whilst the Gardens Trust is consulted for all registered sites, irrespective of grade.

### Policy D22: Registered Parks and Gardens

- 1) Development proposals affecting a Registered Park and Garden or its wider setting are required to demonstrate that it would:
  - a) cause no unacceptable harm to the asset's significance, taking into account layout, design, character, setting and appearance of those features, both built and natural, that form part of and contribute to its special interest;
  - b) respect the integrity of the landscape and key views into, through or out of the park or garden, particularly those which are an integral part of the design;
  - c) not lead to the unsympathetic sub-division of the landscape; and
  - d) not prejudice its future restoration.
- 2) Where harm to/loss of significance is identified this will be considered against Policy D18(3): Designated Heritage Assets.

### Definitions

- 5.374 *Setting* – The surroundings in which a heritage asset is experience. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 5.375 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.

<sup>210</sup> Data accurate up to July 2021

Significance derives not only from a heritage asset's physical presence, but also from its setting.

### **Reasoned Justification**

- 5.376 Registered Parks and Gardens are a fragile and finite heritage asset resource that not only adds substantial value to both the landscape and environmental quality within the borough, but also reveals facets of the cultural and social history of an area. Each historic landscape is unique, a consequence of location, natural growth and designed alteration, and is also a dynamic entity that changes over time. Although the purpose of the designation is to protect and preserve the essential features of Registered Parks and Gardens, this is not intended to restrict change. Historic landscapes continue to evolve as they always have done, and change is often necessary to secure their long-term sustainability. Change can involve many types of activity ranging from routine maintenance to the provision of new structures or alterations. Nevertheless, there is a need to protect such sites and their setting from new development, which would otherwise destroy or harm their historic interest, and to encourage sympathetic management wherever possible.
- 5.377 In accordance with Policy D18(1): Designated Heritage Assets, the special architectural or historic interest of a Registered Park or Garden needs to be understood and articulated for all development proposals that directly or indirectly impact upon them. Identifying this significance and the cultural and heritage value requires first an understanding of its history, fabric and character, how and why it has changed over time, together with the technology of its construction and the form and condition of its constituent elements and materials. As required by Policy D18(1): Designated Heritage Assets, an assessment of these issues should be submitted as part of a planning application, in a degree of detail proportionate to the nature and scale of the proposed development. Further details on this are provided in the supporting text to Policy D18: Designated Heritage Assets.
- 5.378 Features that contribute to the significance of a Registered Park or Garden should be retained and their sensitive restoration encouraged. Features that may be considered significant can include:
- Historic layouts, buildings, structures and landscape features including water features
  - Relationship between features and structures
  - Topography, geology and landform
  - Soft and hard landscaping including trees, lawns and planting beds
- 5.379 There is a presumption of preserving buildings, structures or features which make a positive contribution to a Registered Park and Garden's special character and significance. When harm to significance is identified this will be considered against Policy D18(3): Designated Heritage Assets.
- 5.380 Historic designed landscapes invariably include buildings and structures. They may contribute to the reason that it was designated or equally may predate it. However, new development within a Registered Park and Garden should be kept to a minimum, as visual clutter can significantly detract from the appearance of the landscape. If structures are shown to be necessary and can be justified, they should be designed and positioned to be appropriate for the character, appearance and historic importance of the landscape, and should be of a high standard of

design. Advantage is to be taken of existing topography to reduce the visibility of a proposal, with structures designed to follow the existing contours proving to be less visually prominent than those which do not. Materials, detailing, craftsmanship and finishes are equally important in achieving high quality design and should be carefully chosen on the basis of, their appropriateness to the character of the area; their visual sympathy with the architectural form and composition; their long-term durability and their environmental sustainability.

- 5.381 Setting and views are fundamentally important design components of a Registered Park or Garden. They contribute to the character and 'sense of place' and can influence the way the heritage asset is experienced, understood and appreciated. The designed nature of many Registered Parks and Gardens means that many, typically, have important accidental and/or planned views to, from, or within the site. These may include viewpoints where long views are available, related views between significant features and structures within the site and sequential views. Similarly, many designers took advantage of the wider setting and the landscape beyond the boundary by positively utilising it to form a backdrop, or to terminate internal vistas. Development proposals therefore must be sensitive towards the potential impact on internal views as well as setting, no matter the season. Unsympathetic development adjacent to a Registered Park or Garden can often have as detrimental an impact on the asset's character and appearance as works to the landscape itself.
- 5.382 Certain types of new uses or development can have a tendency to result in subdivision and divisions of land management, as they seek to provide individual units their own areas of privacy and seclusion, for example, the conversion of outbuildings or the sale of land for residential. The consequence of this is that in some circumstances it can reduce the cohesion and integrity of the designed landscape resulting in harm to significance.

### Key Evidence

- Historic England (2021) Maintenance, Repair and Conservation Management Plans for Historic Parks and Gardens (<https://historicengland.org.uk/advice/technical-advice/parks-gardens-and-landscapes/maintenance-repair-and-conservation-management-plans-for-historic-parks-and-gardens/>)
- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2017) The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3 (2<sup>nd</sup> Edition)
- The Gardens Trust (2019) The Planning System in England and the Protection of Historic Parks and Gardens: Guidance for Local Planning Authorities
- The Gardens Trust - Planning Conservation Advice Notes 1-14

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D22	N/A	Planning Appeals
Number of Registered Parks and Gardens identified on the Heritage at Risk Register	N/A	Historic England

## Policy D23: Non-designated Heritage Assets

### Introduction

- 5.383 Throughout Guildford borough there are buildings, sites, monuments, landscapes and areas of local historic, architectural or townscape interest, that whilst not benefiting from designated heritage asset status, nevertheless contribute to the borough's distinctiveness and sense of place, and hold a degree of significance meriting consideration in planning decisions because of their heritage interest. These are known as Non-designated Heritage Assets. However, national guidance does make it clear that a substantial majority of buildings/assets will have little or no heritage significance and that only a minority will have enough heritage significance to merit identification as a Non-designated Heritage Asset.
- 5.384 The concept of Non-designated Heritage Assets as a planning consideration has been part of planning policy guidance since the 1990's, however the National Planning Policy Framework (NPPF) now gives significant policy weight in planning decision-making to heritage assets that are not nationally designated. The framework places an obligation on local planning authorities to identify heritage assets and to define the significance of these assets.
- 5.385 Annex 2 of the NPPF provides the following definition of a heritage asset – 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).' The definition makes it clear that heritage assets include those parts of the historic environment that may not be subject to a statutory designation (such as listing or scheduling).
- 5.386 These assets can be identified in a number of ways, including Local Heritage Lists; Local and Neighbourhood Plans; Conservation Area Appraisals and Reviews and Decision-making on planning applications.
- 5.387 A summary of the diversity of Guildford's Non-designated Heritage Assets as currently identified is provided in Table D23a (below) but are also identified on the Interactive Planning Map<sup>211</sup> and within the following reference document Guildford Borough Council (2016) Guildford Borough Historic Environment Information.<sup>212</sup> They are also additionally identified in Surrey's Historic Environment Record (HER).<sup>213</sup>

**Table D23a: Non-designated Heritage Assets in Guildford Borough<sup>214</sup>**

Heritage Assets	Numbers in Guildford Borough
Locally Listed Buildings	313
Locally Listed Parks and Gardens	52
County Sites of Archaeological Importance	34
Area of High Archaeological Potential	151

<sup>211</sup> Available online at: <https://www.guildford.gov.uk/planningmap>

<sup>212</sup> Available online at: <https://www.guildford.gov.uk/article/25520/Historic-environment-information>

<sup>213</sup> Available online at: <https://www.exploringsurreyspast.org.uk/collections/search/?s=surrey&map=1>

<sup>214</sup> Data accurate up to July 2021



*Locally Listed Buildings*

- 5.388 A Locally Listed Building is a building or structure which is identified by the Council as being of local architectural or historic interest worthy of preservation, but which is not of sufficient importance to warrant national statutory listing (i.e. grade I, II\* and II), yet whose significance merits special consideration in the planning process as identified in the NPPF.
- 5.389 The Council has an adopted list of buildings of special local architectural or historic interest. This is known as the Local List. Inclusion of a building or structure on the 'List' does not affect the permitted development rights of a building. However, where an application is submitted to the Council for works including alteration, extension or demolition, the special interest of the building and its Local Listing status will be a material consideration.
- 5.390 There are presently 313 entries on the Local List. Assets included range from houses, barns, railway bridges, walls and telephone boxes, however this number is not static, with the Council considering proposals for additions as they emerge. The selection criteria designation follows the framework set by Historic England outlined in their guidance document *Local Heritage Listing: Identifying and Conserving Local Heritage. Historic England Advice Note 7*.<sup>215</sup>

*Locally Listed Parks and Gardens*

- 5.391 This category of Non-designated Heritage Asset is formed of designed landscapes, such as private gardens, public parks and cemeteries, which are deemed to be of local or historical interest worthy of preservation, but which is not of sufficient importance to warrant national statutory listing (i.e. grade I, II\* and II), yet whose significance merits consideration in the planning process as identified by the NPPF. Unlike statutory designated parks and gardens, these assets are not identified by Historic England, but are instead, in the case of Guildford, selected by the Council based on a criteria drawn up in collaboration with Surrey County Council and the Surrey Gardens Trust.
- 5.392 There are presently 52 entries on Guildford's local list, these include amongst others Stoke Park; Hatchlands and Guildford Castle Gardens. A gazetteer listing the details and descriptions for each of these assets is available through the Guildford Borough Council's website.<sup>216</sup>

*Non-designated Heritage Assets of Archaeological Interest*

- 5.393 Within the borough there are two forms are Non-designated Heritage Assets of Archaeological Interest. These are County Sites of Archaeological Importance, which are sites which are locally important in the context of Surrey and identified by Surrey County Council (SCC), of which there are presently 34 identified, and Areas of High Archaeological Potential, which are identified by the SCC as being of archaeological potential based on previous finds, maps or other evidence, of which there are presently 151 identified.

*Assets identified in Neighbourhood Plans*

- 5.394 The Localism Act 2011 has increased the role of communities in determining how planning

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<sup>215</sup> Available online at: <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag301-local-heritage-listing/>

<sup>216</sup> Available online at: <https://www.guildford.gov.uk/25520>

decisions are made at the local level, including those involving heritage assets. Communities can play a key role in preparing neighbourhood plans which establish the general planning policies for the development and use of land in a neighbourhood and work in preparing a Neighbourhood Plan may indicate buildings and sites which merit inclusion as Non-designated Heritage Assets. The Act also requires local authorities to maintain a list of assets of community value that have been nominated by the local community. As long as they meet the requirements set out in the Act, assets on a local heritage list may also qualify as Assets of Community Value.

### **Policy D23: Non-designated Heritage Assets**

- 1) Development proposals affecting Non-designated Heritage Assets and their setting are required to be supported by an evidence-based statement of significance. The level of detail provided within the statement is expected to be proportionate to the asset's importance and sufficient to facilitate an informed assessment of the significance of the asset and its setting, and the impact of the proposed development on that significance.
- 2) Development proposals are expected to preserve or enhance the significance of Non-designated Heritage Assets, with an expectation that development proposals:
  - a) respond to and respect the special architectural and historical interest of the heritage asset and its local importance; and
  - b) are designed and sited so as to conserve the asset, any features of interest and its setting.
- 3) Development proposals which result in harm to, or loss of the significance of a Non-designated Heritage Asset, or their contribution to the character of a place will be considered in line with national policy and guidance.
- 4) Non-designated Heritage Assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments will be considered against Policy D18: Designated Heritage Assets and Policy D21: Scheduled Monuments.
- 5) An archaeological desk-based assessment, and where appropriate a field evaluation, will be required to inform the determination of development proposals for:
  - a) sites which affect, or have the potential to affect, County Sites of Archaeological Importance and Areas of High Archaeological Potential; and
  - b) all other development sites exceeding 0.4ha.
- 6) Where archaeological remains of significance are found to exist, applicants are expected to demonstrate that the particular archaeological interest of the site can be justifiably preserved in situ. Alternatively, where permanent preservation is not justified the remains are to be investigated, recorded and subsequently published and archived in an appropriate repository by an archaeological organisation or consultant in line with accepted national professional standards.

## Definitions

- 5.395 *Heritage assets* – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are either designated heritage assets or non-designated heritage assets. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas, designated under the relevant legislation. Non-designated Heritage Assets are identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets, these include locally listed buildings and locally listed parks and gardens.
- 5.396 *Setting* – The surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 5.397 *Significance* – The value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

## Reasoned Justification

- 5.398 Crucial to the conservation and enhancement of heritage assets is an understanding of what makes them significant, and how the setting contributes to that significance. Historic England guidance<sup>217</sup> states that 'the ability to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process is very important to an applicant in order to conceive and design a successful development'. In the context of heritage, significance is defined as the sum of all the heritage values attached to a place, be it a building, an archaeological site or a large historic area.
- 5.399 The National Planning Policy Framework (NPPF) is clear that local planning authorities should be requiring applicants to describe the significance of any heritage asset affected by a development proposal, including any contribution made by their setting. This information may be provided as part of a Heritage Statement, an Archaeological Report or as part of a Design and Access Statement. Only by requiring this assessment can it be ensured that the impact of proposed development on an asset(s) or its/their setting, be it positive or negative, is understood and appropriately considered. Guidance on the preparation of statements of significance is available from Historic England Advice Note 12 - *Statements of Heritage Significance: Analysing Significance in Heritage Assets*.<sup>218</sup> If an application is submitted which affects a site that is then found to qualify as a Non-designated Heritage Asset, the applicant will be informed and will be required to provide a statement of significance.
- 5.400 The NPPF also sets out that the level of detail provided is expected to be proportionate to the

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<sup>217</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/>

<sup>218</sup> Available online at: <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/>

asset's importance but, as a minimum, the Historic Environment Record (HER), should have been consulted and that this needs to be evidenced within the submission. A copy of the list entry will not be sufficient to meet this requirement.

- 5.401 In assessing the significance of a heritage asset, its heritage values need to be considered and there are a number of values which should be taken into consideration when determining the significance of a heritage asset, of particular relevance are those core principles identified by Historic England in *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (2008).<sup>219</sup>
- 5.402 Heritage assets, including those which are not statutory designated, are an irreplaceable resource. As custodians of our past there is an onus to ensure that they are preserved for the enjoyment of future generations to which the Council is committed. Non-designated Heritage Assets are not afforded any additional statutory protection, but they are a material consideration in the planning process. The NPPF makes it clear that not only should the significance of a Non-designated Heritage Asset be taken into account when determining applications, but a balanced judgement on the acceptability of the proposal will be required, having regard to the scale of any harm or loss and the significance of the asset, thereby applications will be considered against national policy and guidance. As an informative the significance of heritage assets can be harmed or lost through actions such as, inappropriate repairs; unsympathetic, incremental or cumulative alterations and extensions; incongruous development (including within curtilage and/or the setting); and demolition.
- 5.403 Non-designated Heritage Assets do vary greatly in the extent to which they can accommodate change without harm to their architectural and/or historic significance, with some assets more likely to be able to accommodate change or development than others. The extent to which an asset can sustain alterations, extensions or development within their setting will depend on the asset's type and significance and the merit/attributes of the proposal. Every Non-designated Heritage Asset will have its own unique set of characteristics and features of interest, usually related to its original or subsequent function, and its evolution, therefore this should be respected to the greatest extent practicable when it comes to development proposals that directly or indirectly affect a Non-designated Heritage Asset.
- 5.404 Development proposals within or which would affect the setting of a Non-designated Heritage Asset will be expected to have regard to the guidance set out in Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*,<sup>220</sup> or guidance superseding it.

*Non-designated Heritage Assets of Archaeological Interest*

- 5.405 The borough has a rich archaeological heritage which comprises remains both above and below ground, in the form of individual finds, evidence of former settlements and standing structures. These features and deposits are recognised by the Council as a fragile and finite community

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<sup>219</sup> Available online at: <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>

<sup>220</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>

asset, which can provide a valuable understanding of the history and development of the local area, yet these remains have a vulnerability to modern development and land use.

- 5.406 The fact that an archaeological resource is not designated as a Scheduled Monument does not necessarily infer that it is not of national importance. There are Non-Designated Archaeological Assets which can be identified as being nationally important yet are unable to be scheduled due to one of the following;
- a) have the potential capability of being designated under the terms of the Ancient Monuments and Archaeological Areas Act 1979 when regarding the Principles of Selection, but which are yet to be formally assessed by Historic England
  - b) have been positively identified by Historic England as being capable of designation under the terms of the Ancient Monuments and Archaeological Areas Act 1979 when regarding the Principles of Selection, but which the Secretary of State has chosen not to designate; or
  - c) have been positively identified by Historic England but are incapable of being designated as a Scheduled Monument by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 as a consequence of their physical nature.
- 5.407 Archaeological assets that fall into one of the above categories will be acknowledged as being demonstrably of equivalent significance to Scheduled Monuments. In making this distinction the NPPF<sup>221</sup> requires that such assets should be considered subject to the policies for designated heritage assets. Therefore, these assets will be considered in line with Policy D18: Designated Heritage Assets and Policy D21: Scheduled Monuments.
- 5.408 An archaeological desk-based assessment should be prepared prior to the submission of a planning application for all Non-designated Heritage Assets of archaeological interest (County Sites of Archaeological Importance and Areas of High Archaeological Potential), so that the archaeological implications of development can be fully considered. It should be an assessment of published and unpublished archive and historical material, including documentary, cartographic and photographic sources, and should focus upon the nature, character, quality, date and extent of known archaeological assets as well as the potential of new discoveries. Advice should preferably be sought from Surrey County Council's Historic Environment Planning Team early in the process to discuss the potential for archaeological impact and to agree the scope and focus of the assessment, equally it is expected to conform to the Chartered Institute for Archaeology (CIfA) '*Standard for desk-based assessments*'.<sup>222</sup>
- 5.409 Equally, many archaeological remains have yet to be discovered, so their extent and significance is not fully known. Experience shows that the unknown nature of archaeology means that new sites may be discovered at any time. Whilst it is not expedient to monitor all proposed development, the Council takes the view that it is reasonable to target larger development sites, on the basis that the greater the area the greater the likelihood of unpredictable discoveries. Therefore, a starting threshold of 0.4 hectares has been set. Meaning that all development proposals that are 0.4ha or greater will be required to be supported by an

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<sup>221</sup> National Planning Policy Framework (2021), footnote 68 Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>222</sup> Available online at: [www.archaeologists.net/sites/default/files/CIfAS%26GDBA\\_4.pdf](http://www.archaeologists.net/sites/default/files/CIfAS%26GDBA_4.pdf)

archaeological desk-based assessment.

- 5.410 Archaeological fieldwork, trial work and site investigation may be required where the proposed application has implications for surviving archaeological monuments or remains, or where the results of the desk-based assessment are inconclusive. It is used to verify the conclusions of an assessment and provide data on the nature, extent, date and character of the archaeological resource. This information can then be used to establish the impact that development may have on the remains, and the weight that should be attached to their preservation. This will be used as a material consideration when assessing a planning application. It may also be used to develop options for avoiding and/or minimising damage to the remains. Guidance on the most appropriate technique to employ will come from either Historic England and/or Surrey County Council's Historic Environment Planning Team, equally it is expected to conform to the Chartered Institute for Archaeology (CIfA) '*Standard for archaeological field evaluation*'.<sup>223</sup>
- 5.411 All archaeological work should be undertaken by a suitably qualified party in accordance with professional standards and guidance published by Historic England and the Chartered Institute for Archaeologists (CIfA).

### Key Evidence

- Historic England (2008) Conservation Principles, Policy and Guidance
- Historic England (2021) Local Heritage Listing: Identifying and Conserving Local Heritage. Historic England Advice Note 7 (2nd Edition)
- Historic England (2019) Statements of Heritage Significance: Analysing Significance in Heritage Assets - Historic England Advice Note 12
- Historic England (2015) Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning:2
- Historic England (2017) The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3 (2<sup>nd</sup> Edition)
- Department for Culture Media & Sport (2013) Scheduled Monuments & Nationally important but Non-scheduled Monuments
- Chartered Institute for Archaeologists (2014) Standard and guidance for historic environment desk-based assessment
- Chartered Institute for Archaeologists (2014) Standard and guidance for historic environment archaeological field evaluation
- Guildford Borough Council (2016) Guildford Borough Historic Environment Information

<sup>223</sup> Available online at: [www.archaeologists.net/sites/default/files/CIfAS%26GFieldevaluation\\_3.pdf](http://www.archaeologists.net/sites/default/files/CIfAS%26GFieldevaluation_3.pdf)

## Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D23	N/A	Planning Appeals

## Policy D24: Enabling Development and Heritage Assets

### Introduction

- 5.412 Enabling development in the context of the historic environment and heritage assets can be defined as development that would otherwise be in conflict with local and/or national planning policy, thus making it unacceptable in planning terms but for the fact that it would secure heritage benefits to the future conservation of a heritage asset to justify it being carried out, which could not otherwise be achieved. For the avoidance of doubt this applies to both designated and non-designated heritage assets, as well as the setting of these assets.
- 5.413 While normally considered as a means of last resort, enabling development is an established and useful planning tool by which the long-term future of a heritage asset can be secured. The term 'enabling development' is not a statutory term but was confirmed as a legitimate planning tool in 1988 as a consequence of the upheld Court of Appeal case *R v Westminster City Council ex parte Monahan*.
- 5.414 The NPPF<sup>224</sup> is clear that:
- Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*
- 5.415 The Framework<sup>225</sup> also indicates that enabling development may be an acceptable exception to the restriction on isolated homes in the countryside.
- 5.416 The vast majority of heritage assets survive because they are capable of beneficial use, with their maintenance being justified by their usefulness to, and appreciation by, their owners and not just their value in the property market, either in their own right or as part of a collective entity. The challenge which enabling development typically seeks to address occurs when the cost of the maintenance, repair or conversion to the optimum viable use<sup>226</sup> is greater than its resulting value to its owners or in the property market. This noted shortfall is commonly referred to as the Conservation Deficit.
- 5.417 The scale and range of an enabling development proposal can vary greatly. Though a typical example may be the proposition for the development of houses within the curtilage or setting of a listed building that would not normally be given planning permission (for example because it would be in breach of greenbelt or other policies), but where the listed building's future, both in the short and long term, can only be safeguarded through the utilisation of the consequential land value uplift resulting from that development.

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<sup>224</sup> National Planning Policy Framework (2021), paragraph 208 – Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>225</sup> National Planning Policy Framework (2021), paragraph 80(b) – Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>226</sup> PPG, Paragraph:015 Reference ID 18a-015-20190723 – Available online at: <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>



## Policy D24: Enabling Development and Heritage Assets

- 1) Development proposals for enabling development that would otherwise conflict with other planning policies, but which would secure the future conservation of a heritage asset are required to demonstrate that:
  - a) the enabling development would not materially harm the significance of the heritage asset or its setting and is the minimum necessary required to address the 'conservation deficit';
  - b) the enabling development is necessary to solve the conservation needs of the asset or place and not the financial needs of the present owner or to compensate the price paid for the asset or site;
  - c) there are no alternative means of delivering the same outcomes for the heritage asset, and that a full range of realistic possible options has been explored; and
  - d) it meets the guidance set out in the Historic England document, *Enabling Development and Heritage Asset: Historic Environment Good Practice Advice in Planning Note 4* (or guidance superseding it).
- 2) Development proposals are required to be accompanied by a conservation management plan which identifies the scale and cost of the current repairs and maintenance requirements of the heritage asset.
- 3) Development proposals are required to demonstrate that the resultant benefits of the enabling development outweigh the disbenefits. Applications which fail to demonstrate this will be refused.
- 4) Development proposals are required to undertake necessary repairs and maintenance of the heritage asset to secure its future conservation prior to the completion of the enabling development. This will be secured by planning condition or legal agreement.

### Definitions

- 5.418 *Conservation deficit* – The amount by which the cost of repair (and conversion to optimum viable use if appropriate) of a heritage asset exceeds its market value on completion of repair and conversion, allowing for all appropriate development costs.
- 5.419 *Conservation Management Plan* – Document which sets out the ongoing actions necessary to sustain the significance of the heritage asset once the enabling works have been completed. It should identify who will be responsible for the long-term management of the asset; the necessary maintenance tasks and the frequency with which they will be undertaken; and how future maintenance will be funded.
- 5.420 *Heritage asset* – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are either designated heritage assets or non-designated heritage assets. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed

Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas, designated under the relevant legislation. Non-designated heritage assets are identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets, these include locally listed buildings and locally listed parks and gardens.

- 5.421 *Maintenance* – Routine work necessary to keep the fabric of a place in good order. The main objective of maintenance is to limit deterioration. Although it is seen as mundane, it forms a cornerstone of building conservation, with the time and money invested protecting the value of the building.
- 5.422 *Repair* – Work beyond the scope of maintenance, to remedy defects caused by decay, damage or use, including minor adaptation to achieve a sustainable outcome, but not involving alteration or restoration.

### **Reasoned Justification**

#### *General Guidance*

- 5.423 By definition, enabling development should be a tool of last resort in securing the future conservation of a heritage assets that is at risk, after all other reasonable efforts that would secure the assets survival have been exhausted. It is not in the public interest to pursue enabling development if there are alternative means of delivering the same outcomes for the heritage asset, including other sources of public or private investment. The sums of money generated through enabling development are on condition that it directly solves the conservation needs of the asset. It is not there to solve the financial needs of the present owner, nor is it there to support/finance a business or to compensate the purchase price paid for the site.
- 5.424 The amount of enabling development that can be justified will be the minimum amount necessary in order to address the conservation deficit and to secure the long-term future of the asset. If no conservation deficit can be demonstrated, then the application will be refused. Equally, a proven conservation deficit does not automatically lead to permission or consent being granted.
- 5.425 Ideally enabling development would not harm the significance of the heritage asset it is intended to conserve. Nevertheless, in some instances, where it is evident that there is not a reasonable alternative means of delivering or designing a scheme with less or no harm, it may be necessary to be accepting of some harm. In such cases, the identified harm would still need to be balanced against the benefits of the proposals and the disbenefits from departing from those policies, as directed by the NPPF.<sup>227</sup> Undoubtedly there comes a critical point at which the harm to the heritage asset's significance is so great it would make the exercise of securing its future self-defeating and futile. In such situation, the Council would, if justified, consider accepting the risk of further decay or loss until circumstances change.
- 5.426 An enabling development proposal can be used in tandem with other solutions to the asset's

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<sup>227</sup> National Planning Policy Framework, paragraph 208 – Available online at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

continued conservation, however these would all have to be identified and shown to be deliverable as part of any application.

*Early engagement*

- 5.427 Making a case for enabling development is resource heavy as each application requires a significant amount of supporting detailed information. It is therefore good practice for applicants to consider realistically whether a scheme might work in principle and gain an understanding of what is and is not possible. Engaging in pre-application discussions with the Council and Historic England is one way of achieving this and may help reduce the chance of wasted expenditure on specialist advice.
- 5.428 It is also in the applicant's best interest to undertake some preliminary work, such as research into a range of alternative uses, and market testing. Not only would the outcome of this work provide a more holistic understanding of whether enabling development can be justified, it would also form part of the required evidence to support an application involving enabling development.
- 5.429 Should the noted preliminary assessments demonstrate that the enabling development is genuinely necessary, a desk-based viability assessment can then be used to identify the need for further detailed evaluation to improve the confidence in pursuing such a scheme.

*Demonstrating and justifying enabling development*

- 5.430 If the outcome of early engagement and preliminary assessments indicates that enabling development may be justified, then the extent and detail of the work entailed in supporting the application needs to be proportionate and appropriate to the specific circumstances and context of the heritage asset, as well as the proposed scheme. The information provided should be sufficiently detailed to allow the Council to validate the need for and assess the scale of the enabling development; and consider the impact on private concerns where this coincides with the public interest. Ultimately, if the Council is to support proposals for enabling development, it would need to be justified and substantiated by clear and convincing evidence.
- 5.431 The information provided by an applicant should cover all the financial aspects of the proposed enabling development, at an appropriate degree of detail to enable scrutiny and validation. This applies to both the assessment of need and the assessment of the scale of the enabling development necessary to meet that need. The onus is on the applicant to demonstrate that sufficient funds are not available from other sources, such as grant aid.
- 5.432 The Council will also refer and utilise the detailed guidance set out by Historic England in order to determine planning applications that propose enabling development.

*Necessary to solve the conservation needs of the heritage asset*

- 5.433 Understanding the impact of enabling development on the significance and integrity of a place involves the same approach as any other development proposal. It requires an understanding of the original purpose, development, use, design context and history of the heritage asset and its setting, and then to consider the following:
- a) who values the place and why they do so;

- b) how those values relate to its fabric;
- c) their relative importance;
- d) whether associate objects contribute to them;
- e) the contribution made by the setting and context of the place; and
- f) how the place compares with others sharing similar values.

- 5.434 Proposals should demonstrate that they will secure the restoration, appropriate re-use and ongoing management/maintenance of the heritage asset, this can be achieved through the submission of a Condition Survey / Conservation Plan and a Conservation Management Plan.
- 5.435 Enabling development is not just about securing the repair of the heritage asset, it is also about ensuring its future, as far as reasonably possible. Once repaired, regular maintenance should ensure no further enabling development will be required. In most circumstances, assets are small enough for their upkeep to be in the direct interest of the owner, however assets of a larger nature may need other approaches. One alternative approach is for a third party, such a trust of public body, to discharge the responsibility for long-term maintenance.
- 5.436 There may be occasions where the condition of a heritage asset has deteriorated to the extent that its full repair would involve substantial and possibly speculative reconstruction that could harm the significance of what remains. In these circumstances the effect of the repairs on the asset's significance will need to be understood using the NPPF criteria before making a balanced judgement about the merits of enabling development.

*The only means possible*

- 5.437 In order to establish if enabling development can be justified, thus is unavoidable, applicants will be required to investigate and evidence that genuine attempts have been made to find alternative uses or owners to secure the future conservation of the heritage asset. This ideally would include early consideration of proposals that avoid the acceleration of the conservation deficit – for example, sale to another, grant or other funding sources, or transfer of ownership to a building preservation trust or similar charity. Equally, the Council may consider the possibility of using its enforcement or compulsory purchase powers as a feasible alternative. It is important that a wide range of realistic possibilities are considered, not just the original or most recent uses, although these naturally may be the most appropriate. Information and guidance regarding the local authority's preventive measures can be found in the Historic England publication *Stopping the Rot: A Guide to Enforcement Action to Save Historic Buildings*.<sup>228</sup>
- 5.438 Market experts can provide an insight into the possibility of an alternative owner who would be prepared to acquire the asset and secure its future conservation without the need for enabling development works or a scheme with less adverse impact, however only proper and appropriate marketing can demonstrate the accuracy in this.
- 5.439 All marketing should be carried out by a suitable firm of chartered surveyors or estate agents and include the placing of advertising in all relevant journals and media platforms. There should be no inflation of the price in the hope of demolition or additional development. Assuming normal market conditions, the minimum period of active marketing the Council expects will be six

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<sup>228</sup> Available online at: <https://historicengland.org.uk/images-books/publications/stoppingtherot/>

months. Additional good practice advice on appropriate marketing is provided by Historic England in their publication *Good Practice Advice in Planning Note 2: Managing Significance in Decision-taking in the Historic Environment*.<sup>229</sup>

- 5.440 Where an asset forms part of a larger historic entity, e.g. a listed building within a historic park or garden, it is expected that the entire historic entity will be market tested, unless it can be demonstrated, to the satisfaction of the Council and where necessary, Historic England, that this would be inappropriate. This is to safeguard the historic entity from detrimental fragmentation through the isolation and sale of those non-viable parts, as depriving the asset of the expected amenities for its type and size is likely to prejudice its sustainable future.
- 5.441 The potential for grant aid is also expected to have been investigated by the applicant. Where grant aid is available, but is insufficient to cover the entire conservation deficit, this should be used in combination with enabling development. Available grant aid should be evidence in the planning application.

*The minimum necessary*

- 5.442 To ascertain how much money the enabling development proposal will be required to raise, applicants will need to do a comparative assessment of the market value of the asset in its current state and once complete. If the current value, plus the cost of the reasonably required conservation repairs and, if appropriate, conversion to optimum viable use exceeds the value when completed, then there is a 'conservation deficit'. It is this amount that the enabling development will need to raise.
- 5.443 Applicants will be expected to demonstrate that the proposed enabling development is the minimum necessary by submitting a development appraisal. This appraisal should be substantiated by the following:
- a) justification for current value, if not nominal;
  - b) justification for end value, based on comparable transactions;
  - c) detailed costed schedule of works;
  - d) justification for any other exceptional costs; and
  - e) a sensitivity analysis.
- 5.444 With this financial information and assessments being critical to the question of whether enabling development is required, failure by applicants to provide such information will result in the refusal of planning permission. Concerns regarding the disclosure of commercially sensitive information do not outweigh the need for accurate financial evidence to be provided, as it forms a fundamental part of the assessment.
- 5.445 A schedule of repair costs to the heritage asset must always start from a sound understanding of the assets existing condition. It is also vital to establish whether the works proposed conform to good conservation practice, involving neither too much nor too little work; and whether they are realistically costed. To aid with this a specification synopsis describing the standard of repair, and a schedule or the extent of the repair are essential to the process.

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<sup>229</sup> Available online at: <https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2>

*Benefits*

- 5.446 Enabling development is often contrary to one or more planning policies and justified on the basis that the benefits of the proposal decisively outweigh any disbenefits. In light of this a proposal should demonstrate how it will provide a significant public benefit, in addition to the conservation of the heritage asset.
- 5.447 It is expected that the benefits identified will be directly related to the use of the heritage asset and/or its setting, however, off-site benefits which are proportionate to the proposed development will be considered where appropriate.
- 5.448 Whilst not exhaustive, the following is a list of potential public benefits.
- New or improved public access to the heritage asset and/or its setting
  - Conversion of the asset to a public use (i.e. tourist attraction, education facility etc...)
  - Restoration/reinstatement of the setting of the heritage asset with associated public access
  - Biodiversity enhancement on site with associated public access
  - Provision of employment opportunities
- 5.449 The appropriateness and significance of the benefits identified by the applicant will be examined by the Council in the round. Just because an application demonstrates a public benefit output does not necessarily mean that the application will be supported by the Council.

*Ensuring deliverability*

- 5.450 Where a decision has been taken that a proposal for enabling development is acceptable in principle, the resultant benefits need to be properly secured via a legally enforceable arrangement. It is preferable that the conservation benefits are secured as early as possible, however occasionally the conservation works approved are dependent on funds becoming available as the enabling development progresses or at a very late stage. In these cases, the justification of delayed payment(s) and works will need to be set out at an early stage and the agreed arrangement secured in advance between the applicant and the Council. In those circumstances where a phased approach is planned and agreed, it is critical that enforceable trigger points are identified and mutually agreed.
- 5.451 To prevent enabling development being carried out without the heritage benefits (including long-term maintenance arrangements) being realised the Council will employ the use of legally enforceable mechanisms such as planning conditions and Section 106 legal agreement. The Council will use its professional discretion in determining the most appropriate method, however, because of the importance of meeting the heritage objective and the potential for matters that are beyond the scope of planning conditions, a Section 106 agreement is usually the most appropriate mechanism employed, however, other options could include phasing, escrow accounts or the use of a trust.
- 5.452 Whilst the repair of the heritage asset is perhaps the primary objective of enabling development, it does not serve as its sole purpose. It is also used as a mechanism to secure the heritage assets future, as far, as reasonably possible. In most instances, assets are small enough for their upkeep to be in the direct interest of the owner(s), however the Council will look to include an obligation within any S.106 agreement, to ensure regular future maintenance. This way if

problems do arise then it is likely to be more effective than the use of statutory powers such as urgent works notices.

### Key Evidence

- Historic England (2020) Enabling Development and Heritage Asset: Historic Environment Good Practice Advice in Planning Note 4

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D24	N/A	Planning Appeals

## 6. Infrastructure chapter

### Policy ID5: Protecting Open Space

#### Introduction

- 6.1 National planning policy places importance on the provision of an accessible network of high-quality open spaces<sup>230</sup> and opportunities for sport and physical activity. Planning authorities are required to plan positively to ensure that open space provision reflects current and future needs in order to support communities' health, social and cultural well-being. This is set out in the NPPF<sup>231</sup>. Further guidance on open space, sport and recreation is also set out in Planning Practice Guidance<sup>232</sup>.
- 6.2 LPSS 2019 Policy ID4: Green and Blue Infrastructure protects open space in line with NPPF policy. The NPPF<sup>233</sup> prohibits building on open space except where:
- an assessment has been undertaken that clearly shows the open space is surplus to requirements;
  - the loss would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or
  - the development is for alternative sports and recreational provision, the benefits of which would clearly outweigh the loss.

#### Policy ID5: Protecting Open Space

- Open space will be protected in line with LPSS 2019 Policy ID4: Green and Blue Infrastructure and national policy.
- Exceedance of the minimum standards set out in the Open Space, Sport and Recreation Assessment will not mean that land designated as open space<sup>234</sup> is surplus to requirements. A surplus will only be considered to exist where analysis has shown that:
  - the land is no longer needed as open space, and its loss would not result in, or worsen, a local deficit of that particular open space typology in terms of accessibility, quality or quantity; and

<sup>230</sup> See Definitions for an explanation of what is meant by open space, for this policy's purpose.

<sup>231</sup> National Planning Policy Framework (2021), paragraphs 8b, 84 d), 93 and 98-102.

<sup>232</sup> Available online at: <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

<sup>233</sup> National Planning Policy Framework (2021), paragraph 99.

<sup>234</sup> In this context, open space refers to land that fits into one or more of the typologies of open space assessed in the Open Space, Sport and Recreational Assessment (2017) and referred to in Table 6 (page 35) of that document. These open spaces are protected for their sport and/or recreational purposes, though they may also have public value for aesthetic, biodiversity or other reasons.



- b) the site cannot be improved or repurposed to correct deficits in other open space typologies.
- 3) Development proposals on open space are required to achieve biodiversity net gains in line with Policy P7: Biodiversity in New Developments.
- 4) Development proposals for ancillary uses that support the open space's role and function may be supported.

### Definitions

- 6.3 *Open space:* The NPPF Annex 2: Glossary defines Open Space as "all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as visual amenity". Policy ID4 clarifies that the definition applies to all open space within urban areas, land designated as open space on the Policies Map and all land and water that provides opportunities for recreation and sport as identified in paragraph 4.6.57 of the Council's Open Space, Sport and Recreation Assessment 2017 (OSSRA)<sup>235</sup>. This can include land that is not publicly accessible but has public visual amenity. It does not however include Local Green Spaces, which are subject to a different level of protection under the NPPF<sup>236</sup> and the exceptions that allow development on them are also different to those applicable to open space.

### Reasoned Justification

- 6.4 The Council's Open Space, Sport and Recreation Assessment 2017 (OSSRA) assessed various typologies of open space across the borough in terms of quantity, accessibility and quality, established minimum guideline standards of provision for each, and audited existing provision against those standards, including potential for improvement.
- 6.5 The OSSRA's audit of open space provision indicates wards of the borough in which minimum quantitative standards of provision have been met, as well as those wards in which there is a highlighted local quantitative deficit<sup>237</sup>; however, it does not establish whether any sites are surplus to requirements, as all such provision may be well used.
- 6.6 There are two separate elements to demonstrate that an open space site is surplus as indicated in paragraph 2) of the policy. The onus is therefore on applicants proposing development involving loss of an open space to provide evidence to support their position that a site can be considered surplus as defined in paragraph 2) a) and b) of the policy.
- 6.7 Whether the loss of an open space would result in a local deficit of that type of open space

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<sup>235</sup> Available online at <https://www.guildford.gov.uk/localplan/openspace>. N.B. The OSSRA did not consider Suitable Alternative Natural Greenspace (SANGs); although SANGs can provide recreational benefits, they are specifically purposed as compensatory measures for development that would otherwise lead to adverse effects on habitats and other sites protected for their biodiversity value. SANGs are not designated by the Local Plan but are protected by the NPPF paragraph 176 c), which affords them the same protection as European designated sites. However, legally designated common land was included within the assessment and falls within the amenity and natural green space open space typologies (as referred to in Policy ID6).

<sup>236</sup> National Planning Policy Framework (2021), paragraphs 101-103.

<sup>237</sup> See Chapter 7, Table 17 of the OSSRA.

under 2) (a) will depend partly on the accessibility and quantity of existing open space provision available nearby (this is in accordance with the standards set out in Policy ID6, including its catchment area for the purpose of accessibility, which varies for each open space typology), and also upon its quality. It will therefore need to be considered on a case-by-case basis.

- 6.8 The evidence of local need for the space that is likely to be considered as potentially appropriate justification for its loss will vary depending on the type and location of the space. However, it might include, for example, data on usage from more recent household surveys than those undertaken for the OSSRA, and/or a detailed further assessment of access and quality issues. If it is considered that a site is surplus, then paragraphs 3) to 4) of the policy will remain relevant.
- 6.9 This policy is intended to protect open space for its recreational value. Open spaces are also protected through other Local Plan policies where they have significant heritage, agricultural or biodiversity value<sup>238</sup>.
- 6.10 It is important to note that some development on open spaces can be beneficial for the role and function of the space. Where alternative sports and recreational provision is proposed, and the benefits of this would clearly outweigh loss of the current or former open space use, it is not precluded by the NPPF<sup>239</sup> or LPSS 2019 Policy ID4: Green and Blue Infrastructure. Paragraph (3) of Policy ID5 clarifies that ancillary development that would support the role or function of an open space may also be supported. These might include engineering works to improve drainage or new or upgrades to existing sports or play facilities.
- 6.11 The Council intends to produce a Playing Pitch Strategy which will supplement the OSSRA and include more detailed guidance covering the need and requirement for sports pitches<sup>240</sup>.

### Key Evidence

- Guildford Open Space, Sport & Recreation Assessment 2017

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID5	N/A	Planning Appeals

<sup>238</sup> See the Open Space, Sport and Recreation Assessment 2017 (p73), available online at <https://www.guildford.gov.uk/localplan/openspace>

<sup>239</sup> National Planning Policy Framework (2021), paragraph 99 c).

<sup>240</sup> Sports pitches fall within the Parks and Recreation Grounds, including playing pitches, typology in Policy ID6 and the OSSRA.

## Policy ID6: Open Space in New Developments

### Introduction

- 6.12 Open space is a key component of green infrastructure, which is defined as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities”<sup>241</sup>. These quality of life benefits include access to nature, and opportunities to increase physical fitness and social interaction, all of which can potentially improve mental health.
- 6.13 The primary purposes of open space are for sport, recreation and amenity but with appropriate design many areas of open space provide further benefits in line with other local plan policies, for example they may be managed to support and enhance biodiversity. In particular, open space in new developments is expected to contribute to the achievement of net gains in biodiversity where this is compatible with recreational uses (see Policy P7: Biodiversity in New Developments). The NPPF<sup>242</sup> requires local plans to enhance public rights of way and access, for example by adding links to existing networks. As publicly accessible land, open space may make an important contribution to this.
- 6.14 Whilst open space is frequently owned by the Council or parish, private open space (for example, sports pitches owned by a club) also plays an important role in meeting recreational needs and may also offer informal permissive access, e.g. for dog walking. The purpose of this policy is to promote provision of either public or privately owned space that offers access to local communities, i.e. the general public. Private space in this category is considered to be space provided by private providers for outdoor amenity, recreation and sport that are reasonably accessible to all members of the public, either free of charge or (in the case of sports pitches) available for hire at affordable rates.
- 6.15 The NPPF<sup>243</sup> states that plans should seek to accommodate open space, sport and recreational provision based on needs identified in up-to-date assessments. The Council’s Open Space, Sports and Recreation Assessment (2017) (OSSRA)<sup>244</sup> identifies the need for the following range of typologies of open space and proposes locally developed standards that aim to meet these identified needs:
- a) Allotments;
  - b) Amenity Green Space – informal recreation space, predominantly grassed, in and around housing and commercial developments;
  - c) (Accessible) Natural Green Space - natural space for informal recreation<sup>245</sup>;
  - d) Parks and Recreation Grounds – formal parks; recreation grounds and outdoor sports space;

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<sup>241</sup> National Planning Policy Framework (2021), glossary.

<sup>242</sup> National Planning Policy Framework (2021), paragraph 100

<sup>243</sup> National Planning Policy Framework (2021), paragraph 98

<sup>244</sup> Available online at: <https://www.guildford.gov.uk/localplan/openspace>

<sup>245</sup> The OSSRA introduces standards on provision of open space for all typologies, except for Natural Green Space, for which it refers (in paragraph 7.3.2) to the established Access to Natural Green Space Standard (ANGSt), produced by Natural England.

- e) Play Space (Children) – designated areas of play for children up to around 12 years old including formal play equipment and more natural play areas; and
- f) Play Space (Youth) – designated informal recreation space for 13- to 17-year-olds and formal space like skateboard parks, basketball courts etc.

6.16 Further detailed descriptions of these typologies can be found in the OSSRA<sup>246</sup>.

### Policy ID6: Open Space in New Developments

**Residential developments**

- 1) Development proposals that would result in a net increase in number of residential units are required to provide or fund open space based on the expected occupancy of the new development and the quantity standards set out in Table ID6a. New open space is expected to meet the access standards in Table ID6a.

**Table ID6a**

Typology	Quantity standards (ha/1,000 people)	Access standard (expected maximum distance from new homes)
Allotments	0.25	720 metres or 15 minutes' walk time
Amenity Green Space	1 (total)	720 metres or 15 minutes' walk time
Natural Green Space		ANGSt standard <sup>247</sup>
Parks & Recreation Grounds, including playing pitches	1.35 of which a minimum of 0.8 is public space	720 metres or 15 minutes' walk time (except playing pitches)
Play Space (Children)	0.05	480 metres or 10 minutes' walk time
Play Space (Youth)	0.03	720 metres or 15 minutes' walk time
Total for all typologies	2.68	Left blank

- 2) Development proposals that meet the thresholds in Table ID6b are expected to provide open space on-site unless it can be clearly shown not to be feasible. Where the size of a scheme falls below any of the onsite thresholds, an equivalent financial contribution in lieu will be sought for offsite provision and/or enhancement of existing open space of that typology.
- 3) Where required onsite open space provision is unable to meet the quantity standards in Table ID6a, an equivalent financial contribution based on the amount and type of open space omitted will be sought as above.

<sup>246</sup> (page 35 onwards)

<sup>247</sup> See footnote 242

**Table ID6b**

Open space typology	11-49 dwellings	50-249 dwellings	250+ dwellings	Strategic sites (In LPSS 2019)
Amenity/Nat. Green Space	✓	✓	✓	✓
Parks & Rec. Grounds	-	-	✓	✓
Play Space (children)	-	✓	✓	✓
Play Space (Youth)	-	-	✓	✓
Allotments	-	-	-	✓

**Key**

✓ On-site provision

- 4) The standard for parks and recreation grounds in Table ID6a includes an allowance for playing pitches. Where artificial grass pitches (AGP) are proposed in place of natural grass pitches, this is required to be justified by evidence of local need for this type of pitch.
- 5) Both artificial and grass pitches are required to be designed to a high standard and applicants are required to demonstrate by means of a community use agreement that any privately owned pitch will be accessible to the public and that any charges for their use will be affordable. Contributions towards private sport provision will be acceptable where there is clear public benefit.
- 6) New residential development proposals are expected to consider provision of community growing space in addition to other types of open space.
- 7) Deviations from the mix of open space typologies set out in this policy may be permitted where deficiencies in provision in the local area of the site are corrected and the required provision of open space in terms of total quantity is still provided.

**Non-residential developments**

- 8) Non-residential development proposals are encouraged to provide areas of amenity open space of a proportionate size, scale and character within or adjacent to the development.

**Quality and design of new open space**

- 9) New open space is required to meet the Council's minimum standards for site size, design and quality as set out in its most recently published strategies.
- 10) New open space is expected to:
  - a) be multi-functional space that delivers a range of benefits including biodiversity gains, flood risk management and climate change measures;
  - b) be safe and secure for all members of the community and their design and management should promote social inclusivity;

- c) support and enhance the existing rights of way network, providing new footpaths and cycle links where possible; and
- d) be designed to link up open spaces as much as possible.

### Definitions

- 6.17 *Allotment* – An allotment, or allotment garden, is land wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for consumption by him/her or his/her family<sup>248</sup>. They do not include private gardens or commercial premises. The statutory definition of an allotment within Guildford borough is an area of land with a measurement no greater than 20 poles in extent<sup>249</sup> (500 sqm). The Council has a statutory duty to provide sufficient statutory allotments to meet assessed demand.
- 6.18 *Community growing space* – These are accessible plots designed into developments that enable shared community use for growing fruit or vegetables<sup>250</sup>.
- 6.19 *Occupancy* – Household occupancy is the number of persons living in a household. The occupancy of a proposed development (referred to in paragraph (1) of the policy) is estimated by multiplying the number of proposed dwellings of each size, i.e. number of bedrooms, by the average occupancy rate for that size of dwelling in the borough, based on the latest census data.
- 6.20 *Parks and Recreation Grounds, including playing pitches* – These include formal parks, recreation grounds and outdoor sports space, for both pitch and non-pitch sports. They also include the general open space surrounding play areas, sports facilities etc. used for general recreation (but not informal recreation space in and around housing developments which is separately classified as amenity green space)<sup>251</sup>.
- 6.21 *Play space (children)* – Play space intended mainly for children include LAPs (Local Areas for Play) and LEAPs (Local Equipped Areas for Play)<sup>252</sup>.
- 6.22 *Play space (youth)* – Play space for youths includes NEAPs (Neighbourhood Equipped Areas for Play), which are laid out and equipped mainly for older children, but potentially with play opportunities for younger children as well<sup>253</sup>. Youth play space also includes MUGAs (Multi-Use Games Areas) and skateboard parks.
- 6.23 *Strategic sites (in LPSS 2019)* – The strategic sites referred to in Table ID6b are all of those strategic sites listed in paragraph 4.1.10 of the LPSS 2019, with the exception of North Street (Site A5). They therefore include the following sites: A24 – Slyfield Area Regeneration Project, A25 – Gosden Hill Farm; A26 – Blackwell Farm; and A35 – Former Wisley Airfield.

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<sup>248</sup> Allotment Act 1922, S22

<sup>249</sup> Allotments Act 1950, S9

<sup>250</sup> Available online at: <https://www.verdantearth.co.uk/community-growing-spaces/>

<sup>251</sup> For a more detailed explanation and examples of this open space typology, see Section 5.1.3 of the Open space, Sports and Recreation Assessment (2017), available at <https://www.guildford.gov.uk/localplan/openspace>.

<sup>252</sup> See Fields in Trust Guidance: Available online at: <http://www.fieldsintrust.org/knowledge-base/guidance-for-outdoor-sport-and-play>

<sup>253</sup> Available online at: <http://www.fieldsintrust.org/knowledge-base/guidance-for-outdoor-sport-and-play>

### Reasoned Justification

- 6.24 Whilst the policy applies only to proposed developments that would result in a net increase in residential units, the amount of open space required is calculated based on the expected occupancy of the proposed development with reference to the quantity standards in Table ID6a (see occupancy definition for explanation of the calculation). This approach ensures that open space delivered alongside new residential development keeps up with population growth by taking account of demand for open space arising from net population increase within the site<sup>254</sup>.

#### *Open space standards*

- 6.25 The quantity and access standards for open space in Table ID6a follow recommendations in the OSSRA, and reflect current evidence of local need.
- 6.26 The access standards in Table ID6a are *expected* maximum distances from new homes, rather than *fixed* maximum distances, and will be considered in respect of site-specific considerations. This allows for flexibility in cases where they cannot be precisely met without compromising a scheme's design and layout.
- 6.27 The thresholds for onsite provision in Table ID6b take account of the OSSRA's recommendations. However, they also reflect the types of sites allocated in the LPSS 2019 and the Council's experience of negotiating with developers on open space provision, as well as the importance for open space to be appropriately facilitated and designed, and sensitively located in relation to other land uses.
- 6.28 Quality standards for open space (referred to in policy paragraph (9)) are included in section 6 of the OSSRA, covering site size, design, facilities to be incorporated, etc. For more detailed quality standards on play space, applicants should also refer to Section 2 of the Council's Play Strategy<sup>255</sup>.
- 6.29 For strategic sites<sup>256</sup> in the LPSS 2019, open space provision as per the quantity and access standards in Table ID6a is expected to be achieved across the whole site and outline application master plans are expected to demonstrate how this will be achieved. The Strategic Development Framework SPD<sup>257</sup> expands on this principle and includes illustrative maps which show areas of existing open space and appropriate locations for new open space typologies within these sites.

#### *Financial contributions in lieu of onsite provision of open space*

- 6.30 Where sites are considered too small to provide open space onsite, as indicated in Table ID6b, the policy requires an equivalent financial contribution in lieu of onsite provision. Money from

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<sup>254</sup> It is intended that the Planning Contributions for Open Space SPD will clarify this approach further, with worked examples. The approach to securing off-site contributions will also be reviewed on the future introduction of any infrastructure levy.

<sup>255</sup> The Play Strategy is available online at: [https://www.guildford.gov.uk/media/21348/Guildford-Play-Strategy/pdf/Guildford\\_Play\\_Strategy.pdf](https://www.guildford.gov.uk/media/21348/Guildford-Play-Strategy/pdf/Guildford_Play_Strategy.pdf). As the Play Strategy is updated, its key requirements and those of the Open Space, Sports and Recreation Assessment (2017) in relation to quality of play space will be incorporated into the Planning Contributions for Open Space SPD.

<sup>256</sup> See definition in this policy for strategic sites.

<sup>257</sup> Available online at <https://www.guildford.gov.uk/strategicdevelopmentframeworkspd>.

these smaller developments (comprising at least 11 dwellings, but below the on-site threshold) will be collected to provide offsite open space or improvements to existing space in the locality of the proposed development. The contribution amounts will be based on the expected occupancy of the proposed development as per policy paragraph 1) and will be provided in the Council's Planning Contributions for Open Space SPD<sup>258</sup>.

*Flexibility of provision*

- 6.31 In the interest of promoting open space within new developments where feasible, provision of on-site open space may be considered for schemes that fall below the thresholds for onsite provision in Table ID6b provided the open space meets the minimum standards for site size, design and quality referred in policy paragraph (9). This is to prevent a proliferation of spaces that are too small, poorly designed/located and impractical to manage.
- 6.32 The OSSRA shows that every ward in the borough has an identified shortage of at least one typology of open space. Priority will be given to correcting local deficits; however, while developers cannot be asked to correct pre-existing deficiencies, policy paragraph (7) allows for negotiation on the type of open space delivered and its on-site location without increasing the total obligation placed on developers. An example is where there is a quantitative deficit of parks and recreation grounds in the area or ward in which the site is located, but sufficient amenity and natural green space, after accounting for demand arising from the proposed development. In this situation it may be acceptable to substitute part of the amenity and natural green space requirement (in hectares) for parks and recreation grounds.

*Specialist residential units*

- 6.33 Development that increases demand for open space will be required to address this in line with the policy. This includes residential dwellings within Use Class C3, which are required to contribute to all typologies of open space listed in Table ID6b.
- 6.34 Certain types of development are unlikely to increase demand for particular types of open space. The requirement to provide open space for children and youths, and allotments does not apply to the following types of accommodation:
- Specialist accommodation for older people within Use Class C2 and C3, for example, sheltered housing/retirement housing, extra care housing and residential care; and
  - Purpose-built student accommodation.
- 6.35 The requirement to provide parks and recreation grounds (including outdoor sports facilities/playing pitches) does not apply to residential development in Use Class C2. Residents in residential care homes are likely to require a high level of care and are therefore unlikely to increase the demand for these open space typologies.

*Open space in non-residential developments*

- 6.36 Whilst the requirement for provision of open space applies only to new residential developments (including mixed use schemes that deliver residential uses), policy paragraph (7) encourages amenity green space in non-residential developments, including business, retail and commercial

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<sup>258</sup> Available online at <https://www.guildford.gov.uk/contributionsspd>.



premises. This is primarily for the benefit and well-being of the workforce and visitors; however it also contributes towards green and blue infrastructure networks and biodiversity.

*Allotments and community growing space*

- 6.37 Applicants should be aware that community growing space will not be considered as a substitute for provision of allotments on strategic sites, or for financial contribution towards allotments on non-strategic sites. The OSSRA (Section 6.2) provides some general quality recommendations for new allotments, which should be viewed as standards for them in accordance with policy paragraph (9)<sup>259</sup>.
- 6.38 The expectation in policy paragraph 6) for developers to consider providing community growing space in new residential developments includes denser developments, for example flats or apartments, where private outdoor space may be limited. In such cases, smaller shared plots, which might include community orchards or community gardens, may help engender community cohesiveness among new residents, as well as contributing towards climate change mitigation through urban greening/urban cooling and reducing food miles. In very dense developments, the use of rooftop space could be considered for the provision of growing space for food.
- 6.39 Provision of community growing space is considered an addition to, and not a substitute for private open space within residential gardens, which serves a different function.

*Design of open space for accessibility and wildlife*

- 6.40 It is expected that new open space will maximise connections to existing or other areas of open space being provided – see policy paragraph (10)(d). The purpose of this is to facilitate the creation of green corridors for wildlife and enable ease of access on foot and/or by bicycle. This will help to increase biodiversity within and close to new developments and make open space more attractive, thereby increasing its overall use.
- 6.41 The expectation in paragraph (10)(c) for new open space to provide footpaths and cycle links where possible is compatible with open space's intended recreational use. In considering whether opportunities exist to support and enhance the public rights of way network, developers are expected to have regard to other Local Plan policies, including identified opportunities for high quality walking and cycling networks (see Policy ID9: Achieving a Comprehensive Guildford Borough Cycle Network).

*Maintenance of open space*

- 6.42 Responsibility for maintenance of open space provided under this policy lies initially with developers. Discussions between developers and the Council are therefore expected to take place as early as possible to establish arrangements for future maintenance. For example, developers may wish to transfer the ownership and responsibility for ongoing maintenance to a management company, or to a public body, subject to the Council's agreement and a one-off contribution by the developer to cover physical upkeep of the facility. Details of any other intended maintenance option, including the means by which its long-term maintenance and

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<sup>259</sup> Additional guidance on provision of allotments is available in the Local Government Association document, 'Growing in the Community: Second Edition'. Available online at: <https://www.local.gov.uk/publications/growing-community-second-edition>

access will be secured, will be required to be submitted in writing and agreed by the Council.

- 6.43 The Planning Contributions for Open Space SPD will provide more detail on the method for securing maintenance funding for open space transferred to public ownership.

*Artificial and grass playing pitches*

- 6.44 The proportion of the quantity standard in Table ID6a for Parks and Recreation Grounds that will be expected to be playing pitches will be determined on the basis of local need. It will be considered on a case-by-case basis, taking account of the OSSRA, evidence provided by applicants and advice from the Council's Parks team and other bodies, such as Sport England<sup>260</sup>.
- 6.45 Synthetic or artificial grass or turf pitches (AGPs or ATPs) have some benefits over traditional grass pitches as they can be used in all weather conditions and all year round. This gives them the potential to support a high intensity of usage compared to traditional grass pitches. However, they can incur relatively high costs to maintain long-term, are less likely to deliver biodiversity gains and they may not be suitable for all grass pitch sports.
- 6.46 Taking account of these factors, the Council may, in some circumstances and on a site-by-site basis, consider accepting playing pitch provision below the required quantitative standard in Table ID6a if one or more AGPs are proposed as part or all of the pitch requirement. This decision will reflect evidence of specific need for an artificial rather than grass pitch.
- 6.47 The decision will also be subject to receipt of satisfactory evidence from the applicant that the proposed AGP's design will be of high standard, compliant with the latest sports performance standards<sup>261</sup> including suitable fencing markings, and availability of opportunities for it to be used for a wide range of sports<sup>262</sup>. On multi-sport sites, consideration will also be given to any adverse potential impact of an AGP on use of the site for other pitch sports. The use of sport specific playing surfaces is preferred. The applicant's evidence is also required to demonstrate that a sinking fund will be in place for ongoing maintenance and replacement of the pitch surface.

*Shared use of playing pitches*

- 6.48 Applicants are required to provide a community use agreement, to be secured by appropriate planning condition or legal agreement, to demonstrate that any privately owned artificial or grass pitch provided in respect of the policy requirement, including on education sites, will be reasonably available for public use, and that any charges for the pitch's use and use of its

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<sup>260</sup> The Council intends to produce a playing pitch strategy in future that will establish the proportion of space within this typology that should be playing pitches and may recommend specific access standards for them, and instances where financial contributions towards off-site pitch provision and/or improvement of existing facilities may be preferable, which we will consider in future.

<sup>261</sup> For basic technical standards for AGPs see Sport England's Design Guidance Note, *Artificial Surfaces for Outdoor Sport*. Available online at: <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces>

<sup>262</sup> This requirement is in accordance with Fields In Trust's *Guidance for Outdoor Sport and Outdoor Play* (updated November 2020). Available online at: <http://www.fieldsintrust.org/Upload/file/guidance/Guidance-for-Outdoor-Sport-and-Play-England.pdf>.

facilities are affordable – see policy paragraph (5).

- 6.49 The community use agreement is expected to be prepared in consultation with Sport England and required to be approved in writing by the Council. It will be required to include details of pricing policy, hours of access, management responsibilities and a mechanism for review. Conditions may be imposed on any scheme required to provide a playing pitch(es) to ensure that these matters are addressed satisfactorily.

### Key Evidence

- Guildford Open Space, Sport & Recreation Assessment 2017
- Guildford Play Strategy 2016-2021
- Strategic Development Framework Supplementary Planning Document 2020

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID6	N/A	Planning appeals

## Policy ID7: Community Facilities

### Introduction

- 6.50 The provision of community facilities is integral to achieving healthy, inclusive and safe communities. In Guildford borough, significant new growth is planned over the next 10-15 years. The Council has already planned and made provision for necessary key supporting infrastructure with its partners, such as SCC. This includes for the delivery of a range of community facilities, including new and expanded schools, health care facilities and other community uses, catering for planned growth and future needs of the borough. In this regard, the LPSS 2019 includes site allocations for new community facilities and associated requirements for new and expanded facilities on which delivery of the plan depends in its Infrastructure Schedule. The Council requires contributions via Section 106 agreement toward community facilities, such as for new or expanded school provision, from related new development in line with LPSS 2019 Policy ID1 and the NPPF.
- 6.51 There is a need for further policy to guide the planning of new or expanded community facilities and to retain existing facilities to ensure that they effectively serve and are accessible to potential users within the borough now and into the future. In this regard, national planning policy reflects that the Council should enable the retention and development of accessible community facilities as well as guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Furthermore, the Council should ensure that established facilities and services are able to develop and modernise and are retained for the benefit of the community. This is set out in the NPPF at paragraphs 84d) and 93.

### Policy ID7: Community Facilities

- 1) Development proposals for new, expanded or replacement community facilities are required to:
  - a) be appropriate in design terms;
  - b) avoid an unacceptable impact on the amenity of neighbouring residents; and
  - c) avoid unacceptable transport impacts.
- 2) Development proposals for new, expanded or replacement community facilities are:
  - a) expected to be located and designed so that they can be conveniently accessed by their intended users via public transport, walking and cycling; and
  - b) encouraged to be co-located with compatible and mutually supportive facilities or uses.
- 3) Complementary or ancillary uses, closely associated with or as part of a community facility are encouraged, provided that they do not detract from the facility and its primary function.

- 4) Development proposals for new Local Centres or community hubs are encouraged to be designed to be flexible and adaptable to accommodate changing needs and modern lifestyles.
- 5) Community facilities will be retained for the benefit of the community and development proposals resulting in their loss or change of use will be resisted unless it is demonstrated that:
  - a) adequate alternate provision exists or a replacement facility of an equivalent or better standard is to be provided in a location equally or more conveniently accessible to the facility's current catchment area; or
  - b) there is no longer a need for the facility in its existing or alternative community use and its retention for such uses has been fully explored without success.

### Definitions

- 6.52 *Community facility* - includes education, health and welfare facilities, meeting halls, public libraries, youth and community centres, public halls, places of worship (generally, those uses within Classes E(e - f), F1 and F2(b) of the Town and Country Planning (Use Classes) Order 1987<sup>263</sup> (as amended<sup>264</sup>) and certain uses within Use Class C2). Whilst uses beyond those referred to may be regarded as community facilities more generally, for the purposes of this policy and for clarity in Local Plan policy guidance, several types of facility are dealt with separately and this policy is not applicable. These include visitor, leisure and cultural attractions, including arts and entertainment facilities, hotels and indoor sports venues as addressed in LPSS 2019 Policy E6: The leisure and visitor experience; open space as addressed in Policy ID5: Protecting Open Space and Public Houses as addressed in ID8: Retention of Public Houses. Local community shops (Use Class F2(a)) are included within the definition only to the extent that paragraph 5 of the policy is applicable.
- 6.53 *Community hub* - a place that is a focal point for local activities, services, and facilities, accessible to the local community which may or may not be located within a centre.

### Reasoned Justification

- 6.54 It is important that community facilities reflect high-quality, safe, accessible and inclusive design to meet the needs of all users. The Local Plan's general design policies will ensure that facilities are appropriate to their context and meet the Council's adopted standards with regard to sustainable, low impact development and adapting to and mitigating the impacts of climate change.
- 6.55 A new, expanded or replacement community facility must avoid unacceptable impact on the amenity of neighbouring properties. This includes the loss of privacy, sunlight, daylight, but could also cover aspects such as noise and light impacts which may be associated with this type of use. These issues are covered in more detail in Policy D5: Protection of Amenity and Provision of Amenity Space, Policy D11: Noise Impacts and Policy D12: Light Impacts and Dark

<sup>263</sup> Available online at: <http://www.legislation.gov.uk/ukxi/1987/764/contents/made>

<sup>264</sup> Available online at: <http://www.legislation.gov.uk/changes/affected/ukxi/1987/764>

Skies. Furthermore, careful consideration is needed in relation to avoiding unacceptable transport impacts, which includes ensuring provision of sufficient parking in line with Policy ID10: Parking Standards for New Development and Neighbourhood Plans, where relevant.

- 6.56 Whilst acknowledging the distinct operating needs and locational requirements of certain community facilities, it is critical that facilities are accessible to the residents they serve. This is particularly the case for potential users that do not have access to private cars and groups with protected characteristics. Proposals should reflect upon access considerations both at the wider area and neighbourhood scale as well as in relation to detailed site and building design.
- 6.57 Exploration of opportunities for a community facility to be co-located with mutually supportive facilities or uses, either together in a building or within close proximity to each other (forming a community hub), is encouraged at an early stage in the design process. Co-location can increase levels of convenience for users, who can make one trip for multiple purposes and promotes sustainable forms of travel. It can also contribute to place-making, promote social integration and enable the sharing of space, infrastructure and operational aspects thereby contributing to cost-effective delivery of services.
- 6.58 Proposals for complementary or ancillary uses may include new uses on an existing community facility site or within the building. These uses (such as a cafe or restaurant) can enhance the utilisation and functioning of the community facility, whilst creating the potential for additional revenue to support its operation. Development proposals for such uses will need to demonstrate that they will not detract from the primary function of the facility, including existing levels of service offered to users.
- 6.59 Careful consideration is required in relation to the design of new centres or community hubs. It is important that local community uses proposed in these hubs or centres are secured and retained in the long term for the benefit of the community. Concurrently, these uses need to be designed in an integrated manner as part of a mix of uses to ensure that centres or hubs are adaptable to changing needs. This may include the development of flexible, multi-use spaces with high quality digital connectivity that complement community facilities.
- 6.60 Where community facilities are proposed to be lost, justification may include the presence of alternate provision or of a replacement facility. In considering whether the accessibility of such provision is equally convenient to the facility's current catchment area, a degree of judgement will be necessary rather than an absolute measurement. This may include consideration given to the comparative ease with which alternate provision or the replacement facility can be accessed including by sustainable forms of transport, broadly acceptable travel times and catchment areas in relation to the type of facility, and any improvements in access to less well-served users that replacement provision may enable. Planning applications should include sufficient detail to justify proposals and enable such judgement.
- 6.61 Evidence to demonstrate that the retention of a community facility in its existing or alternative community use has been fully explored will need to be robust. It is accepted that there are a wide range of community facilities, a number of which do not operate on a commercial basis. In most cases, a continuous period of comprehensive and active marketing for its current or alternate community use, reflecting a fair market value, will be necessary to support justification for its loss. This should reflect evidence in line with Appendix 4 of the LPSS 2019 and the

Council's Marketing Requirements SPD. It is important that the exploration of a facility's continued community use extends to direct engagement with potentially suitable public service providers. This exploration should include evidence of engagement with SCC, local CCGs, GBC, the Parish Council and other providers as relevant regarding the potential lease or purchase of the facility for community uses. In some instances, marketing may also need to be commercially focussed such as in the case of a local community shop (Use Class F2(a)). The state of repair of a building is not considered to be a basis to justify redevelopment to non-community uses without first demonstrating that the policy requirements have been met.

- 6.62 The Council recognise that local communities are often best placed to identify buildings or land that furthers their social wellbeing or social interests as well as neighbourhood infrastructure needs. In this regard, area and neighbourhood infrastructure needs may be set out in Neighbourhood Plans and should be considered in relation to proposals for community facilities. Furthermore, there is a process available for communities to nominate such land or buildings as Assets of Community Value (ACVs) and for the Council to list these as ACVs. Whilst this is separate to the planning application process, the listing of ACVs provides an indication of the significance of buildings and land, including community facilities, to the local community. This listing may be regarded as a material consideration when making planning decisions.

### Key Evidence

- No key evidence to support this policy

### Monitoring Indicators

Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID7	N/A	Planning appeals

## Policy ID8: Retention of Public Houses

### Introduction

- 6.63 Public houses have been an intrinsic part of Britain's social and cultural heritage for almost 2,000 years<sup>265</sup> and are often a focal social meeting point for local communities. They typically add character, vibrancy and vitality, employment, and a place for social interaction. Many frequently provide space for clubs, activities and live performances, and some also make important architectural contributions to the local area. In recent times some public houses have expanded their traditional scope of business to provide other benefits to communities, for example at the height of the Covid-19 pandemic some were able to provide hot food for collection or local delivery at a time when vulnerable residents may have struggled to access these from supermarkets and shops. This can be a particular issue in rural or otherwise less populated areas which are less well served by other facilities.
- 6.64 However, the success of the pub industry remains under continuous threat. More than 11,000 pubs in the UK closed in the last decade, from around 50,000 in 2008 to around 39,000 in 2018 – representing a fall of almost a quarter (23%)<sup>266</sup>. Whilst some areas have seen new public houses being developed in recent years, the South East has nevertheless been the hardest hit UK region, followed by the North West, for pub closures<sup>267</sup>.
- 6.65 Several public houses in Guildford borough have been the target of planning applications for change of use in recent years. At the same time, a number of public houses have been nominated and included on the Council's list of Assets of Community Value (ACVs)<sup>268</sup>. Some of the borough's adopted neighbourhood plans<sup>269</sup> highlight specific public houses as being of community importance and particularly valued by residents. This illustrates the local support that they have as well as the pressure for conversion to other uses that they have come under.
- 6.66 The ongoing loss of public houses is a concern to the Council for the reasons outlined above. The NPPF<sup>270</sup> indicates that Local Plan policies should enable the retention of accessible local services and community facilities, which include public houses. Whilst clearly supporting rural economies, the economic and social benefits that public houses provide are not limited to rural populations but also apply to urban areas, particularly urban areas outside the town centre where there are few such facilities close to where residents live.
- 6.67 Within the town centre, the vitality these venues provide is particularly important from an economic perspective as it directly benefits the night-time economy. This has suffered adverse impacts since the start of the Covid-19 pandemic in terms of fluctuation and overall decline in

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<sup>265</sup> Available online at: <https://www.historic-uk.com/CultureUK/The-Great-British-Pub/>

<sup>266</sup> Available online at: Office for National Statistics data, November 2018 (<https://www.ons.gov.uk/businessindustryandtrade/business/activitysizeandlocation/articles/economiesofalesmallpubscloseaschainsfocusonbigbars/2018-11-26>)

<sup>267</sup> Available online at: CAMRA ([https://camra.org.uk/press\\_release/deja-brew-as-pub-closures-stay-high/](https://camra.org.uk/press_release/deja-brew-as-pub-closures-stay-high/))

<sup>268</sup> Available online at: [https://www.guildford.gov.uk/media/20239/List-of-Assets-of-Community-Value/pdf/List\\_of\\_Assets\\_of\\_Community\\_Value.pdf?m=636900565322200000](https://www.guildford.gov.uk/media/20239/List-of-Assets-of-Community-Value/pdf/List_of_Assets_of_Community_Value.pdf?m=636900565322200000).

<sup>269</sup> Effingham and Send Neighbourhood Plans.

<sup>270</sup> National Planning Policy Framework (2021), paragraph 84 d)



footfall and an increased proportion of vacant commercial units<sup>271</sup>.

### Policy ID8: Retention of Public Houses

- 1) Development proposals resulting in the loss or partial loss of a public house will be resisted unless the existing use is unviable and its retention has been fully explored. Evidence is required to be provided that the building has been marketed actively and comprehensively as a public house and alternative community facility for a continuous period of at least 18 months, ending close to or immediately prior to submission of the planning application.
- 2) In addition, for development proposals involving the loss or partial loss of a public house outside the boundary of Guildford Town Centre, applicants are also required to undertake and provide details of:
  - a) a comprehensive evaluation of the public house's continued viability, with detailed consideration of its existing and potential trade; and
  - b) an assessment of alternative public houses within reasonable walking distance of residential properties within the catchment area of the public house that is the subject of the application.
- 3) The loss of part of a public house, including car parking or other facilities complementary to its operation as a public house, will be resisted where it would adversely affect such operation.

#### Definitions

- 6.68 *Evidence of active and comprehensive marketing* - Marketing will be required to fulfil the detailed criteria for active and comprehensive marketing set out in Appendix 4 of the LPSS 2019 and the Council's Marketing Requirements Supplementary Planning Document (SPD).
- 6.69 *Evidence of continued viability* - Information on the types of factors that applicants should consider when undertaking an evaluation of existing trade and trade potential will be published as part of the Marketing Requirements SPD. Some useful guidance has also been published by CAMRA, including a method of evaluation that applicants may opt to use<sup>272</sup>.
- 6.70 *Reasonable walking distance* - These premises will be considered to be those falling within a catchment of approximately 800 metres (i.e. a walking distance of approximately 10 minutes) from the majority of residential properties that are currently served by, i.e. within this distance of, the public house that is the subject of the planning application.

<sup>271</sup> Source: Experience Guildford: Vacancy rate survey reports

<sup>272</sup> Available online at [https://camra.org.uk/campaign\\_resources/public-house-viability-test/](https://camra.org.uk/campaign_resources/public-house-viability-test/)

## Reasoned justification

### *Removal of permitted development rights*

- 6.71 On 23 May 2017, the Government enacted legislation<sup>273</sup> which removed permitted development rights for buildings in the previous A4 use class now classed as sui generis (public house and other drinking establishments) that are not listed as, or nominated to become, Assets of Community Value (ACVs). This means that planning permission is now a legal requirement for change of use of all public houses, rather than just those listed or nominated as ACVs (which already required planning permission for such development<sup>274</sup>). The 2017 order also removed the permitted development right for demolition of a public house.<sup>275</sup>
- 6.72 While public houses are no longer required to be listed as an ACV to require planning permission to be sought for change of use, local planning authorities may consider ACV listing as a material consideration when assessing planning applications. Furthermore, when a listed ACV is to be sold or otherwise disposed of, a six week period must elapse following receipt of a planning application for demolition and/or change of use during which a community interest group may make a written request to be treated as a potential bidder (under the 'community right to bid') to purchase the asset on the open market; after this time, the Council can trigger a six month 'moratorium' period during which it cannot be sold to another buyer<sup>276</sup>. The ACV process therefore offers an extra layer of protection for communities wanting to keep venues operating as pubs. At the time of drafting this policy, most of the ACVs on Guildford Borough Council's list of ACVs<sup>277</sup> were pubs.

### *Period and extent of required marketing / additional evidence required*

- 6.73 For all areas of the borough, applicants are required under paragraph (1) of the policy to undertake an 18-month period of active and comprehensive marketing in order to test a public house's commercial viability prior to submitting an application for demolition or change of use that involves its loss or partial loss. This is the same minimum marketing period for loss of employment uses on locally significant employment sites required by LPSS 2019 Policy E3: Maintaining employment capacity and improving employment floorspace, as well as for loss of leisure, visitor and cultural uses as required by LPSS 2019 Policy E6: The leisure and visitor experience.
- 6.74 For public houses located outside the town centre boundary, where fewer facilities are likely to be available, paragraph (2) of the policy requires applicants to ascertain the value of the public house to the local community by means of a comprehensive evaluation of the business's

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<sup>273</sup> The Town and Country Planning (General Permitted Development) (England) (Amendment) (No 2) Order 2017.

<sup>274</sup> Permitted development rights for pubs listed or nominated as ACVs were previously removed under Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

<sup>275</sup> From Class B of Part 11 (Heritage and demolition) of the GDPO 2015 (As amended).

<sup>276</sup> See Part 5, Chapter 3, Section 95 of the Localism Act 2011 (<http://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/3>) and Community Right to Bid: Non-statutory advice note for local authorities (DCLG, October 2012) ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/14880/Community Right to Bid - Non-statutory advice note for local authorities.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14880/Community_Right_to_Bid_-_Non-statutory_advice_note_for_local_authorities.pdf)).

<sup>277</sup> Available online at: <https://www.guildford.gov.uk/acv>

existing and potential trade and an assessment of alternative premises in the local area. This assessment is required to consider not just the number and range of alternative premises (distance can be a significant factor influencing use of public houses, especially if they are far enough from people’s homes to require travel by car); but also whether these alternative premises offer similar facilities and community offering (for example restaurants, function rooms, beer gardens).

- 6.75 Evidence of marketing is required for the partial loss of pub building(s) to other uses, as well as for the loss of entire buildings. Some applicants may seek changes which would reduce the size of a public house or its plot, often involving the loss of upper storeys (living accommodation, meeting rooms, kitchens). These changes may well threaten the viability of the business even where it is currently financially viable and of value to the local community.
- 6.76 A checklist of matters that will be considered when appraising applicants’ marketing evidence, including the types of consideration that should be borne in mind when evaluating a public house’s existing and potential trade, will be published as part of a Marketing Requirements SPD.

Key Evidence
<ul style="list-style-type: none"> <li>• The Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended) and The Town and Country Planning (General Permitted Development) (England) (Amendment) (No 2) Order 2017.</li> <li>• Part 5, Chapter 3, Section 95 of the Localism Act 2011; and Community Right to Bid: Non-statutory advice note for local authorities (DCLG, October 2012)</li> <li>• Office for National Statistics, November 2018</li> </ul>

Monitoring Indicators		
Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID8	N/A	Planning Appeals

## Policy ID9: Achieving a Comprehensive Guildford Borough Cycle Network

### Introduction

- 6.77 Within Gear Change: a bold vision for cycling and walking<sup>278</sup>, the Government set out the expectation that “Cycling and walking will be the natural first choice for many journeys with half of all journeys in towns and cities being cycled or walked by 2030.” Active Travel England, a new inspectorate and funding body, has been established to accelerate delivery of active travel infrastructure schemes and enforce standards. Similarly, the release of Local Transport Note (LTN) 1/20 Cycle Infrastructure Design guidance (Department for Transport, 2020)<sup>279</sup> promotes a higher standard of cycling infrastructure to support the above vision.
- 6.78 Cycling provides a range of benefits. As well as numerous mental and physical health gains to the individual, higher cycling rates, as part of a modal shift from the private vehicle as opposed to additional travel journeys, bring several environmental benefits to the community. Greenhouse gas emissions, noise pollution and congestion are reduced, which in turn improves air quality. Currently, 46% of Surrey’s carbon emissions result from transport, equivalent to 2.3 tonnes per person annually<sup>280</sup>. Meeting the targets to double cycling and walking rates nationally would lead to savings of £567 million annually from air quality improvements alone, preventing 8,300 premature deaths each year<sup>281</sup>. This provides a case for further investment in cycling infrastructure, including road space reallocation to allow for separate cycle lanes or tracks - and also potentially footway enhancements - making these modes more favourable and ‘locking in’ such shifts in demand.
- 6.79 A higher quality of cycle network is more inclusive and can help reduce transport inequality. A network delivered to a high standard aligns with the Government’s vision to ensure that infrastructure is ‘accessible for those aged 8-80 years old’. Those using adaptive cycles are afforded greater opportunity to travel independently and by sustainable modes. Furthermore, the rising popularity of e-bikes allow individuals to cycle further or more often, reducing some of the typical barriers to cycling.
- 6.80 This policy will facilitate the development of a high-quality comprehensive Guildford borough cycle network which enhances and expands current provision and supports accessibility.

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<sup>278</sup> Available online at: <https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england>

<sup>279</sup> Available online at: <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

<sup>280</sup> Surrey’s Climate Change Strategy 2020 (Surrey County Council, 2020). Available online at: [https://www.surreycc.gov.uk/\\_data/assets/pdf\\_file/0003/225615/Surreys-Climate-Change-Strategy-2020.pdf](https://www.surreycc.gov.uk/_data/assets/pdf_file/0003/225615/Surreys-Climate-Change-Strategy-2020.pdf)

<sup>281</sup> Clean Air Strategy 2019 (Department for Environment and Rural Affairs, 2019). Available online at: <https://www.gov.uk/government/publications/clean-air-strategy-2019>

## Policy ID9: Achieving a Comprehensive Guildford Borough Cycle Network

- 1) The routes and infrastructure which comprise the Comprehensive Guildford Borough Cycle Network, including the cycle elements of the Sustainable Movement Corridor, as represented on the Policies Map, will be the starting point for the identification of improvements, primarily for utility cycling, provided and/or funded by new development.
- 2) Development proposals are also required to deliver the site-specific requirements for cycle infrastructure as identified in site allocation policies and also may include further requirements identified as part of the planning application process where justified.
- 3) The mechanisms for improvements resulting from new development are:
  - a) constructing or improving cycle routes and infrastructure on land within the applicant's control;
  - b) providing under licence and/or funding the Local Highway Authority to deliver the cycle routes and infrastructure on the public highway or land in its control.
- 4) Cycle routes and infrastructure are required to be designed and adhere to the principles and quality criteria contained within the latest national guidance.
- 5) Development proposals are expected to have regard to updated plans prepared by Guildford Borough Council and/or Surrey County Council which detail local cycling infrastructure improvements, such as a Local Cycling and Walking Infrastructure Plan.

The mapped routes which comprise the 'Comprehensive Guildford Borough Cycle Network' can be found in Appendix A.

### Definitions

- 6.81 *Infrastructure* – can include high quality cycle tracks segregated from motorised and pedestrian traffic, crossings, low traffic neighbourhoods<sup>282</sup>, 20mph speed limits and modal filters<sup>283</sup>, dependant on location. In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures.
- 6.82 *Sustainable Movement Corridor* - will provide a priority pathway through the urban area of Guildford for buses, pedestrians and cyclists, including serving the new communities at Blackwell Farm, Weyside Urban Village and Gosden Hill Farm.
- 6.83 *Utility cycling* - refers to cycling done simply as a means of transport rather than as a sport or leisure activity.

<sup>282</sup> Groups of residential streets, bordered by main or 'distributor' roads, where 'through' motor vehicle traffic is discouraged or removed by use of modal filter.

<sup>283</sup> A physical restraint that stops motor traffic driving beyond a certain point, placed at strategic points around the neighbourhood e.g., a bollard, bus gate, width restrictions or pocket parklets made up of tree planting, planters, seats etc.

### Reasoned Justification

- 6.84 The mapped network contained within the Policies Map has been developed by combining three evidence sources, Surrey County Council's Guildford Local Cycling Plan (Surrey County Council, undated circa 2015)<sup>284</sup>, Guildford Borough Council's Guildford Route Assessments Feasibility Study (Transport Initiatives and Urban Movement, 2020)<sup>285</sup> and the council's concept proposals for the routing of the Sustainable Movement Corridor<sup>286</sup>. This provides for a denser and safer cycle network in the Guildford urban area while also addressing gaps in the network outside the urban area. It provides a common, updated basis for the improvement of the Guildford borough cycle network and connections onto it; an approach which has received positive endorsement from Surrey County Council.
- 6.85 As well as the mapped network of routes, the Guildford Route Assessments Feasibility Study (2020) contains a set of 14 tables (Tables 17-30) detailing proposed cycling improvements for the main routes identified in the Guildford urban area. The identified issues, proposals and cost estimates should be reviewed in scheme development. For the rest of the borough (where the evidence base is sourced from Surrey County Council's Guildford Local Cycling Plan) further work will be required to define the nature of the route and level of provision required.
- 6.86 The map is a starting point, not exhaustive, and consideration will be given to proposals not presently included in the Policies Map. Further to this, the majority of routes identified have only been established at a concept level and the identification of improvements will, in such cases, require feasibility and design stages to be undertaken. This will involve undertaking road safety auditing and impact assessments, as appropriate, taking into account any relevant statutory designations.
- 6.87 Utility trips are of prime importance in terms of encouraging modal shift. The local cycle network is incomplete at present with short sections of infrastructure in place, which do not join up, sometimes ending at key junctions or when carriageway width narrows. Natural and built barriers hinder the quality of infrastructure provided and accessibility. This can be caused by guardrails, bollards, a lack of dropped kerbs or safe crossing facilities, including at crossings for rail, road and waterways. Many cycle routes in the borough cater for leisure trips which, while attractive for a relaxed, quieter cycle, typically do not offer users with a direct, high-quality route which can compete with other modes of travel such as the private car in terms of convenience. Similarly, current facilities on the carriageway do not necessarily present an attractive choice for those less confident or returning to cycling.
- 6.88 Travel behaviour change interventions have the greatest impact when a new routine is developed, such as a new home or new place of work, further highlighting the importance of delivering a comprehensive network for utility trips to and from new development.
- 6.89 Site specific requirements can be found in the relevant site allocation policies and further requirements may develop during the planning application process. For example, particular

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<sup>284</sup> Available online at: <https://www.guildford.gov.uk/article/25508/Guildford-Cycle-Route-Assessments-Report>

<sup>285</sup> Available online at: <https://www.guildford.gov.uk/article/25508/Guildford-Cycle-Route-Assessments-Report>

<sup>286</sup> 'Note – The Sustainable Movement Corridor: Scheme feasibility and design, funding and delivery and links to the strategic sites' (Guildford BC, 2018). This note was submitted to the examination of the LPSS with the reference GBC-LPSS-025a.

attention needs to be given to routes used by school children in the interests of safety.

- 6.90 The delivery of a comprehensive Guildford borough cycle network may involve the upgrade of existing routes or connections, or new infrastructure, or a combination of both. In the design and delivery of elements of the network, proposals should appropriately respond to the opportunities and constraints of the built and rural environments, land uses and designations.
- 6.91 Developers should ensure the highest standard of infrastructure is delivered. Latest guidance for the development of cycling infrastructure, as of 2023, can be found within the Department for Transport's LTN 1/20 Cycling Infrastructure Design. If this LTN is superseded, the successor document(s) will be applicable.
- 6.92 The measures applicable to each development proposal will vary on a case-by-case basis. All should take account of the needs of cyclists, for example by providing safe, secure, convenient, accessible and suitably direct access to, from and within development. This may be achieved through cycle lanes or tracks, low traffic neighbourhoods, 20mph speed limits and modal filters, dependant on location. In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures. Infrastructure should be integrated, well signed (avoiding street clutter), lit (if appropriate) with high quality surfaces, benefit from attractive landscape design and comprehensive wayfinding. It should be further enhanced by sufficient, convenient, safe and secure cycle parking facilities (discussed further in Policy ID10: Parking Standards for New Development).
- 6.93 The Strategic Development Framework SPD<sup>287</sup> contains design principles for the strategic sites of Slyfield Area Regeneration Programme (now known as Weyside Urban Village), Gosden Hill Farm, Blackwell Farm, the former Wisley airfield and the Ash & Tongham location for growth. Developers of these sites should adhere to the principles within this SPD in developing on and off-carriageway cycle links.
- 6.94 Conflict can arise between walkers and cyclists on shared use paths. By providing a comprehensive Guildford borough cycle network and adhering to national guidance, this conflict will be reduced as shared use facilities will generally no longer be appropriate, unless it can be demonstrated that segregated facilities cannot or should not be provided. Shared use facilities may be appropriate in some rural settings such as greenways and Quiet Lanes. The delivery of a comprehensive Guildford borough cycle network does not mean the importance of the pedestrian network should be overlooked.
- 6.95 Future innovation in mobility, such as e-scooters (electric scooters), may complement current modes such as pedal cycles and e-bikes. If e-scooters were to be legalised by Government or allowed as part of a Government sanctioned trial by Surrey County Council - either privately owned e-scooters or as part of a public hire scheme, or both - it may be that e-scooters would be treated in the same vein as pedal cycles and therefore able to be used on the road or dedicated cycling infrastructure.

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<sup>287</sup> Available online at: <https://www.guildford.gov.uk/strategicdevelopmentframeworkspd>

## Key Evidence

- Guildford Route Assessments Report (Transport Initiatives & Urban Movement, 2020)
- Guildford Local Cycling Plan (Surrey County Council, undated circa 2015 with later updates)
- Local Transport Note 1/20 Cycle infrastructure design (Department for Transport, 2020)
- Gear Change: A bold vision for walking and cycling (Department for Transport, 2020)

## Monitoring Indicators

Indicator	Target	Data Source
Proportion of adults that walk, for travel*, three times per week (Guildford borough)	Increase over time	National Travel Survey and Active Lives Survey (Department for Transport) - annual
Proportion of adults that cycle, for travel*, three times per week (Guildford borough)	Increase over time	National Travel Survey and Active Lives Survey (Department for Transport) - annual

\* refers to utility cycling which is cycling done simply as a means of transport rather than as a sport or leisure activity.



## Policy ID10: Parking Standards for New Development

### Introduction

- 6.96 Parking standards, identified in this policy and the Parking Standards for New Development SPD, define the amount and qualities of parking, for both motor vehicles and pedal cycles, that is provided by new development of all types within the land use planning system. The National Planning Policy Framework (NPPF) (2021) allows local parking standards to be set.
- 6.97 Parking policy resides at the heart of an integrated land use and transport strategy. Parking is linked to a number of different activities such as parking at home or parking in town to shop and eat out. As these activities are different in nature there is a need to develop parking policies which take account of the characteristics of these activities. It is essential to seek to balance the number of spaces, providing an appropriate level and type of parking whilst taking into account the characteristics of the location in the borough, protecting highway safety, promoting transport sustainability and a more efficient use of land. Depending on the objectives that are sought to be achieved, this will affect the quantum, allocation, and design of parking that is planned for in new developments.
- 6.98 This policy aims to make provision to meet the needs of new residents and occupiers whilst limiting overspill parking on adjacent streets. The policy requires the provision of unallocated visitor spaces to be considered and provides flexibility in application, tailored to both urban and rural settings. This allows for the design of a development proposal to respond to place-specific opportunities for the promotion of transport sustainability and the efficient use of land.
- 6.99 The provision of high-quality cycle parking and the implementation of Electric Vehicle Charge Points (EVCPs) contribute to an integrated transport system. Appropriate cycle parking promotes and makes cycling a more attractive mode choice, aiding modal shift. The delivery of EVCPs builds a network of charging facilities, helping to encourage and facilitate the uptake of Ultra Low Emission Vehicles (ULEVs) with a combination of domestic charging supplemented by facilities at destinations.

### Policy ID10: Parking Standards for New Development

- 1) The parking standards in adopted Neighbourhood Plans, irrespective of when these were adopted, will take precedence over standards set by the Local Planning Authority in the Local Plan and Supplementary Planning Documents, should there be conflict, except in relation to strategic sites.
- 2) For strategic sites:
  - a) the provision of residential car parking, for use by residents themselves, will not exceed the maximum standards set out in Table B1;
  - b) the provision of additional unallocated parking, to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling will only be required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated;

- c) the provision of non-residential car parking will not exceed the maximum standards set out in Table B2;
- d) the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S); and
- e) the provision of cycle parking will provide at least the minimum requirements set out in Table B3.

Tables B1- B3 can be found in Appendix B.

3) For non-strategic sites:

- a) the provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, will have regard to the maximum standards set out in the Parking Standards for New Development SPD;
- b) the provision of car parking in new residential development in village and rural areas, for use by residents themselves, will have regard to the expected standards set out in the Parking Standards for New Development SPD;
- c) the provision of additional unallocated parking, to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling will only be required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated;
- d) the provision of non-residential car parking will have regard to the maximum standards set out in the Parking Standards for New Development SPD;
- e) the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S); and
- f) the provision of cycle parking will have regard to the minimum requirements set out in the Parking Standards for New Development SPD.

4) For residential and non-residential development on strategic sites and also non-strategic sites in urban areas:

- a) the provision of car and motorised vehicle parking at lower than the defined maximum standards must be justified by a coherent package of sustainable transport measures which will be proportionate to the level of reduction sought. Evidence will be expected to address:
  - i) generous provision of unallocated car parking as a proportion of all car parking spaces provided by the development proposal, where this enables more efficient use of land;
  - ii) excellent quality of walking and cycling access to a local centre, district centre or Guildford town centre;
  - iii) high public transport accessibility; and

- iv) planning obligations and/or on-street parking controls such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.
- b) the provision of car-free development must be justified by a coherent package of sustainable transport measures. Evidence will be required to demonstrate:
  - i) excellent quality of walking and cycling access to a district centre or Guildford town centre;
  - ii) high public transport accessibility;
  - iii) access to a car club for residents and/or users;
  - iv) that the car-free status of the development can be assured by planning obligations and/or on-street parking controls;
  - v) appropriate incentivisation of these measures; and
  - vi) appropriate monitoring of these measures.
- 5) For all sites:
  - a) car parking spaces external to a dwelling will be required to meet the minimum size requirements of 5 by 2.5 metres;
  - b) a garage will only count as providing a car parking space if it meets the minimum internal dimensions of 6 by 3 metres. A garage with the minimum internal dimensions of 7 by 3.3 metres will be considered to also have the capacity to park up to 2 cycles, allowing independent access. A garage with the minimum internal dimensions of 7 by 4 metres will be considered to have the capacity to park up to 5 cycles, allowing independent access. Alternate layouts for garages which can be demonstrated to provide equivalent or better space provision and access for a vehicle and cycles may be acceptable;
  - c) car parking spaces for disabled drivers will be designed and provided in accordance with national guidance;
  - d) development proposals will be required to demonstrate that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.

### Definitions

- 6.100 *Strategic sites* – for the purposes of this policy these are Slyfield Area Regeneration Project (now known as Weyside Urban Village), Gosden Hill Farm, Blackwell Farm and the former Wisley Airfield as defined in the introduction to LPSS 2019 Policy S2 at paragraph 4.1.10. The parking standards for strategic sites will not apply to the North Street redevelopment site due to its town centre location.
- 6.101 *Unallocated parking* – a parking space that is available for use by any resident or visitor to a site, including deliveries and servicing.

- 6.102 *Allocated parking* – a parking space found within the curtilage of a residential property, such as a garage or driveway, or any space found in off-plot provision which is dedicated to a particular property.
- 6.103 *Guildford Town Centre* – as defined by the ‘Guildford Town Centre’ boundary set out on the Policies Map.
- 6.104 *Suburban* – areas outside the ‘Guildford Town Centre’ boundary but within the ‘urban’ boundary, including the urban area of Ash & Tongham, as defined on the Policies Map.
- 6.105 *Village & rural* – areas outside the ‘urban’ boundary as defined on the Policies Map. Whilst the former Wisley Airfield is within the village and rural area, the standards for strategic sites will be applicable on this site given its proposed size and characteristics.
- 6.106 *Urban* – includes Guildford town centre as defined by the ‘Guildford Town Centre’ boundary set out on the Policies Map and ‘suburban’ areas defined as areas outside the town centre boundary but within the ‘urban’ boundary, including the urban area of Ash & Tongham, as defined on the Policies Map.
- 6.107 *Local Centre* – includes the urban local centres set in LPSS 2019 Policy E9(3) and shown on the Policies Map and new local centres set in LPSS 2019 Policy E9(5):
- Aldershot Road, Westborough
  - Collingwood Crescent, Boxgrove
  - Kingspost Parade, London Road, Burpham
  - Epsom Road, Merrow
  - Kingfisher Drive, Merrow
  - Madrid Road, Guildford Park
  - Southway, Park Barn
  - Stoughton Road, Bellfields
  - The Square, Onslow Village
  - Woodbridge Hill, Guildford
  - Woodbridge Road, Guildford
  - Worplesdon Road, Stoughton
  - Ash Vale Parade, Ash
  - The Street, Tongham
  - Gosden Hill (site allocation A25)
  - Blackwell Farm (site allocation A26); and
  - the former Wisley Airfield (site allocation A35).
- 6.108 *District Centre* – for the purposes of this policy, this applies to the urban district centre of Wharf Road, Ash as set in LPSS 2019 Policy E8(2).
- 6.109 *Car club* – provides shared access to vehicles typically on a pay-as-you-drive basis for members. Vehicles are parked in dedicated parking spaces locally.
- 6.110 *Car-free* – development in which there are no parking spaces provided within the site for use by residents, employees or customers, other than for disabled residents or visitors. This will not preclude the provision of a designated area or areas for delivery and service vehicles, as well as

car club spaces which should be suitably managed to ensure their use as such.

- 6.111 *Independent access* – this refers to the need for cycles parked in garages to be able to be accessed without obstruction by parked cars, bins or household storage.

#### **Reasoned Justification**

- 6.112 The NPPF allows local parking standards to be set. This includes the setting of maximum parking standards where there is 'a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport'.<sup>288</sup>
- 6.113 The setting of local parking standards can be in either a Local Plan or a Neighbourhood Plan.
- 6.114 Surrey County Council (SCC), as the Local Highway Authority, is responsible for adopted local roads and transport policy, which includes responsibility for on-street parking. They have published non-statutory Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (2021)<sup>289</sup> which proposes a series of maximum car parking standards, minimum cycle parking standards and standards for the provision of electric vehicle charging points for residential and non-residential development. SCC's guidance is commended to Local Planning Authorities to consider for use within their own Local Plan as it is within the competency of the Plan maker to set the off-street parking standards. In setting car parking, cycle parking and electric vehicle charging standards in this policy, SCC's guidance has been taken into account, alongside local evidence.

#### *Neighbourhood Plans*

- 6.115 Neighbourhood Plans can, and often do, include local parking standards. It is explicit in the policy that, with the exception of strategic sites, parking standards in Neighbourhood Plans (both existing and future plans) will continue to take precedence where these are specified.
- 6.116 The parking standards contained within Neighbourhood Plans are not applicable to strategic sites located, either wholly or in part, within a neighbourhood planning area. Strategic sites are masterplanned from the outset and are required to deliver a range of sustainable transport measures to enable modal shift. Maximum parking standards set at levels for the urban area will complement these measures, allowing their potential to be maximised whilst also making more efficient use of land.
- 6.117 In instances where Neighbourhood Plans are silent on parking issues, the standards set out here and the Parking Standards for New Development SPD shall apply. More detail on Neighbourhood Plans can be found at <https://www.guildford.gov.uk/neighbourhoodplanning>.

#### *Residential parking for cars and motorised vehicles (strategic and non-strategic sites)*

- 6.118 Residential parking standards for cars and motorised vehicles identified in this policy and the Parking Standards for New Development SPD define the maximum and expected levels of parking permitted for various sizes of residential development in different areas of the borough. This approach involves a spatially-differentiated approach to the provision of vehicle parking for

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<sup>288</sup> National Planning Policy Framework (2021), paragraph 108.

<sup>289</sup> Available at: <https://www.surreycc.gov.uk/roads-and-transport/parking/development-parking-guidance>

new residential developments with the focus of restraint increasing closer to Guildford town centre. Residential car parking standards are based on car availability<sup>290</sup> recorded by the 2011 Census, analysed to understand the variations across the borough between rural and urban settings, flats<sup>291</sup> and houses<sup>292</sup>, and number of bedrooms.

- 6.119 Car availability trends are influenced by a number of longer-term societal trends such as urbanisation, advances in information and communication technologies, work patterns, changing demographics, shifts in income across the population, economic growth or recession and the rise and evolution of smartphone apps which give users access to new travel data and mobility services such as car clubs. These factors all play a part in an evolving travel demand setting. Locally, the number of vehicles registered in the borough since the 2011 Census has increased, however this rate mirrors the increase in the housing stock locally with the average number of vehicles per property remaining approximately static.
- 6.120 Maximum parking standards are appropriate in the borough's urban areas in order to manage the local road network – with its challenges particularly of congestion, local air quality and severance – and also for optimising the density of development in urban centres and other locations that are well served by public transport. Further, this policy approach allows for new developments to shape travel demands in ways that are cognisant of national and local net-zero targets. Recent research has identified that modal shift is required at a UK scale to meet the Government's net-zero policy. The Committee on Climate Change's (2019) net-zero scenarios assume a 10% transport modal shift from private cars to other modes of transport by 2050. Similarly, Transport for Quality of Life (2018) find that 'electrification [of vehicles] is insufficient on its own, and demand management to reduce traffic volumes will also be necessary.'
- 6.121 As such, the setting of parking standards could be, and has in this instance, used to plan for matching observed car availability in like settings. The policy also enables the lower provision of vehicle parking in new residential developments in urban settings and for the strategic sites. In rural and village areas, expected standards match current levels of car availability, which are themselves reflective of differences in accessibility to key services and facilities by non-car modes.
- 6.122 The calculation of the maximum or expected number of car parking spaces required in a new development may give a fraction of a number. In these instances, the number will need to be rounded up or rounded down. The council expects that rounding will apply to the development as a whole as opposed to each individual property. It may be appropriate to round up in the case of a village and rural setting, whereas in an urban setting - where maximums are to be applied - provision will generally be rounded down to the nearest whole number. Worked examples are given in the Parking Standards for New Development SPD. These include identifying the potential need for additional spaces for visitors, servicing and deliveries.

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<sup>290</sup> Car availability is a term used by the Office of National Statistics in the Census for England and Wales. It is a measure of the number of cars or vans that are owned, leased, or available for use, by one or more members of a household (including company cars and vans that are available for private use). It does not include motorbikes or scooters, or any cars or vans belonging to visitors.

<sup>291</sup> The term flat is used to refer to flats, maisonettes and apartments (including bedsits and studios).

<sup>292</sup> The term house is used to refer to houses and bungalows.

*Allocation of residential spaces (strategic and non-strategic sites)*

- 6.123 A key consideration in the design process for a residential development is the proportion of spaces to allocate to specific dwellings. Whilst the provision of allocated spaces in a residential development provides certainty to the owner, unallocated parking is more flexible and, in turn, more efficient in terms of land take. Research by English Partnerships (2006) show if each dwelling is allocated 2 car parking spaces each, around one-quarter of residents will either have too much or too little parking.<sup>293</sup> Therefore, a greater proportion of unallocated spaces accommodates differences in car availability between dwellings and changes over time more effectively, while also providing for, visitors, servicing, and deliveries. This approach is advocated in Manual for Streets (DfT, 2007)<sup>294</sup> and the National Model Design Code (Ministry of Housing, Communities and Local Government, 2021) guidance notes<sup>295</sup>. Specifically, the influential research work by Noble and Jenks (1996) indicates that no additional provision needs to be made for visitor parking where 50% or more of the total parking stock being provided is unallocated.

*Non-residential parking for cars and motorised vehicles (strategic and non-strategic sites)*

- 6.124 The car parking standards for non-residential developments define the maximum levels permitted for various types of development in the borough, based on that provided as guidance by SCC in their Vehicle, Cycle and Electric Vehicle Parking Guidance (2021).
- 6.125 Restricting car parking at the destination has been proven to influence mode choice. A study of commuters working in Cambridge investigated statistical associations between mode choice and personal and environmental characteristics (Dalton et al, 2013). Car availability was found to be a strong predictor of mode of travel to work and the absence of free car parking at work was associated with a markedly higher likelihood of walking, cycling, and public transport use.
- 6.126 For some land use types where transport patterns are difficult to generalise, parking provision will be approved on merit, on the basis of a transport assessment.

*Electric Vehicle Charge Points (strategic and non-strategic sites)*

- 6.127 The expansion of electric vehicle (EV) charging infrastructure supports, and is necessary to meet, the Government's ambition to phase out the sale of new petrol and diesel vehicles by 2030. The Government's EVCP standards for new development are based on the assumption that the majority of charging will take place at home, and be carried out overnight with supplementary charging taking place in the likes of workplaces, retail destinations and public car parks.
- 6.128 EV charging is a developing technology and connection points should be installed in line with the relevant technical requirements and standards at the time of application.

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<sup>293</sup> Available at: [https://www.ipswich.gov.uk/sites/default/files/ncd42\\_-\\_car\\_parking\\_what\\_works\\_where.pdf](https://www.ipswich.gov.uk/sites/default/files/ncd42_-_car_parking_what_works_where.pdf)

<sup>294</sup> Available online at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/341513/pdfmanforstreets.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf)

<sup>295</sup> Available online at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/957207/Guidance\\_notes\\_for\\_Design\\_Codes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf)

*Cycle parking (strategic and non-strategic sites)*

- 6.129 The provision of high quality and easily accessible cycle parking is important to encourage cycling and reduce the theft of bikes. Like car parking, cycle parking should be 'designed in' to developments from an early stage of design. Cycle parking should be as convenient, or more convenient, than access to car parking.
- 6.130 Cycle parking characteristics may differ dependant on the length of time the cycle will be parked. For example, short term parking must be as close to the destination as possible (within 20m), convenient and adequately signed. Long term parking must be more weatherproof and have greater security provided through an enclosed and lockable shelter, store or compound.
- 6.131 Garages can be used for secure cycle parking if they meet the minimum dimensions and allow spaces to be independently accessible, i.e., that each bike can be reached without manoeuvring any other bikes, vehicles or objects which are being stored.
- 6.132 The emergence of e-bikes, which are typically of a higher value than standard pedal cycles, reinforces the need for secure parking with surveillance (either by CCTV cameras or natural surveillance from people going about their normal business).
- 6.133 The needs of users of non-standard cycles must be considered when developing cycle parking proposals including the likes of secure space for cargo cycles at retail developments and space for adaptive cycles at transport interchanges. Non-standard cycles have differing dimensions from standard pedal cycles and may not be able to be securely locked to traditional stands.
- 6.134 Further information is contained within the Parking Standards for New Development SPD and Local Transport Note (LTN) 1/20 Cycle Infrastructure Design (DfT, 2020)<sup>296</sup> which should be referred to as best practice guidance.

*Encouraging lower car use through low-car and car-free development*

- 6.135 Where the level of car parking provision is proposed to be slightly below the maximum standards (a traditional development in terms of car parking provision) there is unlikely to be any significant justification required as this would not be proportionate. However, in instances where significantly lower car use<sup>297</sup> may be expected, and is being planned for by developers, then external best practice guidance such as Planning for Walking (CIHT, 2015)<sup>298</sup>, LTN 1/20 Cycle Infrastructure Design (DfT, 2020) and Buses in Urban Developments (CIHT, 2018)<sup>299</sup>, should be consulted to ensure high quality access to safe walking and cycling routes and public transport. In terms of public transport accessibility, high quality access may include close proximity to bus stops with a high frequency of services, a broad range of destinations served and availability of real-time information and/or rail stations with frequent services. Further measures which could be included in a proposal to help demonstrate a particular transport strategy could include a car

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<sup>296</sup> Available online at: <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

<sup>297</sup> This refers to 'low car' developments which offers a limited amount of parking and is designed to facilitate and encourage travel by sustainable modes and are marketed as such.

<sup>298</sup> Available online at: [https://www.ciht.org.uk/media/4465/planning\\_for\\_walking\\_-\\_long\\_-\\_april\\_2015.pdf](https://www.ciht.org.uk/media/4465/planning_for_walking_-_long_-_april_2015.pdf)

<sup>299</sup> Available online at: [https://www.ciht.org.uk/media/4459/buses\\_ua\\_tp\\_full\\_version\\_v5.pdf](https://www.ciht.org.uk/media/4459/buses_ua_tp_full_version_v5.pdf)



club and/or mobility hub<sup>300</sup>. Best practice guidance for shared mobility provision can be sought from CoMoUK. The prioritisation of walking, cycling, public and shared transport, especially where the development is close to the town centre, local centre or district centre, may lead to it being acceptable to provide a lower than required provision of car parking spaces.

- 6.136 Car club vehicles are typically newer and environmentally cleaner than the average car as Electric Vehicles (EVs) or Plug-in Hybrid Electric Vehicles (PHEVs) are now commonly used in these schemes. On average, each car club car replaces 6.1 private cars and a further 12 purchases are deferred<sup>301</sup> highlighting the potential for car club vehicles to reduce reliance on a personal private vehicle as users may not have the need to own (or lease) a car, or a second car. Guidance on car clubs in new developments (SCC, 2019) should be referred to for local guidance.
- 6.137 The Strategic Development Framework SPD<sup>302</sup> also promotes the provision of a car club and/or mobility hub(s) for the strategic sites of Slyfield Area Regeneration Project (now proposed as Weyside Urban Village), Gosden Hill Farm, Blackwell Farm and the Former Wisley Airfield.
- 6.138 Car free development can deliver a more efficient use of land and contribute to lower carbon emission levels and reduced congestion in the local area. This type of development could be appropriate for areas in or close to Guildford town centre or the urban district centre at Wharf Road in Ash with frequent public transport and accessible active travel routes. Space should still be provided for disabled drivers, visitors and deliveries, and managed as such, whilst a car club could be part of this transport strategy.
- 6.139 In cases of car-free development undertaken in the town centre in recent years, the developer has paid for the Traffic Regulation Order for the Controlled Parking Zone to be amended through a Section 106 contribution, ensuring residents of car-free development are not entitled to an on-street parking permit. This mechanism could also be used to apply to low-car development. Similarly, the sustainable alternatives offered must be actively incentivised and monitored over the lifetime of the development. Further information in relation to these aspects can be found in the Parking Standards for New Development SPD.

#### *Space dimensions and garages*

- 6.140 Due to the proliferation of larger domestic motor vehicles, parking space dimensions have been increased from the typical UK parking bay dimension of 4.8 x 2.4m. This is to better allow convenient parking and access and egress of the vehicle.
- 6.141 The Parking Standards for New Development SPD should be consulted for further guidance with regards to space and garage dimensions, garage setback distances from the carriageway and also typical types of parking that may be appropriate in different situations. For instance, where the use of underground (including podium or undercroft) or multi-storey car parking may be

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<sup>300</sup> Mobility hubs are a recognisable place with a variety of facilities for accessing modes of transport other than the private car, which could include shared transport options such as car clubs or bikes share, supplemented with enhanced facilities and information features. A mobility hub is modular in nature and can be tailored to local needs. Example components of a hub could also include bus stops, cycle parking, an information sign/screen and neighbourhood facilities such as package delivery lockers, café, coworking space and/or mini fitness/play area.

<sup>301</sup> England & Wales Car Club Annual Survey 2017/18 (CoMoUK, 2019)

<sup>302</sup> Available online at: <https://www.guildford.gov.uk/strategicdevelopmentframeworkspd>

appropriate, to aid an efficient use of land and increase density.

*Parking for disabled drivers*

- 6.142 Accessible parking must be included as a proportion of the overall vehicle parking provision specified in these standards. The following guidance should be consulted for best practice, [Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure](#) (DfT, 2021)<sup>303</sup>.
- 6.143 As with car parking, a proportion of total parking should be provided for non-standard cycles to accommodate people with mobility impairments (typically 5%).

### Key Evidence

- Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (Surrey County Council, 2021)
- Local Transport Note 1/20 Cycle Infrastructure Design (Department for Transport, 2020)
- Planning for Walking (Chartered Institution of Highways and Transportation, 2015)
- Buses in Urban Developments (Chartered Institution of Highways and Transportation, 2018)
- Guidance on car clubs in new developments (Surrey County Council, 2019)
- Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure (DfT, 2021)

### Monitoring Indicators

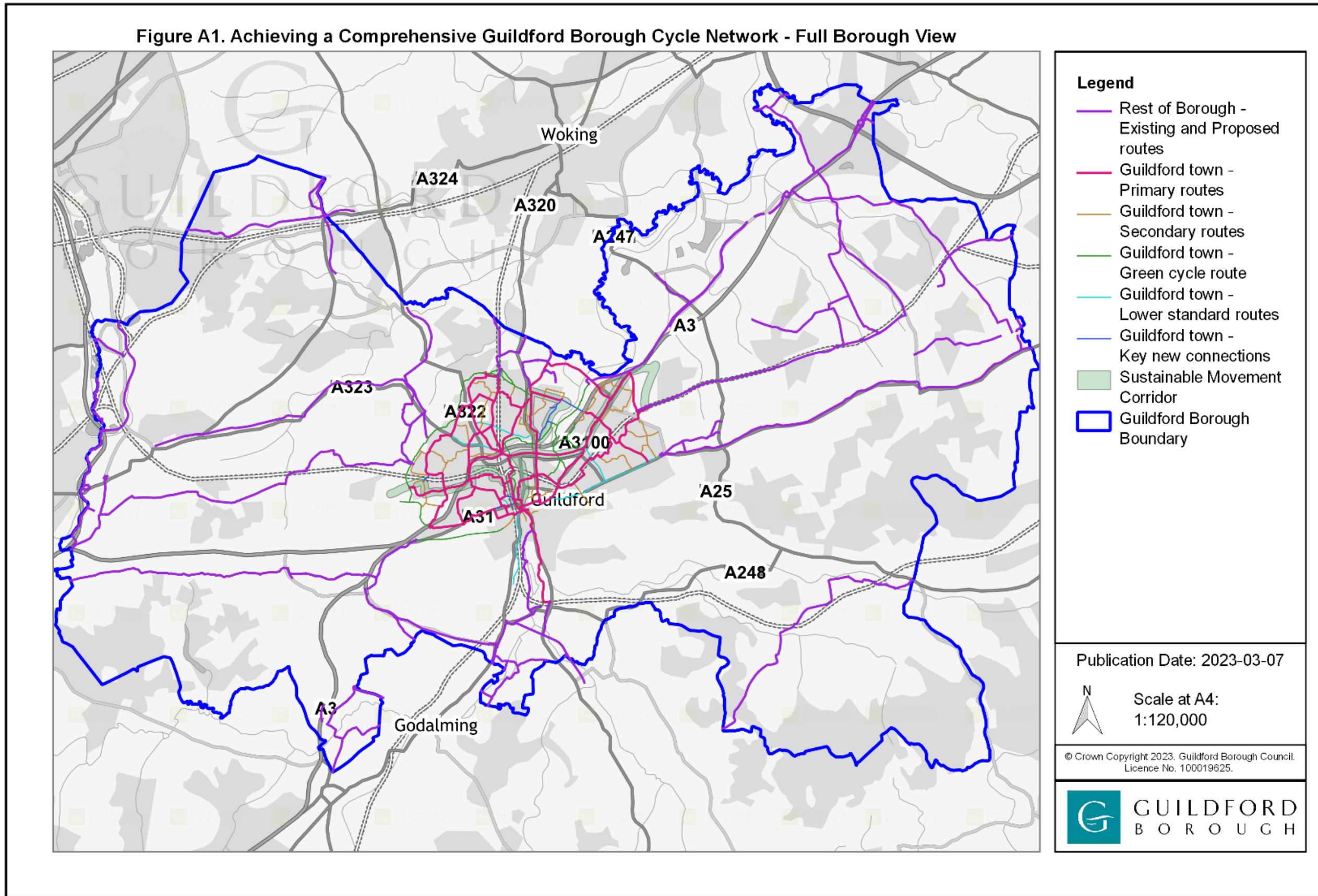
Indicator	Target	Data Source
Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID10	N/A	Planning Appeals

<sup>303</sup> Available online at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1044542/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1044542/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf)

Appendix A – Extracts from the Policies Map of the mapped network referenced in ID9: Achieving a Comprehensive Guildford Borough Cycle Network

Figure A1. Achieving a Comprehensive Guildford Borough Cycle Network – Full Borough View<sup>304</sup>



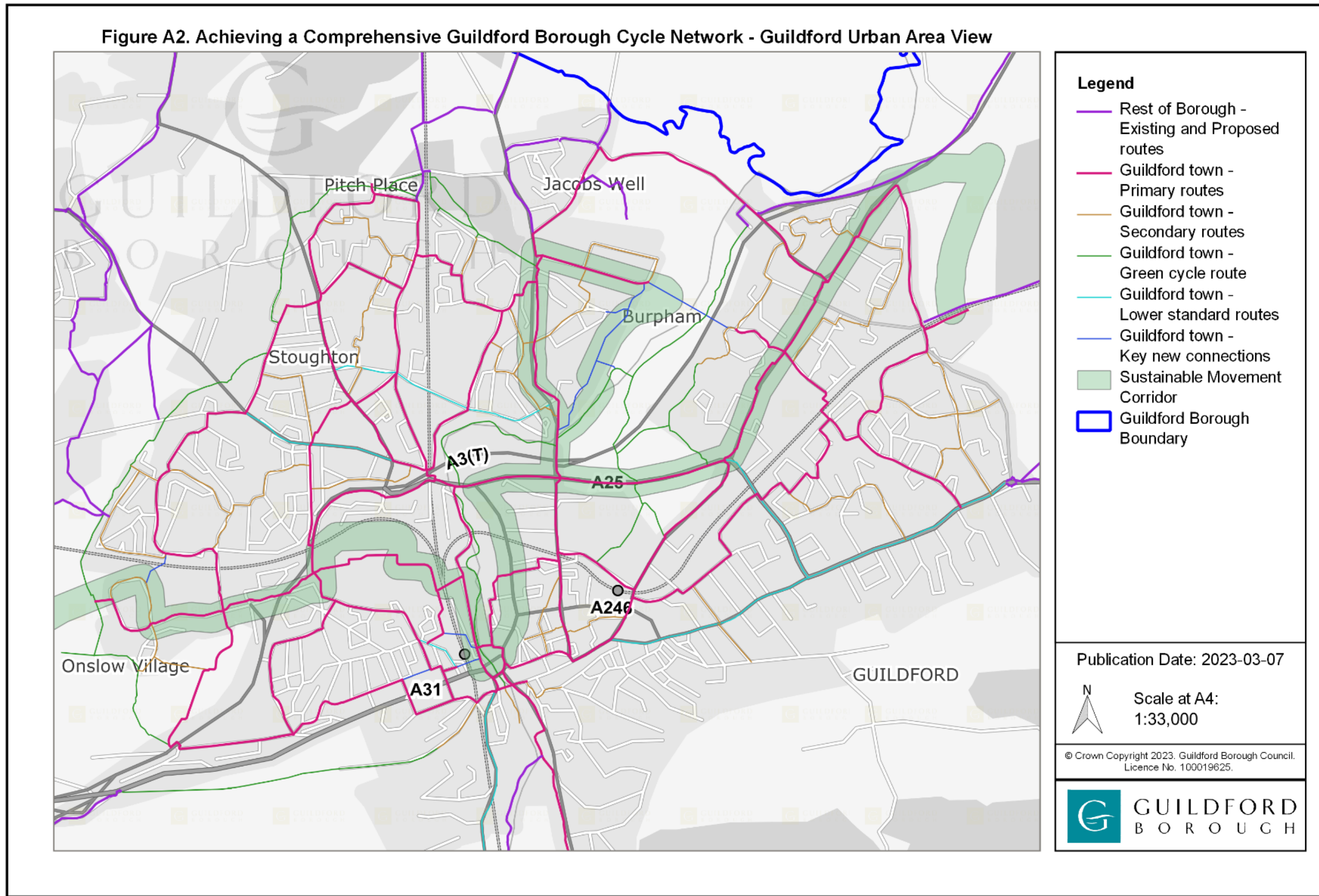
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<sup>304</sup> Interactive map with a greater resolution is available at: <https://www.guildford.gov.uk/localplan/policiesmap>



Figure A2. Achieving a Comprehensive Guildford Borough Cycle Network – Guildford Urban Area View<sup>305</sup>



<sup>305</sup> Interactive map with a greater resolution is available at: <https://www.guildford.gov.uk/localplan/policiesmap>

## Appendix B – Car and Cycle Parking Standards for Strategic Sites

**Table B1. Strategic sites – maximum provision of residential car parking, for use by residents themselves**

Number of bedrooms	1 bed flats (including studios & bedsits)	2 bed flats	1 bed houses	2 bed houses	3 bed houses	4+ bed houses
Maximum vehicle parking spaces	1 space per unit	1 space per unit	1 space per unit	1.5 spaces per unit	2 spaces per unit	2.5 spaces per unit

**Table B2. Strategic sites – maximum provision of non-residential car parking**

Development Type	Maximum vehicle parking spaces provided (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Retail</b> (Note: Retail parking to be provided as shared use where appropriate. Based on the Surrey CC non-residential car parking standards for suburban locations)	
Food or non-food retail e.g. small parades of shops serving the local community (up to 500m <sup>2</sup> )	1 car space per 37.5m <sup>2</sup>
Food or non-food retail (over 500 m <sup>2</sup> )	1 space per 31.5m <sup>2</sup>
<b>Food and drink</b>	
Restaurants, snack bars and cafés. For sale & consumption on the premises.	1 car space per 6m <sup>2</sup>
<b>Drinking establishments</b>	
Public houses, wine bars or other drinking establishments but not nightclubs.	Individual assessment/justification
<b>Hot Food Takeaways</b>	
For sale & consumption of hot food off the premises.	1 car space per 6m <sup>2</sup>
<b>Business</b>	
Offices, research & development, light industry appropriate in a residential area – threshold of 2500m <sup>2</sup>	A maximum range of 1 car space per 30m <sup>2</sup> to 1 car space per 100m <sup>2</sup> depending on location
<b>General Industrial</b>	
General industrial use	1 car space per 30m <sup>2</sup>

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Storage/distribution (including open air storage)</b>	
Warehouse – storage	1 car space per 100m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Warehouse – distribution	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Cash and carry	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
<b>Residential Institutions</b>	
Care home Nursing home	1 car space per 2 residents OR Individual assessment/justification
<b>Dwelling houses</b>	
Elderly (sheltered)	1 car space per 1 or 2 bed self-contained unit OR 0.5 per communal unit OR Individual Assessment
<b>Non-residential institutions</b>	
Day Nurseries/Crèche	0.75 car spaces per member of staff plus 0.2 spaces per child
Doctor's practices	Individual assessment/justification
Dentist's practices	Individual assessment/justification
Veterinary practices	Individual assessment/justification
Libraries, museums and art galleries	1 car space per 30m <sup>2</sup> OR Individual assessment/justification
Public halls licensed for entertainment, unlicensed youth and community centres and Scout huts etc	1 car space per 3 persons OR per 3 seats OR per 20 m <sup>2</sup> OR Individual assessment/justification
Places of worship	1 car space per 10 seats OR Individual assessment/justification
Schools/colleges/children's centres	Individual assessment/justification See notes on School Parking in Surrey County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (2021).
<b>Other uses</b>	
Vehicle repair, garage and spares stores	1 car space per 20m <sup>2</sup> OR Individual assessment/justification
Car sales establishments	1 car space per 50m <sup>2</sup> car display area OR Individual

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
	assessment/justification
Exhaust and tyre centres	1 car space per 0.3-0.5 bays OR Individual assessment/justification
All other uses not mentioned above	Individual assessment/justification

Please note:

- All parking levels expressed for an area of space relate to gross floor area and are recommended as a maximum unless otherwise stated.
- Provision for uses marked “individual assessment” will require their own justification and the inclusion of parking management plans, travel plans and cycle strategies where appropriate. The content of each and need for the plan(s) would be discussed and agreed with the County Highway Authority.
- Levels of parking per member of staff (full time equivalent) should be calculated using the average of those employed on site at any one time.

**Table B3. Strategic sites – minimum provision of cycle parking for residential and non-residential development**

<b>Development Type</b>	<b>Minimum cycle parking spaces provided – short stay</b>	<b>Minimum cycle parking spaces provided – long stay</b>
<b>All</b>		
Parking for adapted cycles for disabled people	5% of total capacity co-located with disabled car parking	5% of total capacity co-located with disabled car parking
<b>Retail</b>		
Small (<200m <sup>2</sup> )	1 per 100m <sup>2</sup>	1 per 100m <sup>2</sup>
Medium (200-1000m <sup>2</sup> )	1 per 200m <sup>2</sup>	1 per 200m <sup>2</sup>
<b>Employment</b>		
Office/ finance	1 per 1000m <sup>2</sup>	1 per 200m <sup>2</sup>
Industrial/ warehousing	1 per 1000m <sup>2</sup>	1 per 500m <sup>2</sup>
<b>Leisure and Institutions</b>		
Leisure centres, assembly halls, hospitals and healthcare	Greatest of: 1 per 50m <sup>2</sup> or 1 per 30 seats/ capacity	1 per 5 employees
Educational institutions	-	Separate provision for staff and students, based on Travel Plan mode share targets, minimum: Staff – 1 per 20 staff Students – 1 per 10 students
<b>Residential</b>		
All except sheltered/ elderly housing or nursing homes	Individual assessment/justification	1 per bedroom
Sheltered/ elderly housing or nursing homes	0.05 per residential unit	0.05 per bedroom
<b>Public Transport Interchange</b>		
Standard stop	Upon own merit	-
Major interchange	1 per 200 daily users	-
<b>All other uses not mentioned above</b>		
	Individual assessment	Individual assessment



## Appendix C – List of Strategic and Non-strategic Policies

Policy	Strategic / non-strategic
H4: Housing Extensions and Alterations including Annexes	Non-strategic
H5: Housing Conversion and Subdivision	Non-strategic
H6: Review Mechanisms	Non-strategic
H7: First Homes	Non-strategic
E10: Animal-related Development	Non-strategic
P6: Protecting Important Habitats and Species	Strategic
P7: Biodiversity in New Developments	Strategic
P8: Land Affected by Contamination	Non-strategic
P9: Air Quality and Air Quality Management Areas	Non-strategic
P10: Water Quality, Waterbodies and Riparian Corridors	Strategic
P11: Sustainable Surface Water Management	Strategic
P12: Regionally Important Geological / Geomorphological Sites	Strategic
D4: Achieving High Quality Design and Respecting Local Distinctiveness	Non-strategic
D5: Protection of Amenity and Provision of Amenity Space	Non-strategic
D6: External Servicing Features and Stores	Non-strategic
D7: Public Realm	Non-strategic
D8: Residential Infill Development	Non-strategic
D9: Shopfront Design and Security	Non-strategic
D10: Advertisements, Hanging Signs and Illumination	Non-strategic
D11: Noise Impacts	Non-strategic

Policy	Strategic / non-strategic
D12: Light Impacts and Dark Skies	Non-strategic
D13: The Corridor of the River Wey and Godalming Navigations	Non-strategic
D14: Sustainable and Low Impact Development	Strategic
D15: Climate Change Adaptation	Strategic
D16: Carbon Emissions from Buildings	Strategic
D17: Renewable and Low Carbon Energy Generation and Storage	Strategic
D18: Designated Heritage Assets	Strategic
D19: Listed Buildings	Non-strategic
D20: Conservation Areas	Non-strategic
D21: Scheduled Monuments	Non-strategic
D22: Registered Parks and Gardens	Non-strategic
D23: Non-designated Heritage Assets	Non-strategic
D24: Enabling Development and Heritage Assets	Non-strategic
ID5: Protecting Open Space	Non-strategic
ID6: Open Space in New Developments	Strategic
ID7: Community Facilities	Non-strategic
ID8: Retention of Public Houses	Non-strategic
ID9: Achieving a Comprehensive Guildford Borough Cycle Network	Strategic
ID10: Parking Standards for New Development	Strategic

## Appendix D – List of Superseded Policies

The following table sets out which extant development plan policies are superseded by the Local Plan: Development Management Policies.

<b>Extant development plan policy</b>	<b>Local Plan: Development Management Policies policy</b>
LP2003 G1 General Standards of Development (3), (4), (8), (11), (12), (13)	D5: Protection of Amenity and Provision of Amenity Space D4: Achieving High Quality Design and Respecting Local Distinctiveness D12: Light Impacts and Dark Skies P8: Land Affected by Contamination P6: Protecting Important Habitats and Species D11: Noise Impacts
LP2003 G5 Design Code (2), (3), (4), (5), (7), (8), (9)	D4: Achieving High Quality Design and Respecting Local Distinctiveness D7: Public Realm
LP2003 G7 Shop Front Design	D9: Shopfront Design and Security
LP2003 G8 Advertisements	D10: Advertisements, Hanging Signs and Illumination
LP2003 G9 Projecting Signs in The High Street	D10: Advertisements, Hanging Signs and Illumination
LP2003 G11 The Corridor of the River Wey And the Guildford And Godalming Navigations	D13: The Corridor of The River Wey & Godalming Navigations P10: Water Quality, Waterbodies and Riparian Corridors
LP2003 H4 Housing in Urban Areas	D4: Achieving High Quality Design and Respecting Local Distinctiveness D5: Protection of Amenity and Provision of Amenity Space
LP2003 H7 Conversions	H6: Housing Conversion and Sub-division
LP2003 H8 Extensions to Dwellings in The Urban Areas	H4: Housing Extensions and Alterations including Annexes
LP2003 E5 Homeworking	D5: Protection of Amenity and Provision of Amenity Space ID10: Parking Standards for New Development
LP2003 HE2 Changes of Use of Listed Buildings	D18: Designated Heritage Assets D19: Listed Buildings
LP2003 HE4 New Development Which Affects the Setting of a Listed Building	D18: Designated Heritage Assets D19: Listed Buildings
LP2003 HE5 Advertisements on Listed Buildings	D19: Listed Buildings

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LP2003 HE7 New Development in Conservation Areas	D18: Designated Heritage Assets D20: Conservation Areas
LP2003 HE8 Advertisements in Conservation Areas	D10: Advertisements, Hanging Signs and Illumination D20: Designated Heritage Assets
LP2003 HE9 Demolition in Conservation Areas	D18: Designated Heritage Assets D20: Conservation Areas
LP2003 HE10 Development Which Affects the Setting of a Conservation Area	D18: Designated Heritage Assets D20: Conservation Areas
LP2003 HE12 Historic Parks and Gardens	D18: Designated Heritage Assets D22: Registered Parks and Gardens
LP2003 NE4 Species Protection	P6: Protecting Important Habitats and Species
LP2003 NE5 Development Affecting Trees, Hedges and Woodlands	P6: Protecting Important Habitats and Species D20: Conservation Areas
LP2003 NE6 Undesignated Features of Nature Conservation interest	P6: Protecting Important Habitats and Species
LP2003 R2 Recreational Open Space Provision in Relation to Large New Residential Developments	ID6: Open Space in New Developments
LP2003 R3 Recreational Open Space Provision in Relation to New Small Residential Developments	ID6: Open Space in New Developments
LP2003 R4 Recreational Open Space Provision in Relation to New Commercial Developments	ID6: Open Space in New Developments
LP2003 R6 intensification of Recreational Use	D12: Light Impacts and Dark Skies; ID10: Parking Standards for New Development
LP2003 R8 Golf Courses	D4: Achieving High Quality Design and Respecting Local Distinctiveness ID10: Parking Standards for New Development
LP2003 R9 Noisy Sports, Adventure Games and Similar Activities	D4: Achieving High Quality Design and Respecting Local Distinctiveness D5: Protection of Amenity and Provision of Amenity Space
LP2003 R10 Water Based Recreational Activities	D4: Achieving High Quality Design and Respecting Local Distinctiveness
LP2003 R12 Non-Commercial Horse Related Development	E10: Animal Related Development
LP2003 R13 Commercial Horse-Related Development	E10: Animal Related Development

LP2003 CF1 Provision of New Community Facilities	ID7: Community Facilities D4: Achieving High Quality Design and Respecting Local Distinctiveness D5: Protection of Amenity and Provision of Amenity Space
LP2003 CF2 Loss of Community Facilities	ID7: Community Facilities
LP2003 CF3 Pre-School Education	ID7: Community Facilities D4: Achieving High Quality Design and Respecting Local Distinctiveness D5: Protection of Amenity and Provision of Amenity Space
LP2003 CF4 Expansion of Schools	ID7: Community Facilities D4: Achieving High Quality Design and Respecting Local Distinctiveness
LP2003 CF5 Care in The Community	D4: Achieving High Quality Design and Respecting Local Distinctiveness D5: Protection of Amenity and Provision of Amenity Space ID7: Community Facilities
LPSS D2: Climate Change, Sustainable Design, Construction and Energy (5), (6), (7), (9)	D16: Carbon Emissions from Buildings (1), (2), (3), (4)

Key:

LP2003 = Guildford Local Plan 2003

LPSS = Local Plan: Strategy and Sites 2015-2034

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As part of the preparation of the Guildford Borough Local Plan: Development Management Policies, all of the saved Guildford Borough Local Plan 2003 policies (which were not superseded by the Guildford borough Local Plan: Strategy and Sites, 2019) were reviewed. The table above includes identification of those policies within the saved Guildford Borough Local Plan 2003 which are superseded by specific policies in the Guildford Local Plan: Development Management Policies. The remainder of the saved policies in the Guildford Borough Local Plan 2003 are redundant and, on adoption of the Guildford Local Plan: Development Management Policies, will be revoked. For avoidance of doubt, those policies are: LP2003 G3 Development Concerning Hazardous Substances; LP2003 G4 Development in The Vicinity of Hazardous Substances; LP2003 G10 Telecommunications; GT1 Land at Bedford Road Opposite the Odeon Cinema; GT2 Former Farnham Road Bus Depot; RE11 New Agricultural Dwellings; RE12 Temporary Housing Accommodation in The Countryside for An Agricultural or Forestry Worker; RE13 New Agricultural Buildings; RE14 Extension of Residential Curtilages into The Countryside; R7 Built Facilities for Recreational Use.

# Sustainability Appraisal (SA) of the Guildford Local Plan: Development Management Policies

## SA Adoption Statement

March 2023

**Quality information**

<b>Prepared by</b>	<b>Checked by</b>	<b>Approved by</b>
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# 1 Introduction

## 1.1 Background

- 1.1.1 Guildford Borough Council submitted the Local Plan: Development Management Policies (LPDMP) to the Secretary of State for Housing, Communities and Local Government (now Levelling Up, Homes and Communities) on 22<sup>nd</sup> June 2022 for examination by the Planning Inspectorate.
- 1.1.2 Once in place, the LPDMP will supplement the adopted Local Plan: Strategy and Sites (LPSS, 2019), which deals with strategy and allocates sites for development. Specifically, the LPDMP will provide further and more detailed planning policies for Guildford Borough Council ('the Council') to apply when making development management decisions, i.e. when determining planning applications.
- 1.1.3 The appointed Planning Inspector issued a final report to the Council in February 2023, finding the LPDMP 'sound' subject to main modifications. The next stage is for the Council to formally adopt the LPDMP.
- 1.1.4 A parallel process of Sustainability Appraisal (SA) was undertaken alongside plan-making. SA is a mechanism for considering and communicating the likely effects of an emerging plan, and reasonable alternatives, with a view to minimising negative impacts and maximising positives.

### SA explained

- 1.1.5 It is a requirement that SA involves a series of procedural steps. The final step in the SA process involves preparing a 'statement' at the time of plan adoption. This SA Statement presents:
- 1) The 'story' of plan-making / SA up to the point of adoption.  
Specifically, there is requirement<sup>1</sup> to: *"summaris[e] how environmental considerations have been integrated into the plan....and how the environmental report... the opinions expressed... and the results of consultations... have been taken into account... and the reasons for choosing the plan... as adopted, in the light of...reasonable alternatives..."*
  - 2) Measures decided concerning the monitoring of plan implementation.  
Specifically, there is a requirement to explain *"the measures... to be taken to monitor the significant environmental effects of the implementation of the plan or programme."*

### This SA Statement

- 1.1.6 This is the LPDMP SA Statement. It considers **(1)** and **(2)** in turn, and then concludes by presenting a checklist aimed at demonstrating a legally compliant SA process.

# 2 The Plan-making / SA 'story'

## 2.1 Introduction

- 2.1.1 Key stages in the plan-making / SA process were as follows:
- 1) Issues, Options and Preferred Options (Regulation 18) **2020**
  - 2) Publication (Regulation 19) **2022**
  - 3) Main Modifications **2022**
  - 4) Inspectors' report **2023**
- 2.1.2 Each of these stages is discussed in turn below.

<sup>1</sup> Regulation 16 of the Environmental Assessment of Plans and Programmes (SEA) Regulations.



## 2.2 Issues, Options and Preferred Options 2020

- 2.2.1 The Issues, Options and Preferred Options consultation document was published for consultation over a seven-week period between June and July 2020. The consultation document was essentially in the form of a full draft plan with additional commentary on 'alternative options' for each policy.
- 2.2.2 The Interim SA Report published as part of the consultation essentially presented the information required of the formal SA Report, as understood from the Environmental Assessment of Plans and Programmes (SEA) Regulations 2004 (as discussed on page 1 of the report, as well as within Appendix I of the report). This primarily amounts to presenting an appraisal of "the plan and reasonable alternatives" (Regulation 12(2)) and also "an outline of the reasons for selecting the alternatives dealt with" (Scheduled 2(8)).
- 2.2.3 The Interim SA Report was structured in three parts:
- **Part 1** of the report did four things –
    - Explain a decision to explore reasonable alternatives in respect of: **1)** housing density; **2)** biodiversity net gain; and **3)** parking standards.
    - In each case, explain reasons for selecting the alternatives dealt with.
    - In each case, present an appraisal of the reasonable alternatives.
    - In each case, explain GBC officers' reasons for supporting the preferred option.
  - **Part 2** of the report presented an appraisal of the draft plan, concluding as follows:
 

*"Overall the LPDMP is predicted to result in wide-ranging positive effects, although these are predicted to be 'minor' other than in respect of biodiversity (given the proposed approach in respect of biodiversity net gain requirements) and health (numerous proposed policies will act cumulatively...).*

*The appraisal does not predict negative effects in respect of any sustainability objective; however, uncertain effects are concluded in respect of climate change mitigation objectives. There is inherent uncertainty given the Government's recent consultation on setting new national sustainable design and construction standards, and the appraisal also highlights a degree of tension resulting from the LPDMP proposed approach to housing density (flexible criteria-based) and support for minimum parking standards outside of the town centre.*

*Moving forward, the Council should take account of the appraisal findings presented within this section alongside responses received as part of the current consultation, when preparing the final draft 'proposed submission' version of the LPDMP. Specifically, the Council should seek to address the uncertainties highlighted in respect of climate change mitigation (also other minor 'tensions' discussed within the appraisal text) and seek to ensure that the predicted positive effects are further enhanced."*
  - **Part 3** of the report discussed next steps.
- 2.2.4 Appraisal informed plan-making prior to the consultation (particularly the appraisal of reasonable alternatives) and served to inform the consultation. Consultation responses received informed subsequent plan-making and SA work.
- 2.2.5 For example, within the subsequent SA Report, paragraph 5.2.2 considered consultation responses received in respect of the proposed policy on biodiversity net gain, before then reaching a conclusion on updated reasonable alternatives.
- 2.2.6 Also, a Consultation Statement was published in January 2022, comprehensively recording consultation responses received. There are few instances of consultation responses referencing the Interim SA Report, but it is not necessarily the case that all consultees who benefited from the Interim SA Report will have referenced it in their response. It is noted that the policy that generated comfortably the highest number of comments (see Figure 2 within the Consultation Statement), namely Policy H4: Housing Policy, was a focus of detailed work to explore reasonable alternatives within the Interim SA Report. As part of this, a map was prepared presenting locations for higher density (see Figure 5.1 within the report).

## 2.3 Publication (Regulation 19) 2022

2.3.1 The Proposed Submission LPDMP was published under Regulation 19 of the Local Planning Regulations (2012) between January and February 2022.

2.3.2 The formal SA Report published alongside presented the information required under the Environmental Assessment of Plans and Programmes (SEA) Regulations 2004 (as discussed on page 1 of the report, as well as within Appendix I of the report).

2.3.3 As per the preceding Interim SA Report, the SA Report was structured in three parts:

- **Part 1** presented information on reasonable alternatives. Box 2.1 presents a detailed discussion.
- **Part 2** of the report presented an appraisal of the proposed submission plan, including a focus explaining changes made since the previous consultation stage and also discussing the influence of consultation responses received. The appraisal concluded as follows:

*“The appraisal predicts wide-ranging positive effects, although under some SA topic headings positive effects are likely to be ‘minor’, and under three headings (Digital infrastructure, Land and Previously developed land) the conclusion is that effects will be broadly ‘neutral’. The appraisal predicts stand-out ‘significant’ positive effects in terms of: Biodiversity; Health and Landscape / townscape. These effects are predicted mindful that the LPDMP will be implemented alongside the adopted LPSS.*

*A prediction of broadly positive effects is unsurprising, given the nature of the plan document, namely one focused on policies to manage the growth that is already committed. The appraisal identifies few significant or otherwise notable tensions between the LPDMP policies and sustainability objectives.*

*However, a number of recommendations and suggestions are made. These should be taken into account as part of plan-finalisation, although it is recognised that recommendations are made ‘in a silo’ (i.e. recommendations under any given topic heading are made without any consideration given to knock on implications for the achievement of objectives under other topic headings), whilst plan-makers must ensure that all policies align with all plan objectives ‘in the round’, as far as possible.”*

- **Part 3** of the report discussed next steps.

### Box 2.1: Discussion of the information presented in Part 1 of the SA Report

As per the preceding Interim SA Report, Part 1 of the SA Report presented information on reasonable alternatives (RAs), specifically information on defining RAs; appraising RAs; and selecting preferred options.

With regards to the matter of **selecting policy areas** that should be a focus of work to explore RAs, this was covered within Section 4.2. Specifically, the report explained a decision to explore RAs in respect of ‘decarbonisation’ in place of RAs on ‘housing density’. Indeed, in respect of housing density, the report explained *“at the current time the view of officers (in discussion with AECOM) is that housing density need not be the focus of a stand-alone policy within the LPDMP.”*

With regards to the matter of **selecting RAs** for each of the identified policy areas (biodiversity net gain, decarbonisation and parking standards), this information was presented in Sections 5.2, 6.2 and 7.2. Efforts were made to take full account of consultation responses received, as well as the latest evidence more generally and the national policy context. In respect of decarbonisation (in particular) and biodiversity net gain, a challenge related to the fact that the national policy context was in a state of flux.

With regards to **appraisal findings**, in respect of each of the three sets of RAs, this information was presented in Sections 5.3, 6.3 and 7.3. In two instances (decarbonisation and parking standards) the appraisal was not able to reach conclusions on significant effects, which is an indication that, with hindsight, there was not a reasonable need to appraise alternatives in the first place. However, and regardless, each of the three appraisal tables was able to draw helpful distinctions between the competing alternatives, in terms of their performance against the established sustainability objectives (i.e. the SA framework; see Section 3 of the report).

With regards to **selecting preferred options**, this information was presented in Sections 5.4, 6.4 and 7.4. In instances where the appraisal served to identify tensions between the preferred option and one or more sustainability objectives (or otherwise identified the non-preferred option as preferable or potentially preferable), then this was addressed openly and transparently, including discussion of mitigation and monitoring.

- 2.3.4 Appraisal informed plan-making prior to publication (particularly the appraisal of reasonable alternatives) and served to inform representations received during the publication period. Representations received informed the subsequent final decision to submit the plan and then the Examination in Public.
- 2.3.5 A [Consultation Statement](#) was published in June 2022, comprehensively recording consultation responses received. There are few instances of consultation responses referencing the SA Report, but it is not necessarily the case that all consultees who benefited from the SA Report will have referenced it in their response. The Consultation Statement does record the following notable response received from the Residents for Guildford and Villages / Guildford Green Belt Group:

*“Considerable work is required in order to demonstrate that the Reasonable Alternatives have been taken into account in the preparation of the policies which will be contained within the DMP and it would be helpful for the Council to examine other councils’ DMPs for more palatable alternatives.”*

- 2.3.6 It is noted that the policy that generated comfortably the highest number of comments (see Figure 4 within the Consultation Statement), namely Policy ID11: Parking Standards, was a focus of detailed work to explore reasonable alternatives within the SA Report. In this light, the reasons for selecting the preferred option, as reported within Section 7.4 of the SA Report, are set out here:

*“Option 2 is the preferred option. Specifically, the proposal is for the LPDMP and the Parking SPD to define the maximum and expected levels of parking permitted for various sizes of residential development in different areas of the borough. This approach involves a spatially-differentiated approach to the provision of vehicle parking for new residential developments with the focus of restraint increasing closer to Guildford town centre.*

*The proposal aims to respond to current car availability whilst also enabling lower car availability in new residential developments in urban settings and at the strategic sites, in line with the societal trends, potential future scenarios and net zero targets. In rural and village areas, expected standards match current levels of car availability that are reflective of differences in accessibility to key services and facilities by non-car modes.”*

## 2.4 Main Modifications 2022

- 2.4.1 The LPDMP was submitted to the Government on 22<sup>nd</sup> June 2022 for examination by the Planning Inspectorate. The appointed Inspector then oversaw three days of hearing sessions in November 2022, before reaching an interim conclusion that the plan is 'sound' subject to modifications. A schedule of Main Modifications was then published for consultation over the period December 2022 to February 2023.
- 2.4.2 With regards to SA work, this is not an automatic requirement at the Main Modifications stage. In this instance, the Main Modifications were reviewed before a decision was reached that no formal SA work was required and, in turn, no SA documentation was published as part of the consultation.<sup>2</sup>

## 2.5 Inspectors’ report 2023

- 2.5.1 The Inspector’s Report was received on 27<sup>th</sup> February 2023, concluding that the LPDMP is 'sound' subject to Main Modifications. Specifically, the Main Modifications are broadly as per those previously published for consultation, with the Inspector explaining: *“None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes or SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.”*
- 2.5.2 The Main Modifications can be summarised as follows:
- Clarify the scope and process for a review mechanism for the delivery of affordable housing;
  - Introduce flexibility in the provision of First Homes;
  - Clarify the principles and date for implementation of the biodiversity net gain policy;

<sup>2</sup> The Government’s planning practice guidance (PPG) advises that: *“It is up to the plan-making body to decide whether the sustainability appraisal report should be amended following proposed changes to an emerging plan”*. The PPG advises that: *“If the plan-making body assesses that necessary changes are significant, and were not previously subject to sustainability appraisal, then further sustainability appraisal may be required and the sustainability appraisal report should be updated and amended accordingly.”*

- Align the standards for carbon emissions from buildings with the building regulations;
- Amend the cycle network plan, clarify its status and introduce more flexibility for solutions in rural areas;
- Amend and clarify parking standards.

2.5.3 It can be seen that all three of the policy areas that were a focus of detailed work to explore reasonable alternatives within the SA Report were a focus of Main Modifications and, in turn, discussion within the Inspector's Report. Taking each of these three policy areas in turn:

- Biodiversity net gain (Policy P6/P7) – the Inspector considers viability implications of setting a more stringent requirement on developers (20%), before concluding that the effect would be *"marginal and as such would not undermine the deliverability of the LPSS."* The Inspector then turns to the availability of off-site biodiversity units, finding that with numerous potential sites in the borough *"availability of off-site units should not be a problem following the lead-in time needed to establish accredited sites."*

The Inspector concludes:

*"In the light of the evidence, the minimum 20% BNG target in Policy P6/P7 is justified, being aspirational but deliverable in the case of Guildford Borough. Whilst 10% BNG strikes the right balance nationally between the ambition for development and the pressing need to reverse environmental decline, 20% BNG strikes the right balance between those objectives in the Borough."*

- Decarbonisation (Policy D14) – the Inspector explains that the published/submitted policy simply requires compliance with the latest Building Regulations, which came into effect subsequent to the time of the policy being finalised for publication. As such, the Main Modification simply involves addition of reference to the new Building Regulations and also deletion of outdated reasoned justification text.
- Parking standards (Policy ID11) – the Inspector explains the submitted policy as follows:

*"LPSS Policy ID3 includes general principles in relation to car parking provision but no actual standards. Subsequently, several neighbourhood plans have set minimum vehicle parking standards in the areas concerned, and others may do so in future. The purpose of DMP Policy ID11 is to set maximum vehicle parking standards for the strategic sites allocated in the LPSS, such standards to take precedence over those in neighbourhood plans, whilst neighbourhood plan standards would apply to non-strategic sites. The standards [are] arrived at by analysing census data, and intended to manage car use."*

With regards to the Main Modifications, the key point to note is as follows:

*"In addition to Policy ID11, the Council is preparing a Parking SPD to include detailed guidance and a range of standards for non-strategic sites. This was consulted upon in parallel with the DMP and can be updated as necessary from time to time. As submitted, Policy ID11 requires compliance with the standards in the SPD. This erroneously raises the status of the SPD to that of a statutory development plan and requires compliance with future versions of the document which would be drawn up without independent scrutiny. To ensure it is justified MM7 is therefore necessary to amend Policy ID10 to require development proposals outside strategic sites to have regard to the SPD, a less stringent test..."*

2.5.4 With regards to the SA process, the Inspector concludes as follows:

*"SA has been carried out throughout each stage of plan preparation. A detailed report was published alongside the plan and other submission documents under Regulation 19. It was unnecessary to update the appraisal to assess the MMs. The SA process has adequately assessed the DMP to establish, when judged against reasonable alternatives, that the plan will help to achieve relevant environmental, economic and social objectives."*

2.5.5 Finally, it is noted that the Inspector also concludes on the process of Habitats Regulations Assessment (HRA), which is a separate and notably different process to SA, involving consideration of the implications of the plan for sites designated as being of international importance for biodiversity. The Inspector finds:

*"The HRA dated November 2021 notes that the DMP does not allocate sites or determine a quantum of growth (the role of the LPSS) but rather sets out policies to manage that growth. The HRA concludes that, in combination with other plans and projects, the DMP is not likely to have significant effects on the potentially affected sites, the Thames Basin Heaths Special Protection Area and Thursley, Ash, Pirbright & Chobham Special Area of Conservation."*

### 3 Measures decided concerning monitoring

3.1.1 Section 11 of the SA Report (2021) presented “measures envisaged concerning monitoring”, suggesting that, in light of the plan appraisal presented in the report, monitoring efforts might focus on:

- Affordable housing;
- Biodiversity net gain;
- Built environment greenhouse gas emissions; and
- Residential car parking.

3.1.2 The Inspector’s Report does not discuss monitoring, and none of the Main Modifications deal with monitoring. As such, the final monitoring framework is *as per* that presented within the LPDMP as previously published and submitted. Within the LPDMP each of the policies is assigned one or more monitoring indicators, and there is also the following introductory explanation:

*“We need to assess whether this Local Plan is meeting its aims and objectives and have appropriate mechanisms in place so that we can recognise if it is not and actions can be taken accordingly. To help achieve this, each policy in this document is accompanied by monitoring indicators. Where policies are failing to deliver against the strategic objectives of the Local Plan, necessary actions will be identified in our Authority Monitoring Report.”*

3.1.3 This is broadly considered to be a suitably clear and comprehensive approach to monitoring. Taking each of the four aforementioned policy areas in turn:

- Affordable housing – the key matter for the LPDMP is in respect of First Homes (a type of affordable housing), mindful that First Homes must cost no more than £250,000, which in the Guildford context risks limiting First Homes to flats. The monitoring indicator is as follows: *“Percentage of qualifying schemes providing 25% First Homes as a proportion of their affordable housing contribution.”*
- Biodiversity net gain – the monitoring indicator is as follows: *“Gains in biodiversity provided by development on sites of 25 homes or greater.”*
- Built environment greenhouse gas emissions – the monitoring indicator is as follows: *“Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D14.”* Ongoing consideration should be given to means of strengthening this monitoring indicator.
- Residential car parking – the monitoring indicator is as follows: *“Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID11.”* Again, ongoing consideration should be given to means of strengthening this monitoring indicator.

### 4 Conclusions on the SA process

4.1.1 This SA Statement demonstrates that a legally robust SA process was undertaken alongside plan-making, with appraisal findings and consultation responses feeding into decision-making at key junctures.

4.1.2 Most importantly, in terms of compliance with both the SEA Regulations<sup>3</sup> and Local Planning Regulations,<sup>4</sup> the SA Report was published alongside the proposed submission version of the LPDMP in 2021, presenting an appraisal of “the plan and reasonable alternatives” and “an outline of the reasons for selecting the alternatives dealt with”. The report served to inform representations on the plan, and then served to inform plan finalisation over the course of the Examination in Public.

4.1.3 This SA Statement is the final step in the SA process. Its aim is to explain the ‘story’ of the plan-making / SA process, and also present measures decided concerning monitoring. Table 4.1 serves to demonstrate that this report presents the required information.

<sup>3</sup> Environmental Assessment of Plans and Programmes Regulations 2004

<sup>4</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

Table 4.1: Regulatory checklist

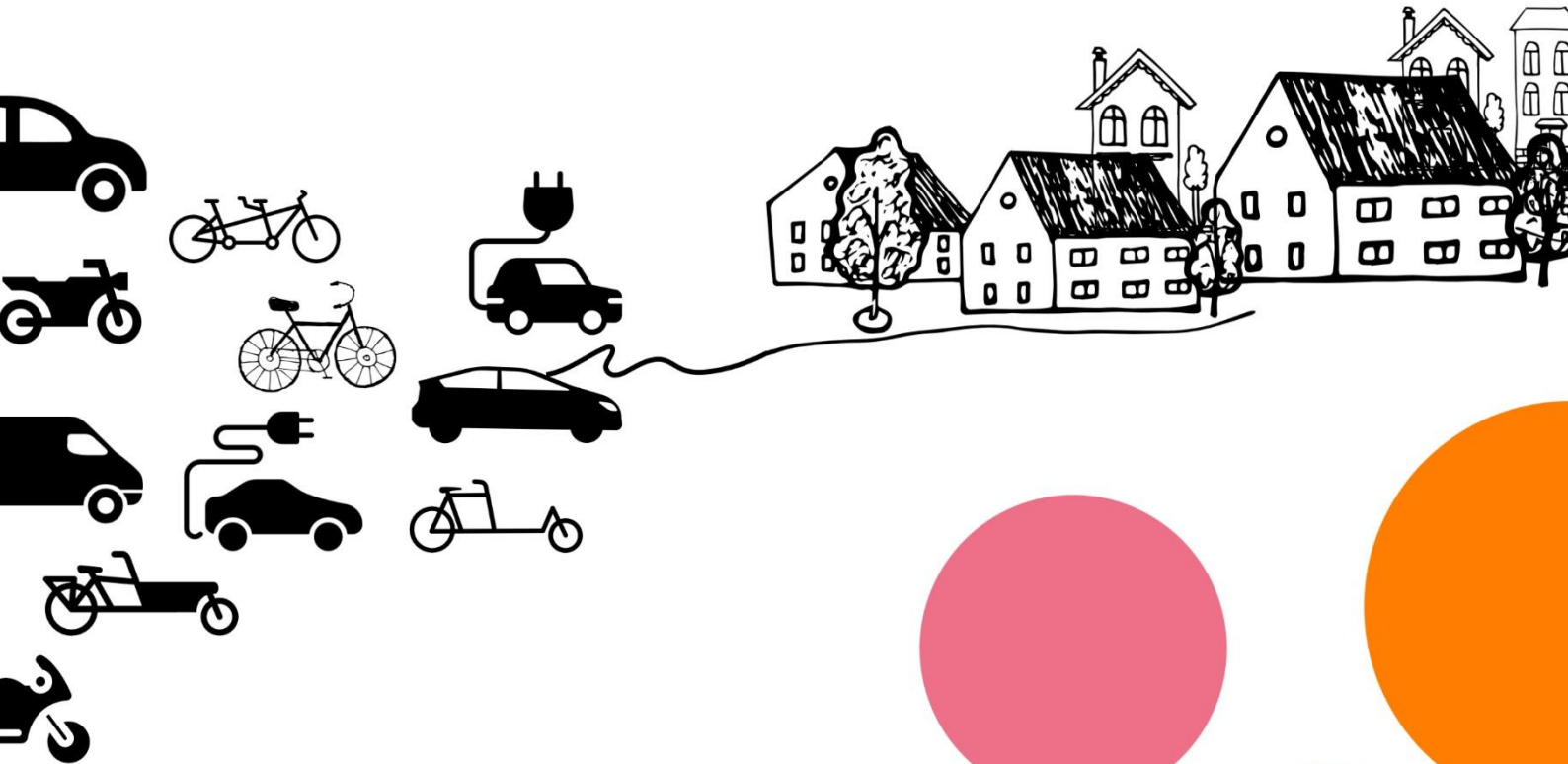
The SA Statement must...	Information presented in this Statement
Summarise how environmental (and wider sustainability) considerations have been integrated into the plan	<p>This Statement has sought to provide examples of key sustainability considerations that have been highlighted through appraisal and consultation and, in turn, integrated into the plan.</p> <p>First and foremost, the relative merits of reasonable alternatives were appraised in terms of a range of sustainability issues/objectives, with a view to informing decision-making.</p>
Summarise how the SA Report and consultation responses received, as part of the Draft Plan / SA Report consultation, have been taken into account when finalising the plan.	<p>This statement seeks to explain a stepwise process over time. It was naturally the case, at each step in the process, that account was taken of earlier consultation responses, alongside wider evidence.</p> <p>In particular, the SA Report (2021) included clear reference to consultation responses received as part of the preceding consultation.</p> <p>Further information on consultation responses received is presented in two Consultation Statements, both of which are discussed above within this report (see Sections 2.2 and 2.3).</p>
Summarise the reasons for choosing the plan as adopted, in the light of reasonable alternatives.	<p>Reasonable alternatives were defined and appraised at two points in the plan-making / SA process in order to inform decision-making ahead of consultation, with officers providing a response to the appraisal, equating to the Council's reasons for supporting the preferred option.</p>
Summarise the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan	<p>See Section 3</p>



# Parking Standards for New Development

## Supplementary Planning Document

March 2023



## **Alternative formats**

**If you would like to read this document in a different format such as large print or a different language, please contact Planning Policy:**

**Telephone: 01483 444471**

**Email: [planningpolicy@guildford.gov.uk](mailto:planningpolicy@guildford.gov.uk)**



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# Part A: Background

## 1 Introduction

### The purpose of this Supplementary Planning Document

- 1.1 This Parking Standards for New Development Supplementary Planning Document (SPD) sets out Guildford Borough Council's off-street parking standards for non-strategic sites and also design guidance for on- and off-street parking provision to be provided by all new development, including the strategic sites.
- 1.2 This SPD provides policy guidance upon:
  - **Policy ID10: Parking Standards for New Development** in the Local Plan: Development Management Policies (LPDMP) 2023
  - **Policy ID3: Sustainable transport for new developments** in the Local Plan: Strategy and Sites (LPSS) 2019
- 1.3 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. SPDs are a material consideration that can be taken into account when determining a planning application but are not part of the Development Plan itself. Parking proposals for new developments will be assessed against the policy and the accompanying guidance in this SPD.
- 1.4 Parking standards and any design guidance contained within Neighbourhood Plans will take precedence in Neighbourhood Planning areas, except in relation to strategic sites. The numerical car and cycle parking standards in this SPD apply to non-strategic sites where Neighbourhood Plans do not contain this information. The design guidance in this SPD applies to all new development in Guildford borough, except non-strategic sites covered by relevant policy in Neighbourhood Plans. Design guidance is provided in relation to residential and non-residential car and cycle parking spaces, garages, Electric Vehicle Charging Points (EVCPs), designated accessible parking bays, car club bays and parking for motorcycles.

- 1.5 Parking is linked to a number of different activities such as parking at home or parking in town to shop and eat out. As these activities are different in nature there is a need to develop parking policies which take account of the characteristics of these activities. The council's approach is to seek to balance the number of spaces, providing an appropriate level and type of parking whilst taking into account the characteristics of the location in the borough, protecting highway safety and promoting transport sustainability and a more efficient use of land. Together with Policy ID10: Parking Standards for New Development, the Parking Standards for New Development SPD is intended to address these issues as they relate to proposals for new development within the borough and provide general guidance to site promoters, developers and the general public.

### The structure of this SPD

- 1.6 The document is split into:

- **Part A: Background**

Sets out purpose of the SPD and the national and local policies and guidance that are relevant to the provision of parking in new development.

- **Part B: Parking Standards**

Contains a description of the parking standards (themselves contained in tables in Appendix A) as well as guidance on the application of these standards.

- **Part C: Design Guidance**

This section provides best practice guidance for the design of car parking spaces in new development, including dimensions of standard car parking spaces and also minimum dimensions for garages. It also contains advice on the design of car club spaces, designated accessible parking bays, EVCPs and provision of cycle parking.

## 2 Definitions and Abbreviations

### Definitions

**Allocated parking space** – parking found within the curtilage of a residential property, such as a garage or driveway, or any space provided in off-plot provision which is dedicated to a particular property.

**Associated parking space** – any parking space that is available within the site boundary of the building, for the use by the occupant of, or a visitor to, a dwelling in the building, including any parking space which is for the use of any occupant of, or any visitor to, any dwelling in a building containing more than one dwelling.

**Car availability** – a term used by the Office of National Statistics in the Census for England and Wales. This measure provides a metric which shows the average (mean) number of cars (or vans) that are owned, leased, or available for use, by one or more members of a household, including company cars and vans that are available for private use. It does not include motorbikes or scooters, or any cars or vans belonging to visitors. The residential car parking standards in this SPD and Policy ID10: Parking Standards for New Development are based on local car availability throughout Guildford borough, with allowances made as appropriate for visitors, deliveries and servicing.

**Car club** – provides shared access to vehicles typically on a pay-as-you-drive basis for members. Vehicles are parked in dedicated parking spaces locally.

**Car-free development** – development in which there are no parking spaces provided within the site for use by residents, employees or customers, other than for disabled residents or visitors. This does not preclude the provision of a designated area or areas for delivery and service vehicles, as well as car club spaces managed to ensure their use as such.

**District Centres** – for the purposes of Policy ID10: Parking Standards for New Development and this SPD, this applies to the urban district centre of Wharf Road, Ash as set in Policy E8(2).

**Guildford town centre** – as defined by the 'Guildford Town Centre' boundary set out on the Policies Map and shown in Appendix C.

**Independent access** – this refers to the need for cycles parked in garages to be able to be accessed without obstruction by parked cars, bins or household storage.

**Local Centres** – includes the urban local centres set in Policy E9(3) and shown on the Policies Map and new local centres set in Policy E9(5):

- Aldershot Road, Westborough
- Collingwood Crescent, Boxgrove
- Kingspost Parade, London Road, Burpham
- Epsom Road, Merrow
- Kingfisher Drive, Merrow
- Madrid Road, Guildford Park

- Southway, Park Barn
- Stoughton Road, Bellfields
- The Square, Onslow Village
- Woodbridge Hill, Guildford
- Woodbridge Road, Guildford
- Worplesdon Road, Stoughton
- Ash Vale Parade, Ash
- The Street, Tongham
- Gosden Hill Farm (site allocation A25)
- Blackwell Farm (site allocation A26); and
- the Former Wisley Airfield (site allocation A35).

**Low-car development** – residential and non-residential development which offer a limited amount of parking and is designed to facilitate and encourage transport by sustainable modes and marketed as such.

**Mobility hubs** – a recognisable place with a variety of facilities for accessing modes of transport other than the private car, which could include shared transport options such as car clubs or bike share, supplemented with enhanced facilities and information features. Example components of a hub could include also include bus stops, cycle parking, an information sign/screen and neighbourhood facilities such as package delivery lockers, café, coworking space and/or mini fitness/play area. A mobility hub is modular in nature and can be tailored to local needs.

**Modal shift** – a behavioural change to undertaking journeys by walking, cycling, bus or rail where previously or otherwise this would have been undertaken by private car.

**Parklet** – a small scale pavement extension, usually created through the conversion of a car parking space(s). Amenities within a parklet can include public seating, cycle parking, dining space, planters, or public art.

**Strategic sites** – for the purposes of Policy ID10: Parking Standards for New Development these are Slyfield Area Regeneration Project (now known as Weyside Urban Village), Gosden Hill Farm, Blackwell Farm and the Former Wisley Airfield as defined in the introduction to Policy S2 at paragraph 4.1.10. The parking standards for strategic sites will not apply to the North Street redevelopment site due to its town centre location.

**Suburban** – areas outside the ‘Guildford Town Centre’ boundary but within the ‘urban’ boundary, including the urban area of Ash & Tongham, as defined on the Policies Map.

**Swept path analysis** – the calculation and analysis of the movement and path of different parts of a vehicle when that vehicle is undertaking a turning manoeuvre.

**Unallocated parking space** – a parking space that is available for use by any resident or visitor to a site, including deliveries and servicing.

**Urban** – includes Guildford town centre as defined by the ‘Guildford Town Centre’ boundary set out on the Policies Map and ‘suburban’ areas defined as areas outside the town centre boundary but within the ‘urban’ boundary, including the urban area of Ash & Tongham, as defined on the Policies Map and shown in Appendix D.

**Village & rural** – areas outside the ‘urban’ boundary as defined on the Policies Map. Whilst the Former Wisley Airfield is located within a rural area, the standards for strategic sites will be applicable on this site given its proposed size and characteristics.

## Abbreviations

<b>DfT</b>	Department for Transport
<b>EVCP</b>	Electric Vehicle Charging Point
<b>CPZ</b>	Controlled Parking Zone
<b>GFA</b>	Gross Floor Area
<b>HMO</b>	House in Multiple Occupation
<b>LGV</b>	Light goods vehicle
<b>LPSS</b>	Local Plan: Strategy and Sites
<b>LPDMP</b>	Local Plan: Development Management Policies
<b>LTN</b>	Local Transport Note
<b>NPPF</b>	National Planning Policy Framework
<b>PTW</b>	Powered two-wheeler
<b>SCC</b>	Surrey County Council
<b>SPD</b>	Supplementary Planning Document
<b>SuDS</b>	Sustainable Drainage System



### 3 Policy Context

- 3.1 This SPD sits within a framework of national and local planning policy, and also Building Regulations (in relation to the provision of EVCPs). The planning policies and guidance relevant to, and which have informed the preparation of, this SPD are detailed below.

#### National policy

- 3.2 The [National Planning Policy Framework \(NPPF\) \(2021\)](#) sets out Government planning policies for England and how these should be applied (paragraph 1). The NPPF must be taken into account in preparing the Development Plan and is a material consideration in planning decisions (paragraph 2).
- 3.3 The following national policy is provided on the setting of local parking standards.

*“107. If setting local parking standards for residential and non-residential development, policies should take into account:*

- a) the accessibility of the development;*
- b) the type, mix and use of development;*
- c) the availability of and opportunities for public transport;*
- d) local car ownership levels; and*
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.*

*108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.”*

- 3.4 The setting of local parking standards can be in either a Local Plan or a Neighbourhood Plan.
- 3.5 The Building Regulations 2010 (Part S of Schedule 1- Infrastructure for the charging of electric vehicles) and associated Approved Document, effective 15 June 2022, detail the standards for the provision of EVCPs. The regulations relate to new residential and non-residential development, as well as in instances of a material change of use, or major renovations.

## Local policy and guidance

### Local Plan

- 3.6 The [Guildford borough LPSS](#) was adopted by the Council on 25 April 2019 following examination by the Planning Inspectorate. 'Policy ID3: Sustainable transport for new developments' states, in relation to parking:

#### **POLICY ID3: Sustainable transport for new developments**

[...]

- 2) New development will be required, in so far as its site's size, characteristics and location allow, to maximise:

[...]

- b) the provision of secure, accessible and convenient cycle parking

[...]

- 4) In terms of vehicular parking for new developments:

- a) Off-street vehicle parking for new developments should be provided such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.
- b) Consideration will be given to setting maximum parking standards for Guildford town centre in the Parking Supplementary Planning Document.

- 5) The provision and/or improvement of a car club by a new development will be supported if appropriate.

- 6) New development will be required to provide and/or fund the provision of suitable access and transport infrastructure and services that are necessary to make it acceptable, including the mitigation of its otherwise adverse material impacts, within the context of the cumulative impacts of approved developments and site allocations. This mitigation:

- a) will maintain the safe operation and the performance of the Local Road Networks and the Strategic Road Network to the satisfaction of the relevant highway authorities, and
- b) will address otherwise adverse material impacts on communities and the environment including impacts on amenity and health, noise pollution and air pollution.

[...]

- 3.7 The [Guildford Borough LPDMP](#) (2023) contains a policy on Parking Standards. It states:

**POLICY ID10: Parking Standards for New Development**

- 1) The parking standards in adopted Neighbourhood Plans, irrespective of when these were adopted, will take precedence over standards set by the Local Planning Authority in the Local Plan and Supplementary Planning Documents, should there be conflict, except in relation to strategic sites.
- 2) For strategic sites:
  - a) the provision of residential car parking, for use by residents themselves, will not exceed the maximum standards set out in Table B1;
  - b) the provision of additional unallocated parking, to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling will only be required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated;
  - c) the provision of non-residential car parking will not exceed the maximum standards set out in Table B2;
  - d) the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S); and
  - e) the provision of cycle parking will provide at least the minimum requirements set out in Table B3.
- 3) For non-strategic sites:
  - a) the provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, will have regard to the maximum standards set out in the Parking Standards for New Development SPD;
  - b) the provision of car parking in new residential development in village and rural areas, for use by residents themselves, will have regard to the expected standards set out in the Parking Standards for New Development SPD;
  - c) the provision of additional unallocated parking, to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling will only be required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated;
  - d) the provision of non-residential car parking will have regard to the maximum standards set out in the Parking Standards for New Development SPD;
  - e) the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S); and
  - f) the provision of cycle parking will have regard to the minimum requirements set out in the Parking Standards for new Development SPD.

- 4) For residential and non-residential development on strategic sites and also non-strategic sites in urban areas:
  - a) the provision of car and motorised vehicle parking at lower than the defined maximum standards must be justified by a coherent package of sustainable transport measures which will be proportionate to the level of reduction sought. Evidence will be expected to address:
    - i. generous provision of unallocated car parking as a proportion of all car parking spaces provided by the development proposal, where this enables more efficient use of land;
    - ii. excellent quality of walking and cycling access to a local centre, district centre or Guildford town centre;
    - iii. high public transport accessibility; and
    - iv. planning obligations and/or on-street parking controls such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.
  - b) the provision of car-free development must be justified by a coherent package of sustainable transport measures. Evidence will be required to demonstrate:
    - i. excellent quality of walking and cycling access to a district centre or Guildford town centre;
    - ii. high public transport accessibility;
    - iii. access to a car club for residents and/or users;
    - iv. that the car-free status of the development can be assured by planning obligations and/or on-street parking controls;
    - v. appropriate incentivisation of these measures; and
    - vi. appropriate monitoring of these measures.
- 5) For all sites:
  - a) car parking spaces external to a dwelling will be required to meet the minimum size requirements of 5 by 2.5 metres;
  - b) a garage will only count as providing a car parking space if it meets the minimum internal dimensions of 6 by 3 metres. A garage with the minimum internal dimensions of 7 by 3.3 metres will be considered to also have the capacity to park up to 2 cycles, allowing independent access. A garage with the minimum internal dimensions of 7 by 4 metres will be considered to have the capacity to park up to 5 cycles, allowing independent access. Alternate layouts for garages which can be demonstrated to provide equivalent or better space provision and access for a vehicle and cycles may be acceptable;
  - c) car parking spaces for disabled drivers will be designed and provided in accordance with national guidance;
  - d) development proposals will be required to demonstrate that the level of

any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.

### Neighbourhood Plans

- 3.8 Neighbourhood Plans can set parking standards. As of March 2023, the adopted Neighbourhood Plans for Burpham, Effingham, Lovelace, Send, Puttenham and West Clandon include parking standards, and the Plans for East Horsley and West Horsley include site policies with parking elements.
- 3.9 Further information on neighbourhood planning is available [here](#)<sup>1</sup>.

### Supplementary planning documents

- 3.10 The [Strategic Development Framework SPD](#) was adopted by Guildford Borough Council in July 2020. The SPD contains guidance for the Strategic Sites of Blackwell Farm, Gosden Hill Farm, Weyside Urban Village (formerly Slyfield Area Regeneration Project) and the former Wisley Airfield as well as the strategic location for growth of Ash and Tongham in relation to EVCPs, the design of on-street car parking provision, minimum garage dimensions and off-street car parking spaces. Guidance is included to make provision for car clubs to operate on site, possibly as part of a mobility hub(s). The garage dimensions set out in the Strategic Development Framework SPD have been superseded by the updated dimensions set out as policy in the LPDMP.

### Other guidance

- 3.11 Surrey County Council (SCC), as the Local Highway Authority, has published non-statutory [Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development](#) (2021). SCC's guidance is commended to Local Planning Authorities to consider for use within their own Local Plan as it is within the competency of the Plan maker to set off-street parking standards. SCC's guidance has been considered in the preparation of Policy ID10: Parking Standards for New Development and this SPD. The SCC guidance could also be a material consideration in planning decisions.
- 3.12 [Local Transport Note \(LTN\) 1/20 Cycle Infrastructure Design](#) was published by the Department for Transport (DfT) in 2020. It provides guidance to local authorities on delivering high quality cycling infrastructure, including cycle parking standards.
- 3.13 [Manual for Streets](#) (DfT, 2007) provides guidance for practitioners involved in the planning, design, provision and approval of new streets, and modifications to existing ones. In relation to parking, it provides a wide range of design guidance

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<sup>1</sup> <https://www.guildford.gov.uk/neighbourhoodplanning>

and recommended approaches to the arrangement of car, cycle and motorcycle parking, predominantly in relation to residential development.

- 3.14 The [National Design Guide](#) (Ministry of Housing, Communities and Local Government, 2021) focuses on the importance of well-considered and designed provision of car and cycle parking and the relationship with the built environment.
- 3.15 In relation to the provision of parking for disabled drivers or passengers, best practice guidance is provided in [Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure](#) (DfT, 2021).
- 3.16 For clarity, the document 'A Sustainable Parking Strategy for Guildford 2016' (Guildford Borough Council, 2016), addresses park and ride, parking enforcement, parking charges and the controlled parking zone. These topics are not addressed in this SPD and the strategy is not a material consideration in planning decisions concerning off-street parking provision in new developments.

# Part B: Parking Standards

## 4 Parking standards

### Strategic sites

- 4.1 Policy ID10: Parking Standards for New Development of the LPDMP sets out parking policy for the strategic sites of Blackwell Farm, Gosden Hill Farm, Weyside Urban Village (formerly Slyfield Area Regeneration Project) and the former Wisley Airfield.<sup>2</sup> Appendix B to the LPDMP contains the car and cycle parking standards for these sites. The numerical standards have been replicated in Appendix B of this SPD, for reference.

### Non-strategic sites

- 4.2 For non-strategic sites, Policy ID10: Parking Standards for New Development sets the policy parameters with the standards identified within this document. The key points, with the relationship to this SPD, are as follows:
- The parking standards in adopted Neighbourhood Plans, irrespective of when these were adopted, will take precedence over standards identified in the Local Plan and Supplementary Planning Documents, should there be conflict
  - The provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, will have regard to the maximum standards set out in Appendix A, Table A1 of this SPD
  - The provision of car parking in new residential development in village and rural areas, for use by residents themselves, will have regard to the expected standards set out in Appendix A, Table A2 of this SPD
  - For new residential development in both urban areas (i.e., town centre and suburban areas) and in village and rural areas, the provision of additional unallocated parking, to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling will only be required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated
  - The provision of non-residential car parking will have regard to the maximum standards set out in Appendix A, Table A3 of this SPD
  - The provision of electric vehicle charging will have regard to the minimum requirements set out in the Building Regulations (Part S); and
  - The provision of cycle parking will have regard to the minimum requirements set out in Appendix A, Table A4 of this SPD.

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<sup>2</sup> The standards for strategic sites will not apply to the North Street redevelopment site. Due to its town centre location, the standards for the town centre set out in this SPD will apply.

### **Strategic and non-strategic sites in urban areas**

- 4.3 For residential and non-residential development in urban areas, low-car and car-free sites may be acceptable. In these instances, Policy ID10: Parking Standards for New Development states that a coherent package of sustainable transport measures must be provided. The extent of these measures will be reflective of the level of reduction sought. See paragraphs 4.29 – 4.36 of this SPD for more information.

### **For all sites**

- 4.4 Car parking spaces external to a dwelling will be required to meet the minimum space requirements of 5m x 2.5m as set out in Policy ID10: Parking Standards for New Development. See paragraphs 5.1 – 5.3 for this SPD for more information.
- 4.5 A garage will only count as a car parking space, or as providing car and cycle parking spaces, if it meets the minimum space requirements. The minimum requirements are dependent on the level of cycle parking provision to be delivered within the garage and are set in Policy ID10: Parking Standards for New Development. Further information including diagrams related to the design of garages is set out in paragraphs 5.14 – 5.19 of this SPD.
- 4.6 Car parking spaces for disabled drivers or passengers will be designed and provided in accordance with national guidance. See paragraphs 5.31 – 5.33 of this SPD for more information.
- 4.7 Development proposals will be required to demonstrate that the level of any resulting parking on the public highways does not adversely impact road safety or the movement of other road users.

### **Guidance on application of parking standards**

- 4.8 The following section provides further guidance on the policy parameters identified in Policy ID10: Parking Standards for New Development and certain specific types of development. Each development proposal will need to be assessed on its own merits, within the wider context of the area within which the development sits.



## Neighbourhood planning areas

- 4.9 Where Neighbourhood Plans specify parking standards, these standards will take precedence for development proposals on non-strategic sites. However, as stated in Policy ID10(1), the parking standards contained within Neighbourhood Plans are not applicable to strategic sites located, either wholly or in part, within the neighbourhood planning area. Strategic sites are masterplanned from the outset and are required to deliver a range of sustainable transport measures to enable modal shift. Maximum parking standards for strategic sites, benchmarked at levels appropriate for the urban area, will complement these measures, allowing the potential of the site to be maximised whilst also making more efficient use of land.
- 4.10 In instances where Neighbourhood Plans are silent on parking standards, the standards identified in Policy ID10: Parking Standards for New Development and this SPD will apply.

## Residential car parking

- 4.11 Residential parking standards for cars and motorised vehicles identified in Policy ID10: Parking Standards for New Development and this SPD define the maximum or expected levels of parking permitted for various sizes of residential development in different areas of the borough. This involves a spatially-differentiated approach to the provision of vehicle parking for new residential developments with the focus of restraint increasing with urbanisation. Residential car parking standards are based on car availability recorded by the 2011 Census analysed to understand the variations across the borough between rural and urban settings, flats<sup>3</sup> and houses<sup>4</sup>, and by number of bedrooms (see Appendix E).
- 4.12 In urban areas and on strategic sites, the approach allows for a developer to propose to match the provision of car parking that is typically found by occupiers of residential development in these areas or alternatively the policy would allow the developer to provide for lower levels of parking, appropriately justified.
- 4.13 In rural and village areas, expected standards match current levels of car availability, which are themselves reflective of differences in accessibility to key services and facilities by non-car modes.
- 4.14 Where development proposals contain a studio and/or bedsit, these will be classified as a 1 bedroomed flat in terms of the parking standards to be applied. Car parking standards for 3 and 4 bedroomed houses will apply to 3 and 4 bedroomed flats respectively, however flexibility is still afforded in that they are maximum or expected standards.
- 4.15 A key consideration in the design process for a residential development is the proportion of spaces to allocate to specific dwellings. Whilst the provision of allocated spaces in a residential development provides certainty to the owner,

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<sup>3</sup> The term flat is used to refer to flats, maisonettes and apartments.

<sup>4</sup> The term house is used to refer to houses and bungalows.

unallocated parking is more flexible and, in turn, more efficient. Research by English Partnerships (2006) showed that if each dwelling was allocated 2 spaces each, around one-quarter of residents would either have too much or too little parking. Instead, by having a greater proportion of spaces which are unallocated, this would accommodate differences in car availability between dwellings and changes over time more effectively, whilst also providing for visitors, servicing and deliveries.

- 4.16 Manual for Streets (DfT, 2007) and the guidance notes for the National Model Design Code (Ministry of Housing, Communities and Local Government, 2021) suggest that a combination of both allocated and unallocated parking can often be the most appropriate parking solution however in some areas it may be possible to accommodate all parking requirements through unallocated provision. Specifically, the influential research work by Noble and Jenks (1996) indicates that no additional provision needs to be made for visitor parking where 50% or more of the total parking stock is provided unallocated, an approach reflected in Policy ID10: Parking Standards for New Development.

***Calculating and rounding residential car parking provision***

- 4.17 The numerical residential car parking standards are, in some cases, set at a non-whole figure per property. Therefore, the calculation of the maximum or expected number of car parking spaces to be provided in a new development may give a fraction of a number. In these instances, this figure will need to be rounded up or rounded down. In urban areas with maximum standards, values should be rounded down. In rural and village areas, values could be rounded up or down. The council expects that rounding will apply to the development as a whole as opposed to each individual property.
- 4.18 Where the visitor parking<sup>5</sup> requirement is engaged<sup>6</sup>, the residential provision (which is for use by residents themselves) and the visitor provision figure is totalled together to give the total 'allowance' for parking. At all times when the visitor parking requirement is engaged, we expect this provision to be 20% of the number of dwellings.
- 4.19 The following table and examples demonstrate the calculation of residential car parking provision, including when the visitor parking requirement is engaged.

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<sup>5</sup> The term 'visitor parking' is used shorthand to refer to the requirement for parking for visitors, servicing and deliveries.

<sup>6</sup> In instances where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated.

*Table 1. Method of calculating residential car parking requirements when visitor parking requirement is engaged*

Provision of residential car parking for use by residents themselves	+	Provision of unallocated parking to allow for visitors, deliveries and servicing, at the ratio of 0.2 spaces per dwelling (if engaged)	=	Total allowance
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4.20 Example 1: the delivery of 5 two-bedroom houses in a suburban location, with a maximum car parking provision (for use by residents) of 1.5 spaces each would result in a maximum of 7.5 spaces throughout the development for residents themselves. In this example, the developer is choosing to deliver the maximum level of provision allowed. The developer could choose to allocate these spaces to individual properties, or could choose to make all, or a proportion of the spaces, unallocated – this is their decision. So:

- Option A) If under 50% of the 7.5 spaces were allocated, the visitor parking requirement would not be engaged.
- Option B) If the developer decides to allocate 50% or more of the 7.5 spaces, then an additional visitor parking requirement of 0.2 spaces per dwelling would be applied, resulting in one additional unallocated space to be provided (5 dwellings multiplied by 0.2 spaces per dwelling). This one visitor space is added to the 7.5 spaces for residents themselves, to give 8.5 spaces. At least one of these spaces would have to be unallocated (to satisfy the visitor parking requirement). It could be that developer chooses to allocate one space per property, with the remaining three spaces unallocated.

4.21 Example 2: the delivery of 23 properties in a rural and village setting, where 13 of these are 2-bedroomed houses, 8 are three-bedroomed houses and 2 are four-bedroomed houses, would result in an expected level of provision of 40.5 car parking spaces for residents. Again, it is up to the developer to prescribe how this will be delivered therefore the developer could choose to allocate these spaces to individual properties, or could choose to make all, or a proportion of the spaces, unallocated. So:

- Option A) If under 50% of the 40.5 spaces were to be allocated, there would be no visitor parking requirement and the developer could decide to provide 40 or 41 car parking spaces.
- Option B) If the developer decides to allocate 50% or more of the 40.5 spaces, then an additional visitor parking requirement of 0.2 spaces per dwelling would be applied, resulting in 4.6 additional unallocated spaces to be provided (23 dwellings multiplied by 0.2 spaces per dwelling). This, when added to an expected residential provision of 40.5, would result in 45.1 spaces. The developer could decide to provide 45 or 46 spaces, however in all instances 4

or 5 of these spaces would be unallocated provision (to satisfy the visitor parking requirement).

4.22 In the example of a single property, the same rounding method would apply.

### **Non-residential car parking**

4.23 For non-residential development, parking standards are expressed in various ways depending upon the nature of the land use, for instance as Gross Floor Area (GFA). The size of the GFA is used as a standard approximation of the number of visitors and/or staff and hence the number of cars/ cycles visiting the site. Parking for leisure development is often based on the capacity of the facility and the duration of stay per person.

4.24 As the non-residential car parking standards are set as maximum standards, where a calculation of parking provision gives a non-whole number, the council expects the provision to be rounded down.

4.25 For some land use types where transport patterns are difficult to generalise parking provision will be approved on individual assessment/justification, on the basis of a transport assessment.

### **Electric Vehicle Charge Points**

4.26 The expansion of EVCP infrastructure supports, and is necessary to meet, the Government's ambition to phase out the sale of new petrol and diesel vehicles by 2030. The Government's EVCP standards for new development are based on the assumption that the majority of charging will take place at home through off-street parking provided by new development and be carried out overnight with supplementary charging taking place at workplaces, retail destinations, public car parks and, for long-distance journeys, at the likes of service stations.

4.27 Policy ID10: Parking Standards for New Development requires that new development must provide the requirements of the Building Regulations (Part S) for EVCPs as a minimum.

4.28 Car-free development is exempt from providing EVCPs, excluding that the requirements will apply to any car parking spaces provided such as for disabled users, car club vehicles, drop off, deliveries, servicing and visitors spaces. As these are 'associated' parking spaces, contained within the site boundary of the building, they are covered by the provisions as set out in the Building Regulations (Part S) 2010.

### **Encouraging lower car use**

4.29 The prioritisation of walking, cycling, public and shared transport, especially where the development is close to the town centre, urban district centre or local centre, may demonstrate that it may be acceptable to provide a lower than the maximum provision of car parking spaces, as set out in Policy ID10: Parking Standards for New Development. Low-car development could be appropriate in

locations with frequent public transport and accessible active travel routes such as areas close to Guildford town centre, the urban district centre at Wharf Road in Ash or an urban local centre.

- 4.30 Car-free development can deliver a more efficient use of land and contribute to lower carbon emission levels and reduced congestion in the local area. This type of development could be appropriate for areas close to Guildford town centre or the urban district centre at Wharf Road in Ash. Space should still be provided for disabled drivers, visitors and deliveries, and managed as such, whilst a car club could be part of this transport strategy.
- 4.31 In these instances, Policy ID10: Parking Standards for New Development states that a coherent package of sustainable transport measures must be provided. The extent of these measures will be reflective of the level of car parking reduction sought. External best practice guidance such as Planning for Walking (Chartered Institution of Highways and Transportation, 2015), LTN 1/20 Cycle Infrastructure Design (DfT, 2020) and Buses in Urban Developments (Chartered Institution of Highways and Transportation, 2018), should be consulted to ensure high quality access to safe walking and cycling routes and public transport. In terms of public transport accessibility, high-quality access may include close proximity to bus stops with a high frequency of services, a broad range of destinations served and availability of real-time information and/or rail stations with frequent services. Further measures which could be included in a proposal to help demonstrate a particular transport strategy could include a car club and/or mobility hub. Best practice guidance for shared mobility proposals can be sought from CoMoUK (shared mobility representative group).<sup>7</sup>
- 4.32 When providing a car club vehicle(s), spaces located where the car club can be dual use i.e., used by businesses during the day and residents in the evening work particularly well. Car club spaces may also be part of a wider mobility hub, expanding the public, shared and personal transport offer.
- 4.33 Further information regarding the implementation of car clubs can be found in SCC's 'Guidance on car clubs in new developments' (March 2019). In accordance with its statutory powers as the local transport authority, SCC has procured a single preferred supplier to provide county-wide car club provision under the Surrey car club contract, including in Guildford borough. If implementing the car club using on-street bays, the developer will be required to use the SCC preferred supplier. If implementing the car club using bays within the development boundary, the developer may choose to work with either SCC's preferred operator or their own supplier.
- 4.34 In cases of car-free development undertaken in the town centre in recent years, the developer has paid for the Traffic Regulation Order for the Controlled Parking Zone (CPZ) to be amended through a Section 106 contribution, ensuring residents of car-free development are not entitled to an on-street parking permit. This mechanism could also be used apply to low-car development. It is expected

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<sup>7</sup> Further information is available from: <https://como.org.uk/>

the developer, landlord or future seller should inform the resident, buyer or occupier of the car-free property status.

- 4.35 The sustainable alternatives offered at a car-free site must be actively incentivised and monitored. A comprehensive travel plan will aid in the development and delivery of these obligations to ensure the car-free nature of the site continues over the lifetime of the development and that the development does not adversely impact neighbouring roads and property through overspill parking. See 'Travel plans - a good practice guide for developers' (Surrey County Council, 2018) for more information.
- 4.36 It is worth noting that Blue Badge holders are allowed to park in residents' only limited waiting, limited waiting shared-use, pay and display and pay and display dual-use, without restriction or need for payment and regardless of the holder's place of abode. Blue Badge holders can also park for free in limited waiting disabled bays, albeit the length of a stay is limited to three hours.

### **Extensions, subdivision and change of use**

- 4.37 Where a development proposal involves an extension (including an increase in the number of bedrooms), subdivision or change of use, the parking standards are advisory and should be viewed as a guide to an appropriate level of parking. It is recognised that there may be limited ability to provide additional parking on-site and the potential adverse impact of this additional parking provision will be a further consideration. In areas where there is severe parking pressure additional parking provision may not be required. In CPZs this will not be considered necessary as other legislative controls apply.

### **House in Multiple Occupation (HMOs)**

- 4.38 The majority of HMOs are created through permitted development rights to convert from Use Class C3 dwelling to Use Class C4 HMO. However, in the instances that HMOs are built as new, HMOs should be expected to provide the same number of spaces as would be provided in a comparable sized C3 residential dwelling. Large HMOs (defined as houses or flats which are occupied as a main residence by seven or more unrelated people who share basic amenities such as communal kitchen and bathroom areas) are classed as 'Sui Generis' and require planning permission. In these cases, the required provision of parking will be based on individual assessment.

### **Purpose-built student accommodation**

- 4.39 Parking provision for purpose-built student accommodation is by individual assessment.
- 4.40 Low-car or car-free development may be appropriate in such instances. Policy ID10 requirements (4)(a) or (b) relating to the delivery of a coherent package of sustainable transport measures would be applicable.

- 4.41 In these instances, further factors which could be taken into consideration are the proximity of the development to the further or higher education facility and an excellent quality of walking and cycling access to those facilities. Likewise, provision of car parking spaces should be focused on servicing requirements and also take into account provision for students moving in and out at the start and end of term.
- 4.42 Incentivisation of sustainable transport measures could include travel packs provided to students prior to arrival.

#### **Parking at schools, colleges and universities**

- 4.43 A Travel Plan, including a parking management plan should be prepared and submitted as an integral part of planning applications for new schools, school extensions or conversions, colleges and universities.
- 4.44 Only operational requirements should be provided, including allowance for staff car parking, together with overflow parking on hard play areas for out-of-hours community uses.
- 4.45 Drop off/pick up and pupil/student parking areas should not be provided as this encourages car usage (except in existing sites where any further on-street parking will reduce highway safety or compromise emergency access). However, all other measures to discourage parking are recommended to be considered first and could include car sharing, staggered opening and closing times and parking restrictions.
- 4.46 On all new school sites where it is likely that pupils/students will travel to and from school in coaches, sufficient space should be reserved to allow coaches to enter the site, drop off and pick up pupils.
- 4.47 Provision of cycle parking will be a condition of any new or expanded primary/secondary school, college or university. Wherever possible, improvements to cycle routes/safety measures should be sought by the applicant.

# Part C: Design guidance

## 5 Design guidance

### General guidance for provision of vehicular parking spaces (on-street and off-street)

- 5.1 Car parking spaces need to be an adequate size to allow convenient parking and to manoeuvre in and out of the vehicle. Due to the proliferation of larger domestic motor vehicles over recent years it should be considered that the size of space required for car parking has increased.
- 5.2 The RAC Foundation (2021) reports that car dimensions averaged across the top five selling models has increased from 1.5m by 3.9m in 1965 to 1.8m by 4.3m in 2020. However, this is an average and Table 2, below, shows dimensions from popular car manufacturers, many larger than average.

Table 2. Dimensions of selected motor vehicles

Car type and Year	Width	Length
Ford Focus (2018)	1.825m	4.378m
BMW 3 Series (2019)	1.827m	4.709m
Nissan Qashqai (2021)	1.838m	4.425m
Land Rover Discovery (2021)	1.990m	4.956m

- 5.3 Therefore, it is considered that the minimum dimensions of a car parking space for new development are 2.5m width by 5m length. Where spaces are parallel to the highway or access road, they should be 2.5m by 6m. Where car parking spaces are adjacent to each other and at right angles to the aisle or access road, a 6m highway width is required for two-way access. Diagonal parking can also be useful where the width of land is restricted. A lorry space should be 3.33m by 15m. Spaces which do not meet these dimensions will not be considered as valid spaces.
- 5.4 Any parking proposal should show that sufficient space has been designed for convenient vehicle circulation and parking. This is best demonstrated by the use of swept path analysis.
- 5.5 Design principles for dealing with car parking within layout design are set out in Manual for Streets (DfT, 2007) and Healthy Streets for Surrey: creating streets which are safe and green, beautiful and resilient (SCC, 2022).<sup>8</sup> It is understood

<sup>8</sup> Details on how to obtain a copy can be accessed at: <https://www.surreycc.gov.uk/roads-and-transport/policies-plans-consultations/transport-plan/policy-areas/planning-for-place>



that Manual for Streets is being updated at present and will supersede previous versions upon release.

- 5.6 Design geometry for operational lorry parking should have regard to the advice contained in 'Designing for deliveries - design standards for service and off-street loading areas' (Freight Transport Association, 2016).
- 5.7 To aid the incorporation of a high level of security into developments, '[Design Guides](#)' (Secured by Design, various years) should be consulted.
- 5.8 Design of new car parking spaces should take into account the principles of flood avoidance and sufficient consideration needs to be given regarding provision of drainage. For new parking areas, Sustainable Drainage Systems (SuDS) are likely to be preferred. Further information is available in Guildford Borough Council's [Climate Change, Sustainable Design, Construction and Energy SPD](#) (2020).
- 5.9 Parking areas should be designed as part of the public realm with tree planting and soft landscaping to break up the extent of parking where appropriate. Parking should not be hidden but equally should not dominate the street scene. Car parking areas can be dual use where these areas are used mostly during one part of a day. For instance, residential parking may not be fully utilised during the day and instead, might be used for amenity space during this period.
- 5.10 Other considerations will include proximity to and impact upon sensitive natural environments (e.g., Sites of Special Scientific Interest, Special Protection Areas), historic built environments (e.g. in the setting of listed buildings, conservation areas) and archaeology. When planning and implementing highways and other public realm works in sensitive historic locations, [Historic England's Streets for All: South East](#) (HE, May 2018). Within these areas, new car parking should be designed to be sympathetic to the sensitive environment and avoid damage to an area of archaeological significance.

## Off-street residential car parking

### Driveways

- 5.11 Car parking on driveways is a form of allocated provision and provides parking within the curtilage of a property. Design which results in vehicles overhanging the footway and/or highway and obstruction of pedestrian access is not acceptable.
- 5.12 Driveway parking spaces are best provided side by side or in another independently accessible form and positioned behind the building line. Tandem parking arrangements (excluding one space in front of a garage) are often underused by residents and can contribute to overspill parking.

5.13 To prevent parking that obstructs the footway, the following guidance regarding setback of garages, gates or car ports is recommended. The setback distances should be either of the following:

- Scenario 1 - Where the distance from the back of the footway to the gate, garage or start of the car port is 1.5 metres or under, the overall distance between the edge of the carriageway and the gate, garage or start of the car port should not be more than 3 metres (i.e., no space to enable a car to be parked over footway); or
- Scenario 2 – If a car is to be parked on a driveway between the back of the footway and the gate, garage or car port then this distance should be at least 5 metres. In this instance the width of the footway should be no more than 3 metres (to prohibit tandem parking obstructing the footway). Up and over doors require space between the car and the garage for the door to swing open of a further 0.5 metres. Roller doors and other solutions can be considered where spaced is limited. Whilst tandem parking on the driveway in front of a gate, garage or carport is discouraged (see paragraph 5.11), if no alternatives are achievable then the minimum 5 metre distance between the back of the footway and the gate, garage or carport described above would increase in multiples of 5 metres to accommodate additional vehicles.

See Figure 1, below, for an illustration of these scenarios alongside a scenario deemed unacceptable due to the potential for a vehicle to overhang the footway (Scenario 3).

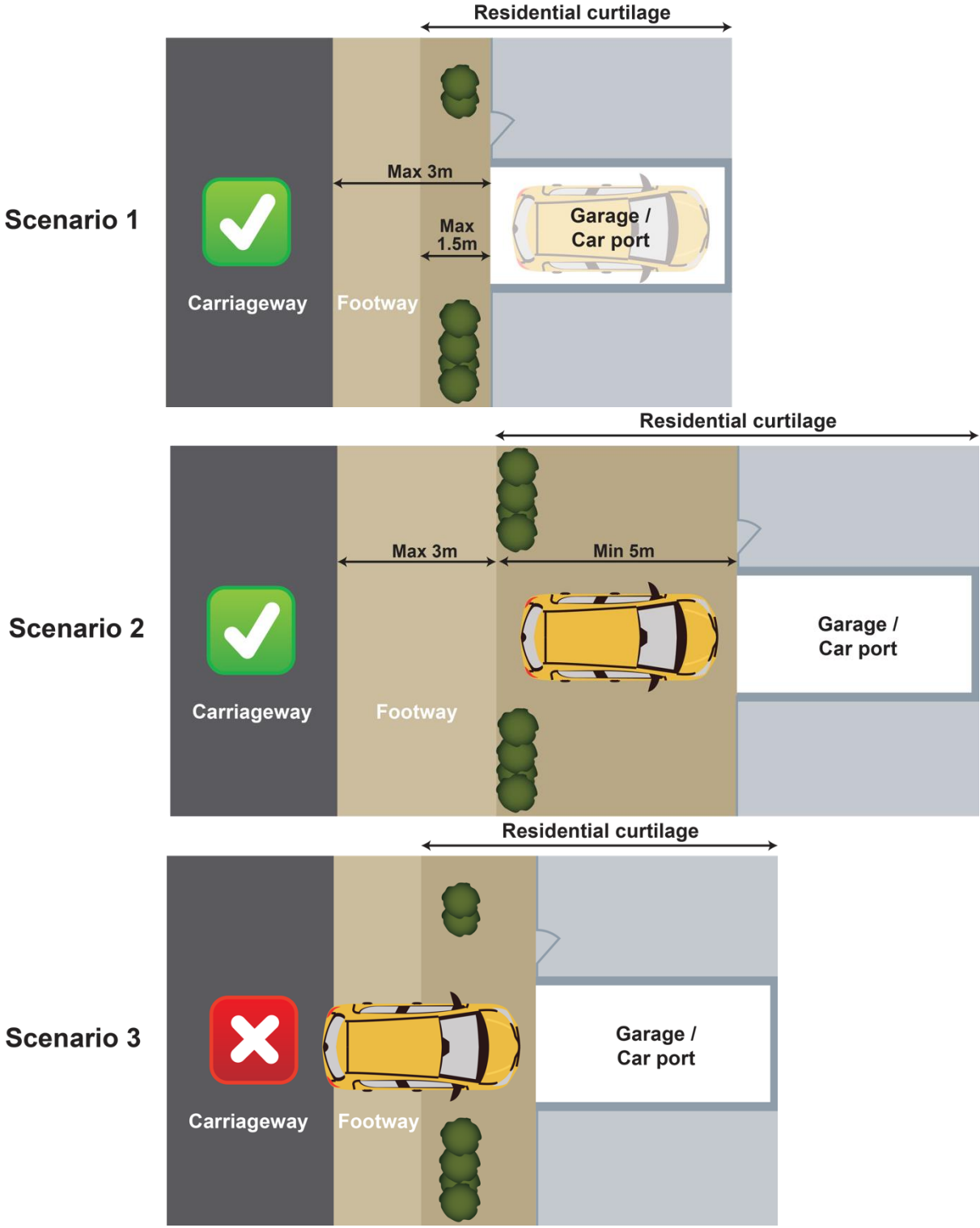
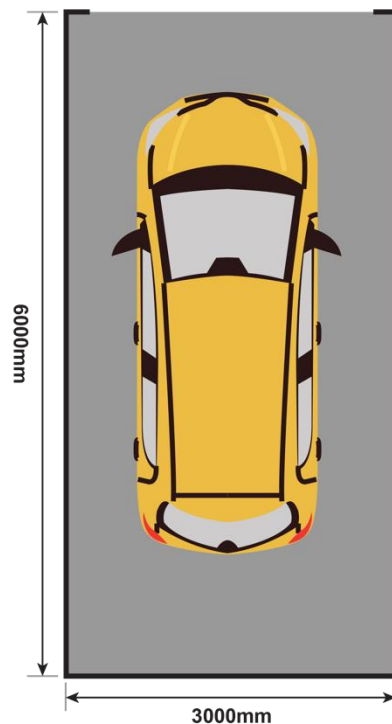


Figure 1. Appropriate and inappropriate relationships between driveways, garages and footways for new residential off-street parking.

## Garages and car ports

- 5.14 Garages are required to meet certain minimum internal dimensions to be counted as a space. These dimensions can be found in Policy ID10: Parking Standards for New Development and Figures 2, 3 and 4 below and differ dependent on the amount of cycle parking to be provided in the garage.
- 5.15 If cycle parking requirements are met elsewhere within the curtilage of the dwelling or, typically in the case of flatted development, through the use of convenient communal cycle parking on a residential development then the garage size should be a minimum of 6m by 3m as set out in Manual for Streets (DfT, 2007), as shown in Figure 2.



*Figure 2. Minimum garage dimensions if cycle parking is provided elsewhere*

- 5.16 Figures 3 and 4 show the minimum dimensions of garages where cycle parking is to be located within a garage. A garage should be 7m x 3.3m if the garage is to accommodate two cycles, or a garage 7m x 4m would accommodate up to five cycles.

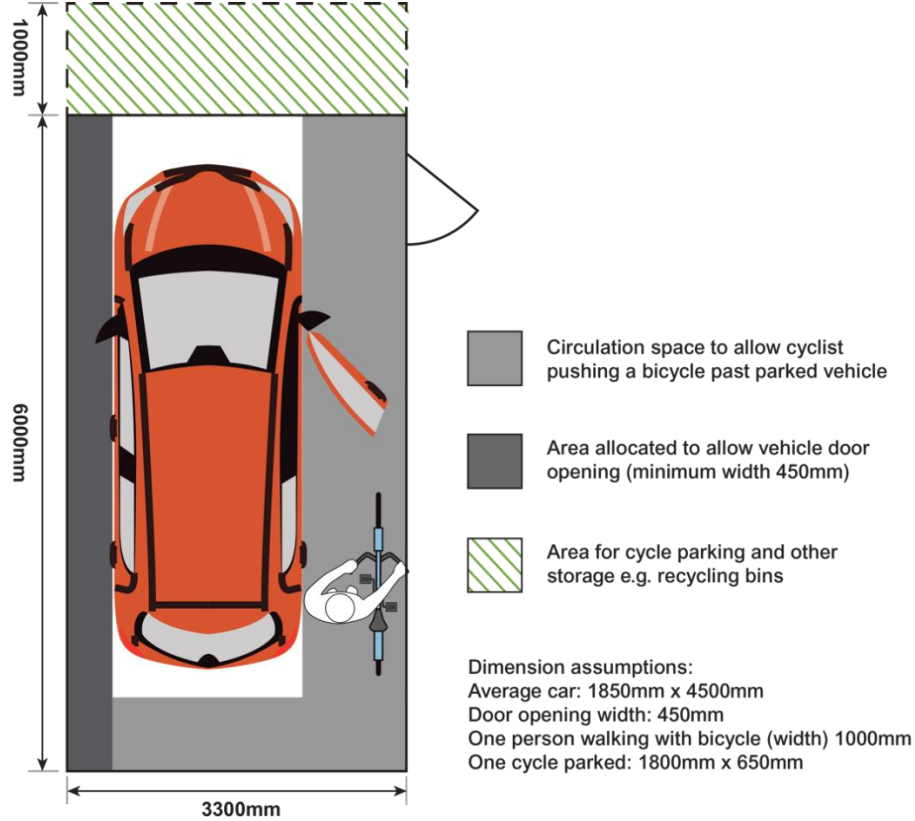


Figure 3. Minimum garage dimensions where parking for 2 cycles is also provided

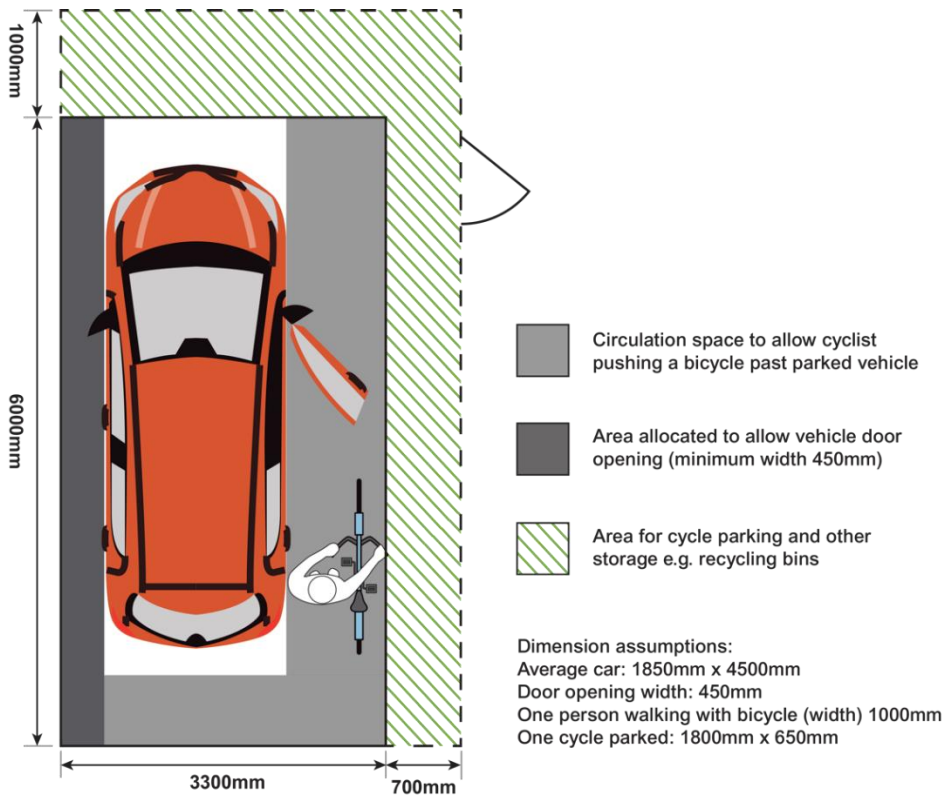


Figure 4. Minimum garage dimensions where parking for 5 cycles is also provided

- 5.17 An access door to the rear, or side, of the garage should be provided where possible.
- 5.18 Garages which are smaller than the minimum dimensions can be delivered but will not be counted as parking provision as they may be too small for modern day vehicles as well as for accommodating adequate cycle parking and, in many cases, additional household storage.
- 5.19 Car ports/ barns are an alternative to garages and provide some shelter from the weather and containment of the street scene whilst not being fully enclosed. Slatted garage doors may achieve a similar outcome. These need to be sited in areas of natural surveillance to provide secure car parking. Car ports will not provide secure cycle parking.

### **Parking courts and other formalised car parks**

- 5.20 Parking courts are common in high density development areas or where high demand exists. Well thought out design, through effective layout and signage, as well as management by enforcement are critical. These parking areas need to be appropriately located to be convenient for users and in areas of natural surveillance, preferably by the vehicle owner. Parking courts can also be in the form for peripheral parking at the edge of a development.
- 5.21 Unallocated parking in small parking courts is a flexible and, in turn, efficient way to deliver parking as average levels of car availability can be accommodated, as opposed to instances where spaces are underutilised by those who do not own or have access to a car. A greater proportion of unallocated spaces accommodates changes in car ownership/ availability between dwellings and over time more effectively while also providing for both residents' and visitors' needs (DfT, 2007). The demands on parking spaces placed by visitors, and Light Goods Vehicles (LGVs) for servicing and deliveries is also accommodated by this arrangement.
- 5.22 Communal car parks can dominate the visual setting of an area and consideration is needed to ensure they are designed to minimise this impact. They may have areas of landscaping, be hidden underground or within buildings or be broken down into smaller areas.
- 5.23 Further detail and design guidance in relation to types of communal parking can be found in SCC's [Healthy Streets for Surrey](#) guidance.

### **Underground and multi-storey car parks**

- 5.24 Under-croft parking, basement parking and multi-storey car parks can be a useful parking design tool as well as an efficient use of space. Due to their enclosed nature, thought must be given to security of these areas. Flooding considerations should also be appraised and designed out. SCC's [Healthy Streets for Surrey](#) guidance contains further information and diagrams in relation to the design of underground and multi-storey parking.

### On-street residential car parking

5.25 The general presumption for new development is that sufficient off-street car parking should be provided in accordance with the parking standards and reliance should not be made of on-street parking unless it has been appropriately designed from the start (e.g. new large-scale residential development).

### Marked bays and unrestricted areas of highway in developments

5.26 On-street parking integrated into the street design adds to the street scene, similar to that shown in Figure 5 below, but indiscriminate parking caused by less thoughtful design will detract from a street's 'look and feel'. Parked vehicles can form a buffer between pedestrians and the carriageway although care must be taken to ensure they do not present a hazard for cyclists or for pedestrians crossing. Good parking design is critical and can make the difference between a successful street design and one where parking detracts from the street's appearance and appropriate functioning.

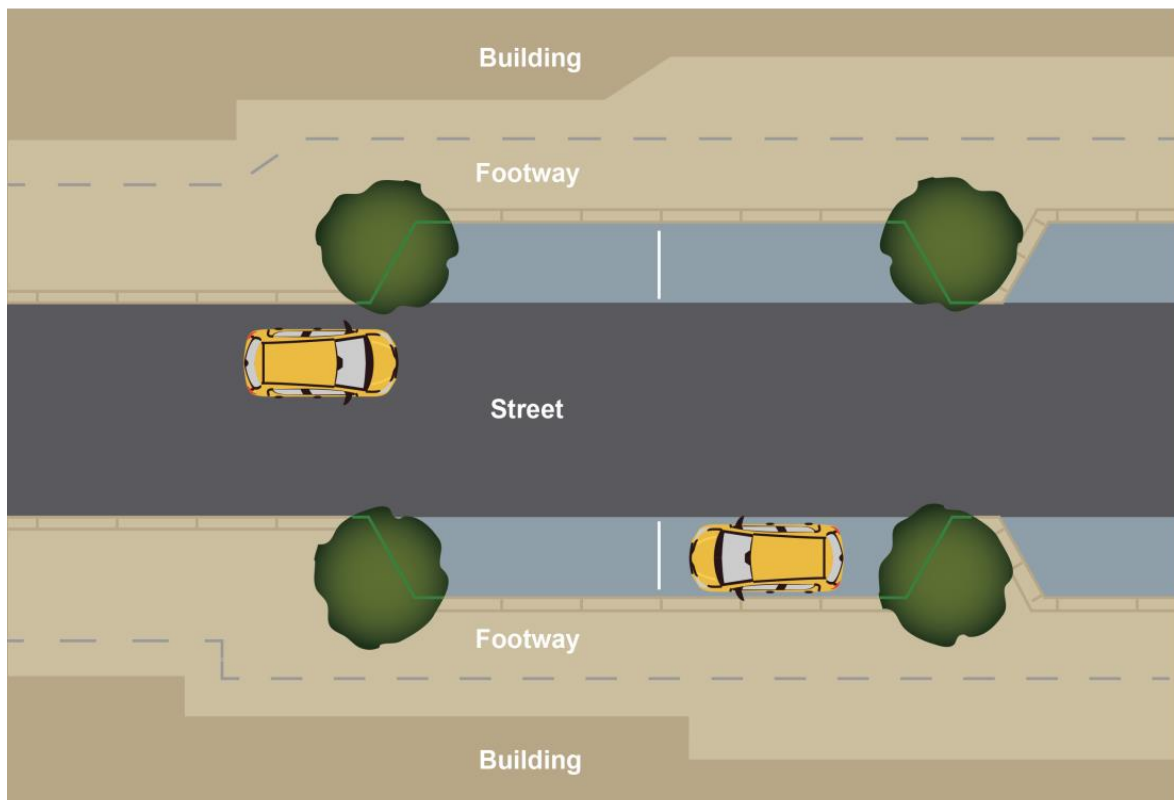


Figure 5. Example street design containing unallocated parking

5.27 On-street unallocated parking is the simplest and most successful way to supplement on-plot parking (English Partnerships, 2006) and accommodates differences in car ownership/ availability levels between dwellings. Similarly, this arrangement provides space for visitors and servicing and delivery vehicles to park safely and conveniently. Spaces can be unmarked or formalised by marked bays.

5.28 Parking spaces on a street adopted by the Local Highway Authority cannot contain allocated spaces however parking could be restricted to residents if it is designated as a CPZ.

5.29 In low speed (30 mph or less) or residential areas it may be appropriate for parking to be perpendicular to the highway or angled, similar to that shown in Figure 6 below. Ideally, spaces should be placed in groups of 5 or 6 bays broken by landscaping, trees or build outs which break up parking and reduce the potential dominance of parking on the street scene.

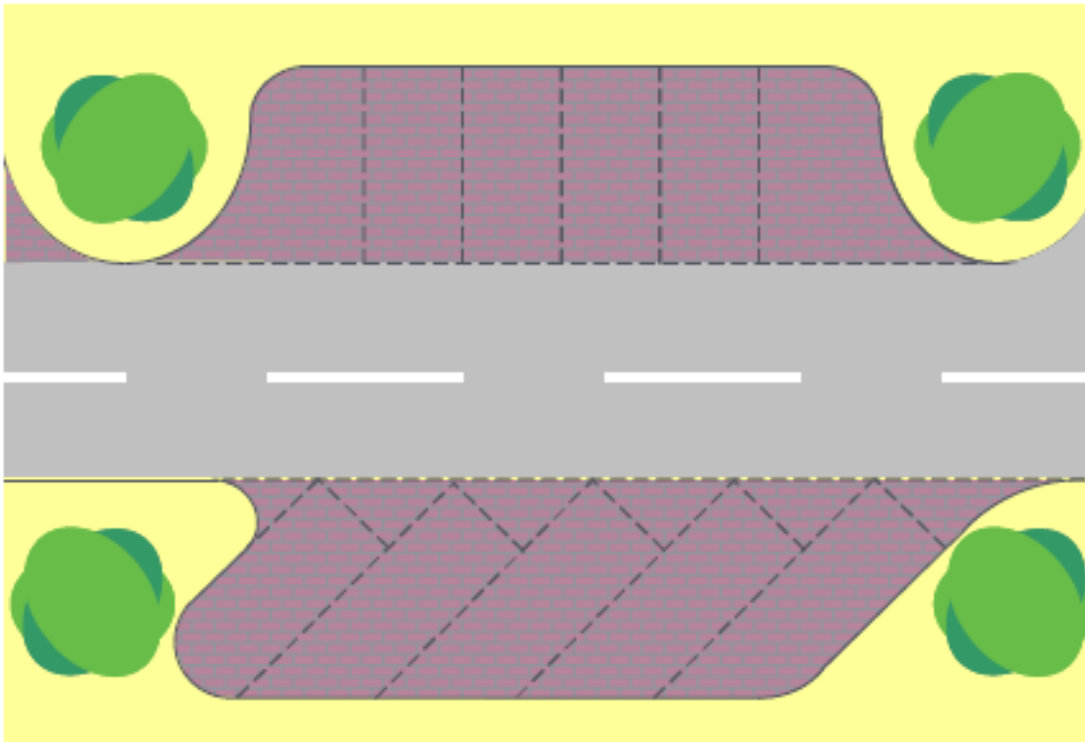


Figure 6. Comparison of on-street parking arrangements (Wokingham Borough Council, 2011)

5.30 Further guidance and best practice in relation to car parking arrangements can be found in [Manual for Streets](#) (DfT, 2007) and [Car parking: What works where](#) (English Partnerships, 2006).

### **Vehicular parking provision for disabled drivers and passengers**

5.31 Designated accessible car parking spaces for those with disabilities should be larger than standard spaces to enable space for the individual to manoeuvre in and out of the vehicle and for the likes of a wheelchair or other mobility aid to be transferred easily to and from a car.

5.32 In non-residential development, spaces should be located close to an accessible entrance, preferably the main entrance. The entrance should be ideally under cover, clearly signed and not more than 50m from the designated parking spaces.



- 5.33 Detailed advice on the preferred location and dimensions for designated accessible parking bays is included in [Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure](#) (DfT, 2021).



*Figure 7. Designated accessible car parking space marking*

### **Electric vehicle charging points**

- 5.34 Wall mounted units, as seen in Figure 8 below, can easily be integrated into new housing developments for those who have on-plot parking provision, either on the external wall of the dwelling, or in a garage. To meet the needs of residents in flats and apartments it is important to consider the management arrangements for charge points in communal parking areas typical of these developments. A wide variety of options exist to control access to charge points and allocate electricity charges to individual users.



*Figure 8. Residential charging point*

- 5.35 Charging units for public use are typically standalone units. Bays should be signed and marked for electric vehicle charging only.
- 5.36 Charging units must be located for convenient and secure access to the charging point on the vehicle. Charging units and cables must not impede pedestrian safety and should be protected from collision.
- 5.37 EV charging is a developing technology, and the Council will seek to ensure that connection points are installed in line with the latest published technical requirements and open standards. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demand and that any power balancing technology is in place if required.
- 5.38 The design of the EVCPs should comply with the Equality Act 2010. EVCP units serving designated accessible bays should be positioned at a height and angle to allow access for those with a mobility aid. Adequate space should be available for those with a mobility aid to navigate around the charging unit. Further guidance is available in [PAS 1899:2022 Electric vehicles – Accessible charging – Specification, specifically for public chargepoints and Approved Document S: Infrastructure for the charging of electric vehicles](#) (DLUHC, 2021).
- 5.39 Further guidance on Electric Car charging points is available in [Approved Document S: Infrastructure for the charging of electric vehicles](#) (DLUHC, 2021).

### **Car clubs**

- 5.40 Car club spaces should be located as conveniently and as prominently as possible to maximise their use. They should be clearly marked and signed as car club spaces.



- 5.41 Spaces located where the car club can be dual use i.e., used by businesses during the day and residents in the evening work particularly well. Car club spaces may also be part of a wider mobility hub, expanding the public, shared and personal transport offer.
- 5.42 If a car club space(s) is provided for on-site, then as associated spaces they would be supplied with an EVCP, as per the standards set out for associated spaces in the Building Regulations (Part S). Where a space(s) for car club vehicles is provided using on-street bays on the public highway, as shown in Figure 9 below, SCC, as the Local Highway Authority, would advise of the requirements.
- 5.43 Further information regarding the implementation of car clubs can be found in Surrey County Council's ['Guidance on car clubs in new developments'](#) (March 2019). In accordance with its statutory powers as the local transport authority, Surrey County Council has procured a single preferred supplier to provide county-wide car club provision under the Surrey car club contract. If implementing the car club using on-street bays, the developer will be required to use the council's preferred supplier, similar to that shown in Figure 9, below. If implementing the car club using bays within the development boundary, the developer may choose to work with either the council's preferred operator or their own supplier.



Figure 9. A car club vehicle and bay in Guildford

### Future conversion and repurposing of car parking spaces

- 5.44 Owing to changing trends in car ownership, the number of car parking spaces delivered by a development proposal today may not be required in full in the future.

- 5.45 Likewise in future, potential for technological advances, such as self-parking and autonomous cars may mean that the space required for car parking may decrease (Nourinejad, M., Bahrami, S. & Roorda, M.J., 2018).
- 5.46 Development proposals could consider the potential future use of the parking provision to ensure conversion for alternative uses is possible at a later date.
- 5.47 Alternative uses could include enhanced public realm, community and events space. Repurposing can be applied to single spaces, converted to parklets.

## Cycle parking

- 5.48 Provision of cycle parking can be categorised into the following types:
- Short stay – typically for visitors or customers, which may be in the form of a Sheffield stand (see paragraph 5.50 and Figure 10, below) in a convenient, overlooked location as close to the destination as possible.
  - Long stay – typically for residents and staff, through a secure and enclosed lockable shelter, store or compound at home or at a place of work or study
- 5.49 Like car parking, cycle parking should be ‘designed in’ to developments from the outset. The following best practice principles should be followed (Hackney Council, 2014). Cycle parking must be:
- Conveniently sited (within 20 metres of the access to the premises)
  - Accessible and easy to use
  - Consistently available
  - Safe and secure
  - Covered (and enclosed for long-term parking)
  - Fit for purpose
  - Well managed, monitored and well maintained
  - Attractive
- 5.50 The Sheffield stand, standard dimensions shown in Figure 10 below, is widely acknowledged as being the most convenient design for bicycle parking and is recommended for most parking applications. This allows both wheels and the frame to be easily secured to a stand with a “D” lock and/or chains and wires (DfT, 2020).

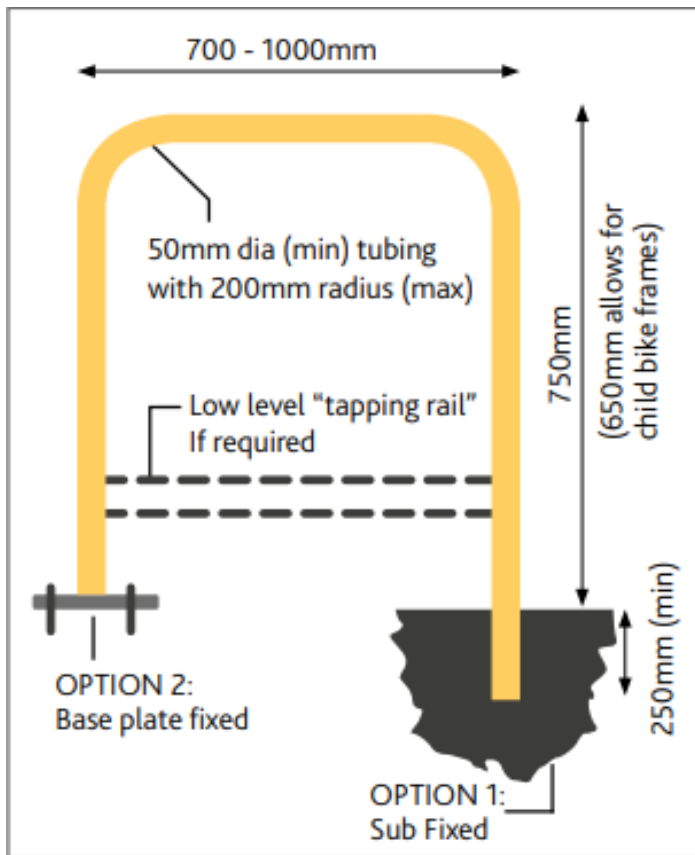


Figure 10. Sheffield stand standard dimensions (Westtrans, 2017)

### Residential cycle parking

- 5.51 It is preferable that residential cycle parking is contained within the footprint of the building or within the 'private space' of individual dwellings. To promote ease of use and modal shift the cycle parking should preferably be at the front of the building.
- 5.52 Parking must be lockable and enclosed in order to be secure and fully sheltered from adverse weather.
- 5.53 Secured by Design have produced a series of [Design Guides](#) to assist in incorporating a high level of security into developments which should be consulted.

### Houses

- 5.54 In many cases, garages provide the most convenient and secure place to park. The internal dimensions for garages set out in Policy ID10: Parking Standards for New Development and shown in Figures 3-4 must be met to ensure spaces are convenient and independently accessible.
- 5.55 Any facility other than a garage provided for the purpose of cycle parking should be accessible from the outside of a property and should meet the following dimensions (adapted from Cambridge City Council, 2010):

- at least 2m in length by 0.9m wide to fit one bicycle
- at least 2.2m in length by 1.4m wide to fit two bicycles, either with a Sheffield stand or ability to rest bikes on solid walls at each side
- at least 2.2m in length by 2m in width to fit four bicycles, with two Sheffield stands

5.56 External access to a garden with a shed, or equivalent, would only be treated as provision of cycle parking if the doors are secured by mortice locks (as opposed to padlocks).

### ***Flats and apartments***

5.57 Parking areas should preferably be housed internally on the ground floor in a secure area in the form of racks, cages or compounds.

5.58 External parking should ordinarily be consistent with the building line if street facing and located as close as possible to desire line(s) between every flat/apartment and the highway (or cycle facility), e.g., adjacent to the main building entrance. A secure and enclosed lockable shelter, store or compound is preferred to an open-ended shelter for weatherproofing and security purposes.

5.59 In larger developments with multiple communal building entrances, cycle parking must be dotted throughout the development, as opposed to one hub, for convenience.

5.60 Where cycle storage is provided alongside bin storage, or similar, the two elements must be independently accessed.

5.61 The future maintenance and management (such as the issuing of keys or other entry devices) of communal cycle parking should be agreed as part of the planning process usually as part of the Travel Plan.

5.62 Where resident parking is private and secure, visitor parking spaces should be provided at the public entrance(s) to the block.

### **Non-residential cycle parking**

5.63 Cycle parking for non-residential development may include both long and short stay facilities, located in appropriate places. For example, convenient parking may be provided for customers complemented by long stay parking for staff.

5.64 For short stay provision, small clusters of stands close to main attractors are generally preferable to one central 'hub'

5.65 Long stay provision is best provided by a secure store or compound, appropriately managed and maintained, such as Figure 11, below.



*Figure 11. Example of high-quality non-residential cycle parking. (Copyright: Graeme Shaw and licensed for reuse under [creativecommons.org/licenses/by-sa/2.0](https://creativecommons.org/licenses/by-sa/2.0))*

## **Interchanges**

- 5.66 Cycle parking should be provided at interchanges with other modes of transport such as train stations, bus stations, park and ride sites or mobility hubs. Bus stops should also be considered as locations for cycle parking, especially in less dense suburban and rural locations where bus routes may be further from people's homes or places of work. Similarly, high-quality interurban bus routes or limited stop express routes may draw users from a further catchment than the traditional 5- or 10-minute walking distance hinterland normally assumed for bus services (DfT, 2020).
- 5.67 Two-tier cycle parking, such as that in Figure 12, may be acceptable in high-capacity situations such as transport interchanges but should be supplemented by regular Sheffield stands to promote ease of access for non-standard cycles.





Figure 12. Two-tier cycle parking at London Road Rail Station, Guildford (Credit: Dug Tremellen)

### General guidance

- 5.68 Designers should consider the needs of users of non-standard cycles when developing cycle parking proposals including developing secure space for cargo cycles at retail developments and space for adaptive cycles at transport interchanges. Non-standard cycles have differing dimensions from standard push cycles and may not be able to be securely locked to traditional stands, especially if the distance from the end stand to the next immovable object is inadequate.
- 5.69 As with car parking, a proportion of total parking should be provided for non-standard cycles to accommodate people with mobility impairments (typically 5%) (DfT, 2020). These spaces should normally be situated close to accessible car parking spaces.
- 5.70 The emergence of e-bikes, which are typically of a higher value than pedal bikes, reinforces the need for secure parking with surveillance (either by CCTV cameras or natural surveillance from people going about their normal business). In order to support the growth and use of electric bikes and where appropriate, consideration should be given to the provision of electric bike charge points adjacent to any secure cycle parking. Charging of an e-bike battery is often undertaken in a domestic setting by removal of the battery, but in some models the battery is charged in-situ.
- 5.71 Further best practice guidance should be sought from the [LTN 1/20 Cycle Infrastructure Design](#) (DfT, 2020), [Standards for Public Cycle Parking](#) (The Bicycle Association, 2021) and [Cycle Parking Guide for New Developments](#) (Cambridge City Council, 2010).



## Motorcycle parking

5.72 Guidance on motorcycle parking or Powered Two Wheelers (PTW) is contained in [Traffic Advisory Leaflet 02/02](#) (DfT, 2002). General advice on designing highways to meet the need of motorcycles is given in the [Guidelines for Motorcycling](#) (Institute of Highway Engineers, 2014).

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## Appendix A – Car and Cycle Parking Standards for Non-Strategic Sites

*Table A1. Residential development in urban areas (non-strategic sites) – Maximum provision of car parking for dwellings, for use by residents themselves*

Location	Town Centre	Suburban
<b>1 bed flats</b> (including studios & bedsits)	1 space per unit	1 space per unit
<b>2 bed flats</b>	1 space per unit	1 space per unit
<b>1 bed houses</b>	1 space per unit	1 space per unit
<b>2 bed houses</b>	1 space per unit	1.5 spaces per unit
<b>3 bed houses</b>	1.5 spaces per unit	2 spaces per unit
<b>4+ bed houses</b>	2 space per unit	2.5 spaces per unit

*Table A2. Residential development in village and rural areas (non-strategic sites) – Expected provision of car parking for dwellings, for use by residents themselves*

Location	Village & Rural
<b>1 bed flats</b> (including studios & bedsits)	1 space per unit
<b>2 bed flats</b>	1.5 spaces per unit
<b>1 bed houses</b>	1.5 spaces per unit
<b>2 bed houses</b>	1.5 spaces per unit
<b>3 bed houses</b>	2 spaces per unit
<b>4+ bed houses</b>	2.5 spaces per unit

Table A3. Other development (non-strategic sites) – Maximum provision of car parking

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Retail</b>	
Food or non-food retail e.g.: small parades of shops serving the local community (up to 500m <sup>2</sup> )*	1 car space per 30m <sup>2</sup>
Food retail (500 m <sup>2</sup> to 1000m <sup>2</sup> )*	1 space per 25m <sup>2</sup>
Food retail (above 1000m <sup>2</sup> )*	1 car space per 14m <sup>2</sup>
Non-food retail (500m <sup>2</sup> or more)*	1 space per 25m <sup>2</sup>
*Suggested reductions as stated or greater, to be applied based on location. Note: Retail parking to be provided as shared use where appropriate.	Town Centre 75% Edge of Centre 50% Suburban 25% Suburban/Village & Rural 0%
<b>Food and drink</b>	
Restaurants, snack bars and cafés. For sale & consumption on the premises (if located beyond Town Centre locations).	1 car space per 6m <sup>2</sup> No parking in town centre
<b>Drinking establishments</b>	
Public houses, wine bars or other drinking establishments but not nightclubs (if located beyond Town Centre locations).	Individual assessment/justification No parking in town centre
<b>Hot Food Takeaways</b>	
For sale & consumption of hot food off the premises (if located beyond Town Centre locations).	1 car space per 6m <sup>2</sup> No car parking in town centre but consideration should be given to responsible access for home delivery vehicles
<b>Business</b>	
Offices, research & development, light industry appropriate in a residential area – threshold of 2500m <sup>2</sup>	A maximum range of 1 car space per 30m <sup>2</sup> to 1 car space per 100m <sup>2</sup> depending on location
<b>General Industrial</b>	
General industrial use	1 car space per 30m <sup>2</sup>

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Storage/distribution (including open air storage)</b>	
Warehouse – storage	1 car space per 100m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Warehouse – distribution	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Cash and carry	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
<b>Hotels</b>	
Hotels, boarding and guest houses where no significant care is provided	1.5 car spaces per bedroom plus 1 coach space per 100 bedrooms OR Individual assessment/ justification
<b>Residential Institutions</b>	
Care home Nursing home	1 car space per 2 residents OR Individual assessment/justification
Hospitals	1 car space per 4 staff plus 1 car space per 3 daily visitors OR Individual assessment/ justification
Purpose-built student accommodation	Individual assessment/ justification
Residential colleges	Individual assessment/ justification
Training centres	1 car space per 2 staff OR Individual assessment/ justification
<b>Dwelling houses</b>	
See Tables A1 and A2.	
Elderly (sheltered)	1 car space per 1 or 2 bed self-contained unit OR 0.5 per communal unit OR individual assessment
<b>Non-residential institutions</b>	
Day Nurseries/Crèche	0.75 car spaces per member of staff plus 0.2 spaces per child
Doctor's practices	1 car space per consulting room remaining spaces on individual assessment

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
Dentist's practices	1 car space per consulting room remaining spaces on individual assessment
Veterinary practices	1 car space per consulting room remaining spaces on individual assessment
Libraries, museums and art galleries	1 car space per 30m <sup>2</sup> OR Individual assessment/ justification
Public halls licensed for entertainment, unlicensed youth and community centres and Scout huts etc	1 car space per 3 persons OR per 3 seats OR per 20 m <sup>2</sup> OR Individual assessment/ justification
Places of worship	1 car space per 10 seats OR Individual assessment /justification
Schools/colleges/children's centres	Individual assessment/justification See notes on School Parking in Surrey County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (2021).
<b>Assembly and leisure</b>	
Theatres, cinemas, bingo clubs, dance halls and clubs	1 car space per 5 licensed persons OR Individual assessment/ justification
Conference Centres	1 car space per 5 seats OR Individual assessment/ justification
Exhibition Halls	1 car space per 6 m <sup>2</sup> OR Individual assessment/ justification
Stadia	1 car space per 15 seats OR individual assessment/ justification
Health clubs/leisure centres	Individual assessment/ justification
Tennis and Badminton Clubs	4 car spaces per court OR Individual assessment/ justification
Squash Clubs	2 car spaces per court OR Individual assessment/ justification
Marinas and water sports	3 car spaces per hectare of water OR Individual assessment/ justification
Field Sports Clubs	1 car space per 2 playing participants OR Individual assessment/ justification



<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
Golf Clubs and driving ranges	1 car space per 0.3 holes OR per driving bay OR Individual assessment/ justification
Equestrian centres	1 car space per stable OR Individual assessment/ justification
<b>Other uses</b>	
Pick your own fruit farms	9 car spaces per hectare of farmland OR Individual assessment/ justification
Vehicle repair, garage and spares stores	1 car space per 20m <sup>2</sup> OR Individual assessment/ justification
Car sales establishments	1 car space per 50m <sup>2</sup> car display area OR Individual assessment/ justification
Exhaust and tyre centres	1 car space per 0.3-0.5 bays OR Individual assessment/ justification
<b>All other uses not mentioned above</b>	
	Individual assessment/ justification

Please note:

- All parking levels relate to gross floor area and are recommended as a maximum unless otherwise stated.
- Provision for uses marked “individual assessment” will require their own justification and the inclusion of parking management plans, travel plans and cycle strategies where appropriate. The content of each and need for the plan would be discussed and agreed with the Local Highway Authority.
- Levels of parking per member of staff (full time equivalent) should be calculated using the average of those employed on site at any one time.

Table A4. Residential and non-residential development (non-strategic sites) – Minimum provision of cycle parking spaces

<b>Development Type</b>	<b>Minimum cycle parking spaces provided – short stay</b>	<b>Minimum cycle parking spaces provided – long stay</b>
<b>All</b>		
Parking for adapted cycles for disabled people	5% of total capacity co-located with disabled car parking	5% of total capacity co-located with disabled car parking
<b>Retail</b>		
Small (<200m <sup>2</sup> )	1 per 100m <sup>2</sup>	1 per 100m <sup>2</sup>
Medium (200-1000m <sup>2</sup> )	1 per 200m <sup>2</sup>	1 per 200m <sup>2</sup>
>1000m <sup>2</sup>	1 per 250m <sup>2</sup>	1 per 500m <sup>2</sup>
<b>Employment</b>		
Office/ Finance	1 per 1000m <sup>2</sup> short	1 per 200m <sup>2</sup> long
Industrial/ Warehousing	1 per 1000m <sup>2</sup> short	1 per 500m <sup>2</sup> long
<b>Leisure and Institutions</b>		
Leisure centres, assembly halls, hospitals and healthcare	Greatest of: 1 per 50m <sup>2</sup> or 1 per 30 seats/ capacity	1 per 5 employees
Educational Institutions	-	Separate provision for staff and students, based on Travel Plan mode share targets, minimum: Staff – 1 per 20 staff Students – 1 per 10 students
<b>Residential</b>		
All except sheltered/ elderly housing or nursing homes	Individual assessment/ justification	1 per bedroom
Sheltered/ elderly housing or nursing homes	0.05 per residential unit	0.05 per bedroom
<b>Public Transport Interchange</b>		
Standard Stop	Upon own merit	-
Major Interchange	1 per 200 daily users	-

<b>Development Type</b>	<b><u>Minimum</u> cycle parking spaces provided – short stay</b>	<b><u>Minimum</u> cycle parking spaces provided – long stay</b>
<b>All other uses not mentioned above</b>		
	Individual assessment	Individual assessment

## Appendix B – Car and Cycle Parking Standards for Strategic Sites (replicated from the Local Plan: Development Management Policies)

Table B1. Strategic sites – maximum provision of residential car parking for dwellings, for use by residents themselves

Number of bedrooms	1 bed flats (including studios & bedsits)	2 bed flats	1 bed houses	2 bed houses	3 bed houses	4+ bed houses
Maximum vehicle parking spaces	1 space per unit	1 space per unit	1 space per unit	1.5 spaces per unit	2 spaces per unit	2.5 spaces per unit

Table B2. Strategic sites – maximum provision of non-residential car parking

Development Type	Maximum vehicle parking spaces provided (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Retail</b> (Note: Retail parking to be provided as shared use where appropriate. Based on the Surrey CC non-residential car parking standards for suburban locations)	
Food or non-food retail e.g. small parades of shops serving the local community (up to 500m <sup>2</sup> )	1 car space per 37.5m <sup>2</sup>
Food or non-food retail (over 500 m <sup>2</sup> )	1 space per 31.5m <sup>2</sup>
<b>Food and drink</b>	
Restaurants, snack bars and cafés. For sale & consumption on the premises.	1 car space per 6m <sup>2</sup>
<b>Drinking establishments</b>	
Public houses, wine bars or other drinking establishments but not nightclubs.	Individual assessment/justification
<b>Hot Food Takeaways</b>	
For sale & consumption of hot food off the premises.	1 car space per 6m <sup>2</sup>

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
<b>Business</b>	
Offices, research & development, light industry appropriate in a residential area – threshold of 2500m <sup>2</sup>	A maximum range of 1 car space per 30m <sup>2</sup> to 1 car space per 100m <sup>2</sup> depending on location
<b>General Industrial</b>	
General industrial use	1 car space per 30m <sup>2</sup>
<b>Storage/distribution (including open air storage)</b>	
Warehouse – storage	1 car space per 100m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Warehouse – distribution	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
Cash and carry	1 car space per 70m <sup>2</sup> 1 lorry space per 200m <sup>2</sup>
<b>Residential Institutions</b>	
Care home Nursing home	1 car space per 2 residents OR Individual assessment/justification
<b>Dwelling houses</b>	
Elderly (sheltered)	1 car space per 1 or 2 bed self-contained unit OR 0.5 per communal unit OR Individual Assessment
<b>Non-residential institutions</b>	
Day Nurseries/Crèche	0.75 car spaces per member of staff plus 0.2 spaces per child
Doctor's practices	Individual assessment/justification
Dentist's practices	Individual assessment/justification
Veterinary practices	Individual assessment/justification
Libraries, museums and art galleries	1 car space per 30m <sup>2</sup> OR Individual assessment/justification
Public halls licensed for entertainment, unlicensed youth and community centres and Scout huts etc	1 car space per 3 persons OR per 3 seats OR per 20 m <sup>2</sup> OR Individual assessment/justification

<b>Development Type</b>	<b>Maximum vehicle parking spaces provided</b> (if expressed as a provision for a given floor area then this is per m <sup>2</sup> GFA)
Places of worship	1 car space per 10 seats OR Individual assessment/justification
Schools/colleges/children's centres	Individual assessment/justification See notes on School Parking in Surrey County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance (2021).
<b>Other uses</b>	
Vehicle repair, garage and spares stores	1 car space per 20m <sup>2</sup> OR Individual assessment/justification
Car sales establishments	1 car space per 50m <sup>2</sup> car display area OR Individual assessment/justification
Exhaust and tyre centres	1 car space per 0.3-0.5 bays OR Individual assessment/justification
All other uses not mentioned above	Individual assessment/justification

Please note:

- All parking levels relate to gross floor area and are recommended as a maximum unless otherwise stated.
- Provision for uses marked "individual assessment" will require their own justification and the inclusion of parking management plans, travel plans and cycle strategies where appropriate. The content of each and need for the plan would be discussed and agreed with the County Highway Authority.
- Levels of parking per member of staff (full time equivalent) should be calculated using the average of those employed on site at any one time.

Table B3. Strategic sites – minimum provision of cycle parking for residential and non-residential development

<b>Development Type</b>	<b>Minimum cycle parking spaces provided – short stay</b>	<b>Minimum cycle parking spaces provided – long stay</b>
<b>All</b>		
Parking for adapted cycles for disabled people	5% of total capacity co-located with disabled car parking	5% of total capacity co-located with disabled car parking
<b>Retail</b>		
Small (<200m <sup>2</sup> )	1 per 100m <sup>2</sup>	1 per 100m <sup>2</sup>
Medium (200-1000m <sup>2</sup> )	1 per 200m <sup>2</sup>	1 per 200m <sup>2</sup>
<b>Employment</b>		
Office/ finance	1 per 1000m <sup>2</sup>	1 per 200m <sup>2</sup>
Industrial/ warehousing	1 per 1000m <sup>2</sup>	1 per 500m <sup>2</sup>
<b>Leisure and Institutions</b>		
Leisure centres, assembly halls, hospitals and healthcare	Greatest of: 1 per 50m <sup>2</sup> or 1 per 30 seats/ capacity	1 per 5 employees
Educational institutions	-	Separate provision for staff and students, based on Travel Plan mode share targets, minimum: Staff – 1 per 20 staff Students – 1 per 10 students
<b>Residential</b>		
All except sheltered/ elderly housing or nursing homes	Individual assessment/ justification	1 per bedroom
Sheltered/ elderly housing or nursing homes	0.05 per residential unit	0.05 per bedroom
<b>Public Transport Interchange</b>		
Standard stop	Upon own merit	-

<b>Development Type</b>	<b><u>Minimum</u> cycle parking spaces provided – short stay</b>	<b><u>Minimum</u> cycle parking spaces provided – long stay</b>
Major interchange	1 per 200 daily users	-
<b>All other uses not mentioned above</b>		
	Individual assessment	Individual assessment



## Appendix C – Guildford Town Centre Boundary

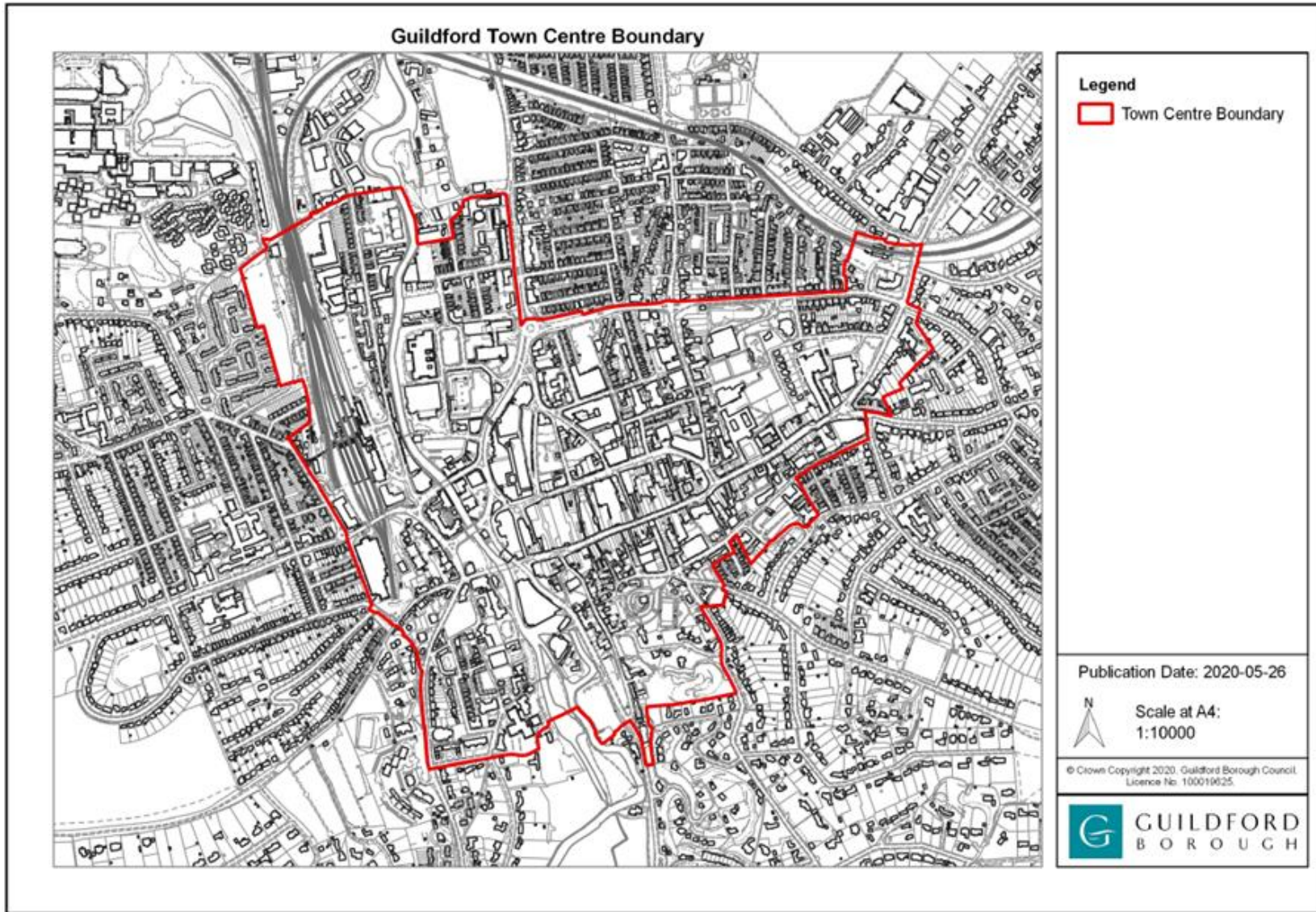


Figure C1. Guildford Borough Town Centre Boundary (Extract from the Policies Map, available at <https://www.guildford.gov.uk/localplan/policiesmap>)

## Appendix D – Guildford Borough Urban Boundaries

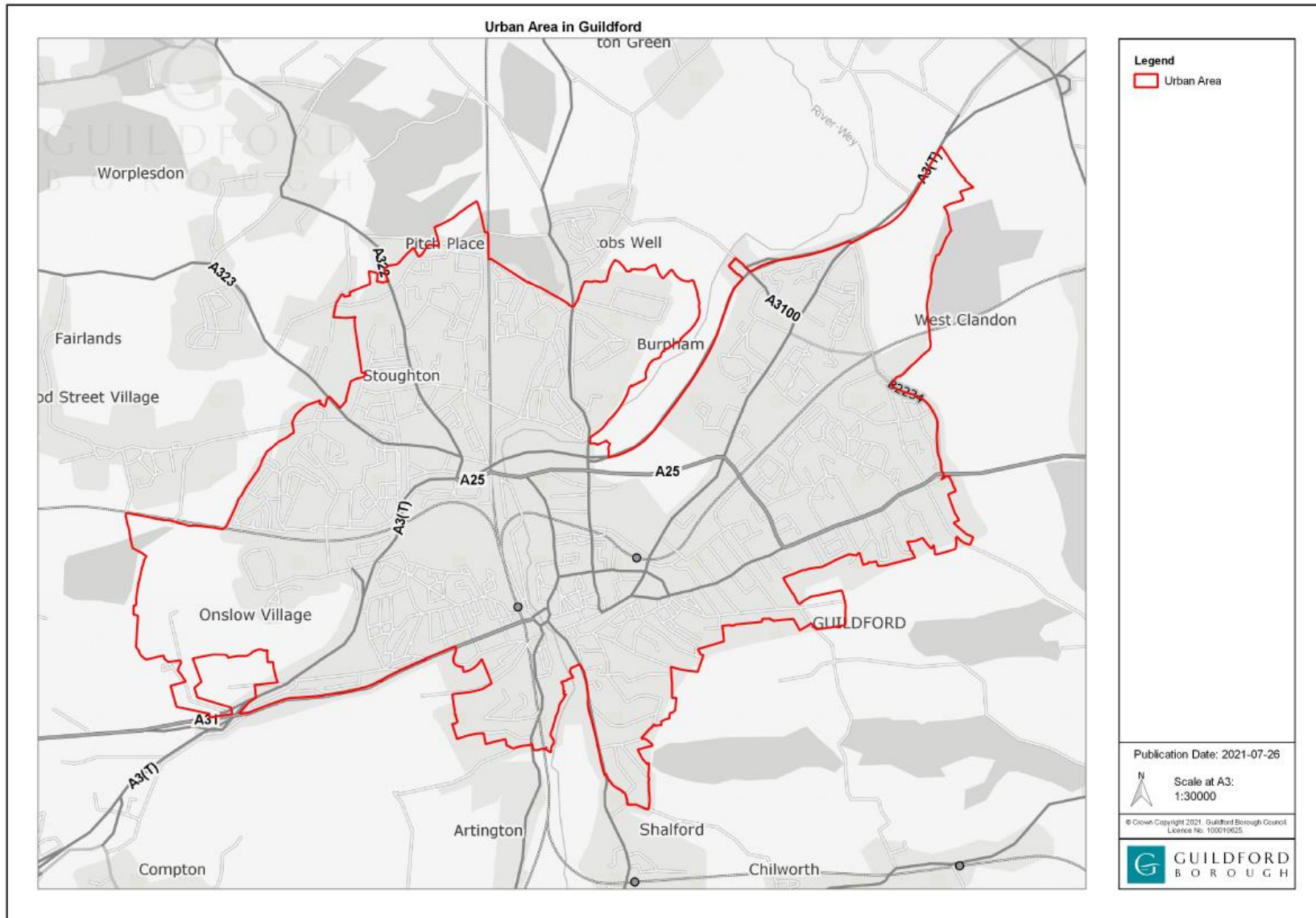


Figure D1. Guildford Urban Boundary (Extract from the Policies Map, available at <https://www.guildford.gov.uk/localplan/policiesmap>)



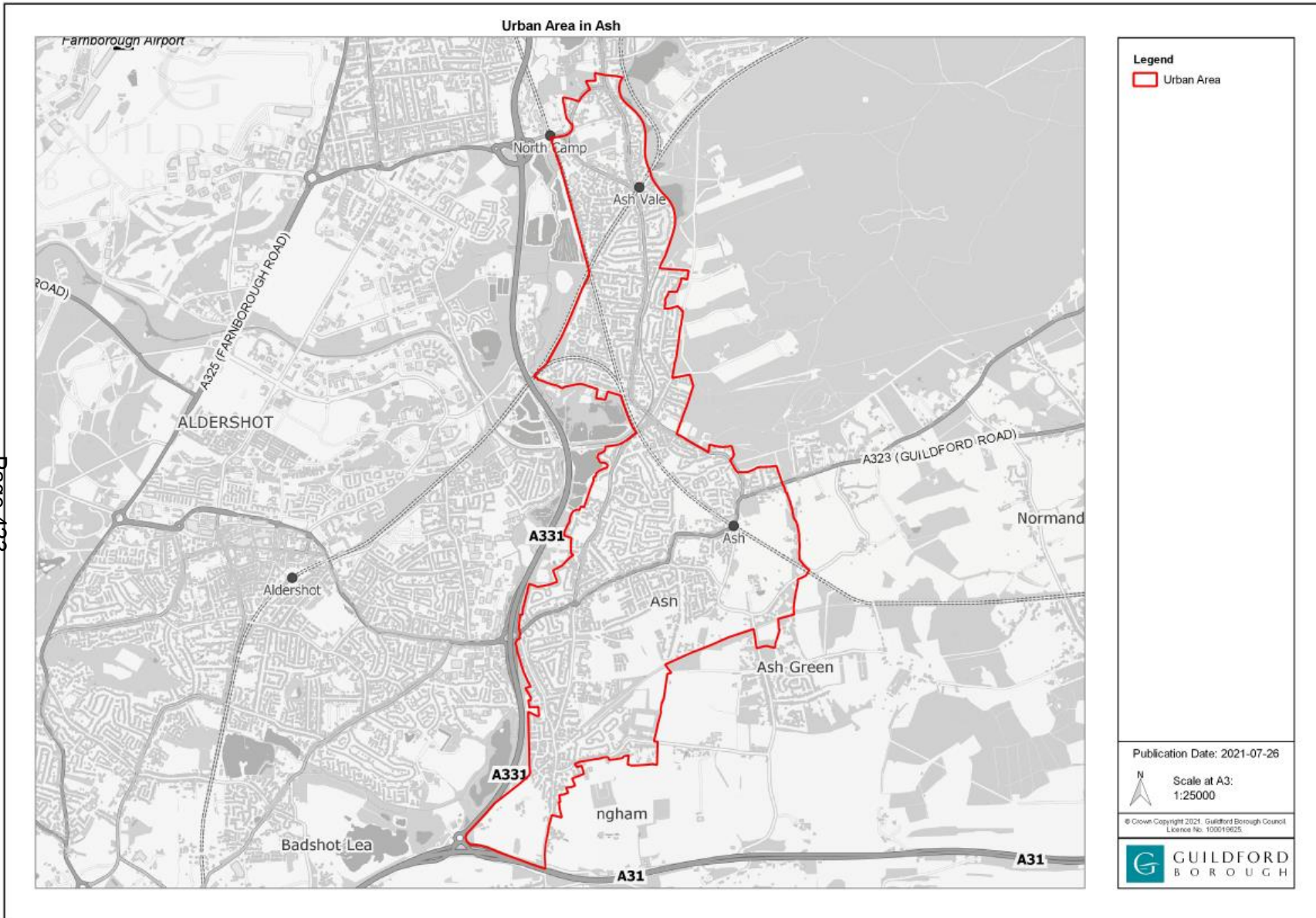


Figure D2. Ash and Tongham Urban Boundary (Extract from the Policies Map, available at <https://www.guildford.gov.uk/localplan/policiesmap>)

## Appendix E – Average car availability levels in Guildford borough

*Table E1. Average car availability levels for flats, maisonettes and apartments, by location in Guildford borough (ONS, 2011)*

Left blank	Town Centre	Suburban	Village & Rural
1 bedroom	0.51	0.69	0.80
2 bedrooms	0.85	1.01	1.22

*Table E2. Average car availability levels for houses and bungalows, by location in Guildford borough (ONS, 2011)*

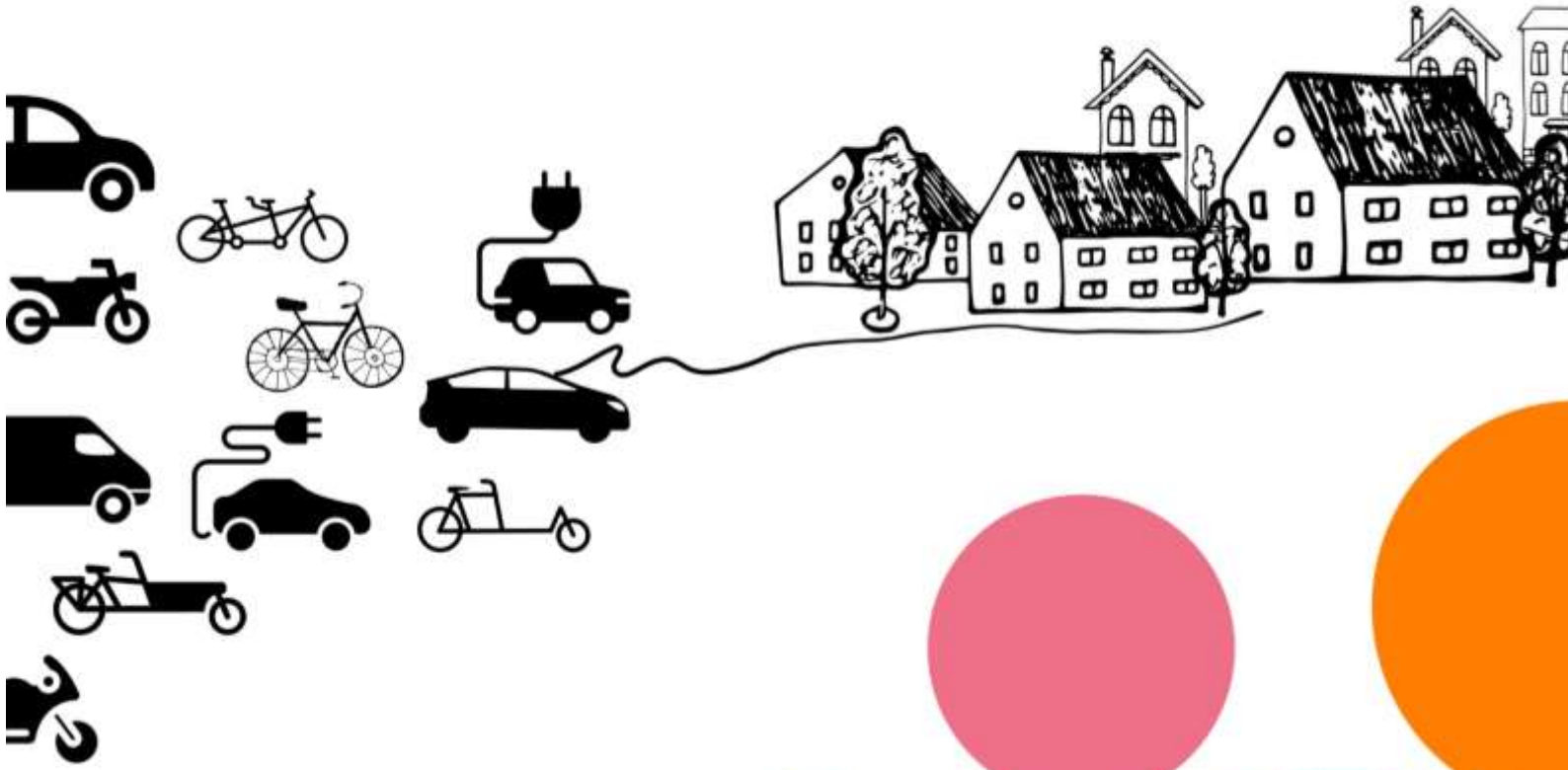
Left blank	Town Centre	Suburban	Village & Rural
1 bedroom	0.73	0.94	1.10
2 bedrooms	0.97	1.20	1.39
3 bedrooms	1.22	1.56	1.78
4 or more bedrooms	1.55	2.08	2.48

Note: The averages for each area type and development size and type are based on analysis by Guildford Borough Council. The methodology used to obtain the average car availability levels for these categories is contained within the Parking Topic Paper<sup>9</sup>, which was produced to aid understanding of the development of Policy: ID10 Parking Standards for New Development.

<sup>9</sup> Available at: <https://www.guildford.gov.uk/localplanpart2exam>

# Guildford Borough Parking Standards for New Development Supplementary Planning Document (SPD)

**Consultation Statement**  
March 2023



**If you would like this document in a different format, different language, Braille, large print or audio, please contact the Planning Policy Team on 01483 444471**

## 1. Introduction

- 1.1 We have prepared this Consultation Statement under Regulation 12 of the Town and Country Planning (Local Development) (England) Regulations 2012.
- 1.2 Under Regulation 12(a) we must prepare a consultation statement before we adopt a Supplementary Planning Document (SPD). The consultation statement must set out:
- the persons the local authority consulted when preparing the SPD;
  - a summary of the main issues raised by those persons; and
  - how we addressed those issues in the SPD.
- 1.3 The Parking Standards for New Development SPD ('the SPD') provides detailed advice and guidance on Policy ID10: Parking Standards for New Development of the Local Plan: Development Management Policies, and Policy ID3: Sustainable transport for new developments of the Local Plan: Strategy and Sites 2015-2034.
- 1.4 For clarity, the SPD was originally named "Parking Standards SPD" and was publicly consulted upon under this title. Following the public consultation, it was renamed "Parking Standards for New Development SPD" to prevent confusion with the other parking-related roles Guildford Borough Council perform relating to on and off-street public vehicle parking.
- 1.5 The SPD sets out Guildford Borough Council's off-street parking standards for non-strategic sites and design guidance for on- and off-street parking provision for all new development.

## 2. Preparing the draft SPD

- 2.1 The SPD was prepared alongside Policy ID10: Parking Standards for New Development of the Local Plan: Development Management Policies (LPDMP).
- 2.2 The key considerations arising from the Regulation 18 LPDMP consultation which informed the preparation of the draft SPD and the resulting actions are included in Table 1 below.

**Table 1. Considerations raised and actions discussed during the initial preparation of the SPD by interested parties**

Consideration	Action
A greater range of car parking standards to apply to areas outside Guildford Town Centre	Car parking standards now comprise of maximum residential car parking standards in the town centre, suburban areas and strategic sites, set at different values for different sizes and type of dwelling as well as location. Expected standards are set out for rural and village areas, again varying between dwelling size and type
Standards for Electric Vehicle Charge Points which are futureproofed	Initially included in SPD to enable them to be more easily updated in light of changing circumstances, but upon the introduction of Building Regulations, Policy ID10 now defers to these regulations
Making provision for low-car and car-free development	Included in Policy ID10 with further guidance in SPD
Different standards for long and short stay cycle parking	Initially followed SCC's guidance, but now generally mirror those in the Department for Transport's Local Transport Note 1/20, which includes different standards for long and short stay

Agenda item number: 8  
Appendix 7

Further guidance in relation to secure cycle parking	SPD includes design guidance for different development types
Development of a section for parking for disabled drivers	Included in Policy ID10, with further guidance in the SPD. Cycle parking design guidance also refers to non-standard cycles
Further guidance in relation to car club vehicles	Included in Policy ID10, with further design guidance in the SPD

- 2.3 Further, direct engagement was undertaken with Surrey County Council (Transport Development Planning Team) and Highways England (Spatial Planning Team) under the Duty to Cooperate of the plan-making process. Engagement was also undertaken with the cross-party panel of Guildford Borough Councillors during the Local Plan Panel sessions.
- 2.4 The main responses which assisted in finalising the draft SPD are summarised in Table 2 below.

**Table 2. Responses from invited parties during review of draft SPD and resulting actions**

Response	Action
Include guidance in relation to Purpose-Built Student Accommodation	Guidance included
Desire for minimum parking requirements for Houses in Multiple Occupation (HMOs)	Explanation in SPD as to why standards for HMOs are not included
Desire for increased parking for Doctors, Dentists and Veterinary Practices	Standards changed to 'Individual Assessment'
Reconsider 2.5 bays per 4-bedroomed house in 'Rural & Village' areas	Standard not increased as they are based on observed averages, however these are 'expected standards' therefore there is some flexibility in application
Make reference to rail service provision in paragraph related to 'provision for low car development'	Reference added
Include further reference to parking areas incorporating features to promote biodiversity, clean air and drawing carbon out of the atmosphere through thoughtful planting.	This matter is discussed further within the <a href="#">Climate Change, Sustainable Design, Construction and Energy SPD</a> (2020) SPD, which has been referenced
Addition to state that residential cycle parking in flats/apartments should be located as close as possible to desire line(s) between every flat/apartment and the highway (or cycle facility).	Reference added
Consider whether secure but communal cycle storage can be installed in place of an on-street parking space as an alternative to provision within the building itself.	This is more appropriate for the retrofitting of cycle parking facilities into existing residential areas. Residential parking facilities should be designed on-plot

- 2.5 GBC councillors received and were invited to comment on a draft SPD in August 2021. The document was then considered by the Joint Executive Advisory Board on Monday 20 September 2021,<sup>1</sup> prior to the draft SPD being considered by the Executive on Tuesday 23

<sup>1</sup> Available at:

<https://democracy.guildford.gov.uk/ieListDocuments.aspx?CId=284&MId=1337&Ver=4>



November 2021,<sup>2</sup> and then full Council, on Tuesday 7 December 2021,<sup>3</sup> alongside the draft Local Plan: Development Management Policies.

### 3. Formal consultation on the draft SPD

- 3.1 We held a formal consultation between Friday 21 January 2022 (midday) and Friday 18 February 2022 (midday). We advised stakeholders (organisations, members of the public, businesses and amenity groups) via email through our consultation database.
- 3.2 During the consultation period, the consultation document was available on our website and paper copies of the consultation document were available in the libraries located within the borough and in the main Council office at Millmead. These arrangements are in accordance with our [Statement of Community Involvement](#), May 2020.
- 3.3 You can see the 23 representations that we received during the formal consultation on the following webpage: <https://guildford.inconsult.uk/PSPD22/consultationHome>.

### 4. Finalising the SPD

- 4.1 We considered all the responses received during the consultation.
- 4.2 Appendix 1 contains a table setting out the main issues raised during the public consultation. It also sets out our response to each of the issues, the changes that we made to the SPD as a result of the issue, or explains why we didn't make any changes.
- 4.3 The main issues raised by either prescribed bodies<sup>4</sup> or key stakeholders are identified in the first and second tables. Key stakeholders include statutory consultees, infrastructure providers, site promoters/developers and other community groups/organisations. The main issues raised by members of the public are in the third the table.
- 4.4 As noted earlier, the SPD gives guidance on Policy ID10: Parking Standards for New Development in the Local Plan: Development Management Policies which was also in development at the time of writing. The consultation on the SPD was undertaken at the same time as the Regulation 19 consultation for the DMP. Further changes to the SPD could have been made had the Inspector of the LPDMP considered that some of the SPD's content should form part of the Local Plan: Development Management Policies DPD.
- 4.5 The Inspector did not decide to include some of the SPD's content in the DMP however there have been some minor changes made to the SPD as a consequence of the Inspector's direction and Main Modifications. There have also been minor changes to ensure consistency with minor modifications made to the Reasoned Justification of Policy ID10: Parking Standards for New Development.
- 4.6 The Council's Executive decided to adopt the SPD at its meeting on 20 March 2023. You can see the Executive Report here: <https://democracy.guildford.gov.uk/ieListDocuments.aspx?CId=132&MId=1636>

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<sup>2</sup> Available at:

<https://democracy.guildford.gov.uk/ieListDocuments.aspx?CId=132&MId=1239&Ver=4>

<sup>3</sup> Available at:

<https://democracy.guildford.gov.uk/ieListDocuments.aspx?CId=132&MId=1239&Ver=4>

<sup>4</sup> As listed in Regulation 4 of the Town and Country Planning (Local Development) (England) Regulations 2012

## Appendix 1: Main issues raised

### Prescribed bodies

Paragraph/ Section	Main Issue Summary/Respondent	GBC Response
	<b>Natural England</b> [‘Planning Consultations’ email address]	
General comment	<p>The topic this SPD covers is unlikely to have major effects on the natural environment but may nonetheless have some effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <ol style="list-style-type: none"> <li>1. This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.</li> <li>2. This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework.</li> <li>3. This SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community</li> <li>4. The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).</li> </ol>	<p>We consider that these points are addressed, as appropriate, in Local Plan policies and other SPDs, most notably Policy ID4: Green and Blue Infrastructure in the Local Plan: Strategy and Sites (2019) and the Climate Change, Sustainable Design, Construction and Energy SPD (2020).</p>
	<b>Historic England</b>	
5.11	Suggested that this paragraph is revised to read “Other considerations will include proximity to and impact upon sensitive natural environments (e.g., Sites of Special	Agreed. Amendment made, now at para 5.10, as follows: “Other considerations will include proximity to and impact upon sensitive natural environments (e.g., Sites of Special Scientific Interest,

	<p>Scientific Interest, Special Protection Areas), <a href="#">historic built environments (e.g. in the setting of listed buildings, conservation areas)</a> and archaeology. Within these areas, new car parking should be designed to be sympathetic to the sensitive environment and avoid damage to an area of archaeological significance”</p>	<p>Special Protection Areas), <a href="#">historic built environments (e.g. in the setting of listed buildings, conservation areas)</a> and archaeology. <a href="#">When planning and implementing highways and other public realm works in sensitive historic locations, Historic England’s Streets for All: South East (HE, May 2018) should be consulted.</a> Within these areas, new car parking should be designed to be sympathetic to the sensitive environment and avoid damage to an area of archaeological significance.”</p>
5.11 or Section 3	<p>We recommend also that reference is made in the SPD, either as an extension to para 5.11 or elsewhere in the draft document (e.g., in the Supplementary planning documents in Section 3 and the Bibliography), to the Historic England advice in Streets for All: South East (HE, May 2018). This will help to ensure that the integration of parking provision in sensitive historic environments is appropriately considered.</p>	<p>Agreed. Amendment made, now at para 5.10, as follows: “Other considerations will include proximity to and impact upon sensitive natural environments (e.g., Sites of Special Scientific Interest, Special Protection Areas), <a href="#">historic built environments (e.g. in the setting of listed buildings, conservation areas)</a> and archaeology. <a href="#">When planning and implementing highways and other public realm works in sensitive historic locations, Historic England’s Streets for All: South East (HE, May 2018) should be consulted.</a> Within these areas, new car parking should be designed to be sympathetic to the sensitive environment and avoid damage to an area of archaeological significance.”</p>
	<p><b>Surrey County Council</b></p>	
Max standards	<p>We note that for planning applications at non-strategic sites, Neighbourhood Plans, which are likely to contain minimum parking standards, will be given weight where they exist. We would like to support the implementing of ‘Maximum [car parking] Provisions’ as set out in Policy ID11 for all sites across the borough, not just those that are strategic.</p>	<p>Following feedback to the Regulation 18 Local Plan: Development Management Policies consultation it was apparent that there was a strong desire for parking standards in existing and emerging Neighbourhood Plans to have primacy in those areas to which they apply.</p> <p>Maximum parking standards exist for non-strategic sites in town centre and suburban locations. Expected standards in Rural and Village locations reflect the variations in public transport access and opportunities for active travel in these locations. As per NPPF para 108, “maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by</p>

		public transport.” We consider these factors allow the setting of maximum standards in urban areas, but that setting maximum standards in village and rural areas would not be compliant with the NPPF.
Car Clubs	Para 5.28 states that Developers “may choose to work with either the council’s preferred [car club] operator or their own supplier” if the marked car club parking bay is built within the development site itself. This would not be productive in the county council’s aim to provide an accessible and reliable car club network to the whole county. Using different car club suppliers may lead to existing residents not being made aware of a new car club space within a nearby development as it wouldn’t show up on the app or website of the county council’s chosen car club operator. For these reasons, we request that all future developments use the county council’s chosen supplier and any spaces within the curtilage of future developments are accessible to the wider public at all times.	The guidance referred to is consistent with the advice given in section 5 (4 <sup>th</sup> and 5 <sup>th</sup> paragraphs) of Surrey CC’s extant ‘Car clubs in new developments’ (March 2019) guidance document (available on request from Surrey CC’s Transport Development Planning team). Following email correspondence to clarify this matter, Surrey County Council, in an email dated 28 March 2022, withdrew its previous representation of 17 February 2022 with respect to this aspect of the SPD as follows: “I have liaised with our Car Club Officer and would like to retract the comment below that you’ve quoted. As you quite rightly pointed out, the SCC Guidance on Car Clubs in new Development states that developers can employ their own car club provider if the bays are within the development site.”
E-bikes	If more models with an un-detachable battery reach the market, there will be a need for provisions of charging points to serve bicycle parking spaces. The SPD should reflect the emerging and rapidly growing nature of this technology to accommodate any future demand.	Amendment made, now at para 5.70: “The emergence of e-bikes, which are typically of a higher value than pedal bikes, reinforces the need for secure parking with surveillance (either by CCTV cameras or natural surveillance from people going about their normal business). <u>In order to support the growth and use of electric bikes and where appropriate, consideration should be given to the provision of electric bike charge points adjacent to any secure cycle parking.</u> Charging of an ebike battery is typically undertaken in a domestic setting by removal of the battery, <u>but in some models, the battery is charged in-situ (DfT, 2020) however future mechanisms for the provision for charging ebikes at public destinations could be explored by non-residential developments if appropriate.</u> ”
	<b>Waverley Borough Council</b>	
General comment	We do not anticipate that the draft SPD would have any cross-boundary impacts for Waverley.	Noted.

	<b>Environment Agency</b>	
General comment	We are unable to provide comments on the Draft SPD as the issues it addresses are out with our remit.	Noted.
	<b>National Highways</b>	
General comment	<p>[NH made the following comment to the LPDMP consultation] – “The proposed policy covers a wide range of uses with maximum, minimum or expected numbers of parking spaces. One of the biggest opportunities for managing down traffic demand on the SRN is associated with limiting parking spaces at a destination, but this is particularly successful when policies such as this are supported by the delivery of other sustainable transport measures. We note that there are many references to improvements to pedestrian and cycle networks. However in terms of managing demand on the SRN and reducing single occupancy vehicle trips, we would expect a reference to both existing and planned bus and rail services.</p> <p>We have no additional comments to the Draft Parking Supplementary Planning Document 2022 not already covered in our comments to ID11 above.”</p>	<p>The policy and SPD provides for maximum vehicle parking standards for non-residential developments (the destination), except for some development types for which individual assessment and justification is required. The policy requires that for the provision of either car-free development or development in which the provision of parking is at lower than the defined maximum standards then this ‘must be justified by a coherent package of sustainable transport measures’. Criteria are set out including for ‘high public transport accessibility’, as well as to requirements for ‘excellent quality of walking and cycling access’ to appropriate centres. We consider applicants should be able to take into account the qualities of bus and rail services, both existing and planned, as part of their evidence in respect of a development’s public transport accessibility. The Development Plan, of which the draft LPDMP will form part as and when it is adopted, also includes the adopted LPSS. Policy ID3 Sustainable Transport for New Developments of the LPSS requires, at point 6), that ‘New development will be required to provide and/or fund the provision of suitable access and transport infrastructure and services that are necessary to make it acceptable...’ as well other requirements for specific transport infrastructure and services set out in the Infrastructure Schedule, which can be updated through revisions of the Guildford borough Infrastructure Delivery Plan, as well as in the site policies. The Infrastructure Schedule includes various proposed bus and rail schemes.</p>
	<b>Transport for London</b>	
General comment	We would welcome the adoption of a complementary approach to London Plan parking policies [maximums standards] by authorities close to London. I can confirm	Noted.

	that we have no specific comments to make on the Draft Parking SPD.	
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**Other organisations**

Paragraph	Main Issue Summary/Respondent	GBC Response
	<b>Grillo LLP</b>	
General comment	The SPD does not include proposals for existing public car parking on the Upper High Street.	The Parking SPD details the standards for parking provision and guidance on its provision for new developments in the borough as opposed to addressing the provision for vehicles to park on the existing public highway and in existing public car parks. The Parking SPD has been renamed as the 'Parking Standards for New Development SPD' to further clarify this.
	<b>Carter Jonas on behalf of Effingham Golf Club</b>	
Page 42	<p>It is requested that the level of car parking associated with golf clubs and driving ranges is increased from the current proposal of a maximum of 1 space per 0.3 holes OR per driving bay OR Individual assessment/justification to <b>(amended wording in bold/underlined)</b>: <b><u>'1 space per 0.25 holes</u></b> OR per driving bay OR Individual assessment/justification'</p> <p>The rationale for this is explained by reference to the use of cars by members to access the club given the amount of equipment required, the playing of the four-ball format of golf with players coming from different directions, and that players tend to arrive early and stay to socialise in the clubhouse after their round.</p>	The non-residential car parking standards follow that of SCC as the Highway Authority. Given there is an option for 'individual assessment/justification' to take place, we expect there to be an opportunity to propose a different level of provision if required, based on the facilities available at, and the needs of, the golf club.
	<b>Regulatory Services (GBC)</b>	
General comment	It is queried whether support could be given to existing commercial, residential, and educational uses to have	The Parking SPD and standards within are for new development in the borough. Permitted development rights exist to allow the

	incentives under the planning system to insert the infrastructure for EV charging. Section 5.29 covers this in part, but if for example planning permission for a group of flat owners to introduce EV charging to their parking areas was easily enabled we may see an increase in take up of EV.	installation of EVCPs in existing development. In instances of communal residential parking provision, the management company would be responsible for EVCP provision and management of this provision.
	<b>Burpham Neighbourhood Forum</b>	
General comment	We oppose the continued use of half parking spaces (0.5) spaces in standards for all developments. The SPD should specify that such requirements be rounded up, not down, in all circumstances.	The use of fractions allows car parking standards to be set at values which most accurately reflect the observed car availability levels in the borough. When this fraction is multiplied by the number of homes in the development, the number will be a whole number, or will be rounded to a whole number. For clarity, there is absolutely no intention to advocate implementation of physical partial spaces in any setting. Further guidance has been provided in the SPD in relation to the calculation of parking quantum.
	<b>Barton Willmore on behalf of Martin Grant Homes</b>	
General comment	It is recommended that clarity is provided on driveway design for off-street residential car parking that adjoin cycleways in addition to footways.	This is explained further in the Strategic Development Framework SPD, adopted in 2020. Para 3.3.17 of the SDF SPD states that "Cycle movement within the strategic sites should be made to minimise conflicts with other vehicles and pedestrians, in the context of the hierarchy of movement." The SDF SPD provides illustrative figures, showing both cross-sectional and plan views, for typical sections in a strategic site. For instance, Section 2, for a Primary Street comprising of residential development and a concentration of local facilities (page 44). In this section, dwellings front the primary street with segregated cycleways also provided. Vehicular parking would be accessed from the rear. This approach can be replicated on secondary streets (page 45 of the SDF SPD), or it may be that a continuous cycleway is 2-way, allowing for some driveways to be accessed directly from the secondary street.  The relationship between parking bays which are unallocated and parallel to the carriageway would follow the design guidance

		provided in Local Transport Note 1/20, Cycling Infrastructure Design, specifically Figure 6.15.
General comment	We broadly agree with the cycle parking standards set out in Table B3 but note this includes a split for both long and short stay across many land use categories. Whilst the type and placement of cycle parking may vary depending on duration it is recommended that a flexible approach is taken on the type of provision required.	Further guidance on the type and placement of cycle parking best suited to various residential and non-residential development has been set out at para 5.48-5.71. As stated in para 6.129 of the Reasoned Justification for Policy ID10: "Cycle parking should be as convenient, if not more, than access to car parking." It is also recommended that cycle parking should be designed into developments from the early stage of design.
General comment	Flexibility regarding garage layout to accommodate cycle parking should extend further to capture the potential of standalone provision within property curtilage.	There is the opportunity for cycles to be accommodated in a standalone structure (para 5.55), in which case a garage could have the minimum internal dimensions of 6m x 3m - as indicated in Manual for Streets – and count as providing a car parking space.
	<b>Savills Planning on behalf of St Edward Homes</b>	
General comment	There is no need for every space to have a charging point (or the enabling infrastructure). St Edward propose that similar standards are adopted to those in the Surrey County Council Electric Vehicle Strategy 2018 for flatted developments. This would include 20% of spaces to have fast charge connections and a further 20% passive (i.e. with enabling infrastructure). This is particularly suitable for unallocated parking provision.	The proposals for EVCPs followed the Government's plans for the provision of EVCPs to be installed via Building Regulations. After the consultation on the Regulation 19 document/SPD had begun, 'Approved Document S: Infrastructure for the charging of electric vehicles' was published by the UK Government effective 15 June 2022. As a consequence, Policy ID10 point 2) e) for strategic sites and at point 3) e) for non-strategic sites, states that "the provision of electric vehicle charging will provide at least the minimum requirements set out in the Parking SPD Building Regulations (Part S)". Given the Government's ambition to phase out the sale of petrol and diesel cars by 2030 this requirement is necessary in order to allow residents the opportunity to charge at home.
	<b>Savills Planning on behalf of Bloor Homes</b>	
General comment	GBC will not be able to alter the public need / habits and desire for private cars on its own; and instead this should be the role for national government, who has more ability to provide incentives and / or restrictions to promote that	Parking policy is integral to a sustainable transport strategy and cannot be divorced from wider transport planning and spatial planning considerations. Parking provision must complement other sustainable travel initiatives such as the provision of public transport



	change. Bloor Homes considers it is more appropriate to provide choice to new residents and the level of parking the market desires. It is considered that the level of parking should be determined by market requirements and controlled by urban design policies and principles. The use of public transport can be promoted independently from parking provision, in order to provide choice to residents.	services. The role of Local Authorities with respect to transport is set out in the Government's Transport Decarbonisation Plan (2021), where it states against Strategic Priority 5: Place-based solutions to emission reduction that, "[l]ocal authorities will have the power and ambition to make bold decisions to influence how people travel and take local action to make the best use of space to enable active travel, transform local public transport operations, ensure recharging and refuelling infrastructure meets local needs, consider appropriate parking or congestion management policies, initiate demand responsive travel, as well as promoting and supporting positive behaviour change through communications and education."
	<b>Councillor Seabrook</b>	
General comment	'Secure' could be defined in terms of cycle parking	Given the differences in types of cycle parking relevant to different development scenarios, there is not a one-size-fits-all definition of secure. The 'Sheffield Stand' is promoted, now at para 5.50, alongside best practice to aid delivery of cycle parking which is as secure as possible in various residential and non-residential settings. Other aspects to promote best practice are included, such as advocating for internal parking in flats and apartments, and secure and lockable shelters, stores or compounds if this is unachievable (para 5.58). Likewise, long stay provision for non-residential cycle parking is best provided by a secure store or compounds (para 5.56)
5.32	Greater emphasis needs to be given to long term cycle parking. Perhaps an additional category of 'long-stay public cycle parking' is needed to distinguish it from the existing definition for 'private' parking.	The numerical standards set out for long-term cycle parking follow that provided in DfT's Local Transport Note 1/20 guidance. Further design guidance in the draft Parking SPD aims to ensure cycle parking is attractive and secure, and notes that best practice guidance can be found in 'Standards for Public Cycle Parking' (The Bicycle Association, 2021).
5.40	Remove the word 'rear' – this should apply to all sheds.	Agreed. Amendment made at, now at para 5.56: "External access to a <del>rear</del> garden with a shed, or equivalent, would only be treated as

		provision of cycle parking if the doors are secured by mortice locks (as opposed to padlocks)."
5.42	'Secure and lockable' should be mandated, rather than preferable	The Parking SPD provides guidance, which will supplement Policy ID10: Parking Standards for New Development. Within the reasoned justification of the policy, specifically at para 6.130, it is specified that long term parking must be "more weatherproof and have greater security provided [than short stay cycle parking] through an enclosed and lockable shelter, store or compound."
Table A3 and A4	The number of car spaces allowed is so much greater than the minimum required long-stay cycle spaces. That does not encourage modal shift. For example, only one cycle space is required for 200 sqm of office space but a max of 6 car spaces is allowed.	The cycle parking standards are minimum standards (therefore there is no limit on the quantum which can be delivered) whereas the car parking standards are maximum standards, effectively putting a cap on the number of spaces permitted. Likewise, low-car and car-free development is promoted through the policy.
Table B3 p47	It is accepted that residents of nursing homes are unlikely to ride bikes, but what about staff? 0.05 spaces per bedroom means only 1 space per 20 staff.	The numerical standards set out for long-term cycle parking follow that provided in DfT's Local Transport Note 1/20 guidance. These are minimum requirements and do not limit the level of cycle parking to be provided. There is also a short stay requirement for 0.05 spaces per residential unit which could be expanded upon.
	<b>Mr Richard Jarvis on behalf of Guildford Residents Association</b>	
General comment	There is surely a case for including the standards for Strategic Sites within the SPD, rather than in Appendix B to ID11.	The standards for the strategic sites are set out in the Development Plan as opposed to the SPD to allow them to be given the full weight of policy given their strategic importance. As strategic sites will be masterplanned from the outset, the standards set in the Policy will complement the measures to facilitate sustainable transport options.
General comment	We consider that the standards set in the SPD should be treated as minimum standards (as in the Reg 18 consultation) except in the town centre.	The policy direction (maximum, minimum and expected standards) are set out in Policy ID10. We consider that maximum standards are necessary in urban areas to manage the local road network.

		Congestion and various externalities affect the urban area. In addition to congestion, within the town there is a need to make more efficient use of land by optimising density, in areas which are well served by public transport.
General comment	We ask for the standards for villages and rural areas (Table A2) to be set as 'minimum', rather than 'expected' standards.	The policy direction (maximum, minimum and expected standards) are set out in Policy ID10. With expected standards, there is flexibility for a developer to propose car parking standards which are lower or higher than that 'expected', by providing evidence to back up such a proposal.
Para 4.22	The standards for car parking in new residential development in the town centre and suburban areas are defined as maximum provision in Table A1. However, in para 4.22 the last sentence explains that 'it may be acceptable to provide a lower than required provision of car parking spaces'. Does 'required' mean the same as 'maximum' in this context? Given the difference in accessibility between the town centre and the suburban area, we propose that Table A1 should be split into two tables, with maximum standards being set for the town centre and minimum standards for the suburban area.	Amendment made, now at para 4.29: "The prioritisation of walking, cycling, public and shared transport, especially where the development is close to the town centre, urban district centre or local centre, may demonstrate that it may be acceptable to provide a lower than <del>the maximum required</del> provision of car parking spaces." The maximum standard for suburban areas is tailored to the level of accessibility in these areas. The maximum allowance of car parking is greater than for the town centre. For example, for 2 bed houses the maximum provision is 1 space in the town centre and 1.5 spaces in suburban areas.
	<b>Iceni Project Limited on behalf of Portland Capital</b>	
General comment	Despite the requirement for 'Individual assessment/justification' to be undertaken there is no guidance is provided as to the criteria in which this assessment/justification needs to adhere to, which could lead to some discrepancy between sites and determining what extent of work is necessary and the factors which would suggest a site to be accessible, or not. Additionally, as with other authorities, there can be scale used to show how accessible a site is e.g., Poor, Good, Excellent.	Individual assessment/justification is used in relation to non-residential development. These standards are based on SCC's Vehicle, Cycle and Electric Vehicle parking guidance for new development and therefore follows the approach they advocate. It is recommended that the appropriate approach to assessment and justification, including in terms of methodology and evidence, should be established through early engagement with Guildford Borough Council as the Local Planning Authority and Surrey County Council as the Local Highway Authority.
General comment	There are no parameters identified to help clarify when a site would be considered Edge of Centre or Suburban. This	The areas covered by 'Town Centre' and 'Suburban' are defined in the definitions section of the SPD. For clarity, we have removed the

	<p>could lead to different interpretations and as such uncertainty and potentially a difference of opinion between parties. Clearly some clarification and guidance within the SPD would be helpful in this regard, such as the distance to a public transport hub, frequency of services, operational hours, etc. being an indicator(s) of whether a site is considered to be accessible or not, as well as some guidance to help determine the location type of a site.</p>	<p>'edge of centre' boundary. This was only proposed to apply to retail uses. The Guildford Town Centre boundary, as defined on the Polices Map and in the SPD definitions section includes both the 'Primary Shopping Area' and the majority of edge of centre uses.</p>
<p>General comment</p>	<p>The standards are somewhat unclear in regard to the minimum EV charging requirement for both residential and non-residential development.</p> <ol style="list-style-type: none"> <li>1. With residential development for example it is suggested at paragraph 4.16 of the Draft Parking SPD that unallocated parking is preferred for flexibility, therefore for a large flat/apartment scheme with 100% unallocated parking it is unclear how should the EV charging requirements [1 chargepoint per dwelling] should be applied.</li> <li>2. Further, during several pre-apps held in the past year with Surrey County Council Highways Officers, they have often suggested that a provision of 100% EV is proposed for residential development, and therefore it would be useful to have their input to understand if they concur with the above approach.</li> <li>3. Similarly, for non-residential development, it is unclear how one charge point per development would work as part of a mixed-use scheme say with multiple uses, units or tenants. As such, further clarification of this guidance would be useful.</li> </ol>	<p>With the release of Approved Document S in 2022, it is now confirmed that EVCP provision will be included within Building Regulations. Therefore, Policy ID10 now states at 2) e) that "the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations" (also repeated at 3) e) for non-strategic sites. With this, no numerical parking standards for strategic sites are included in the final SPD.</p>

General comment	<p>There is no clear guidance as to when a car club would be required, leaving some uncertainty in terms of which uses require them and also to what scale of development these would be necessary in order to be viable.</p> <p>In regard to Paragraph 5.28, which states ‘Surrey County Council has procured a single preferred supplier to provide county-wide car club provision under the Surrey car club contract’. Whilst it is not specified that Guildford Borough Council will also be following suit, it is assumed that this will be the case. As such, there is some concern that there is no flexibility in what can be offered by a development in relation to a car club and developers would be beholden to the suggestions of only one car club operator.</p>	<p>Access to a car club vehicle(s) would be a requirement of car-free development as described in point 4b) of Policy ID10. As part of the sustainable transport strategy of a site car clubs could be included as part of a wider package of travel planning measures.</p> <p>Para 5.28 (now para 4.33 in the adopted version) states that “Further information regarding the implementation of car clubs can be found in Surrey County Council’s ‘Guidance on car clubs in new developments’ (March 2019). In accordance with its statutory powers as the local transport authority, Surrey County Council has procured a single preferred supplier to provide county-wide car club provision under the Surrey car club contract, <u>including in Guildford borough</u>. If implementing the car club using on-street bays, the developer will be required to use the council’s preferred supplier. If implementing the car club using bays within the development boundary, the developer may choose to work with either the council’s preferred operator or their own supplier.”</p> <p>To aid clarity, paragraphs 5.26 and 5.28 (of the consultation version) have been moved from ‘Section C: Design guidance’ and are now contained under ‘Guidance on application of parking standards’ at para 4.32-4.33 of the adopted version.</p>
General comment	<p>The Draft SPD also states that spaces for car club vehicles should be supplied with an EVCP, as per the standards set out in Section B and Appendix C. This raises some queries in required to the application of the EVCP standards.</p>	<p>The table, and this specific reference, has been removed, following the modification to Policy ID10 which now reflects the fact that the provision of EVCP will follow the Building Regulations (Part S). Irrespective of this, if a car club space(s) is provided on-site, then the spaces would be supplied with an EVCP, as per the standards set out for associated spaces in the Building Regulations (Part S). Where a space(s) for car club vehicles is provided using on-street bays on the public highway, Surrey County Council, as the Local Highway Authority, would advise of the requirements.</p>
General comment	<p>It is assumed that, in Table A4, Residential would include for Residential Institutions as well as Dwelling houses, but it would be useful to clarify.</p>	<p>Table A4 states that ‘residential’ includes ‘All except sheltered/elderly housing or nursing homes’ with separate standards for ‘Sheltered/ elderly housing or nursing homes’. This mirrors the suggested guidance in the DfT’s LTN 1/20 Cycling Infrastructure Design.</p>

General comment	The absence of a standard for the minimum provision of short-stay for residential use leads to a concern in regard to cycle parking for visitors.	Amendment, Table A4 and B3 in the SPD (and Table B3 of Appendix B in the LPDMP):		
		Development Type	Minimum cycle parking spaces provided – short stay	Minimum cycle parking spaces provided – long stay
		Residential		
		All except sheltered/ elderly housing or nursing homes	<u>Individual assessment/ justification</u>	1 per bedroom
General comment	Appendix F in regard to ‘Average car availability levels in Guildford borough’ is significantly dated due to the nature of the Census data being from 2011. Whilst it is acknowledged that there may not currently be any more recent data, should it become available this appendix should be updated in order to assist with the assessment of parking for different areas and dwelling types.	<p>Given the length of time that has passed since the 2011 Census was undertaken, the potential for growth in car availability per property in the borough was considered, and the findings are as described in paragraphs 4.40-4.42 of the Parking Standards topic paper. In short, average car availability per property in the borough has not changed substantially over the period from 2011 to 2019.</p> <p>The car parking standards for non-strategic sites are set out in the SPD. This will allow them to potentially be updated through the preparation of a new version of the Parking SPD in the future, to reflect emerging evidence.</p>		

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**Other respondents**

Paragraph	Main Issue Summary	GBC Response
General comment	Impractical objective to hope individuals will abandon their cars in favour of bicycles and/public transport therefore the level of residential car parking provision too low.	The car parking standards contained within the SPD are based on calculated average car availability.
General comment	There is uncertainty regarding the allocation and numbers of EVCP, including which car parks will have them and quantum of parking bays to be equipped	The Parking SPD details the standards for parking provision and guidance on its provision for new development in the borough as

		opposed to car parking provision on the existing public highway and in existing public car parks.
General comment	Reference to research statistics from 2006 and 2010 is a flaw. Research should look at future needs, not the past.	<p>The standards look to future needs with the potential for low-car and car-free development and car parking standards in areas well served by alternative forms of transport, amongst other aspects as set out in the Policy.</p> <p>Having compared Census and DfT vehicle licencing statistics, it was considered that the baseline did not need adjusted from 2011 as the difference between the two was virtually imperceptible.</p>
1.4	The design guide applies to all sites yet needs to clarify that Neighbourhood Plans will take precedence in non-strategic sites	<p>An amendment has been made at para 1.4 which now reads:</p> <p>“Numerical parking standards and any design guidance contained within Neighbourhood Plans will take precedence in Neighbourhood Planning areas, except in relation to strategic sites. The numerical car and cycle parking standards in this SPD apply to non-strategic sites where Neighbourhood Plans do not contain this information. The design guidance in this SPD applies to all new development in Guildford borough, except non-strategic sites covered by relevant policy in Neighbourhood Plans. Design guidance is provided in relation to residential and non-residential car and cycle parking spaces, garages, Electric Vehicle Charging Points (EVCPs), designated accessible parking bays, car club bays and parking for motorcycles.”</p>
1.5	The draft SPD fails to identify parking for business purposes	<p>Parking for business purposes is included in the non-residential parking standards contained within the Parking SPD, which are set at levels which aim to accommodate parking requirements for both staff, customers and suppliers. Paragraph 1.5 is introductory text which does not intend to cover all details but merely set the scene.</p>
General comment	No minimum residential parking requirement means in reality the supply of a charging point but no parking place.	<p>After the consultation on the Regulation 19 document and SPD had begun, ‘Approved Document S: Infrastructure for the charging of electric vehicles’ was published by the UK Government and will take effect on 15 June 2022. A proposed minor modification, at point 2) e) for strategic sites and at point 3) e) for non-strategic sites, states that “the provision of electric vehicle charging will provide at least the</p>

		<p>minimum requirements set out in the Parking SPD Building Regulations (Part S)”. The Approved Document states, at 1.1, “Where no associated parking spaces are provided, there is no requirement to install an electric vehicle charge point.”</p> <p>Given this minor modification to the policy, Table C1 of Appendix C in the draft Parking SPD ‘EVCP Standards for Strategic and Non-Strategic Sites’ has been removed.</p>
General comment	<p>The concept of half of a car space is bizarre and would mean parking outside the curtilage of the property for both visitors and the second or third car on adjacent road side parking.</p>	<p>Further worked examples are given in the Parking for New Development SPD to explain how the calculating of a fraction of a number is dealt with.</p>
General comment	<p>The SPD does not take account of:</p> <ul style="list-style-type: none"> <li>• The 50% of the population which do not fit the following “A fit able person and a public transport system which by implication is integrated at a cost which is affordable for a family of 4.”</li> <li>• Inability to utilise ‘active travel’ through age or infirmity</li> <li>• Inability to carry 20kg+ for 15 minutes continuously; the 15-minute community proposal</li> <li>• Those outside the 50 metres to a bus stop; the blue badge criteria.</li> <li>• The lack of ‘planned’ public transport</li> </ul>	<p>Policy ID10 and the SPD allows for a rate of residential car parking which matches current car availability. This, in turn, is reflective of differences in accessibility to key services and facilities for the area types and established travel habits. The standards combine a spatially-differentiated approach to the provision of vehicle parking for new residential developments with the focus of restraint increasing closer to Guildford town centre where opportunities for active and sustainable travel increase. The policy and SPD also support the expansion of car club vehicles within the vicinity of potential car-free developments, providing choice to those who may not own a car, or have limited public transport options/ active travel opportunities to reach their destination.</p>





## **Guildford Borough Council**

### **Parking Standards for New Development Supplementary Planning Document 2023**

### **Strategic Environmental Assessment and Habitats Regulations Assessment Determination Statement**

**The Environmental Assessment of Plans and Programmes Regulations 2004  
The Conservation of Habitats and Species Regulations 2017**

**This notice fulfils the publicity requirements in accordance with Regulations 11(1) and  
11(2) of the Environmental Assessment of Plans and Programmes Regulations 2004**

**March 2023**

**A copy of this document can be obtained from the Guildford Borough Council offices:**

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01483 444471

**If you would like this document in a different format, different language, Braille, large print or audio, please contact the Planning Policy Team on 01483 444471.**

## 1. The purpose of this document

- 1.1 This statement sets out the Council’s determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004<sup>1</sup> (“the SEA regulations”) on whether or not the Parking Standards for New Development Supplementary Planning Document (“the SPD”) is likely to have significant environmental effects.
- 1.2 It also sets out whether, under regulation 105 of The Conservation of Habitats and Species Regulations 2017<sup>2</sup> (“The Habitats Regulations”), the SPD is likely to lead to significant effects upon a European protected site and therefore requires an ‘Appropriate Assessment’.

## 2. Screening

- 2.1 The SPD was subject to SEA and HRA screening. The screening report can be seen at Appendix 1. The screening report established that the SPD is not likely to lead to significant environmental effects, and that it is not likely to lead to significant effects upon European protected habitats and accordingly does not require an Appropriate Assessment.

## 3. Consultation

- 3.1 Before making the final determination under Regulation 9 of the SEA regulations, the Council must consult with the three SEA statutory consultees: the Environment Agency, Historic England and Natural England. Before ascertaining whether or not the SPD is likely to lead to significant effects on European sites and therefore requires an Appropriate Assessment, the Council must consult with Natural England.
- 3.2 We consulted with the three bodies on the findings of the screening report in January 2023. The responses received are set out in the table below.

Consultation body	Comments
Historic England	In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA <u>is not</u> required in this instance for the reason set out in paragraph 4.11 of the Screening Report.
Environment Agency	We have no comments to make on this consultation

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<sup>1</sup> The Environmental Assessment of Plans and Programmes Regulations 2004:  
<http://www.legislation.gov.uk/uksi/2004/1633/regulation/9/made>

<sup>2</sup> The Conservation of Habitats and Species Regulations 2017:  
<http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

Consultation body	Comments
<b>Natural England</b>	<b>Strategic Environmental Assessment</b>  Due to the fact that the draft Parking SPD does not allocate sites for development or infrastructure projects, Natural England supports the conclusion of the screening that a SEA will not be required.  <b>Habitats Regulations Assessment</b>  Natural England is in agreement with the conclusion of the HRA that the Parking SPD will not give rise to significant effects on European Sites either alone or in-combination with other plans and/or projects and that given the findings of the screening assessment, it is considered that a full Appropriate Assessment is not required.

#### 4. Determination

- 4.1 The Council has determined that the SPD is not likely to result in significant environmental effects under the SEA regulations and has ascertained that the SPD will not lead to likely significant effects on a European site under the habitats regulations and, accordingly, an Appropriate Assessment is not required.
- 4.2 The reasons for making these determinations are set out in the SEA and HRA screening reports (see **Appendix 1**). Please note there are references to Policy ID11: Parking Standards for New Development in this report. The policy which the SPD supplements has now been renamed Policy ID10: Parking Standards for New Development in the adopted Local Plan: Development Management Policies.
- 4.3 These determinations were made on **7 March 2023**.

**Appendix 1: Strategic Environmental Assessment and Habitats Regulations Assessment Screening**



## **Guildford Borough Council Development Plan**

### **Parking Standards for New Development Supplementary Planning Document**

### **Strategic Environmental Assessment Screening and Habitat Regulations Assessment Screening Report**

**January 2023**

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## 1. Introduction

### The Purpose of this report

- 1.1 Guildford Borough Council has prepared a Parking Standards for New Development Supplementary Planning Document (the 'SPD'). The purpose of this report is to ascertain whether the draft SPD may have a significant effect on the environment and therefore require a Strategic Environmental Assessment ('SEA') under European Directive 2001/42/EC (the 'SEA Directive').
- 1.2 It also determines whether or not the contents of the SPD require a Habitats Regulations Assessment ('HRA') in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') and the associated Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.3 To this end, a screening exercise is undertaken which looks at the proposals in the SPD to determine whether a significant effect is likely.
- 1.4 The legislative background, set out in Section 2, outlines the regulations that stipulate the need for this screening exercise. Sections 3 and 4 provide screening assessments for the SPD which will be used to determine whether there are likely to be any significant environmental effects and a requirement for a full SEA (Environmental Report) and HRA (Appropriate Assessment).

### Habitat Regulation Assessment

- 1.5 Habitats Regulations Assessment is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 105 of the Conservation of Habitats and Species Regulations 2017.

### Strategic Environmental Assessment

- 1.6 The purpose of the SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plan that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 1.7 In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine whether a plan requires an environmental assessment. Where the Borough Council determines that SEA is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for this determination.

### Parking Standards for New Development Supplementary Planning Document



- 1.8 The purpose of the SPD is to provide guidance for planning policy contained in the Guildford Local Plan: Development Management Policies (the 'DMP') and Guildford Local Plan: Strategy and Sites 2015-2034 (the 'LPSS'). It addresses DMP Policy ID11: Parking Standards for New Development, and some elements of adopted LPSS Policy ID3: Sustainable Transport for New Development. Therefore, the document does not constitute new policy. Rather, it will be used to implement Local Plan policies ID11 and ID3. It is a material consideration when planning decisions are made and will assist those involved in the planning, design and construction of new development within Guildford borough.

## 2. Legislative background

### Habitat Regulations Assessment

- 2.1 The Habitats Regulations transpose the Habitats Directive into UK law and require HRA to be undertaken for any plan or project likely to have a significant effect upon a European protected site.
- 2.2 The Habitats Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Habitats Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales.
- 2.3 It is a requirement of Section 105 of the Habitats Regulations 2017 that "the plan-making authority for that plan must, before the plan is given effect, make an Appropriate Assessment of the implications for the site in view of that site's conservation objectives" where the plan is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) and where it is not directly connected with or necessary to the management of the site.
- 2.4 An HRA is required for a plan or project to assess the potential implications for European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:
- Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and;
  - Special Areas of Conservation (SACs) – designated by the Habitats Directive (92/43/EEC).
- 2.5 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites. Sites of Community Importance (SCIs), which are sites that have been adopted by the European Commission but not yet formally designated by the government, must also be considered.

## Strategic Environmental Assessment

- 2.6 SEA involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.
- 2.7 There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008-20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the Local Plan.
- 2.8 To establish whether the SPD is thought to have significant environmental effects and therefore require SEA to be undertaken, a Screening Process has been followed and is presented in Section 4 of this report.

## 3. Habitat Regulations Assessment Screening

### HRA Methodology

- 3.1 HRA follows a three-stage process as outlined in the Department Environment, Food and Rural Affairs and Natural England guidance "Habitats regulations assessments: protecting a European site". These stages are described below:

#### HRA Stage 1 – Screening

This process identifies the likely effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and determines whether these effects are likely to be significant.

Following the ECJ judgement in the case of “people over wind” (Case C-323/17), measures that are necessary to avoid or reduce impacts on the European site, even when considered standard environmental best-practice, cannot be taken into account at this stage.

If no likely significant effects are determined, the project or plan can proceed. If any likely significant effects are identified, stage 2 commences.

#### HRA Stage 2 – Appropriate Assessment

Stage 2 is subsequent to the identification of likely significant effects upon a European site in stage 1. This assessment determines whether a project or plan would have an adverse impact on the integrity of a European site, either alone or in combination with other projects or plans.

This assessment is confined to the effects on the internationally important habitats and species for which the site is designated (i.e. the interest features of the site). If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, stage 3 is commenced.

Where a plan or project has been found to have adverse impacts on the integrity of a European site, potential avoidance/mitigation measures or alternative options should be identified. If suitable avoidance/mitigation or alternative options are identified, that result in there being no adverse impacts from the project or plan on European sites, the project or plan can proceed. If no suitable avoidance/mitigation or alternative options are identified, as a rule the project or plan should not proceed.

### HRA Stage 3 – Derogation

In certain circumstances a proposal which has failed the integrity test can go ahead. Three legal tests must be passed for a derogation to be granted.

1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
2. The proposal needs to be carried out for imperative reasons of overriding public interest.
3. The necessary compensatory measures can be secured.

### HRA Stage 1 Screening – methodology

- 3.2 Screening is undertaken to identify the likely impacts of the SPD upon European sites, and to determine whether these impacts are likely to be significant and whether an Appropriate Assessment and Derogation (HRA stages 2 and 3) are required.

#### Deciding whether effects are “significant”

- 3.3 European case law has ruled that the question of whether an effect would be “significant” is linked to the site’s conservation objectives. Under this test:
- A “significant effect” only includes effects that would undermine a European site’s conservation objectives, for example by reducing the area or quality of protected habitat for which the site was designated, or by the disturbance or displacement of species for which the site was designated.
  - A plan or project with effects that do not impact on a European site’s conservation objectives would not be considered to be “significant” for the purpose of this decision. For example, this might be the case for low-impact temporary effects, or effects such as the loss of a small area of land which is not an interest feature of the site and has no effect, or an insignificant effect, on the habitat or species which are an interest feature.
- 3.4 The first stage, screening for HRA, will determine whether the measures in the SPD would lead to likely significant effects (LSEs) on the conservation objectives of the Natura 2000 sites. This will determine whether stages 2 and 3 of the HRA are required.
- 3.5 It is recognised that some policy ‘types’ cannot affect any European sites. Different guidance documents suggest various classification and referencing systems to help identify those policies that can be safely screened out to ensure the HRA focuses on the policies with any potential to result in LSEs.
- 3.6 Table 1 summarizes the characteristics of policies that can usually be screened out.

**Table 1. Policy “types” that can usually be screened out**

Broad Policy Type	Notes
<b>General statements of policy</b>	The European Commission recognises that plans or plan component that are general statements of policy or political aspirations cannot have significant effects
<b>General design/guidance criteria</b>	A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design)
<b>External plans/projects</b>	Plans or projects that are proposed by other plans and are referred to in the plan being assessed for completeness
<b>Environmental protection policies</b>	Policies designed to protect the natural or built environment will not usually have significant or adverse effects

### The Precautionary Principle

- 3.7 If there is uncertainty, and it is not possible, based on the information available, to confidently determine that there will be no significant effects on a site then the precautionary principle will be applied, and the plan will be subject to an Appropriate Assessment (HRA stage 2).

### HRA Screening Consultation

- 3.8 It is a requirement of the Habitat Regulations to consult the appropriate nature conservation statutory body. Consultation on the approach to this HRA screening and the information on European sites considered will be undertaken with Natural England as required by sending them this draft Screening report.

### Limitations

- 3.9 No limitations were encountered.

## HRA Screening Assessment

- 3.10 This section screens the SPD for impacts on European sites at stage 1 of the HRA process. The sites relevant to this screening assessment are:

- Thames Basin Heaths SPA
- Thursley, Ash, Pirbright & Chobham SAC

Each guidance section within the SPD has been primarily assessed against the criteria provided in the guidance prepared by Tydesley and Associates for Natural England titled, ‘The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the

Provisions of the Habitats Regulations 2006.'The analysis details are presented in Table 2 below:

**Table 2. Parking Standards for New Development SPD screening**

<b>Guidance sections</b>	<b>Guidance summary</b>	<b>Likely to have an impact</b>	<b>Why guidance will have no impact on Natura 2000 sites</b>	<b>Essential recommendations to avoid potential negative effects on European sites</b>
<b>Section A</b>	Introduction to the SPD setting out the purpose and structure of the document, including relevant national and local policies and guidance.	<b>No</b>	The information explains how to read the document, including relevant policy and does not govern the development or use of land so will not lead to development.	<b>None</b>
<b>Section B</b>	Parking Standards: Contains a description of the parking standards as well as guidance on the application of these standards.	<b>No</b>	It does not introduce new policy but does provide detail in relation to numerical car and cycle parking standards for non-strategic sites. As set in SPD, this is guidance which allows the policy to be achieved. It could have an impact on the way schemes are delivered by improving compliance with adopted policy. Further, any planning application which is received for non-residential development within 400m of the SPA or SAC would be subject to an Appropriate Assessment relevant to the individual development proposal.	<b>None</b>
<b>Section C</b>	Design Guidance: This section sets out overarching design principles which stem from best practice and which are informed by policies at national and local levels. For example, this section provides best practice guidance for the design of car parking spaces in new development, including	<b>No</b>	While this section does provide further guidance, it is closely aligned with policy so does not add any new requirements. It could have an impact on the way schemes are delivered by improving compliance with adopted policy and effective design is implemented.	<b>None</b>

	<p>dimensions of car parking spaces. It also contains advice on the design of car club spaces, designated accessible parking bays, EVCPs and provision of cycle parking.</p>			
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## HRA Screening Conclusions

3.11 None of the guidance outlined within the SPD is likely to lead to significant effects on European sites. Therefore stage 2 (appropriate assessment and ascertaining adverse impacts on site integrity) and stage 3 (derogations) of the HRA process are not considered necessary.

## 4. SEA screening

### SEA Screening Methodology

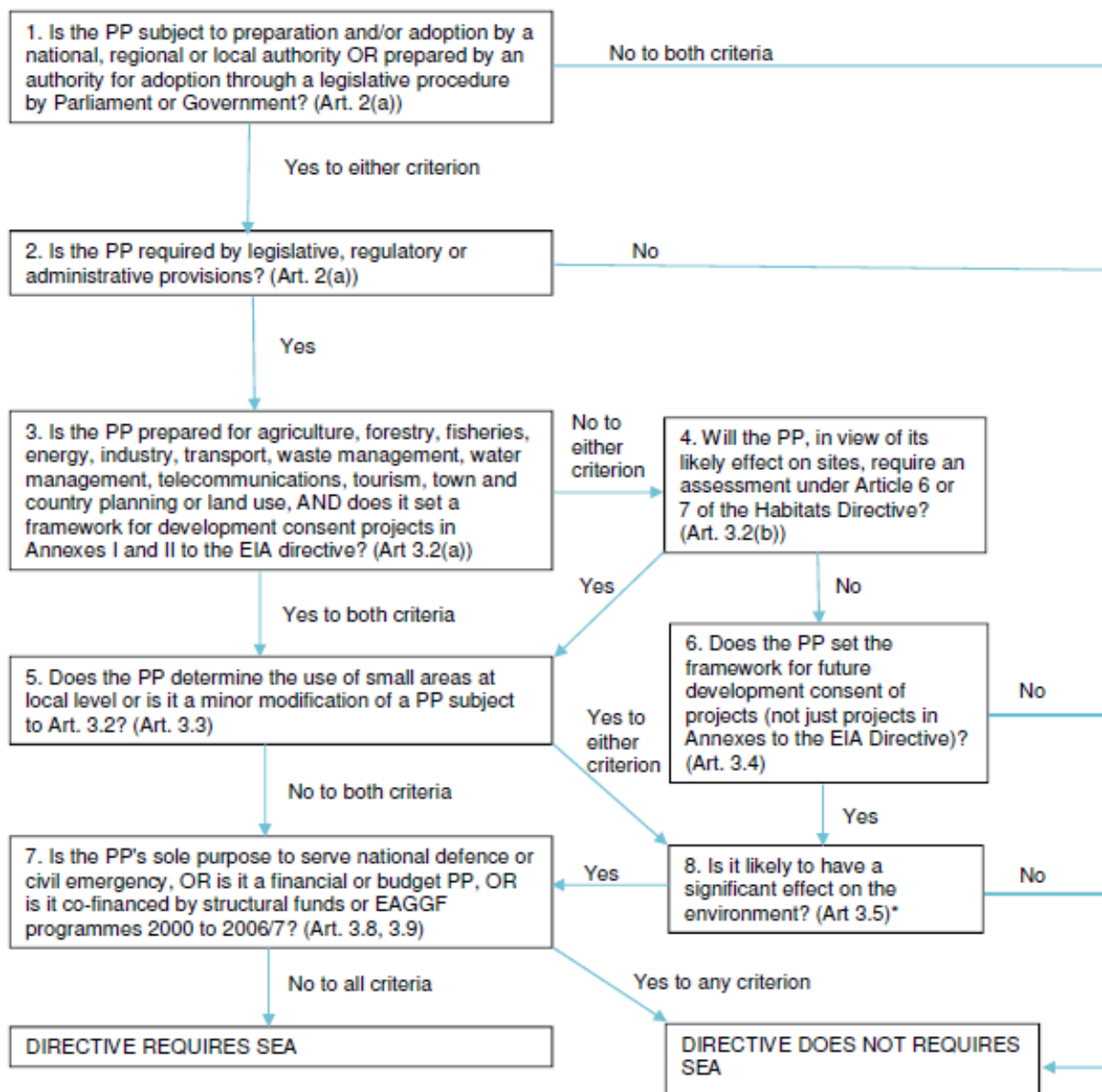


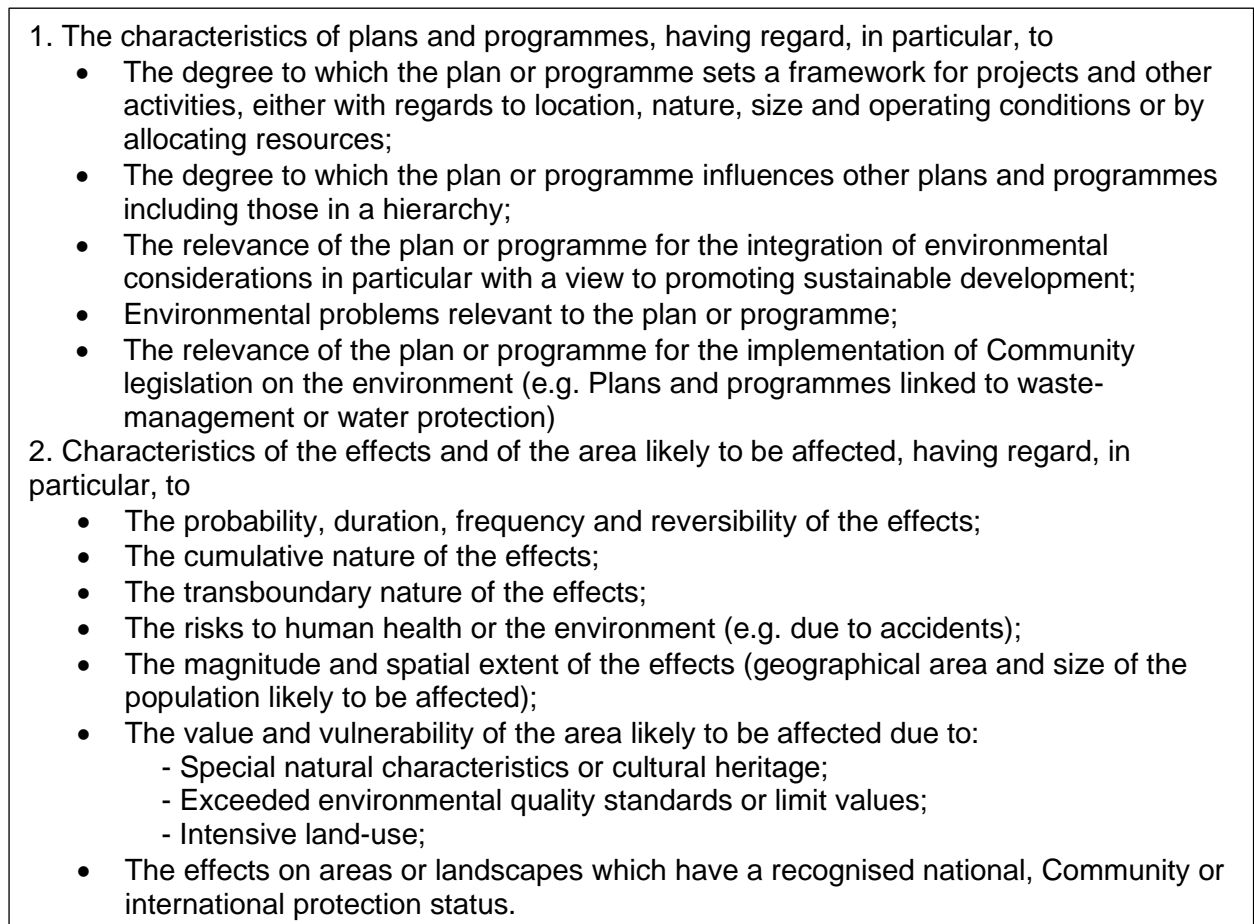
Figure 1. Application of the SEA Directive to plans and programmes (from “A Practical Guide to the Strategic Environmental Assessment Directive”, ODPM, 2005).

4.1 The screening process is based upon consideration of standard criteria to determine whether the plan or programme (in this case, the SPD) is likely to have “significant



environmental effects” and therefore require a full SEA Environmental Report. The three consultation bodies (Historic England, Environment Agency and Natural England) will be consulted to determine whether they agree with the conclusion of this screening assessment.

- 4.2 Should it be determined by the local authority and consultation bodies that a full SEA does need to be undertaken, the Council will need to undertake the Scoping stage of SEA.
- 4.3 The methodology for the SEA screening assessment is set out in A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005).
- 4.4 To establish whether an SPD requires SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. **Figure 1** sets out the screening process and how a plan should be assessed against the SEA Directive criteria.
- 4.5 Assessing the significance of the environmental effects that this SPD will have depends on the provisions within it. The criteria for assessing significance are referred to in Article 3.5 and set out within Annex II of the SEA Directive and is presented in **Figure 2**.



**Figure 2: Criteria for assessing significance**

- 4.6 The SEA screening assessment is therefore split into two parts. Part 1 runs the SPD through the questions outlined in the diagram above and includes commentary of whether the need for SEA is triggered. Part 2 further assesses stage 8, on whether there is a likely significant impact. The screening opinion takes a ‘precautionary approach’ and when it is unclear as to how the Directive may be applied it is assumed that there are possible likely

significant effects. An assessment of the characteristics of the SPD against these criteria is set out in **Tables 3** and **4** of this report.

## Part 1 – Application of the Directive to the SPD

**Table 3. Establishing the need for SEA by following the flowchart in Figure 1**

	Stage	Yes/No	Justification
1.	Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	<b>Yes</b> (proceed to Q2)	The SPD will be adopted by Guildford Borough Council and will be a material consideration in planning decisions.
2.	Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	<b>Yes</b> (Yes when 'made' so proceed to Q3)	SPDs are optional; there is no legislative or regulatory requirement to prepare them. This particular SPD has been produced primarily to supplement Policy ID11 when it forms part of the statutory Local Plan: Development Management Policies and, to a lesser extent, Policy ID3 of the adopted Local Plan: Strategy and Sites.
3.	Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	<b>No</b> Yes to both criteria (proceed to Q5)	Whilst the SPD has been prepared for town and country planning purposes, specifically for transport planning, it is a guidance document for adopted policy and does not set out new policy. The policies that the SPD supplements have been already subject to SA/SEA in the development of the respective Local Plan documents. The SPD does not set a framework for future development consent of projects in Annexes I and II – this is set by the policy.
4.	Will the PP, in view of its likely effects on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	<b>No</b>	The policies that the SPD supplements have themselves been subject to Habitats Regulations Assessment. An HRA screening is provided in this document which finds that the SPD will not lead to likely significant effects under the Habitats Directive.

5.	Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	<b>No</b>	The PP does not determine the use of small areas at local level and is not a minor modification of a PP subject,
6.	Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Yes</b>	The SPD provides further guidance to supplement policies in the respective Local Plan documents and does not constitute new policy and does therefore not set a framework. Rather, it will be used to implement existing policy.
7.	Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	<b>N/A</b>	Not applicable.
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>No</b>	The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the Local Plan. The relevant policies were subject to SEA (incorporated within the Sustainability Appraisal) through the respective Local Plan processes, and no significant effects were expected.  <b>Therefore, the SPD will not itself have any significant effects on the environment.</b>  <b>SPD does not require SEA.</b>

## Part 2 – Likely significant effects on the environment

4.7 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the SPD would trigger the need for a full assessment.

**Table 4. Assessing Likely Significant Effects (LSE)**

SEA Directive Criteria	Yes/No	Justification
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
a) The degree to which the plan or programme sets a framework for projects and other activities, either with	No	The SPD will not set a framework for other projects or activities. It will provide additional guidance on existing and emerging policies within the respective

regard to the location, nature, size and operating conditions or by allocating resources		Local Plan documents that have been subject to SEA (concluding no significant effects expected)
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The Local Plan documents provide the adopted policies which the SPD will supplement. The SPD only expands and provides guidance on the policies within the Local Plan, and does not introduce new policy. The SPD will be at the bottom of the hierarchy and will have no influence on the documents above it.
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The SPD will contribute to sustainable development by providing more detail and guidance to support the policies within the Local Plan. The policies within the Local Plan are not expected to have any significant effects on the environment. Car parking standards cater for presently observed car availability levels in terms of residential car parking however these are set as maximums for non-residential development and urban residential development. Cycle parking standards are set as minimum standards, and there are criteria set out to deliver high quality low- car and car-free development. In this context, the new standards will make an important contribution realising sustainable development, in accordance with the strategy set out in the Local Plan.
d) Environmental problems relevant to the plan or programme	No	The policies within the Local Plan that the SPD supplements are not expected to have any significant effects on the environment, this includes with respect to air quality. The DMP SA/SEA expects overall positive benefits to arise from the specific policies related to transport.
e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	No	The SPD is not directly relevant to the implementation of EC legislation such as waste management or water protection.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) The probability, duration, frequency and reversibility of the effects	No	The anticipated effects on the sustainability of the borough are expected to be positive. The duration of the effects is difficult to define; the effects will be linked to a planning permission which

		is (usually) permanent unless superseded by a subsequent permission on the same site.
b) The cumulative nature of the effects	No	The DMP SA/SEA expects overall positive benefits to arise from the specific policies related to transport.
c) The transboundary nature of the effects	No	No significant transboundary effects are expected.
d) The risks to human health or the environment (e.g. due to accidents)	No	The SPD does not create any significant risks to human health or the environment.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The SPD will not have significant environmental effects across or outside of this geographical area.
f) The value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage, (ii) exceeded environmental quality standards or limit values, (iii) intensive land-use,	No	The anticipated effects on the sustainability of the borough are expected to be positive by providing guidance to support policies to facilitate proportionate levels of vehicular parking in new development in the borough as well as encouraging well designed parking and promoting sustainable alternatives to the private vehicle. The SPD does not in itself allocate any land for development and therefore significant effects on natural characteristics and cultural heritage are unlikely as are significant effects on air quality, water availability/quality and intensive land use.
g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The anticipated effects on the sustainability of the borough are expected to be positive by providing guidance to support policies to facilitate the long-term delivery of proportionate vehicular parking as well as encouraging well designed parking which does not dominate the landscape.
Part 2 Overall Conclusion The	<i>The SPD is unlikely to have significant effects on the environment.</i>	

## SEA screening conclusions

4.8 The emerging Local Plan: Development Management Policy ID11 and the adopted Local Plan Policy ID3, that the SPD supports, have themselves been subject to Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). As the SPD only provides guidance for these policies, it will not alter the conclusions reached in the Local Plan SA/SEA.

- 4.9 The SPD does not set out new policy.
- 4.10 Applying the guidance set out in “A Practical Guide to the Strategic Environmental Assessment Directive”: Assessment Part 1 (table 3) concludes that the SPD Does Not Require SEA, whilst assessment Part 2 (table 4) concludes that there is No Significant Environmental Effects.
- 4.11 On this basis, and taking account of the SA/SEA undertaken at a higher level through preparation of the Local Plan and the effects expected, Guildford Borough Council concludes that the SPD does not require a full SEA to be undertaken.

## 5. HRA and SEA Screening Consultation

- 5.1 Guildford Borough Council is required to consult with Historic England, the Environment Agency and Natural England on all SEA screening opinions, and with Natural England on all HRA screening opinions, before formally determining whether a strategic environmental assessment and/or HRA appropriate assessment is needed. The conclusions outlined in this document will be sent to the Environment Agency, Natural England and Historic England for consideration and their responses will be included in the final SEA and HRA screening report.
- 5.2 Once the consultation period with the consultation bodies is over, a determination will be made and a statement of reasons will be written and made available. A notice of the determination will be available for public access within 28 days of the date of the determination (in line with SEA Regulation 11). The determination statement will set out the Council's determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the SPD. It will also set out the Council's determination under the Habitats Regulations on whether or not an appropriate assessment is required.

## 6. Background Documents

- The Conservation of Habitats and Species Regulations 2017. Available at: <http://www.legislation.gov.uk/ukxi/2017/1012/contents/made>.
- Designated Sites Natural England. Available at: <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>
- The Environmental Assessment of Plans and Programmes Regulations 2004. Available at: <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>
- Tyldesley and Associates - prepared for Natural England Guidance - The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations 2006.
- Habitats regulations assessments: protecting a European site guidance. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>