



Contact Officer:

Sophie Butcher, Democratic Services
Officer

5 September 2023

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 13 SEPTEMBER 2023** at **7.00 pm**.

Whilst Committee members and key officers will be in attendance in person for the meeting, registered speakers as well as ward councillors registered to speak, may also join the meeting via MSTeams. Ward Councillors, please use the link in the Outlook Calendar invitation. Registered speakers will be sent the link upon registration. If you lose your wi-fi connectivity, please re-join using the telephone number +44 020 3855 4748. You will be prompted to input a conference ID: 332 338 971 601#.

Members of the public may watch the live webcast here:

<https://guildford.publici.tv/core/portal/home>

Yours faithfully

Tom Horwood
Joint Chief Executive

MEMBERS OF THE COMMITTEE

Chairperson: Councillor Fiona White
Vice-Chairperson: Councillor Vanessa King

Councillor Bilal Akhtar	Councillor George Potter
Councillor David Bilbe	Councillor Maddy Redpath
Councillor Lizzie Griffiths	Councillor Joanne Shaw
Councillor Stephen Hives	Councillor Howard Smith
Councillor James Jones	Councillor Cait Taylor
Councillor Richard Mills	Councillor Sue Wyeth-Price
Councillor Patrick Oven	

Authorised Substitute Members:

Councillor Sallie Barker MBE	Councillor Catherine Houston
Councillor Phil Bellamy	Councillor Bob Hughes
Councillor Joss Bigmore	Councillor Richard Lucas
Councillor James Brooker	Councillor Merel Rehorst-Smith
Councillor Philip Brooker	Councillor Jane Tyson
Councillor Ruth Brothwell	Councillor James Walsh
Councillor Amanda Creese	Councillor Keith Witham
Councillor Jason Fenwick	Councillor Catherine Young
Councillor Matt Furniss	

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

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

Our Mission:

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

Our Values:

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

Our strategic priorities:

Homes and Jobs

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

Environment

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

Community

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

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

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

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

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

3 MINUTES (Pages 19 - 36)

To confirm the minutes of the meeting of the Committee held on 16 August 2023 as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 37 - 38)

All current applications between numbers 22/P/00461 and 23/P/00835 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

- 5.1 **22/P/00461 - Little Acre, Old Rectory Lane, East Horsley, Leatherhead, KT24 6QH** (Pages 39 - 62)
- 5.2 **22/P/01409 - Land at Hurst Farm, Chapel Lane, Milford, GU18 5HU** (Pages 63 - 114)
- 5.3 **23/P/00835 - Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG** (Pages 115 - 144)

6 PLANNING APPEAL DECISIONS (Pages 145 - 152)

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

WEBCASTING NOTICE

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

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

NOTES:

Procedure for determining planning and related applications:

1. A Planning Officer will present the Officer's Report by sharing the presentation on Microsoft Teams as part of the live meeting. Copies of all the presentations will be loaded onto the website to view and will be published on the working day before the meeting. Planning officers will make it clear during the course of their presentation which slides they are referring to at all times.
2. Members of the public who have registered to speak may then attend in person to address the meeting in accordance with the agreed procedure for public speaking (a maximum of two objectors followed by a maximum of two supporters). Alternatively, public speakers may join the meeting remotely. In these circumstances, public speakers will be sent an invite by the Democratic Services Officer (DSO) via Microsoft Teams to attend online or via a telephone number and conference ID code as appropriate to the public speaker's needs. Prior to the consideration of each application which qualifies for public speaking, the DSO will ensure that those public speakers who have opted to join the meeting online are in remote attendance. If public speakers cannot access the appropriate equipment to participate, or owing to unexpected IT issues experienced they cannot participate in the meeting, they are advised to submit their three-minute speech to the DSO by no later than midday the day before the meeting. In such circumstances, the DSO will read out their speech.
3. The Chairman gives planning officer's the right to reply in response to comments that have been made during the public speaking session.
4. Any councillor(s) who are not member(s) of the Planning Committee, but who wish to comment on an application, either in or outside of their ward, will be then allowed to speak for no longer than three minutes each. It will be at the Chairman's discretion to permit councillor(s) to speak for longer than three minutes. Non-Committee members should notify the DSO, in writing, by no later than midday the day before the meeting of their wish to speak and send the DSO a

copy of their speech so it can be read out on their behalf should they lose their wi-fi connection. If the application is deferred, any councillors who are not members of the Planning Committee will not be permitted to speak when the application is next considered by the Committee.

5. The Chairman will then open up the application for debate. The Chairman will ask which councillors wish to speak on the application and determine the order of speaking accordingly. At the end of the debate, the Chairman will check that all members have had an opportunity to speak should they wish to do so.
 - (a) No speech shall be longer than three minutes for all Committee members. As soon as a councillor starts speaking, the DSO will activate the timer. The DSO will advise when there are 30 seconds remaining and when the three minutes have concluded;
 - (b) No councillor to speak more than once during the debate on the application;
 - (c) Members shall avoid repetition of points made earlier in the debate.
 - (d) The Chairman gives planning officer's the right to reply in response to comments that have been made during the debate, and prior to the vote being taken.
 - (e) If, during the debate on an application, it is apparent that Committee members do not support the officer's recommendation, the Chairman shall ask if any Committee member wishes to propose a motion contrary to the officer's recommendation, subject to the proviso that the rationale behind any such motion is based on material planning considerations. Any such motion must be seconded by another Committee member.
 - (f) Where such a motion proposes a refusal, the proposer of the motion shall be expected to state the harm the proposed development would cause in planning terms, together with the relevant planning policy(ies), where possible, as the basis for the reasons for refusal. In advance of the vote, the Chairman shall discuss with the relevant

officers, the proposed reason(s) put forward to ensure that they are sufficiently precise, state the harm that would be caused, and refer to the relevant policy(ies) to justify the motion. The Committee shall take a separate vote on each proposed reason for refusal, following which the Committee shall take a vote on the motion to refuse the application based on all of the agreed reasons.

(g) Where such a motion proposes approval, the proposer of the motion shall be expected to state why the proposed development would be acceptable in planning terms, together with the relevant planning policy(ies), where possible. In advance of the vote, the Chairman shall discuss with the relevant officers the proposed reason(s) put forward to ensure that the planning reason for approval is sufficiently precise to justify the motion. In addition, the Committee shall discuss and agree the substance of the planning conditions necessary to grant a permission before taking a vote on the motion to approve.

(h) Where such a motion proposes deferral, (for example for further information/advice) the Committee shall discuss and agree the reason(s) for deferring the application, before taking a vote on the motion to defer.

(i) If the motion is not seconded, or if it is not carried, the Chairman will determine whether there is an alternative motion and, if there is not, the Chairman will move the officer's recommendation and ask another Committee member to second the motion. That motion will then be put to the vote.

(j) A simple majority vote is required for a motion to be carried. In the event of a tied vote, the Chairman will have a second, or casting vote. The vote may be taken by roll call, a show of hands or, if there is no dissent, by affirmation.

6. Unless otherwise decided by a majority of councillors present and voting at the meeting, all Planning Committee meetings shall finish by no later than 10:30pm. Any outstanding items not completed by the end of the meeting shall be adjourned to the reconvened or next ordinary meeting of the Committee.

7. In order for a planning application to be referred to the full Council for determination in its capacity as the Local Planning Authority, a councillor must first with a seconder, write/email the Democratic Services and Elections Manager detailing the rationale for the request (the proposer and seconder does not have to be a planning committee member). The Democratic Services and Elections Manager shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. The matter would then be placed as an agenda item for consideration at the next Planning Committee meeting. The proposer and seconder would each be given three minutes to state their case. The decision to refer a planning application to the full Council will be decided by a majority vote of the Planning Committee.

GUIDANCE NOTE For Planning Committee Members

Probity in Planning – Role of Councillors

The Court of Appeal has held that Planning Committees are not acting in a judicial or quasi-judicial role when deciding planning applications but “in a situation of democratic accountability”. Planning Committee Members **must** therefore:

1. act fairly, openly and apolitically;
2. approach each planning application with an open mind, avoiding pre-conceived opinions;
3. carefully weigh up all relevant issues;
4. determine each application on its individual planning merits;
5. avoid undue contact with interested parties;
6. ensure that the reasons for their decisions are clearly stated and
7. consider the interests and well-being of the whole borough and not only their own ward.

The above role applies also to councillors who are nominated as substitutes to the Planning Committee.

Reason for Refusal

How a reason for refusal is constructed.

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

When formulating reasons for refusal Members will need to:

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

Example

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

Reason for Approval

How a reason for approval is constructed.

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

Example:

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

Reason for Deferral

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

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

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

NOTES:

Officer's Report

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

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

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

Written Representations

Copies of representations received in respect of the applications listed are available for inspection by Councillors online via the planning portal: <https://publicaccess.guildford.gov.uk/online-applications/>.

Late representations will be summarised in a report which will be circulated at the meeting.

Planning applications and any representations received in relation to applications are available for inspection at the Planning Services reception by prior arrangement with the Executive Head of Planning Development. This information is also available online via the planning portal: <https://publicaccess.guildford.gov.uk/online-applications/>

Background Papers

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

- The Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and other current Acts, Statutory Instruments and Circulars as published by the Department for Communities and Local Government (CLG).

- Guildford Borough Local Plan: Strategy and Sites 2015-2034.
- Emerging Local Plan Development Management Policies
- The South East Plan, Regional Spatial Strategy for the South East (May 2009).
- The National Planning Policy Framework (NPPF) (March 2012)
- The Town and Country Planning (General Permitted Development) Order 1995, as amended (2010).
- Consultation responses and other correspondence as contained in the application file, together with such other files and documents which may constitute the history of the application site or other sites in the locality.

Human Rights Act 1998

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

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

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

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

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

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public

authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

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

3 Article 14: prohibition from discrimination

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

4 Article 1 Protocol 1: protection of property;

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

5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

Councillors should take account of the provisions of the 1998 Act as they relate to the applications on this agenda when balancing the competing interests of the applicants, any third party opposing the application and the community as a whole in reaching their decision. Any interference with an individual's human rights under the 1998 Act/ECHR must be just and proportionate to the objective in question and must not be arbitrary, unfair or oppressive. Having had regard to those matters in the light of the convention rights referred to above your officers consider that the

recommendations are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Costs

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

However, where:

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

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

evidence has been produced in support of the others a partial award may be made against the authority. Further advice can be found in the *Department of Communities and Local Government Circular 03/2009* and now *Planning Practice Guidance: Appeals paragraphs 027-064 inclusive*.

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PLANNING COMMITTEE

- * Councillor Fiona White (Chairperson)
- * Councillor Vanessa King (Vice-Chairperson)

- | | |
|-----------------------------|------------------------------|
| Councillor Bilal Akhtar | * Councillor George Potter |
| * Councillor David Bilbe | * Councillor Maddy Redpath |
| Councillor Lizzie Griffiths | * Councillor Joanne Shaw |
| * Councillor Stephen Hives | * Councillor Howard Smith |
| * Councillor James Jones | * Councillor Cait Taylor |
| * Councillor Richard Mills | * Councillor Sue Wyeth-Price |
| * Councillor Patrick Oven | |

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Bilal Akhtar and Lizzie Griffiths. Councillors Bob Hughes and Catherine Houston attended as substitutes respectively.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Councillor Pat Oven declared a non-pecuniary interest in applications 22/P/01742, 23/P/00473 and 23/P/00606 owing to the fact that he had recently become a member of the AONB Partnership Board. This would not affect his objectivity in the consideration of these applications and had an open mind.

Councillor Sue Wyeth-Price declared a non-pecuniary interest in application 21/P/01211 – Land at May and Juniper Cottages, Ash Green Road, Ash, Guildford, GU12 6JH. This was owing to the fact that up until 2019, she was Chairperson of Ash Green Resident’s Association (AGRA). In 2019, Sue stepped down from this position and had not attended any further meetings of AGRA. This would not affect her objectivity in the consideration of this application and had an open mind.

PL3 MINUTES

The minutes of the Planning Committee meetings held on 10 and 19 July 2023 were agreed and signed by the Chairman as a true and accurate record.

PL4 ANNOUNCEMENTS

The Committee noted the Chairman's announcements.

PL5 23/P/00473 - UNIT 3A, KINGS COURT, BURROWS LANE, GOMSHALL, SHERE, GUILDFORD, GU5 9QE

The Committee considered the above-mentioned full application for change of use of part of building (Use Class E) to two x 1 bedroom flats (C3) including minor fenestration changes and associated minor external alterations.

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

- Mrs Jane Dent (to object);
- Mrs Kim Graham (to object) and;
- Mr Luke Margetts (applicant) (In Support)

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The site was located within the Green Belt, and was outside of the settlement area. It was also within an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). It was located on the western side of Burrows Lane to the south of the village.

The site was comprised of a recently constructed new development, made up of four detached buildings, comprised of eight units all with commercial use, with the exception of unit 2 which had a work/live unit. Unit 3c had also recently obtained planning permission for conversion into two residential flats. The wider King's Court site was surrounded on all sides by residential dwellings, including Meadowside and Mill Cottage and adjoined the western boundary of the site. Unit 3A was set within the largest building on the site. There was existing parking along the eastern boundary and between the buildings.

Planning officers were satisfied that comprehensive marketing of the units, in its current commercial use had been carried out for over 12 months, in line with the requirements of policy E3 of the Local Plan. The units were completed over two years ago and had been on the market for four years.

It was the planning officers view, that the proposal would result in the re-use of an existing building and therefore would not result in inappropriate development

within the Green Belt. The proposal would deliver a net increase of 2-one bedroom dwellings in a sustainable location. It had been demonstrated that comprehensive marketing of the property has been carried out and the loss of the employment unit had been sufficiently justified. Planning officers considered that the proposal would not harmfully affect the character or appearance of the site or surrounding area, would not materially impact on neighbouring amenity and would not give rise to conditions prejudicial to highway safety. The application was therefore recommended for approval, subject to the conditions as set out.

The Chairman permitted Councillor Bob Hughes to speak in his capacity as ward councillor for three minutes. [Councillor Hughes left the meeting after giving his speech so that he was not party to the debate or decision made]. The Committee noted concerns raised that there was insufficient parking available for the proposed flats, given that the site was full of vehicles for businesses already in use. The track to the six bungalows was frequently used for parking and access impeded, particularly affected was the property called Meadowside. If the Committee was minded to approve the application then clear and enforceable conditions needed to be in place regarding parking.

The Committee discussed the application and queried comments made by public speakers about roof lights and if there was condition about not installing external lighting. The Committee noted concerns raised regarding the lack of electric vehicle charging points onsite and the fact the parking was mixed between residential and business use which was unusual. Sustainable transport solutions were not apparent in the local area. In addition, the site had a sign up requesting that visitors reversed into the site, when for safety reasons, vehicles should be able to drive in and out of the site in forward gear.

The Committee noted comments made that the site had a reasonable layout and scale for commercial office development. However, housing did appear inappropriate, with windows facing brick walls and a range of viewing lines that were clearly intrusive to other properties. However, given that one of the other units had already been approved to be turned into flats, a precedent had been set.

In response to queries raised by the Committee, the Senior Planning Officer, Katie Williams confirmed that in relation to roof lights, reference was actually made to roof windows. The condition was relating to actual lighting which could be fixed to the outside and was being restricted as much as possible owing to the rural location. In relation to electrical charging units, these had not yet been installed but were required by condition 5. The proposed parking spaces were to be

positioned along the edge of the site as it would be easier to get the chargers in situ there. In terms of the parking plan, it was important to point out that two one bed flats would result in a lesser demand for parking compared to business use. In terms of a sustainable location, it was fairly close to Gomshall. Whilst it was accepted that there was not a footpath linking the site, it was a rural lane, there was provision for cycle parking and use. Lastly, in relation to a potential precedent being set, by the fact that a unit had already been granted onsite for residential use, the Joint Executive Head of Planning, Claire Upton-Brown confirmed that it was a material consideration, but that it didn't mean of itself that the Committee was obliged to accept a further change of use if there were good planning grounds to resist that change of use.

Further comments were noted that the principle objections raised seemed to be in relation to the building itself rather than to its change of use. A distinction could be drawn between unit 3A and 3C. 3A overlooked Meadowside considerably. However, both units had roofs at similar inclines, served by velux rooflights, however you could not see into the building. The provision of two small flats was welcomed and much needed.

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

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

RESOLVED to approve application 23/P/00473 subject to the conditions and reasons as detailed in the report and updated conditions 2 and omitted 10.

RECORDED VOTE LIST				
		FOR	AGAINST	ABSTAIN
1	Vanessa King	X		
2	Joanne Shaw	X		
3	Sue Wyeth-Price	X		
4	David Bilbé	X		
5	Patrick Oven	X		
6	Cait Taylor	X		
7	James Jones	X		
8	George Potter	X		
9	Stephen Hives	X		
10	Howard Smith	X		
11	Fiona White	X		
12	Maddy Redpath	X		
13	Catherine Houston	X		
14	Richard Mills	X		
	TOTALS	14	0	0

PL6 23/P/00606 - ABINGER FIELD, SUTTON PLACE, ABINGER HAMMER, DORKING, RH5 6RP

The Committee considered the above-mentioned full application for erection of an outbuilding (retrospective application).

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

- Mr and Mrs Trotman (to object) (Democratic Services Officer to read on their behalf);
- Mrs Suzanne Woods (to object) and;
- Ms Hannah Staples (Planner) (in support)

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The application sought retrospective planning permission for the erection of an outbuilding that was previously granted planning permission under application 20/P/01850 for a detached outbuilding following the demolition of two existing outbuildings. However, the building that had been constructed on site was slightly different from the plans approved under the 2020 consent. This application subsequently sought retrospective consent for the building as constructed onsite.

The site was located within the Green Belt, within the Surrey Hills AONB and within an Area of Great Landscape Value (AGLV). The site was located in a rural area comprised of open fields and detached dwellings lining the road. The site itself was comprised of a detached two storey dwelling with an outbuilding which was the subject of this application. The two outbuildings previously onsite had now been demolished. The total floor area of those buildings equated to 40sqm. The maximum height of the elevations of the approved scheme to the ridge height was 4.3 metres, 10.2 metres in length and 4.7 metres in width. The floor plan of the approved scheme was 45sqm. The built out scheme had a very similar length and width as required per the approved scheme and the ridge height was 300mm less. The design and detailing had also been simplified compared to the approved scheme in design, incorporating a pitched roof and traditional materials to match the main dwelling in keeping with the rural character of the surroundings.

In conclusion, it was the planning officers view that paragraph 149d of the NPPF set out that within the Green Belt, the replacement of a building was not inappropriate development, providing the new building was in the same use and not materially larger than the one it replaced. This building replaced a previously existing ancillary garage building which stood in a similar position on the site. The outbuilding previously approved, resulted in a 50% increase in floor area from the previously existing outbuilding. This retrospective proposal would result in a further 13% increase, resulting in a total uplift of 63% in floor area from the previously existing outbuilding. However, the floor area of the proposed outbuilding would only be 5sqm greater than the approved scheme and 300mm less in overall height and of a very similar length and width. Furthermore, the approved scheme also incorporated the demolition of another previously existing timber outbuilding located towards the rear of the site which had resulted in an improvement in openness at the rear of the site. As a result, it was considered that in this instance, very special circumstances existed that would outweigh the identified harm to the Green Belt. No objections were raised with regard to the character of the area, the AONB, neighbouring amenities or on sustainability factors. The application was therefore recommended for approval.

The Committee discussed the application and queried that if it were refused what would be the consequences for the already built out proposal? The Joint Executive Head of Planning Development, Claire Upton-Brown confirmed that the applicant would have the right of appeal against refusal. However, in the absence of such an appeal, an enforcement notice would be served to require demolition of the existing structure.

The Committee noted that permission had been granted for a replacement outbuilding with a floor area of 45sqm and had been constructed with a floor area of 49sqm. In the report it alluded to the building being replaced by a single outbuilding with a floor area of 39sqm. The Committee queried if an error had been made in the report of 39sqm as that represented a bigger increase overall from the approved scheme. In making the calculations, the planning officer referred to a single outbuilding as regards the 2020 application which led to a 50% increase. In going on to consider the new application, the planning officer considered not only the one outbuilding that was demolished but also the second outbuilding. Either the second outbuilding was not relevant or if it was relevant it had to be relevant for both purposes.

The Senior Planning Officer confirmed that in terms of the outbuildings that had been demolished, there were two. One was 30sqm and the second was 10sqm. A typographical error had occurred in the report and it should have read 30sqm on page 186. In terms of the previous application, it was felt that they had to look at the single outbuilding that was being replaced like for like. It wasn't needed to take into account the other outbuildings because it was felt that the percentage uplift in floor area wasn't too great and could be satisfied in policy terms. However, because this proposal incorporates an enlarged floor area compared to the previous scheme, that was why the second outbuilding had been brought into the equation as the consideration for very special circumstances.

The Committee considered further comments that the harm caused to the Green Belt was not outweighed by virtue of the building proposed and built out and should be refused. The Committee queried whether additional windows had been added to the scheme which was confirmed by the senior planning officer, that this was not the case. The Committee noted comments made that the replacement building was not a garage and had yet replaced a garage and should therefore be a like for like replacement?

The Joint Executive Head of Planning Development, Claire Upton-Brown confirmed that the fact the replacement building was not a garage did not mean it was unacceptable in planning terms. The Committee was being asked to consider a retrospective application for an ancillary building in the curtilage of a dwelling. The Committee was not being asked to approve another dwelling and therefore speculation over what that building would be used for was not necessary.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Catherine Houston	X		
2	Howard Smith	X		
3	Vanessa King	X		
4	Stephen Hives	X		
5	Sue Wyeth-Price	X		
6	David Bilbé	X		
7	James Jones	X		
8	Richard Mills	X		
9	Fiona White	X		
10	Bob Hughes		X	
11	Patrick Oven		X	
12	Cait Taylor		X	
13	Maddy Redpath	X		
14	George Potter		X	
15	Joanne Shaw	X		
	TOTALS	11	4	0

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

RESOLVED to approve application 23/P/00606 subject to the conditions and reasons as detailed in the report.

PL7 21/P/01211 - LAND AT MAY AND JUNIPER COTTAGES, ASH GREEN ROAD, ASH, GUILDFORD, GU12 6JH

The Committee considered the above-mentioned reserved matters application pursuant to outline permission 18/P/02308, approved on 18/02/2020, to consider appearance, landscaping, layout and scale in respect of the erection of 93 dwellings.

The Committee noted that the application had been deferred at its meeting on 19 July in order for members to undertake a site visit which was held on Tuesday 15 August.

The Committee received a presentation from the Senior Planning Officer, Peter Dijkhuis. The site was located within the urban boundary. Orchard Farm was located nearby and subject to a public hearing for which the Inspector's decision

was yet to be issued. Streamside was another site that had been refused by the Planning Committee and Foreman Road was being discussed currently with a planning officer to come forward. The Ash Manor Site had gone to a public hearing and was refused. The applicant of that site had initiated a planning performance agreement to look at the application. Ash Road Bridge was now under construction which would enable the crossing of the railway line.

The Committee noted the existing planting along Ash Green Road and the beginnings of the ancient woodland and hedge planting between the site and adjacent site. The hedgerow and planting, some of which were TPO registered trees also screened Ash Manor, which was a Grade II listed building.

To the east, the boundary planting formed part of the ancient woodland, and the demarcation would be set back from the woodland. It was formed of mature screening, allowing little visibility between it and the adjacent site. To the north-east the railway line ran level with the site. To the western boundary there were open fields towards Ash Manor. The applicant proposed additional supplementary planting along the boundary which would be controlled by condition. This would create an open green space and protection to the views towards the listed building and heritage asset. The existing sand school onsite had been demolished along with the barn related to that activity. The existing access onto the site would be closed with a new access further north. The level of vegetation varied on either side of the road going from Juniper Cottages northwards there was hedge planting with very mature trees that covered the road which then broke into ancient woodland that abutted the road.

The site was allocated as part of A31 of the Local Plan. A30 and A29 sites of the Local Plan had already been built out. The urban boundary ran along the road over the old railway line, along Ash Green and then back into the scheme. The Strategic Development Framework was supplementary to Policy A31 and should be seen as illustrative leading to the preparation of masterplans.

The Inspector's decision in relation to Policy A31 required that the applicant would provide a green buffer along Ash Green Road and surround May and Juniper Cottages. However, the width of that buffer had not been defined by policy. It was important to note that access and highways matters had already been determined at the outline application stage. This reserved matters application was only to consider layout, scale, appearance and landscaping.

In terms of layout, at the northern boundary there was housing with back and rear gardens facing onto the railway line. Additional screen planting was proposed to address issues of noise. To the eastern boundary, the ancient

woodland and mature tree planting would be retained and a 15-metre buffer between the trees and the development would be created. This would also be protected by a 1.2 metre timber fence to ensure the protection of the tree root area. To the western boundary a green treed hedgerow would be maintained to protect the setting of the listed building. To the left of the hedgerow, the area had been opened up with a footpath so to create amenity space and a landscape attractive to the setting of the new scheme. The applicant had used the frontage line of May and Juniper cottages to create a line across the scheme to offset the seven houses proposed to face onto Ash Green Road. The existing mature tree line would be retained along with a new entrance and extensive landscaping to reinstate the green buffer that was of concern at the last planning committee meeting when this was discussed in July. The applicant had also created a small village green in the centre of the scheme and an extensive area of open space in the bottom south-west corner so to address setting back the development from any potential harm it might do to listed buildings.

The affordable housing and shared ownership units were scattered throughout the scheme. Approximately 160 allocated car parking spaces would be created with an additional 25 garage spaces. The scheme did not completely comply with parking standards but that was because the scheme was devised recognising the provision of garage spaces. 11 visitor spaces would also be provided, EV charging points and cycle spaces all secured by condition.

In terms of scale and appearance, the Committee noted a visual indication of the design and appearance of the proposed dwellings. The streetscene showed a typical two-storey development with small front gardens, pitched roofs and indicative chimneys that would not be functional. A variety of building materials would be used creating visual interest. The one, two and three bedroom houses were virtually indistinguishable from each other creating an overall coherent and visual appearance to the scheme. The provision of adequate landscape screening to the boundary with the railway line and the properties located there was ongoing.

The buildings would use a palette of materials and detailing that was reflective of a country style facing the public realm and garage spaces to hide the cars. The scale of the housing was proportionate with similar buildings along Ash Green Road.

In terms of landscaping, the applicant would ensure the protection of existing TPO trees along the western boundary as well as the existing mature trees along Ash Green Road. A condition had been included to ensure the protection of the

trees during the construction phase and the Council's Tree Officer had raised no objections.

The Committee had deferred the consideration of this application at its last meeting in July so to undertake a site visit and understand the extent of the green buffer to be implemented and the weight attached to it. Typically most new schemes would have back gardens of a depth of between 10-12 metres and in this scheme the depth proposed was 18 metres and between the proposed units and Juniper Cottage was 30 metres. The setback was 10 metres between the cottages and units 80 and 81. The area between the buildings would be landscaped to ensure the privacy of Juniper Cottages.

In relation to concerns raised about the green buffer between the scheme and the road, the applicant would ensure that the trees were maintained with additional plant screening. In response to a suggestion made at the site visit by Councillor Potter, that the access point would in effect create a gap in the screening between the development and Ash Green Road. The applicant had confirmed that they would be prepared to remove the junction in its totality and introduce additional screening in that gap. This would be secured via a pre-commencement condition that had not yet been concluded. The applicant had also made various suggestions to address the concerns of the nature of the green buffer and its width and had agreed to include additional landscaping to discharge that concern and improve the screening and the aspect of coalescence between the two schemes. A concern had also been raised by the resident of May Cottage regarding the location of the substation which was proposed to be sited at the property's boundary fence. The applicant had also agreed to remove it from that location.

The width of the landscaped area varied between 6-9 metres and overall the buildings proposed were set back 9 metres. Whilst a small estate road would exist in front of these units, the landscaped area with the additional proposals would address that concern of screening those buildings from Ash Green Road. The front of the development would have an open character that was fitting of the transition zone between an urban development and rural area to the east of the scheme.

The Committee noted that the principle of development had already been established under the outline planning application. The application was consistent with current development plan policies and was in accordance with the development plan as a whole. There was some conflict with Policy ID10 and parking standards which had now been addressed, in terms of additional

landscaping to the green buffer. The application was therefore recommended for approval.

The Committee discussed the application and noted that there had been several incidents and accidents along Ash Green Road. Owing to concerns about road safety, it was requested that Claire Upton-Brown, Joint Director of Planning, to submit on behalf of the Council a request to Surrey County Council to reduce the speed limit along that road to 20mph, which was agreed to.

The Committee also noted concerns raised that the applicant had effectively been given a second chance to address issues raised by the Committee and residents regarding closing off the access road and creating a buffer in its place. The residents had not had the opportunity to be consulted on this.

The Joint Director of Planning, Claire Upton-Brown confirmed that it was within the applicants gift to submit further details or amendments to their schemes during the life of an application. Following the feedback received at the site visit the day before and the concerns raised at the last committee meeting, Claire and Peter had approached the applicant to resolve the issues. The matters would always be dealt with via a S106 and conditions. It was also good planning practice to have reached an agreement with the applicant to address problems raised, by closing off the access road and re-siting the sub-station. The Committee also noted comments of support for the planning officer's in trying to resolve the issues raised with the applicant.

The Committee noted concerns that the volume of the houses as well as the scale also needed to be taken into account. The proposed site was also immediately adjacent to Ash Green Road. Policy A31 stated that the provision of a green buffer must maintain a separation between any proposed new development and the properties fronting onto Ash Green Road. This would help soften the edges of the strategic development locations, providing a transition between the built-up area and the countryside beyond. It therefore had two purposes, to create a physical buffer and secondly to create a visual buffer. Concern was therefore raised with the narrow width of the buffer which other developments along Ash Green Road were only 5 metres in width. The wording of the additional conditions was also something not yet known and a concern. The number of parking spaces provided also fell short of what was expected and lastly there was no buffer zone at May and Juniper Cottages as the gardens could not be incorporated.

The Committee noted support for the scale and landscaping proposed for the development. The possible closure of the access point and the reduction of the

speed limit to 20mph as would be recommended to Surrey County Council were both positive moves forward.

In response to points raised by the Committee, the Senior Planning Officer, Peter Dijkhuis confirmed that there was no definition of how wide the green buffer should be and therefore it was for the Committee to decide what was considered sufficient. In terms of wording of the conditions, if concerns were raised, the conditions could be agreed to delegate the Joint Director of Planning, in consultation with the Chairperson to amend any conditions as required.

A motion was moved and seconded the refuse the application, for the following reasons A31(6) which was lost:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Sue Wyeth-Price	X		
2	Maddy Redpath	X		
3	Richard Mills		X	
4	George Potter			X
5	Joanne Shaw		X	
6	Vanessa King		X	
7	Patrick Oven			X
8	David Bilbé		X	
9	Fiona White		X	
10	James Jones		X	
11	Stephen Hives		X	
12	Catherine Houston		X	
13	Bob Hughes		X	
14	Cait Taylor		X	
15	Howard Smith		X	
	TOTALS	2	11	2

A subsequent motion was moved and seconded to approve the application, which was carried:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Catherine Houston	X		
2	Howard Smith	X		
3	James Jones	X		
4	David Bilbé	X		
5	Vanessa King	X		
6	Stephen Hives	X		
7	Cait Taylor	X		
8	George Potter	X		
9	Richard Mills	X		
10	Patrick Oven			X
11	Bob Hughes	X		
12	Fiona White	X		
13	Joanne Shaw	X		
14	Maddy Redpath		X	
15	Sue Wyeth-Price		X	
	TOTALS	12	2	1

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

RESOLVED to approve application 21/P/01211 subject to the conditions and reasons as detailed in the report. Additional conditions would also be applied in relation to the re-siting of the substation away from the boundary of May Cottage and removal of the access road/junction and infilled with a green buffer. Any such conditions would be delegated to the Joint Director of Planning and agreed in consultation with the Chairperson of the Planning Committee. Lastly, the Joint Director of Planning would request that Surrey County Council considered reducing the speed limit along Ash Green Road to 20mph.

PL8 22/P/01742 - FRIARS ELM, DOG KENNEL GREEN, RANMORE COMMON, DORKING, RH5 6SU

The Committee considered the above-mentioned full application for installation of ground mounted solar panels (3 arrays of 21 panels). (amended description 15/06/2023).

The Committee received a presentation from the Senior Planning Officer, Katie Williams. There was a correction to the proposal description which should read three arrays of 27 panels which made a total of 81 panels. The application stated

that the proposed ground mounted solar arrays would be used solely to power outbuildings and would not be used for commercial purposes. The proposed installation would reduce the property's carbon footprint by over 50%.

Friars Elm was a substantial, detached building with associated gardens and outbuildings. The application site was comprised of an area of paddock which lay to the south of the house, outside of the domestic curtilage on land within the applicant's ownership. A public footpath ran west to east alongside the southern boundary of the site. The site was located within the Green Belt, outside of a settlement area and within an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV).

Following officers concerns regarding the impact of the original proposals on biodiversity, amended plans had been submitted which showed an amended ground mounting system for the proposed panels. The system now penetrates directly into the ground and didn't require a gravel base. The maximum height of the panels would sit above ground level at 1.3 metres. The array would extend to a depth of 11.2 metres and a maximum width of 29 metres. The amended proposals also included the proposed planting of approximately 45 metres of new native hedgerow to screen the panels from the surroundings. This would be formed of a mix of beech and hawthorn to match existing hedges including those along the nearby footpath. The hedge planting would be at a height of 60cm to 90cm and secured by condition and would provide additional screening from the public footpath and provide a considerable biodiversity benefit.

The applicant had stated that it would not be possible to locate the panels within the curtilage without requiring the removal of a number of existing trees in order to avoid shading.

In conclusion, it was considered that whilst there would be some harm caused to the openness of the Green Belt, the harm would be limited. Paragraph 158 of the NPPF stated that when determining planning applications for renewable and low carbon development, local planning authorities should recognise that even small-scale projects provided a valuable contribution to cutting greenhouse gas emissions and should approve the application if its impacts are or could be made acceptable. Taking into consideration the nature of the proposals and the aim of the NPPF to support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure, on balance it was considered that there were very special circumstances that outweighed the identified harm caused to the Green Belt by virtue of its inappropriateness and the limited harm caused to openness. It was also considered important to note that the proposed ground-mounted solar array was freestanding and therefore

easily removable from site when no longer required. The works were therefore temporary and reversible and the land was capable of being returned to its former state.

The Committee supported the application and were happy with the fact that the structures were removable if required. The capture of free energy was welcomed as was the increase in biodiversity net gain created by the significant hedgerow.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Joanne Shaw	X		
2	Fiona White	X		
3	Cait Taylor	X		
4	Patrick Oven	X		
5	Richard Mills	X		
6	James Jones	X		
7	George Potter	X		
8	Bob Hughes	X		
9	Sue Wyeth-Price	X		
10	Stephen Hives	X		
11	Vanessa King	X		
12	Howard Smith	X		
13	Maddy Redpath	X		
14	Catherine Houston	X		
15	David Bilbé	X		
	TOTALS	15	0	0

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

RESOLVED to approve application 22/P/01742 subject to the conditions and reasons as detailed in the report.

PL9 PLANNING APPEAL DECISIONS

The Committee discussed and noted the planning appeal decisions.

The meeting finished at 10.10 pm

Signed

Date

Chairman

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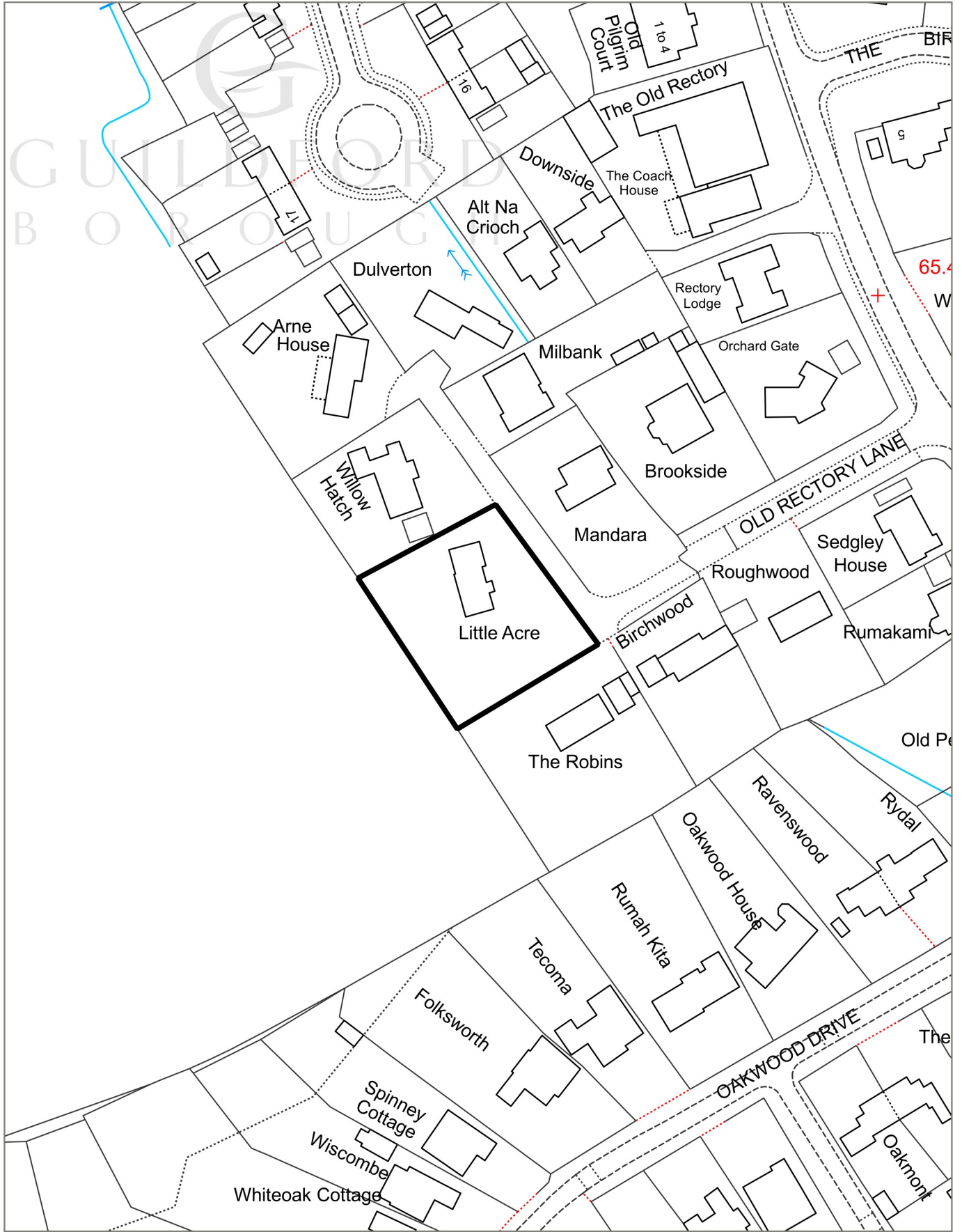
GUILDFORD BOROUGH COUNCIL**PLANNING COMMITTEE INDEX****13/09/2023**

Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	East Horsley	Mr Stocks/ c/o Agent Kiely Planning Ltd	Little Acre, Old Rectory Lane, East Horsley, Leatherhead, KT24 6QH	22/P/00461	APPC	39.
5.2	Shackleford	Bewley Homes Plc and Ptamigan Land	Land at Hurst Farm, Chapel Lane, Milford, GU8 5HU	22/P/01409	PREQ	63.
5.4	Shalford	L. Foster c/o Agent	Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG	23/P/00835	APPC	115.

Total Applications for Committee**3**

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22/P/00461 - Little Acre, Old Rectory Lane, East Horsley, Leatherhead



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Print Date: 30/08/2023



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22/P/00461 – Little Acre, Old Rectory Lane, East Horsley, Leatherhead



Not to scale

App No: 22/P/00461 **8 Wk Deadline:**06/05/2022
Appn Type: Full Application
Case Officer: Morgan Laird
Parish: East Horsley **Ward:**Clandon & Horsley
Agent : Mr. Kiely **Applicant:** Mr. Stocks
Kiely Planning Limited c/o Agent (Kiely Planning
Ltd)
208 High Street 208 High Street
Guildford GU1 3JB

Location: Little Acre, Old Rectory Lane, East Horsley, Leatherhead, KT24 6QH

Proposal: Erection of two detached dwellings with associated parking and landscaping following demolition of the existing house.

Executive Summary

Reason for referral

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

Key information

The proposal is for the replacement of an existing detached three-bedroom dwelling with two five-bedroom dwellings.

Both the existing and replacements would have two storeys although the replacements would have rooms within the loft spaces and a total height increase of 679mm compared with the existing dwelling.

Each new dwelling would have space for at least 3 vehicles with large driveways and garages.

New access would be provided for one of the new dwellings whilst the other would be served by the retained existing access.

Total footprint of existing = 102 sqm
Total footprint of each proposed = 168 sqm

Summary of considerations and constraints

It is considered that it has been satisfactorily demonstrated that the proposed dwellings will comply with the East Horsley Neighbourhood Plan and would not negatively impact the character or scale of the area.

Furthermore, there would be no negative impact on neighbouring amenity or highway safety resulting from the proposals.

The application site is located outside Flood Zones 2 and 3 and is not susceptible to flooding as detailed in the supporting Technical Note and reviewed by the Environment Agency.

Subject to the recommended conditions there would be no adverse impact on the ecology of the site or surroundings. Subject to a s106 obligation to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

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

RECOMMENDATION:

(i) That a S106 obligation be secured:

A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area

(ii) That upon completion of (i) above, the application be determined by the Executive Head of Development Management subject to conditions.

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 002, 003, 004 & 005 received on 11/03/2022

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

3. No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced. This is a pre-commencement condition as it goes to the heart of the planning permission.

4. No development shall take place until full details, of both hard and soft landscape proposals which include the retention of the hedgerow along the highway boundary and a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

5. No development shall take place beyond slab level until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for user prior to the occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

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

6. No development shall take place beyond slab level until details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

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

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

Reason: To improve water efficiency in accordance with the Council's Supplementary Planning Guidance "Climate Change, Sustainable Design, Construction and Energy SPD (2020)"

8. The development hereby permitted shall not be occupied until bird nesting and roosting boxes have been installed on the building or in trees on the site in accordance with details which shall have been submitted to and approved in writing by the local planning authority. This should be done in accordance with the preliminary

ecological appraisal dated 05/11/2021 from Environmental Business Solutions Ref DS/0821/01.

Reason: In order to preserve and enhance the natural environment including protected species

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and exit the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: This condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2021.

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

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

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

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

12. Prior to first occupation, the development hereby approved shall be carried out in accordance with the approved details of the measures and recommendations detailed in the preliminary ecological appraisal dated 05/11/2021 from Environmental Business Solutions Ref DS/0821/01.

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

13. The development shall be carried out in accordance with the approved details of the measures and recommendations detailed in the bat roost survey from Environmental Business solutions dated 12/11/2021.

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

14. The development as approved shall proceed in accordance with the mitigation methods outlined in the approved Arboricultural Report provided by DPA Arboricultural Consultants dated February 2022.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees.

15. The hardstanding area hereby permitted on the frontage shall have a permeable (or porous) surfacing which allows water to drain through, or surface water shall be directed to a lawn, border or soakaway, so as to prevent the discharge of water onto the public highway and this should be thereafter maintained.

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

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management

Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

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

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

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

Officer's Report

Site description.

The site is a large plot with a two-storey dwelling on Old Rectory Lane off Ockham Road South in the southern side of Horsley. The site is within the East Horsley Village Area and as such is inset from the Green Belt. The site is within Flood Risk Zones 2 and 3 however there are no other planning constraints on the site.

Proposal.

Erection of two detached dwellings with associated parking and landscaping following demolition of the existing house.

The proposed dwellings would replace a single two storey dwelling with two larger two storey dwellings on the same plot which would be split into two separate plots. The northern side plot would retain the existing access as its primary access whilst the southern plot would have a new access point. The proposed dwellings would each have a larger footprint than the existing dwelling and have a slightly larger height.

Relevant planning history.

No Relevant Planning History

Consultations.

Statutory consultees

County Highway Authority: The site is located on a private road outside of the highways authority's jurisdiction. However, the Highways Authority have stated that the proposed is unlikely to increase vehicular trips in the area as to cause any concern.]

Affinity Water Company: no comment received.

East Horsley Parish Council Object on the following grounds:

- Excessive scale and bulk
- Overdevelopment of the site
- Flood concerns [Officer Note: this has been addressed below, where it was concluded through a technical note prepared by Motion and reviewed by the Environment Agency that the site is not susceptible to flooding].
- Impact on sewage [Officer Notice: Affinity Water Company were consulted but no response was received.]
- Adverse impact on neighbour amenity
- Restrictive covenant on site to prevent more than 1 dwelling per plot [Officer Note: This is not a planning consideration. It should be stated that planning permission cannot override covenants, and this is a matter for the applicant to address outside of the planning process]

Third party comments:

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

- Concerns regarding sewage build up [Officer note: Affinity Water Company were consulted and no response was received].
- Parking concerns during construction [Officer note: there is separate legislation in place to control construction traffic and operation, and requesting further details on how this would be managed would not be proportionate to the scale of the application].
- Larger than surrounding properties
- Overbearing concerns

- Dwellings will appear dominant.
- Overlooking concerns to living room and bedroom
- Hedging only provides limited screening [Officer note: the intention would not be for hedging to screen the entire development, and it does not currently fully screen the existing dwelling].
- Hedging likely to be lost during construction or through loss of light post construction [Officer note: the proposal includes only the removal of a small area of hedging for the new access and the rest would be protected through the measures outlined in the arboricultural report].
- In contravention with P2 of the Guildford Borough Council Local Plan 2019 [Officer note: This policy relates to sites within the Green Belt. As the proposed site is not within the Green Belt this is not relevant.]
- Concerns regarding increased flooding [this is addressed in the submitted Flood Risk Assessment and technical note, which have been reviewed by the Environment Agency who withdrew their objection].
- Overdevelopment and adverse impact on character
- Far more traffic on site given the increase in bedrooms [Officer note: the County Highway Authority who considered that the development would not result in a significant increase in vehicular trips].
- Damage to road (Officer Note: This is not a planning consideration. Road maintenance falls outside of planning considerations)
- Restrictive covenant on site to prevent more than 1 dwelling per plot [Officer note: This is not a planning consideration. It should be stated that planning permission cannot override covenants and this is a matter for the applicant to address outside of the planning process]
- Development too large with little garden space.
- Pollution and carbon generated from development likely to be of concern [Officer note: details of the proposed sustainability measures have been supplied and addressed below].
- Contravene with the East Horsley Local Plan EH-H8 regarding infilling
- Contravene with the East Horsley Local Plan EH-EN5 regarding flooding
- Three storey dwellings would be out of character with bungalow and two storey dwellings in area [Officer note: the proposed dwellings would be two storeys with rooms in the roof as opposed to three-storeys].
- Dwelling too close to neighbouring property.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5. Delivering a sufficient supply of homes

Chapter 12. Achieving well-designed places

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

Guildford Borough Local Plan: Strategy and Sites 2019 (LPSS)

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019.

- Policy H1 Homes for all
- Policy P4 Flooding, flood risk and groundwater protection zones
- Policy D1 Place shaping
- Policy D2 Climate Change, Sustainable design, construction and energy
- Policy ID3 Sustainable transport for new developments
- Policy ID4 Green and Blue Infrastructure

Guildford Borough Council: Development Management Policies March 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

- Policy P7: Biodiversity in New Developments
- Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness
- Policy D5: Protection of Amenity and Provision of Amenity Space
- Policy D8: Residential Infill Development
- Policy D14: Sustainable and Low Impact Development
- Policy D15: Climate Change Adaptation
- Policy D16: Carbon Emissions from Buildings
- Policy ID10: Parking Standards for New Development

East Horsley Neighbourhood Plan 2017 - 2033

- EH-EN5 Flooding
- EH-H7 East Horsley Design Code
- EH-H8 Residential Infilling

Supplementary planning documents:

- Residential Design Guide (2004)
- Parking Standards for New Development SPD March 2023
- Climate Change, Sustainable Design, Construction and Energy SPD (2020)
- Thames Basin Heaths Special Protection Area SPD 2017

Planning considerations.

The main planning considerations in this case are:

- principle of development
- design and appearance
- the impact on neighbouring amenity
- highway and parking considerations
- sustainable development
- amenity and space standards
- impact on biodiversity
- impact on bats and birds
- impact on Trees
- Thames Basin Heaths Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- Legal agreement requirements

Principle of Development

The site is located within the designated Inset boundary of East Horsley, having recently been removed from Green Belt following the adoption of the new Local Plan. As the site is not within the Green Belt there is no requirement to assess the proposal against the restrictive Green Belt policies.

With regard to housing mix, with only two new two storey dwellings proposed, it is considered that the proposed provision of two detached 5-bedroom houses would comply with the requirements of the East Horsley Neighbourhood Plan.

As such, the principle of residential development on the site would be acceptable.

The site also sits within the SPA 400m - 5km buffer zone and as such assuming the application would be acceptable, a SANG/SAMM contribution would be required.

Design and appearance

The proposed dwellings would replace a single, two storey dwelling with two larger two-storey dwellings with loft spaces which would be utilised as an additional bedroom/study.

The main issues to be assessed concern design and appearance of the development would be with respect to the addition of an extra dwelling to the plot. Old Rectory Lane area has a variety of housing types. Whilst there are bungalows, there is a predominance of two storey dwellings like the existing dwellinghouse on the application site. Dwellings are of varying scales some of which sit on smaller plots to that of the existing dwelling.

In regard to the impact on the existing plot, it is noted the plot is wider than many of those surrounding, most notably those of Milbank and Willow Hatch. However, by splitting the plot into two separate plots the resultant plots sizes would be on the smaller scale for Old Rectory Lane. Notwithstanding this, the officer has reviewed the siting of the surrounding dwellings and noted that the separation distance between each new dwelling would be in line with the separation distances between most of the dwellings on Old Rectory Lane as Little Acre is presently set more spaciouly from its neighbouring properties than most of the dwellings in the area.

Plot 2 would be set 2.5 metres away from the north side boundary and Plot 1 would be set 5.7 metres from the southern boundary with the proposed dwellings being set 2.9 metres from each other. Each dwelling would also be set at least 12 metres back from the main road with rear garden spaces of at least 12 metres depth each. As such even with the changes made by the splitting of the existing plot in half, each dwelling would sit comfortably in the resultant plots and would not appear cramped.

The site like many of those along Old Rectory Lane is surrounded by large hedges and trees which act as high screening to obscure the view of the frontage of the dwelling. Given the height of the hedges, the most prominent features of the new dwellings in terms of both scale and design would be the roofs. Both new dwellings would be the same height, being just over 679mm higher than the existing building but with each dwelling to have a significantly larger footprint than existing.

The impact of the frontages would be modest given the high screening surrounding the property which outside of the hedging to be removed for the new access, would not be altered. The retention of the hedges also would serve to maintain the visual amenity of the site, as well as maintain the character of the East Horsley Village in accordance with Policy EH-EN2 of the East Horsley Neighbourhood Plan. Given the importance of these hedges for the preservation of the character of the area and for the visual amenity of the site, it is considered necessary to impose a condition requiring these to be retained.

The design of the dwellings would be in keeping with the area owing to the front facing gables and hipped roof frontage and use of slate roofing tiles, rendered walls, tile hanging and mock tudor detailing. These features would fit in with the rural village style of many of the dwellings in East Horsley, as well as those along Old Rectory Lane.

The existing dwelling has a pitched roof with a single storey flat roof garage, while the proposed would be hipped with a crown roof top and front gables which would be set down from the main ridge lines. The flat roof of each dwelling would only cover a small amount of the rooftop in comparison to the scale of the dwellings themselves with a square area of 30sqm each (the square area of each dwelling would be approximately 170sqm and as such the flat roof area would only cover 17% of the roof area.). Whilst flat roofs are discouraged and the officer did note that there are no other examples of crown roofs in the surrounding area, the flat roof elements would be mostly hidden by the proposed pitched elements and gable ends. As such the flat roof would only be visible from above the dwelling and as the dwelling would be higher than each neighbouring property by 950mm, this would not be a concern. As such the impact of this roof type would be minor and acceptable.

The East Horsley Design Guide gives seven points that new dwellings should be designed in compliance with. The design guide states that developments which do not contravene with these points should be supported.

The officer has reviewed the plans and has found no conflict with the Design Code as the proposed would be two storeys tall with rooms in the roof, within character of the area and have appropriate boundary clearance and treatments. Of specific note, the dwellings would be of a modern but traditional design, with materials and architectural features that are sympathetic to development in the surrounding area. Some of

the points of the design code relate to parking and amenity which will be assessed below.

Policy EH-H8 of the East Horsley Neighbourhood Plan supports residential infill development where there would be no material adverse impact on neighbouring amenity, the site is substantially surrounded by existing development and the size and massing of new residential development would be no greater than that of surrounding property. Similarly, Policy D8 of the LPDMP requires residential infill development to integrate well with surrounding development and respond positively to the existing character and identity of the local area with frontage development proposals to have regard to existing plot sizes, urban grain, building matters, form and scale of buildings and spaces, appearance and landscape and boundary treatments.

The impact on neighbouring amenity is addressed below. The site is bordered by residential development on both sides and sits within an established residential area. As noted above, the proposed dwellings would sit comfortably on the plots and would not appear cramped or unduly prominent. While the dwellings would have a larger footprint than the existing dwelling, they would not be discernibly larger than others in the surrounding area with design features that are sympathetic to the surrounding built form. Accordingly, the proposed development would be consistent with Policy EH-H8 of the Neighbourhood Plan and Policy D8 of the LPDMP.

Whilst the residents have raised concerns regarding two properties in one existing plot, the resultant development would be sympathetic to the area and due to the design choices including the roof form, architectural features, building materials and retention of boundary treatments, would be in keeping with the character of the area and not appear unduly prominent from the streetscene. The proposed would comply with Policies EH-H7 and EH-H8 East Horsley Neighbourhood Plan, as well as Policy D1 of the LPSS and Policies D4 and D8 of the LPDMP.

Impact on neighbour amenity

The neighbouring properties most affected would be Willow Hatch and The Robins.

The dwellings on Old Rectory Lane generally sit with gaps between neighbouring properties. Whilst the existing plot would be split in half, reasonable separation between dwellings would be maintained. Plot 1 would be approximately 15 metres from their closest neighbour

(excluding plot 2), The Robins. Plot 2 would be approximately 9 metres from Willow Hatch and would be separated from the main dwelling by the garage which is roughly 3 metres from the dwelling. Given these distances, there would be no overbearing concerns with the development. While the proposed dwellings would be taller than the existing dwelling and closer to the shared boundary, there would not be an unacceptable loss of light to The Robins or Willow Hatch due to the significant separation distances.

Both plots 1 and 2 would be sited fairly close together in comparison with the surrounding dwellings with a separation distance of 2.930m. However, both would have similar depths and be sited in line with each other and as such there would be no impact to the rear windows of either site.

Whilst first floor side windows would be proposed on both dwellings, in both dwellings these would serve en-suite bathrooms. Provided these are finished with obscured glazing and non-opening above 1.7 metres in height from the floor level, there would be no overlooking concerns to Willow Hatch, The Robins or internally. The rooflights within the loft spaces would serve a bedroom/games room but owing to their height and positioning on the roof slope, there would be no direct views of neighbouring properties. Accordingly, there would be no overlooking concerns.

Overall, it is considered that the proposed development would not result in an unacceptable impact on the amenity of adjoining properties, which would comply with Policies D5 and D8 of the LPDMP and Policy EH-EH8 of the East Horsley Neighbourhood Plan.

Amenity and Space Standards

Paragraph 127(f) of the NPPF 2019 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D1(4) of the Guildford Borough Local Plan 2015-2034 states that all new development is expected to have regard to and perform positively against the recommendations set out in the latest Building for

Life guidance and conform to the nationally described space standards (MHCLG).

Both dwellings would exceed the minimum space standards required for properties with their number of bedrooms and storeys and both exceed the bedroom size requirements.

The proposed private amenity space would be south-westerly facing and rectangular in shape, and the space has been designed to allow effective and practical use by residents. A 1.8m close boarded fence would be erected between the plots to provide privacy to both properties.

The proposal would provide acceptable onsite amenity, in compliance with Policy D1 of the LPSS, Policy D5 of the LPDMP and the NPPF.

Highway and Parking Considerations

The proposed site would be made up of two five-bedroom properties. The Parking Standards for New Development SPD sets out the expected parking standards for dwellings within a village. For a 5-bed dwelling the expected number of parking spaces would be 2.5 per unit. Given the size of the plots and proposed parking areas for both plots, there would be sufficient space to comply with this.

Policy EH-H7 of the East Horsley Neighbourhood Plan sets out that sufficient off-street parking shall be provided for all dwellings, in order to ensure there is no on-street parking at the development. Garages should also be positioned to the side of the dwelling to avoid over cluttering the frontage. As noted above, the proposal would provide adequate on-site parking spaces to avoid the accumulation of on-street parking. The proposed garages would be integrated into the dwellings and situated to the side and setback from the main frontage. They would not appear unduly prominent or crowd the frontage of the dwellinghouses.

The County Highways Authority have raised no objections to the proposed works subject to conditions.

Objections have been received from the local residents regarding increased traffic and the low visibility of the existing corner which leads on to the site.

It is noted that the site is near a narrow bend in the road, which was raised as a concern by objectors as they considered that this could result in highway safety concerns through increased vehicle movements and during construction. The existing access would be maintained for one dwelling, which would not increase the potential highway safety impact. The proposed new access would be situated to the southern edge of the highway boundary, with improved visibility along Old Rectory Lane. Accordingly, the proposed development would not result in a greater impact on highway safety.

No details have been raised regarding cycle parking and refuse collection. As such both issues would be conditioned should the application be approved.

Overall, it is considered that the proposed development would comply with Policy ID3 of the LPSS, Policy ID10 of the LPDMP and Policy EH-H7 of the East Horsley Neighbourhood Plan.

Flood Risk

The site is within Flood Risk zones 2 & 3. The applicant has provided a full flood risk assessment.

The Environmental Agency has been consulted as part of this proposal. Initially objections were raised, but these were resolved through the submission of further information and the objection was subsequently withdrawn. The Applicant submitted a technical note which evidences that the site is not located within Flood Zone 2 or 3 and the site would not be subject to any flood risk.

The Environmental Agency did note that while the modelling provided did show that the site is not affected, the access route from the site to the main road is covered by the 1% annual exceedance probability (AEP) plus 24% allowance for climate change and therefore safe access/egress will need to be considered. While flood depths within the site would be shallow (circa 0.02m), flooding on the access/egress route is expected and should be considered. On review of the technical note provided by the Applicant, the modelling undertaken for a 1%AEP with the climate change allowance, it is apparent that the site access would not in fact be within this area. In this flood event the flooding would occur along Old Rectory Lane and would not spread into the site.

The officer has reviewed the information and considered the feedback received from the Environmental Agency and is satisfied that there is no risk of flooding at the site

Therefore, the proposed development would comply with policy P4 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and the provisions of the NPPF 2021.

Sustainable Development

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraph 154 through climate change adaptation, provision of green infrastructure and reduction of greenhouse gas emissions. Paragraph 157 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS is the Council's policy to require new development to take sustainable design and construction principles into account, including by adapting to climate change, and reducing carbon emissions and is supported by the Climate Change, Sustainable Design, Construction and Energy SPD 2020. Policies D14 - D16 of the LPDMP set out a number of sustainable development requirements, including how a 'fabric first' approach would be taken, how embodied carbon emissions would be reduced, what energy efficiencies would be used, what water efficiencies would be used and how the building would respond to climate change and overheating. The Applicant has submitted a completed Climate Change, Energy and Sustainable Development Questionnaire, which sets out the following proposed measures:

- The use of renewable materials, recycling and secondary aggregates, and other recycled and reused materials will be considered if available.
- Demolition building materials will be re-used where possible.
- Unused mineral waste will be sent for reuse or recycling where possible.
- Locally sources materials will be used where possible.
- Materials will be sustainably sourced.
- The development will comply with Building Regulations.
- Orientation of the proposed dwellings takes into account solar receipts.
- EV charging points to be provided for each dwelling.

- Use of either air source heat pumps or solar panels.

The climate change questionnaire outlines a number of measures that would positively contribute to greater sustainability of the development. In order to achieve the purpose of Policies D2 of the LPSS and Policies D14 - D16, conditions would be imposed (should permission be granted) requiring a minimum water efficiency standard of 110 litres per occupant per day, the installation of an EV charging point and for details of the embodied carbon of materials. To comply with Policy D14 of the LPDMP, a condition would be imposed that requires the Applicant to provide a Site Waste Management Plan prior to determination as the proposal include the demolition of the existing dwelling. It is considered acceptable to not impose a condition requiring a minimum TER reduction as the Building Regulations are currently more onerous than Local Plan standards. Imposing a condition requiring this would therefore not be efficient or necessary. Subject to the imposition of these conditions, the proposal would comply with Policy D2 of the LPSS and Policies D14 - D16 of the LPDMP.

Impact on Biodiversity

Policy ID4 of the LPSS, 2015-2034, requires a net gain in biodiversity to be achieved in connection with any new development.

The preliminary appraisal found that there was possibly the presence of bats on the site and as such a bat survey would be required, furthermore bird breeding surveys would also be required if the works to the surrounding trees or existing dwelling would be done during bird breeding seasons. Further information has also been requested regarding the protection of the surrounding trees.

These details have all been provided as outlined below.

The report includes some mitigation methods and suggests bird and bat boxes be included. These mitigation methods outlined will be included through a condition should the application be approved.

As such with these protection measures in place the proposed works as a whole would not lead to a net loss in biodiversity. The introduction of bird and bat boxes will encourage a biodiversity net gain appropriate for a development of this size.

Impact on Bats and Birds

A Bat Roost Survey has been provided by Environmental Business solutions.

The survey found no evidence of bat activity on site however did lay out some mitigation measures and compensation as to allow for a total net gain in biodiversity.

The survey also stated that works should be done outside of nesting season however if this is not possible and ecologist will be required to inspect individual buildings to confirm there are no nesting birds on site. These measures would be implemented through a condition if the application is approved.

Impact on Trees

DPA Arboricultural consultants have provided an Arboricultural Report dated February 2022. The report goes over the possible constraints and concerns however concludes that trees do not present a planning constraint to the site and any amenity concerns would be offset by the planting of new trees.

The report goes into more detail regarding possible mitigation and as such the mitigation details in this report too would be conditioned should the application be approved.

Thames Basin Heaths Special Protection Area (TBHSPA) and Appropriate Assessment (AA)

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

In line with standing advice from Natural England, as part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy.

Legal agreement requirements

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

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

As the application would result in the net gain of 1 new residential unit, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. The contributions are required to improve existing SANGS and ensure they are maintained in perpetuity; the SANGS is existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development. In conclusion, the Council is of the opinion that the legal agreement would meet the three tests set out above. This agreement would be secured should the application be approved.

Conclusion

There will be no adverse impact on the character of the area, neighbouring amenity or highway safety resulting from the proposals.

The application site is located outside flood zones 2 and 3 and is not susceptible to flooding as detailed in the supporting technical note and reviewed by the Environment Agency.

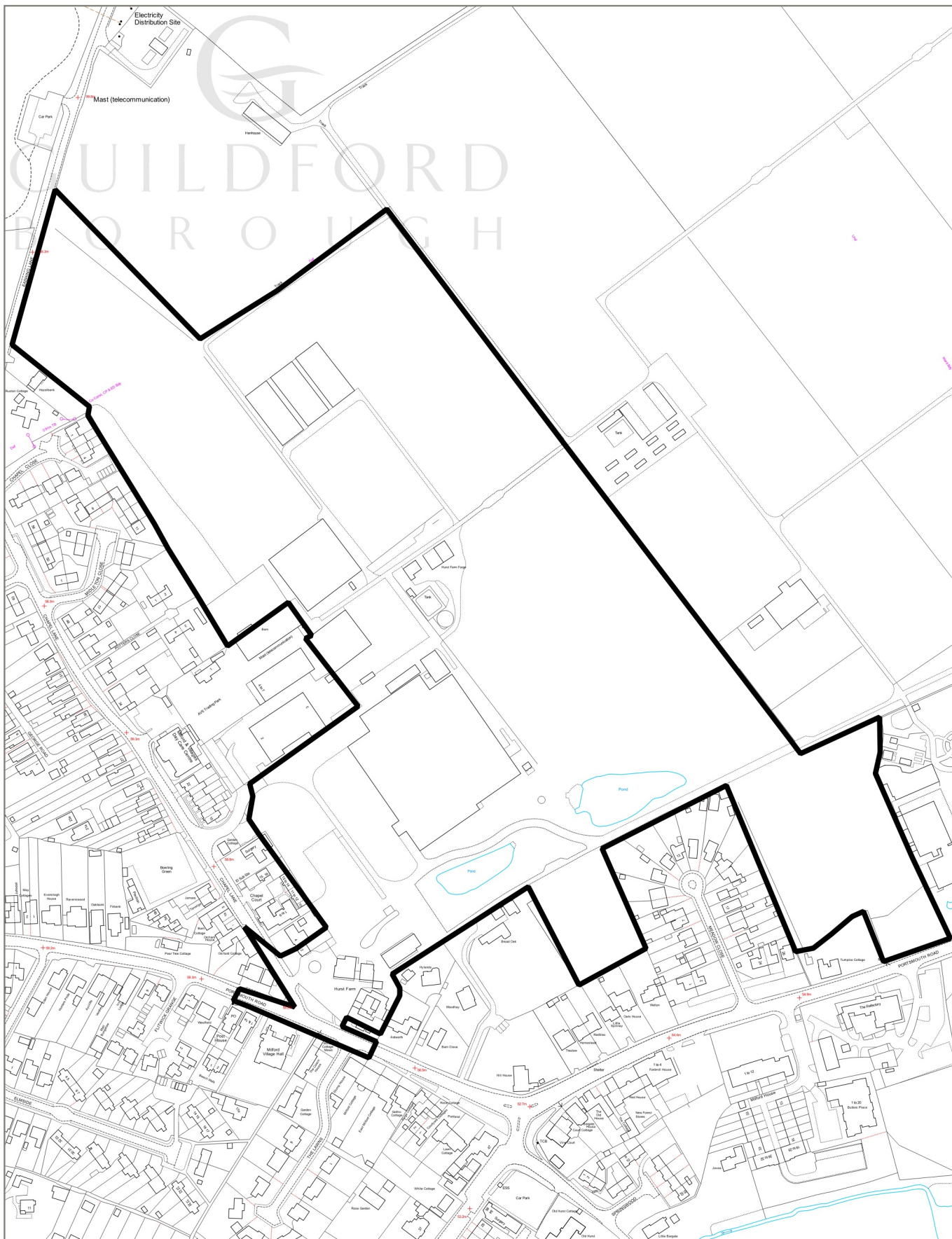
Subject to the recommended conditions there would be no adverse impact on the ecology of the site or surroundings. Subject to a s106 agreement to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

Therefore, subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMM contributions, the

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application is deemed to be acceptable and the application is recommended for approval.

22/P/01409 - Land At Hurst Farm, Chapel Lane, Milford



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22/P/01409 – Land at Hurst Farm, Chapel Lane, Milford



App No: 22/P/01409 **EoT** 31 August 2023
Deadline:

App Type: Full Application
Case Officer: Peter Dijkhuis

Parish: Shackleford **Ward:** Pilgrims
Agent : Mr Michael Wood **Applicant:** Bewley Homes Plc and
WSP **t:** Ptarmigan Land
70 Chancery Lane
WC2A 1AF

Location: Land at Hurst Farm, Chapel Lane, Milford, GU8 5HU
Proposal: **Waverley Brough Council:** Hybrid application comprising of - a full planning application for the demolition of existing buildings and the development of 216 dwellings, a new farm shop (Use Class E), change of use of existing farm shop building to provide 533sqm of commercial accommodation as a rural business hub (Use Class E), provision of public open space, landscaping, drainage arrangements, parking, and formation of new access points; and, an outline planning application for the demolition of the existing black barn and erection of a new health hub with all matters reserved except access.

This application is not for Guildford Borough Council's determination. It is however noted that this is a cross-boundary application.

Guildford Borough Council: Full planning application for two new sports pitches, associated infrastructure, drainage arrangements, parking, formation of a new access point, and landscaping, associated with the above hybrid application.

Executive Summary

Determination

This application has been referred to the Planning Committee because it proposes the removal of land from the Green Belt for the provision of sport pitches which are

in support of a major development application in Waverly Borough Council.

Key information

a) This is a **Full Planning Application** for the provision of two new sports pitches, associated infrastructure, drainage arrangements, parking, formation of a new access point off Eashing Lane, and landscaping, associated with the above hybrid application at Hurst Farm, Chapel Lane, Milford. The application would be inclusive of a change of use of the site (c.1.3ha) from agricultural land to publicly accessible open space.

[Officer Note: for clarity of this report, this site/ application will be referred to as 'the application'].

b) The related and adjacent development site, subject of the hybrid planning application, is located within Waverley Borough Council's boundary and jurisdiction. This site is an Allocated Development Site identified as Policy DS14 (Land at Secretts, Hurst Farm, Milford) within the Waverley Borough Local Plan Part 2: Site Allocation and Development Management Policies (March 2023). (Ref. WA/2022/02194).

For ease of reading, this site/ application will be referred to as 'WBC application'. This application was considered by the Waverley Borough Council Planning Committee at its meeting of the 23rd August 2023, the Committee resolved to delegate authority to Executive Head of Planning Development to grant planning permission subject to the completion of a Section 106 agreement. Suggested conditions included a Grampian style condition preventing occupation prior to demonstrating that the playing pitches were available for community use and that SANG mitigation was available on first occupation of the first dwelling.

c) A third application related to the WBC application is a site located north-west of the WBC application and immediately north of this application. The site is currently previously undeveloped land comprising predominantly arable farmland. This application is for a change of use of 4.5 hectares from agricultural land to publicly accessible open space with associated landscaping works, a pedestrian and cycle network, and other works to facilitate a bespoke Suitable Alternative Natural Greenspace (SANG). The site is in the Green Belt, an Area of Great Landscape Value (AGLV), and identified as Shackleford Open Greensand

Hills landscape character area. This application falls within Guildford Borough Council administrative boundary, there are on-going discussion around a Section 106 agreement.

- d) The application site is in the Green Belt, an Area of Great Landscape Value (AGLV), and falls outside the Identified Settlement Boundary for Guildford (and WBC as amended), and is identified as Shackleford Open Greensand Hills landscape character area. The site is circa 9.5km from the Thames Basin Heaths Special Protection Area (TBHSPA) and within the 400m-5km buffer to the Wealden Heaths Special Protection Area (WHSPA).
- e) This application will have sole access off Eashing Lane to serve the sport pitches. Eashing Lane is a two-way single carriageway (4.0 to 4.5m) rural lane with no kerb, footways or street lighting. The application will provide a maximum of 30 parking spaces on-site. Public highway works, as agreed with SCC Highways, will be undertaken on Eashing Lane to create traffic calming to improve pedestrian safety. To provide the necessary visibility splays from the point of access, c.120m of existing treed hedgerow will be removed along the western boundary of the site and replaced with new native hedgerow landscaping.
- f) It is noted that there has been no statutory authority' objections to this application.

Summary of considerations and constraints

- a) The application site is located in Green Belt. In accordance with NPPF 'Proposals affecting the Green Belt', paragraph 149 and 150 state that '*Certain ...forms of development are ...not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: e) material changes in the use of land (such as changes of use for outdoor sport or recreation...)*'. The change in use is therefore in principle supported.
- b) Issues raised in objection to this application dealing with the increased traffic on Eashing Lane and related pedestrian and cyclist safety are suggested to be mitigated through a series of traffic calming measures designed and approved by SCC Highways (who have raised no objection); and, removal of existing hedgerow and harm to the setting of Eashing Lane within the Green Belt are suggested to be mitigated with new and enhanced habitat planting.

RECOMMENDATION: it be resolved

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

- **The contribution towards highway safety improvements and pedestrian and cyclist infrastructure improvements in the area;**
- **Charter of a management company; and,**
- **Provision that the Applicant, and successor in Title, gives free and unfettered access to the site's parking, pathways, and public open space.**

If the terms of the s.106 or wording or the planning conditions are significantly amended as part of ongoing s.106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of the above, the application be determined by the Executive Head Planning Development / Strategic Director Place.

The recommendation is to APPROVE planning permission, subject to conditions and informatives.

**CONDITIONS & INFORMATIVES
(set out at end of report)**

Officer Report

1. INTRODUCTION

- 1.1 This is a Full Planning Application for the provision of two new sports pitches, associated infrastructure, drainage arrangements, parking, formation of a new access point off Eashing Lane, and landscaping, associated with a cross-boundary hybrid application at Hurst Farm, Chapel Lane, Milford.
- 1.2 The related and adjacent development site, subject of the hybrid planning

application, is located within Waverley Borough Council's boundary and jurisdiction. This site is an Allocated Development Site identified as Policy DS14 (Land at Secretts, Hurst Farm, Milford) within the Waverley Borough Local Plan Part 2: Site Allocation and Development Management Policies (March 2023). (Ref. WA/2022/02194). The allocation is for: 177 dwellings, alongside the provision of associated facilities including: the relocation of the existing farm shop and all other existing retail businesses, the creation of an area of public realm to create a centre for the village and community of Milford, the provision of a rural business centre, and the creation of new sports pitch facilities. The allocation, defined as the Land at Secretts, is for a residential led mixed-use development.

- 1.3 It is noted that the Applicant has made an application for 216 dwellings on the Allocated Site, with SANG mitigation measures and the requirement to deliver new sports pitch facilities on the adjacent land, located within Guildford Borough Council. This application has been considered by Waverley Borough Council's Planning Committee, the Committee resolved to delegate authority to the Executive HEAD OF planning Development to grant subject to the completion of a Section 106 Agreement, a Grampian style condition is proposed to ensure that the playing pitch facilities are available for community use prior to first occupation of the dwellings.
- 1.4 There have been no statutory authority's objections to this application.

2. SITE DESCRIPTION

- 2.1 The site lies to the immediate north-east of the settlement of Milford, currently part of Hurst Farm, a local agricultural and plant nursery enterprise. The totality of Hurst Farm is a relatively flat site with a slight fall towards the south-west. The farm is surrounded by existing urban (mostly residential) development from the south-west counter-clockwise through to the north (Ockford Park under construction), with the historic village of Eashing located towards the north-west.
- 2.2 Hurst Farm is framed by fragmented hedgerows along the surrounding roads, with some structured (wind-break) tree planting across the farm. Due to the nature of the agricultural activity, the site has a very low biodiversity and

habitat value.

- 2.3 In terms of access, Milford has access off a full-access A3 junction onto Guildford Road. Hurst Farm has access off the A3100 (Portsmouth Road).
- 2.4 The application site is located in the south-west corner of Hurst Farm, currently used for agricultural purposes. The site is bounded by residential development to the south-west, and open fields to the remainder. The site is currently framed by mature treed hedgerow along Eashing Lane to the west, and fragmented planting to the residential boundary. The site has a very low biodiversity and habitat value.
- 2.5 The playing pitches will take sole access off Eashing Lane. Eashing Lane is a single carriageway with a national speed limit of 60mph; in parts narrow; and, with no footpath or kerb. For the most it is framed by mature treed hedgerows tight to both edges, apart from a section where the hedgerow has been removed to allow for junction sight-lines from the new Eashing Fields SANG car parking area.
- 2.6 Eashing Lane is used in part to connect to bridleways and footpath' Rights of Way in the surrounding, immediate area; and, forms part of the Comprehensive Guildford Borough Cycle network (existing and proposed routes) from Guildford Road northwards to Halfway Lane and Lower Eashing.
- 2.7 The site forms part of the designated Green Belt, an Area of Great Landscape Value (AGLV), and, is classified as Shackleford Open Greensand Hills landscape character area. The site is circa 9.5km from the Thames Basin Heaths Special Protection Area (TBHSPA) and within the 400m-5km buffer to the Wealden Heaths Special Protection Area (WHSPA).
- 2.8 It is noted by the Applicant that the sports pitches may be used by the Milford Pumas as a secondary, weekend training facility for Under 9/U10 but this has not been further evidenced and for the purposes of this application the provision of sports pitches is read as forming part of the hybrid application's new sports pitch facilities.

3. PROPOSAL

- 3.1 This is a Full planning application for two new sports pitches, associated infrastructure, drainage arrangements, parking, formation of a new access point, and landscaping, associated with the WBC hybrid application (residential-led mixed use development). The application would be inclusive of a change of use of the site (c.1.3ha) from agricultural land to publicly accessible sport pitch facilities.
- 3.2 This provision is to address the requirements of Policy DS14 of Waverley Borough Local Plan Part 2 for the creation of new sports pitch facilities.
- 3.3 The Landscape Strategy Plan shows two centrally located sports pitches (Mini pitch: U9/U10; 5.5x37 meters), a parking area (30 bays plus 8 cycle stands), an access point off Eashing Lane, and small toilet/ changing and storage building, all framed by new treed hedgerows to the boundary of the site. Some grading will need to be undertaken to create the level playing fields, arising spoil will be used to create moulding to further screen the car parking from views from Eashing Lane, and potential long-distant views within the Green Belt and AONB.
- 3.4 The soft landscaping planting is specifically native material to encourage greater biodiversity to the periphery of the site and extend the habitat creation of the proposed SANG to the northern boundary and Eashing Fields SANG to the west.
- 3.5 The site, along with the proposed SANG, should be read as an extension of the network of landscape (green and blue) public open space within the residential development proposed to the east (WBC application), giving residents a variety of landscape spaces of differing use, character, and habitat value. It is noted that these spaces will be public, accessible to surrounding Milford.
- 3.6 The application, will undertake traffic and mitigation works to Eashing Lane as required by SCC Highways to reduce vehicle speed, and to address the safety of pedestrian, cyclist and horse riders using the Lane.
- 3.7 In the Design & Access Statement (July 2022; Part 4), the Applicant notes in terms of management and maintenance:
 - a) (Para 70.20.1) *'To ensure the development parcel remains attractive and safe for residents and visitors, the ongoing management and maintenance*

has been considered. Management and Maintenance Plans for Landscaping and Ecology will be submitted in support of this application’.

- b) (Para 7.20.3) *‘All roads and areas of open space will be transferred to a Residents Management Company (RMC) who will be responsible for their management and maintenance. The RMC will collect annual estate charges from the residential properties to fund the ongoing management and maintenance. Until such time the public open space areas have been fully completed and handed to the relevant RMC, Bewley Homes will continue to manage and maintain those areas.*

[Officer Note: to be addressed by Conditions].

- 3.8 In correspondence with the Applicant (May 2023), they state that the pitches may be used by the local football club (Milford Pumas) at weekends, with agreed restricted hours to address amenity concerns of adjacent residential neighbouring properties. This has not been further evidenced or concluded. [Officer Note: to be addressed by Condition].

- 3.9 Further correspondence with the Applicant (June 2023), they state that the pitches may be adopted by the Witley Parish Council to *‘take on the responsibility of the future maintenance of the pitches’*. However, this have not been concluded and consequently for the purposes of this report, the Officer Report assumes the Applicant’s Design & Access Statement set out above.

4. RELEVANT PLANNING HISTORY

- 4.1 Application site’s history: none.

- 4.2 Surrounding planning context/applications, excluding the current hybrid application (WA/2022/02194) within Waverley Borough Council: not applicable/ relevant.

- 4.3 Site to the immediate north of this application: application for change-of-use to enable SANG (21/P/02674).

5. PLANNING POLICIES

National Planning Policy Framework (NPPF) 2021: the following policies are

relevant to the application:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well designed places
- Chapter 13: Protecting Green Belt land
- Chapter 14. Meeting the challenge of climate change, flooding, and coastal change
- Chapter 15. Conserving and enhancing the natural environment

Guildford Borough Local Plan: Development Management Policies (LPDMP) (2023):

- Policy P6 Protecting important habitats and species
- Policy P7 Biodiversity in new developments
- Policy P11 Sustainable surface water management
- Policy D4 Achieving high quality design and respecting local distinctiveness
- Policy D5 Protection of amenity and provision of amenity space
- Policy D11 Noise impacts
- Policy D12 Light impacts and Dark Skies
- Policy ID6 Open space in new developments
- Policy ID9 Achieving a comprehensive Guildford Borough cycle network
- Policy ID10 Parking standards for new development

Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS) (2019):

- Policy S1 Presumption in favour of sustainable development
- Policy P1 Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value
- Policy P2 Green Belt
- Policy P4 Flooding, flood risk and groundwater protection zones
- Policy D1 Place shaping
- Policy ID1 Infrastructure and delivery
- Policy ID3 Sustainable transport for new developments
- Policy ID4 Green and blue infrastructure

Supplementary Planning Documents/ Guidance:

Parking Standards for New Developments (2023)
Surrey County Council - Vehicle, electric vehicle, and cycle parking guidance for new developments (2012) as amended
Guildford Landscape Character Assessment (2007)
The above individually or cumulatively form a material consideration.

6. CONSULTATION

- 6.1 Members are reminded that the consultation responses are available to view in full on the Council's website.

Statutory consultees

- 6.2 Surrey County Council Highway Authority: No objection (subject to Conditions and Agreement).

Response: 'The Highway Authority is satisfied that the traffic impact assessment undertaken by the applicant is robust and the parameters on which the transport assessment is based are acceptable. The applicant has agreed to provide an extensive package of mitigation measures that directly mitigates the impact of traffic generated by their development and is also contributing to mitigation measures that address the wider infrastructure requirements in Milford, resulting from the cumulative impact of development in the village The Highway Authority is satisfied that the proposed development will not have a severe residual cumulative impact on the local road network'.

Their response is subject to the implementation of a package of measures; adoption of a Traffic Regulation Order reducing speed limit; and, financial contribution [Officer Note: some of these conditions are a blanket requirement regarding applications that have any effect on Eashing Lane and the instatement of identified mitigate works].

- 6.3 Surrey County Council Lead Local Flood Authority (LLFA): no comments received; no change in the impermeable surface area to require surface water drainage.
- 6.4 Environment Agency: The Environment Agency were approached but noted that they do not wish to be consulted on this application.

6.5 Natural England: no comment on this application.

'We note that this development also lies adjacent to the Surrey Hills Area of Outstanding Natural Beauty (AONB) and therefore has potential to impact this designated landscape. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

However, Natural England advises that great weight is given to the advice provided by the Surrey Hills AONB Board regarding this application. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, is a valuable contribution to the planning decision'.

[Officer Note: in light of this comment, Surrey Hills AONB Officer was approached for comment].

6.6 Sport England: No objection (subject to Condition).

'Sport England notes that the Waverley Borough Playing Pitch Strategy (PPS) identifies a shortfall of 7 x 7 grass football pitch provision in the Godalming area in terms of meeting both current and future needs for football. In that respect, the proposal [for U9/U10 7x7 mini-soccer pitches] will help to address an identified deficit of playing pitch provision'.

'Sport England notes that no ancillary provision is provided in the form of changing; toilets; storage; catering etc. While given the age groups of children likely to use the facility will mean that changing provision is unlikely to be needed since teams will generally come ready changed for matches/training, there is likely to be a requirement for toilets; storage; catering. Has this been considered?'.

[Officer Note: two letters (22 September 2022 and) of response have been submitted which should be read sequentially].

6.7 Surrey Hills AONB: No objection (subject to Condition).

In light of comments received that this area may be included in the AONB (which has proven to be incorrect – see below), for completeness the Surrey

Hills AONB Planning Adviser was consulted. Their comments are summarised below:

- a) *'We do not consider that the open area of the sports field, parking and new access would spoil the setting of the AONB ...because of the nature of the development and the limited intervisibility between the two. Furthermore, [Eashing Fields SANG] has not been proposed by Natural England as an AONB candidate area in their Surrey Hills AONB Boundary Review currently being undertaken.*
- b) *Nevertheless, from a landscape aspect there is some concern at the removal of as much as 120m of hedgerow for visibility sight lines. ...it may be possible to construct a planning condition or to include in a S106 Agreement requiring the replacement hedgerow behind the visibility splay to be planted within the first planting season following the grant of permission.*
- c) *Part of the existing hedgerow may be able to remain until the new access is formed while the new hedgerow grows. If this were done, the new hedgerow should become more established and effective when the sports fields are formed rather than if the planting is carried out afterwards, that is often the case'.*

[Officer Note: issue regarding first planting to be secured by Condition].

Parish Council

6.8 Shackleford Parish Council: The Parish Council (PC) raise an objection to the proposal. The comments are summarised below:

- a) Impact on Eashing Lane: effect on character; safety of pedestrians and other users; *'destroy long-established hedgerows'*;
- b) Movement of pedestrians across Eashing Land between the proposed SANG (east) and existing Eashing Fields SANG (west) with regards to increased traffic; and,
- c) Designation as AGLV and the *'protection to the rural characteristics of the historic village of Eashing and Eashing Lane itself'*.

[Officer Note: the PC submitted a generic letter of objection and/or issues of concern against both this application and the SANG application. Officers have reviewed these comments against the Applicant's documentation to ensure that the issues raised have been addressed and/or mitigated in the application. Of particular concern has been the issue of pedestrian and cyclist safety on Eashing Lane. Public highway mitigation works, as endorsed by the County Highways Authority (CHA), are proposed to address safety concerns].

- 6.9 Witley Parish Council: it is noted that the PC has responded to the WBC application but have made no separate comment on this application. No objection (subject to Condition regarding CTMP hours of operation).

Non-statutory consultees

- 6.10 Surrey Wildlife Trust: No objection (subject to Condition)

- a) The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
- b) Protected habitat – Hedgerows Habitat of Principal Importance: *'Hedgerows do not appear to have been assessed against the HPI criteria; of note is the coppiced hazel hedgerow on a raised bank along Eashing Lane and the northern site boundary (as shown in photo 3 of the AIA report); section of this hedgerow which will be lost to create access routes. We recommend that should the LPA be minded to grant planning permission, they request further assessment of and adequate compensation measures for the loss of any HPI hedgerows'.*
- c) Request for a Construction Environmental Management Plan (CEMP).

[Officer Note: matters raised to be secured by Condition(s)].

- 6.11 Surrey AONB: supportive of WBC application. No objection (subject to Condition).

'...the proposal for the sports fields lies outside the AONB, and the closest point is the other side of the Old Portsmouth Road [read west of A3]. I do not consider that the open area of the sports field, parking and new access would spoil the setting of the AONB on the other side of the Old Portsmouth Road because of

the nature of the development and the limited intervisibility between the two.

'Furthermore, the triangular shaped land on the opposite side of Eashing Lane [Eashing Fields SANG] has not been proposed by Natural England as an AONB candidate area in their Surrey Hills AONB Boundary Review currently being undertaken.

'Nevertheless, from a landscape aspect there is some concern at the removal of as much as 120m of hedgerow for visibility sight lines'.

[Officer Note: recommendation regarding the reinstatement of the hedgerow to be secured by Condition].

- 6.12 Surrey Police: No objection (subject to Condition that the scheme achieves a Secure By Design Accreditation for both residential and commercial development).

[Officer Note: Condition as requested to be addressed by the WBC application].

6.13 **Third-party comments**

Letters of objection have been received. The following is a summary of the issues raised. We note that some of the issues raised are the same as the Parish Council and are consequently addressed above.

- a) The site is required to address a development's obligations as located within Waverley Borough Council.
- b) The site is located with designated sensitive landscapes.
- c) *'The application to Waverley refers to Part 2 of the Waverley Plan which has been submitted on the basis that the proposed development should be for 177 dwellings being the number needed to meet Waverley's housing allocated to Milford and Witley. The application now seeks to increase the number of housing units to 216. It appears that the 22% increase necessitates provision of a SANG [and the sports pitches] which is now sought to be located in Guildford'.*
- d) *'Guildford has no benefit only adverse consequences from the SANG or other structures being located in this area of AGLV/AONB and Green Belt'.*
[Officer Note: local authorities have a duty to co-operate regarding boundary/ cross-boundary applications].

- e) The application does not address the setting and safety issues/impact of development on Eashing Lane.
- f) Concern with regards to safety regarding multiple accesses (vehicle and pedestrian) onto Eashing Lane.
- g) Concern regarding hours of use of the sports pitches (Application states predominantly on Saturdays and Sundays). [Officer Note: hours of use to be secured by Condition].
- h) Concern regarding the removal of existing, established hedgerow.

7. PLANNING CONSIDERATIONS

The planning matters for consideration for this application are:

- The principle of development (Planning policy)
- Provision of public open space (sports pitches)
- Impact on the Green Belt and the openness of the Green Belt
- Impact on the character of the area and design of the proposal
- Impact on neighbouring amenity
- Highways, accessibility and parking
- Flooding and surface water drainage
- Impact on existing trees and vegetation
- Impact on ecology and biodiversity
- Planning contributions and legal tests

7.1 The principle of development (planning policy)

7.1.1 The National Planning Policy Framework (2021) requires applications to, at a principal level, to accord with Paragraph 7: *'The purpose of the planning system is to contribute to the achievement of **sustainable development**'*; Paragraph 8 *'three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways a) an **economic** objective; b) a **social** objective; and, c) an **environmental** objective'*; and, Paragraph 11 the *'presumption in favour of sustainable development'*. In reviewing the application, it is considered that it accords with the intent of the NPPF (as bolded).

- 7.1.2 Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with an application for planning permission, regard is to be had to the development plan so far as material to the application; and, regard to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act (2004, as amended) requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Guildford Borough Council comprises the: Guildford Borough Local Plan: Strategy and Sites 2015- 2034 (adopted April 2019), and the Guildford Local Plan: Development Management Policies (adopted March 2023) – collectively these will be referred to in the Officer Report as the Guildford Local Plan.
- 7.1.3 It is noted that the Applicant site is not identified in the Guildford Local Plan for development, nor is it inferred in WBC Site Allocations and Development Policies (2023) Policy DS14 ‘Land at Secretts, Hurst Farm, Milford’. The proposal should therefore be assessed against Policy P2 (Green Belt) and Policy P3 (Countryside), both designations applicable to the site, in reading the Development Plan.
- 7.1.4 In terms of Section 38(6) of the Planning and Compulsory Purchase Act, the Act requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is argued that the application, in part providing recreational/ leisure facilities to serve 216 dwellings (40% affordable) and to address a deficiency in sports pitch provision within Waverley Borough which no doubt will have some impact on residents within Guildford Borough. This /should therefore be afforded material consideration, as permitted in reading of the Act.
- 7.1.5 For context, set out below is Waverley Borough Council’s Local Plan policy related to the hybrid planning application:
- a) WBC Local Plan Part 1: Strategic Policies and Sites (February 2028), Chp 13 The Rural Environment, Policy RE2 Green Belt – Plan 5: Removal of land within Milford and Witley from Green Belt; and, Para 13.24 ‘*The Review recommended the removal of an area of land to the north-west of Milford around Lower Mousehill Lane and north of Manor Fields...’.*
 - b) Para 13.28 to 13.36: regarding sensitive landscapes designated as Areas of Great Landscape Value (AGLV) that are considered *contiguous* and

parts that share some characteristics with the Areas of Outstanding Natural Beauty (AONB), in 2013 Natural England agreed for an assessment and evaluation of natural beauty of neighbouring areas to the AONB to afford them greater protection. (Para 13.35) This approach recognises the landscape quality of the AGLV, the role it plays as a buffer to the AONB and that parts have been recommended in the ... assessment for inclusion in the AONB. However, as a local designation, the AGLV holds less weight than the AONB in policy terms. Once the AONB review is completed any remaining parts of the AGLV not included in the AONB will have less status. However, the landscape character of the countryside outside the AONB will be protected through criteria-based policies and local designations in Part 2 of the Local Plan: Site Allocations and Development Management Policies, where evidence demonstrates that this would be appropriate. (Para 13.36) Guildford also proposes this approach in its submission Local Plan: Strategy and Sites (June 2016). Those plans also support government policy to protect the setting of AONBs from development outside their boundaries which impact upon views from and into the AONB. [Officer Note: in light of the above approach, and location of application site (designated AGLV) in relation to the adjacent AONB, Officers have approached the Surrey Hills AONB Officer for comment].

- c) WBC Local Plan Part 2: Site Allocation and Development Management Policies (March 2023), Policy DS14 Land as Secretts, Hurst Farm, Milford - *The site is an extensive piece of land adjoining the existing settlement of Milford and the site is current in a mixture of uses and contains a number of buildings, structures and hardstanding areas. It is considered that an extensive redevelopment of the site could provide a residential led mixed-use development.*
- d) Envisaged development density (15dph) would yield circa 195 dwellings.

[Officer Note: in terms of WBC policy, the release of Green Belt land and change to Rural Settlement boundary to enable the site allocation for the WBC application has been adopted].

7.1.6 In terms of planning policy, the application has been assessed in terms of the caveat in Section 38(6) of the Planning and Compulsory Purchase Act, *'the Act requires that planning applications must be determined in accordance with the*

Development Plan unless material considerations indicate otherwise’ in deeming that the material considerations of enabling cross-boundary delivery of growth against WBC’s Local Plan add significant weight to discharge this obligation.

7.1.7 In terms of Policy S1 (Presumption in favour of sustainable development) S1(2) state that *‘Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in adopted neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise’*, in this regard the application would accord with planning policy.

7.1.8 However, as the site forms part of the Green Belt, this further needs to be assessed in terms proposed changes in function and ‘openness’ to the Green Belt in this location. This is addressed in subsequent sections.

7.2 Provision of public open space (sports pitches)

7.2.1 NPPF Chapter 8 ‘Promoting healthy and safe communities, Paragraph 92(c) requires applications to *‘enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, ...walking and cycling’*; Paragraph 93(a) *‘planning policies and decisions should...a) plan positively for the provision and use of open space’*; and, Paragraph 98 recognises that *‘access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities’*. It is important to note that such open space is not defined solely as active sport areas such as sport fields, increasingly it is recognised that landscape spaces that accommodate informal play/leisure have both an educational, recreational, and well-being importance and should be encouraged.

7.2.2 WBC Local Plan Part 2: Site Allocation and Development Management Policies (March 2023), Policy DS14 Land as Secretts, Hurst Farm, Milford makes the provision for an allocation *‘for 177 dwellings, alongside the provision of associated facilities including: the relocation of the existing farm shop and all other existing retail businesses, the creation of an area of public realm to create a centre for the village and community of Milford, the provision of a rural*

business centre, and the creation of new sports pitch facilities' within the Red Line allocate site. It is noted that the WBC applicant has made an application for 216 dwellings on the allocated site, with SANG mitigation measures and the requirement to deliver new sports pitch facilities on the adjacent land, located within Guildford Borough Council. This approach, and the uplift of 39 dwellings, has been accepted by Waverley Borough Council.

- 7.2.3 The provision of public open space set aside in the WBC application conforms to WBC Policy LRC1 Leisure and Recreation Facilities, The WBC application conforms to WBC Policy on the basis that the GBC sports pitch site is inclusive within the required provision.
- 7.2.4 While the need for sports pitch facilities and public open space in this location has not been identified in the GBC Local Plan, the very nature of cross-boundary applications and consultation is to enable such development in such locations and is consequently supported.
- 7.2.5 The application would achieve the relevant aims and objectives of the NPPF and planning policy of both local planning authorities. This benefit weigh substantially in favour of the change of use to sports pitches.

7.3 Impact on the Green Belt and the openness of the Green Belt

- 7.3.1 NPPF Chp 13 Protecting Green Belt Land, Paragraph 149 states '*a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, ...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*'; and Paragraph 150 states that '*certain other forms of development are not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it. These are: e) material changes in the use of the land, (such as changes of use for outdoor sport or recreation...*' The proposed change of use falls within this exemption and consequently is supported by planning policy.
- 7.3.2 The current site is used for agricultural purposes and has both low biodiversity and habitat value. The proposed change of use, provision of two sport pitches,

and the introduction of new boundary planting would retain the openness and/or character of the Green Belt, would not conflict with any of the purposes of the Green Belt, and would add considerable biodiversity and habitat value to the site contributing to the landscape sustainability of the adjacent SANG sites, broader Green Belt, and AGLV.

Impact on openness of the Green Belt

- 7.3.3 Openness is generally considered to be the absence of development and therefore the introduction of development can be harmful. The meaning of openness was considered in the *Turner v Secretary of State for Communities and Local Government & Anor [2016] EWCA Civ 466* with the Court of Appeal finding that: *'The concept of "openness of the Green Belt" is not narrowly limited to the volumetric approach"... "openness is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents'*.
- 7.3.4 *R (Samuel Smith Old Brewery (Tadcaster) & Ors) v North Yorkshire County Council [2020] UKSC 3*, this Supreme Court decision stated: *'Openness is the counterpart of urban sprawl and is also linked to the purposes to be served by the Green Belt. As PPG2 made clear, it is not necessarily a statement about the visual qualities of the land, though in some cases this may be an aspect of the planning judgement involved in applying this broad policy concept. Nor does it imply freedom from any form of development. Paragraph 90 shows that some forms of development, including mineral extraction, may in principle be appropriate, and compatible with the concept of openness'*.
- 7.3.5 The existing site is open arable land and whilst the hard landscaping features would result in a minor increase in the built form, the large majority of the land would remain free of any development as is the existing situation. Whilst there would be a minor change in the appearance and use of the site, this would not have a greater impact on the openness of the Green Belt, over and above the existing situation. Therefore, this application in terms on the impact on openness of the Green Belt should be viewed as limited and addresses the

exception of NPPF 149(b).

Conformity with the purposes of Green Belts

7.3.6 The NPPF states that the essential characteristics of the Green Belt is its openness and permanence. Paragraph 138 states that the Green Belt serves five purposes:

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and,*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The proposed application would not conflict with any of these purposes due to the nature of the proposal and minimal encroachment.

7.3.7 The proposed change of use, minimum development, and planting would enhance the setting and character of the Green Belt and would comply with GBC Local Plan Policies P2, ID4 and addresses the exception of NPPF 149(b).

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

7.4.1 NPPF (2021) Chp12 'Achieving well-designed places' sets out the expectation regarding Good Design: Paragraph 126 '*The creation of high-quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. **Good design** is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*'. The sports pitches forms part of a network of open green and blue spaces linking across the adjacent masterplan and proposed SANG landscape to the immediate north. It forms a green link to the existing Eashing Fields SANG to the immediate west of Eashing Lane and should be read as remaining part of the broader surrounding Green Belt.

7.4.2 Policy D1 (Place shaping), requires all new development to: '*...achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set*'; and, Policy D4 (Achieving high quality

design) which collectively sets-out the essential elements of place-making. Both these policies align with the NPPF and National Design Guide.

- 7.4.3 The application proposes the construction of two natural grass mini-pitch U9/U10 sports pitches central to the site; retained and enhanced tree and native planting to the boundary; some ground mounding to screen the 30No. bay car parking and cycle stand area to the west; informal tree clusters to the areas between the sports pitches and boundary planting; and, informal mown pathways linking into the new residential development to the east. It is the intent that the landscape will be read as a continuous green space from the new dwellings, under new screen tree planting, and framed by hedgerow planting to Eashing Lane.
- 7.4.4 The application proposes a small building on site to provide a toilet, changing facility, and storage, for those using the sports pitches. This building is viewed as not inappropriate development in the Green Belt in so far that it supports the need for sports pitches across the Waverley Borough and will support demand within Guildford Borough. The delivery of this building is supported by Sport England and Waverley Borough Council.
- 7.4.5 There is a slight c. three-meter fall across the site from the north-east to the south-west. The Applicant has submitted a Playing Pitch Site Section drawing which shows that groundworks to the site will be required to create the level playing fields. The grading is viewed as not inappropriate development in the Green Belt. It is envisaged that all surface water drainage will percolate into the pitches and surrounding landscape areas.
- 7.4.6 The application will retain the 'openness' of the Green Belt of the site; the structured boundary planting replicating the natural landscape character of the surrounding agricultural and countryside landscape and would be supported in Green Belt policy terms.

Eashing Lane

- 7.4.7 It is noted that the application removes an existing hedgerow to Eashing Lane, circa 120m in both directions from the proposed access road onto Eashing Lane to enable the vehicle visibility splays (see pink dashed lines on dwg). The SANG application also proposes creating an opening in the same

hedgerow to provide pedestrian access/ crossing points to Eashing Fields SANG with similar requirements for visibility splay vegetation cut-back/ removal.

- 7.4.8 The Applicant is committed to the planting of a new, minimum 2m width hedgerow along the length of Eashing Lane to replace the removed existing hedgerow. Planting will be replaced with '*established material for instant hedge*' as stated on the Landscape Strategy Plan. A Condition will be used to specify minimum soft landscape specifications and planting densities. The application will introduce a native-rich species mixed hedgerow and tree planting, with grass wildflower and herbaceous understory to encourage greater biodiversity and be reflective of the two adjacent SANG habitats.
- 7.4.9 In principle, the Surrey Hills AONB Planning Adviser has not objected to the removal of the existing hedgerow and replacement in terms of effect/ harm to the AONB setting (see consultation), however, he has raised several issues regarding reinstatement that will be secured by Condition.
- 7.4.10 In terms of the impact of removing the hedgerow along Eashing Lane on the setting of the Green Belt, it is assessed as short-term harm to the setting of Eashing Lane and Green Belt which will be mitigated over time.
- 7.4.11 On the basis that no alternative access route to the sports pitch site has been tabled by the Applicant, which consequently necessitates the removal of c. 240m of existing hedgerow, the cumulative harm to the setting of Eashing Lane by way of hedgerows lining and framing the route and assessing this as short-term harm to the character of Eashing Lane, the harm is found to be acceptable.
- 7.4.12 The above paragraph should be read in conjunction with other road mitigation works proposed by SCC Highways to mitigate the impact of the Ockford Park development, Eashing Fields SANG, and the GBC SANG application on the character of Eashing Lane. In order to address issues of pedestrian safety and pedestrian movement along Eashing Lane, SCC Highways have proposed a series of mitigation measure to Eashing Lane including three narrowing points, bollards and kerbs, signage, and road markings. Cumulatively, this will represent a considerable visual change to the current character of Eashing Lane as a country route.

7.4.13As such, the application and associated landscape/ habitat proposal are deemed to be acceptable and compliant with Policy D1 and Policy D4(3)(5d,e).

7.5 Impact on neighbouring amenity

7.5.1 Policy D5 requires that *'Development proposals ...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; ...d) Artificial lighting; e) Noise and vibration; and, f) Odour, fumes and dust'*.

7.5.2 The Noise Impact Assessment (August 2022):

a) (5.5.6) *'Based on a worst-case scenario of both pitches in use at the same time, the noise generated by the operational activities of the proposed sports pitches, as set out in Table 5-8, are similar to the existing ambient noise levels at the nearest existing residential receptors on Eashing Lane and Chapel Close...'*

b) Possible mitigation measures, as set out in paragraph 6.2.4 to reduce noise and disturbance will be set in a Condition.

[Officer Note: the use of metal mesh fencing to enclose the pitches as suggested in this report has not been evidenced elsewhere and would not be acceptable as such permanent structures would affect the reading of openness of the Green Belt].

7.5.3 The Planning Statement (July 2022) paragraph 3.2.2 states that it is *'proposed to provide new playing pitches that are anticipated to be occupied by the local Milford Pumas youth football club'*. The D&S Statement (July 2022) Summary states *'New sports pitch provision for Milford Pumas Youth FC'*.

7.5.4 It is noted in correspondence with the Applicant that any agreement with the Milford Pumas Youth FC for restricted (weekend) use of the sports pitches has not been concluded; that the discussion with Witley Parish Council (WPC) who expressed an interest in owing, maintaining, and taking on the responsibility of the future maintenance of the pitches has not been concluded; that the suggestion of a land transfer to WPC has not been raised to GBC and has consequently not been concluded; that the suggestion that the sports pitches

and land are transferred to GBC is not accepted as GBC has not identified need in their Local Plan for such a facility in this location; and, the use for private purposes would be contrary to the WBC application as the requirement for sports pitches is to meet a need for such facilities within the Borough. The long-term ownership, management and maintenance will need to be finalised as part of the Section 106 negotiations.

- 7.5.5 It is against this reading, that the application would introduce a non-formalised, recreational use to the site that would be low key in nature with limited noise or disturbance to the existing residential neighbours local only along the southern boundary.
- 7.5.6 The application will introduce hedgerow and tree group planting along this boundary to screen visual intrusion.
- 7.5.7 To ensure the amenity value of the adjacent dwellings, any potential intensified use of the sports pitches and restrictions to such will be set out in a Sports Pitch Management and Maintenance Strategy as a Condition and subject to GBC's approval.
- 7.5.8 It is noted that the provision of sports pitch lighting and general site lighting will not be permitted in order to retain the character and openness of the Green Belt. This will be secured by Condition.
- 7.5.9 Given the above, the application is deemed compliant with policy in this regard.

7.6 Highway, accessibility, and parking

- 7.6.1 The overriding requirement from national policy, is NPPF Paragraph 8 'Sustainable development' which requires applications to ensure that they promote sustainable transport options.
- 7.6.2 NPPF Paragraph 110 '*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of*

streets, parking areas, other transport elements and the content of associated standards reflect current national guidance, including the National Design Guide and the National Model Design Code; and, d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree'.

7.6.3 NPPF Chapter 9 Promoting sustainable transport: in this regard we refer to Paragraph 104(c) 'opportunities to promote walking, cycling and public transport use are identified and pursued', and Glossary '**Sustainable transport modes**: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra-low and zero emission vehicles, car sharing and public transport'. i.e. the transport assessment needs to review all forms of modal options accessible to and enabled by the application in order for the application to be viewed as achieving 'sustainable development'.

7.6.4 In terms of Policy ID3 (Sustainable transport for new developments) the WBC application accords with (1) '*New development will be required to contribute to the delivery of an integrated, accessible and safe transport system, maximising the use of the sustainable transport modes of walking, cycling and the use of public and community transport*' by the provision of a network of pedestrian and cycle routes that extend beyond the site to enable connection into Milford, north towards Ockford Park, and west across the site towards Eashing Fields SANG. This approach and provision is welcomed.

7.6.5 GBC Parking Standards for New Developments SPD (2023), Table A1 parking for non-strategic sites, and Table B1 parking for strategic sites, states '*Field sport clubs: 1 car space per 2 playing participants OR Individual assessment/ justification*', is read against the Applicant's Transport Assessment (July 2022) paragraph 3.28 '*the proposal includes two 11-aside pitches and therefore the standards require 22 spaces, as 44 players could be on the pitch at one time*' and paragraph 3.29 '*however, in order to provide an appropriate number of parking spaces for the specific use (as opposed to general field sports pitches), the client team have engaged with Milford Pumas, the local junior football team. Following consultation with the Milford Pumas, it is proposed to provide 30-parking spaces for both pitches, which is considered appropriate for use by junior sports teams*'. In light that SCC Highways have not raised an objection

to parking provision, it is accepted that the number of bays being provide is acceptable.

7.6.6 The application provides 8-cycle stands which will be secured by Condition.

7.6.7 In terms of highways, SCC Highway Authority have reviewed the application and have no objection, subject to the implementation of a package of measures; adoption of a Traffic Regulation Order reducing speed limit; and, financial contribution. Their review notes (letter dated 8 June 2023):

SCC's highway team and Road Safety team were consulted as part of the assessment of this planning application in February 2022. A reduction in the speed limit on Eashing Lane is already being implemented by SCC, using S106 funding from the Cala Homes development at Ockford Ridge. The speed reduction and pedestrian safety improvement scheme proposed as part of this planning application is designed to further slow traffic speeds at the southern end of Eashing Lane, and improve safety for pedestrians accessing the Eashing Lane SANG and Public Bridleway No. 124. The exact scope of the works would be finalised at the S278 detailed design stage, and the opportunity to reduce the speed limit to 20mph along this section of Eashing Lane and introduce a virtual footway would be considered at that stage. At the S278 detailed design stage, the works will be subject to a Road Safety Audit and further input will be sought from local stakeholders. It should be noted that this scheme of works would need to be delivered prior to the proposed junior sports pitches, and their associated access onto Eashing Lane (planning application ref WA/2022/02194), being first brought into use. Given the reduction of the speed limit along this stretch of carriageway, the proposed access to the junior sports pitches would require significantly reduced visibility splays than previously proposed, and any impact on existing hedgerows would be greatly reduced as a result of this. The character of Eashing Lane would therefore be subject to minimal changes and would remain as a rural road'.

7.6.8 There are several observations regarding the above response that are noted below:

a) The current designated speed on Eashing Lane is the national speed limit of 60mph. A Traffic Regulation Order (TRO) to reduce speeds to 40mph has

been made by SCC Highways and should take force end 2023 (according to separate correspondence with SCC Highways).

- b) In preparing the Transport Assessment, in agreement with SCC Highways, measured speeds survey used in TA/ SCC were assessed. The Assessment used 40mph which was then used to inform the visibility splays (i.e. 120m (Design Manual Roads & Bridges); SCC Highways would accept 90m).
- c) The mitigation measures proposed would, in the view of SCC Highways, reduce the speed to 30mph on Eashing Lane. The mitigation measures were not predicated on a particular speed (30 and/or 40mph).
- d) It is noted that the Traffic Regulation Order has not yet been submitted by SCC Highways (duration 8-12wks to decision).

7.6.9 In discussion with the Applicant and SCC Highways, issue was raised that the mitigation measures proposed to Eashing Lane a) still had pedestrians, cyclists (part of the Comprehensive Guildford Borough Cycle Network), and infrequently horse-riders, sharing the public highways as they moved from the WBC new development, proposed SANG and proposed sports pitches across to Eashing Fields SANG and countryside – with road speeds at 30 to 40mph; b) the removal of hedgerow predicated on the need for visibility splays; and, c) the actual physical changes and introduction of urban road elements to Eashing Lane, did not displace the concern regarding pedestrian safety and changes to the character of Eashing Lane, a route within the Green Belt.

7.6.10 SCC Highways response of ‘no objection’ - ‘*net improvement in highway safety in non-motorised user compared to existing situation*’ should be read against the fact that no other alternatives were tabled to the planning application.

7.6.11 In reviewing the Design & Access Statement, Part B/05 Design Evolution it is noted that the application did explore access for the masterplan in part from Eashing Lane. This was rejected on highway grounds. It is noted that no alternative route to access the sport pitches from within the masterplan was further explored. The impact of this access point on the Green Belt and character of Eashing Lane has not been evidenced by the Applicant.

7.6.12 In further dialogue with SCC Highways, they note a broader ambition for 20mph across all urban areas, including Eashing Lane, which may come into force end 2023. This would address the concern regarding the safety of non-

motorised users on Eashing Lane. However, this is subject to a TRO which falls outside the remit of this application.

7.6.13 To address the potential issue of over-flow parking from the sports pitches spilling over to parking on Eashing Lane, SCC Highways will require parking restriction (double yellow lines) to the road, and a Car Parking Management Plan. This will be secured by Condition.

7.6.14 To address the landscape harm of the above works on the character of Eashing Lane, the reinstatement of treed hedgerow to the Lane will be a pre-commencement Condition and should be undertaken in the first planting season of a consented application and the existing hedgerow should not be removed until such time that sufficient screening has been re-established. This will be secured by Condition.

7.6.15 The Applicant has confirmed that the access roads and parking area will be retained in private ownership but constructed to adoptable standards.

7.6.16 In terms of highways impact, SCC Highways as statutory consultee has not raised an objection.

7.7 Flooding and surface water drainage

7.7.1 The Environment Agency Mapping identifies the site as Flood Zone 1 - land assessed as having a less than 1-in-1,000 annual probability of river flooding.

7.7.2 The Applicant has submitted a Flood Risk Assessment and Drainage Strategy (July 2022), Foul and Storm Drainage Strategy (dwg No. 6406-MJA-SW-XX-DR-C-011/Rev. P1, dated 19/05/2022) which illustrates the provision of a swales on the site to accommodate stormwater from the development. Subsequent correspondence from the Applicant states that the drainage strategy was updated in response to the LLFA's initial comments and that these are no longer a requirement (ref. Applicant's Technical Note; 10 February 2023). Consequently, the southern swale and access road swale has been omitted.

7.7.3 The Applicant's Technical Note states '*Northern Car Park & Access: The northern access is proposed to serve the playing / football fields and parking area with access off Eashing Lane. The drainage proposals for these is to keep*

as natural as possible; the access road will drain to a side swale with associated under drained sub-base. The parking area will likewise be formed with an open graded permeable surface' in relation to this application site. It is noted that the side swale has been omitted (see above). The technical specification of the permeable surface will be secured by Condition.

- 7.7.4 The Applicant has submitted an amended Foul and Storm Drainage Strategy Sheet 2 of 2 (dwg No. 6406-MJA-SW-XX-DR-C-011/Rev. P3, dated 03/03/23) which shows a small swale located adjacent to the access road. In principle, this limits the potential to introduce screen planting to limit views from Eashing Lane into the site; and, limits the re-framing of Eashing Lane. This side-swale has been omitted as noted above.
- 7.7.5 The Flood Risk Assessment and Drainage Strategy as tabled by the Applicant are acceptable to the LLFA. In this regard, the application is compliant with the relevant provisions of the NPPF and the Guildford Local Plan.
- 7.7.6 Given the above, the application is deemed compliant with policy in this regard.

7.8 Impact on existing trees and vegetation

- 7.8.1 The Guildford Local Plan Policy P6 (Protecting important habitats and species), and BS5837 (2012) 'Trees in relation to design, demolition and construction' sets out the requirement to address the impact of development on existing trees and treed hedgerows within or framing the site. In this regard, the existing landscape has local value in terms of the setting to Eashing Lane and Green Belt.
- 7.8.2 The Applicant has submitted an Arboricultural Impact Assessment Report (ref. SHA 1303; dated July 2022) which tables a tree survey and tree protection plan in relation to trees to be retained. The report notes paragraph 6.6.2 '*On the boundary with Eashing Lane is an attractive line of coppiced hazel on a raised bank next to the road, and continuing north is a group of mixed native species of thorn, holly and dog rose. These hedges are integral to the rural character of this part of the site and form ecological connectivity*'.
- 7.8.3 Plan 6 (extract from SHA) indicated trees/ hedgerow to be removed along

Eashing Lane to enable the access only; the Plan makes no reference to the hedgerow that needs to be removed to enable the visibility splays to the access point in both a north and south direction. The removal of such, and the impact on visual amenity on Green Belt setting is not discussed.

7.8.4 The application is supported by: Tree Survey Plan:

a) Tree Survey Plan (A0) (dwg No. SHA 1303 TSP, Rev. A; dated Feb 2022): all site.

b) Tree Survey Plan (A1) (dwg No. SHA 1303 TSP, Rev. -; dated 20/11/23): application site – G62-B; T61-C; H60-C (Group to be retained); and T59-B (on neighbouring property but RPZ).

[Cat B – moderate quality and value; Cat C – low quality and value]

7.8.5 The application is supported by: Tree Protection Plan:

a) Tree Protection Plan (dwg No. SHA 1303 TPP, 1 of 6; dated 08/07/2022) indicates '*Section of [hedgerow] group to be removed*'; Hedgerow Ref. G62-B; G63-C. Indicates hedgerow only removed at access point.

7.8.6 The Report recommends an Arboricultural Method Statement which will be secured via Condition.

7.8.7 The Applicant has submitted a Landscape Strategy Plan (dwg No. 1504/101/ Rev. D; dated 08/03/23) which notes that '*existing hedge within sight lines removed and replaced with established material for instant hedge*'. Size of planting material not stated but to be secured by Condition.

7.8.8 It is considered that the Assessment complies with the objectives of policy; where applicable, matters identified will be secured by Condition.

7.9 Impact on ecology and biodiversity

7.9.1 It is noted that currently the land has been managed for agricultural purposes which results in very low site habitat diversity.

7.9.2 During construction there would be some earthworks to grade the sports pitches, and removal of hedgerow planting along Eashing Lane.

7.9.3 No outdoor parking and sports pitch lighting has been proposed. This would

maintain existing dark corridors on the site and shall be maintained by condition.

7.9.4 As proposed in the Landscape Strategy Plan, the application will reinstate native hedgerow planting to Eashing Lane; introduce native mixed hedging to the northern boundary; introduce tree groups along the boundaries; and, create long-grass wildflower meadows and shrub planting. In totality, the proposal will introduce native landscaping to the site that will support fauna diversity and create new habitat niches on the site. The proposals are welcomed. Planting size and density specification are to be secured by Condition.

7.10 Planning contributions and legal tests

7.10.1 The three tests as set out in Regulation 122(2) require s106 agreements to be: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and, (c) fairly and reasonably related in scale and kind to the development. If all other aspects of the application were deemed to be acceptable, then the following contributions to be secured by way of a s106 agreement.

7.10.2 SCC Highways: SCC have identified measures towards highway safety/highway improvement schemes within the vicinity of the site which will be delivered by the Applicant in accordance with the 'Proposed Eashing Lane connection to Eash Fields SANG and Bridleway 124' drawing (dwg. No. 20-T083/21) – for the purposes of clarity, these works are referred to as Eashing Lane highway mitigation works.

7.10.3 The Applicant would enter into a s278 Agreement to deliver the Eashing Lane highway mitigation works and access to the Site.

8. FINAL BALANCING EXERCISE

8.1 The final balancing exercise is set out below. In assessing the weight to be afforded to harms / benefits, Officers have applied an increasing scale which attributes **moderate, significant, or substantial** weight to each identified harm

/ benefit. Having attributed such weight, an overall judgement is then required regarding the balance of harm vs benefit.

- 8.2 The three applications cumulatively, provide and enables the development of 216 dwellings (40% affordable), a new farm shop (Use Class E), change of use of existing farm shop building to provide 533sqm of commercial accommodation as a rural business hub (Use Class E), provision of public open space (including two sports pitch c.1.3ha, and SANG 4.5Ha), a network of pedestrian and cycle routes, and, landscaping applications; socio-economic benefits; and financial contribution to infrastructure improvements. Collectively, this benefit should be afforded **significant** weight.
- 8.3 Matters relating to the harm and/or impact to the landscape, the Green Belt, and the character of Eashing Lane are to be read against the landscape and mitigation strategies tabled by the Applicant and to be secured by Condition. In this regard any harm as identified is afforded limited to **moderate** weight.
- 8.4 While it is acknowledged that the (cumulative and application site) contributions secured through this application are required to make the proposal acceptable in planning terms, they do nonetheless result in wider public benefits. This benefit is afforded moderate weight for the cumulative applications, and limited weight to this application.
- 8.5 The benefit of the three application, as cross-boundary applications, is wide ranging and long-lasting. The benefit of this application, read singularly and cumulatively, it is assessed that the benefits are clearly outweighed by the harm of the application.

9. **CONCLUSION**

- 9.1 It is considered that the application delivers against the objectives of NPPF Paragraph 7 *'the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own need'*.
- 9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires

decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. This requires a broad judgement regarding whether the development accords with the plan read as a whole. NPPF Paragraph 11 states that *'plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means...approving development proposals that accord with an up-to-date development plan without delay'*.

- 9.3 It is noted that the Applicant site is not identified in the Guildford Local Plan ('development plan'), nor is it inferred in WBC Site Allocations and Development Policies (2023) Policy DS14 'Land at Secretts, Hurst Farm, Milford'. The site should therefore be understood against Policy P2 (Green Belt) and Policy P3 (Countryside), both designations applicable to the site, in reading the Development Plan.
- 9.4 In terms of Section 38(6) of the Planning and Compulsory Purchase Act, the Act requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is argued that the application, in part providing sports pitches to serve 216 dwellings (40% affordable) and to meet, in part, the under provision of sports pitches in Waverley Borough, is part of the WBC's application, as a cross-boundary application, thus enabling the Hurst Farm development and should therefore be afforded material consideration, as permitted in reading of the Act.
- 9.5 Overall, the Officer Report's assessment concludes that the adverse impacts of the application would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework and the Guildford Local Plan taken as a whole. As such, the application is deemed to be compliant with the Development Plan and subject to the conditions and s106 agreement securing the contributions set out above, the application is deemed to be acceptable and is **recommended for approval**.

CONDITIONS

1. **Time limit:** The development as hereby permitted shall commence not later

than the expiration of three year from the date of permission.

Reason: to comply with Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Approved documents:** the development hereby permitted shall be carried out in accordance with the following approved drawings as set out below.

Prefi x	Dwg No	Drawing Name
1504	50 A	Toilet Facility & Store Details (dated 14/08/2023)
1504	51 C	Street Scenes
1504	54-1 A	Wall & Fence Details
1504	54-2	Wall & Fence Details
1504	54-3	Wall & Fence Details
1504	55-1 A	Garage Details
1504	55-2 A	Bin & Cycle Store Details
1504	90-1	Village Hub Details (Retention of existing farm shop building)
1504	90-2 A	Village Hub Details (outline of potential health hub layout)
1504	94 A	Playing Pitch Toilet Facility & Store Plan (dated 14/08/2023)
1504	94-2	Sports Pitch Site Sections (dated 08/2023)
1504	94-3	Hedge Removal Plan (dated 08/2023)
1504	95 D	Refuse & Fire Tender Access Plan
1504	96 D	Parking Plan
1504	97 D	Boundary Treatment Plan
1504	98 C	PV Location Plan
1504	100-1 E	Overall Coloured Planning Layout
1504	100-2 D	Planning Layout (Sheet 1 of 2)
1504	100-3 E	Planning Layout (Sheet 2 of 2)
1504	101 F	Landscape Strategy Plan (dated 14/08/2023)
1504	102	Location Plan
1504	110 E	Materials Plan
1504	105 A	Land Use Plan

1504	106 A	Density Plan
1504	107 A	Building Height Plan
1504	108 A	Access and Movement Plan
1504	109 A	Green and Blue Infrastructure Plan
HT	UP 01A	Upavon Elevations
HT	UP 02A	Upavon Floor Plans
HT	UP 03A	Upavon Elevations
HT	UP 04A	Upavon Floor Plans
HT	As-01A	Ashton Elevations
HT	As-02A	Ashton Floor Plans
HT	Sa-01	Sandford Elevations
HT	Sa-02	Sandford Floor Plans
HT	Sa-Up-01B	Sandford & Upavon Elevations
HT	Sa-Up-02 A	Sandford & Upavon Elevations
HT	Sa-Up-x2-03A	Sandford & Upavon Elevations
HT	Sa-Up-x2-04	Sandford & Upavon Floor Plans
HT	Ma-01A	Marcham Elevations
HT	Ma-02A	Marcham Floor Plans
HT	He-01B	Hendred Elevations
HT	He-02C	Hendred Elevations
HT	He-03A	Hendred Floor Plans
HT	Lt-01A	Letcombe Elevations
HT	Lt-02B	Letcombe Floor Plans
HT	Bu-01A	Bucklebury Elevations
HT	Bu-02B	Bucklebury Floor Plans
HT	Go-01B	Goodworth Elevations
HT	Go-02C	Goodworth Elevations
HT	Go-03B	Goodworth floor plans
HT	Lo-01A	Lockeridge Elevations
HT	Lo02A	Lockeridge Floor Plans
HT	Mn-01A	Monkton Elevations
HT	Mn-02A	Monkton Floor Plans
HT	Dr-01C	Draycott Elevations
HT	Dr-02C	Draycott Elevations
HT	Dr-03B	Draycott Floor Plans
HT	Ki-01A	Kimpton Elevations
HT	Ki-02A	Kimpton Floor Plans

HT	Lc-01A	Leckford Elevations	
HT	Lc-02A	Leckford Floor Plans	
HT	Sc-02B	Scotney Elevations	
HT	Sc-03A	Scotney Floor plans	
HT	A-01	Type A Elevations	
HT	A-02	Type A Floor Plans	
HT	Su-1B	Sunningdale Elevations	
HT	Su-02	Sunningdale Floor Plans	
HT	C-01B	Type C Elevations	
HT	C-02C	Type C Elevations	
HT	C-03A	Type C Floor Plans	
HT	Wi-2B-01B	Winterbourne & 2B Elevations	
HT	Wi-2B-02B	Winterbourne & 2B Floor Plans	
HT	Wi-2B-x2-03B	Winterbourne & 2B Elevations	
HT	Wi-2B-x2-04B	Winterbourne & 2B Elevations	
HT	Wi-2B-x2-05B	Winterbourne & 2B Floor Plans	
HT	Wi-2B-x2-06B	Winterbourne & 2B Floor Plans	
HT	Wi-Ra-01 A	Winterbourne & Radley Elevations	
HT	Wi-Ra-02	Winterbourne & Radley Floor Plans	
HT	2B-01B	Type 2B Elevations	
HT	2B-02B	Type 2B Floor Plans	
HT	Ra-01B	Radley Elevations	
HT	Ra-02A	Radley Floor Plans	
HT	Wo-01A	Woolton Elevations	
HT	Wo-02	Woolton Floor Plans	
	6406-MJA-SW-XX-DR-C	001 - P3	Level Strategy Sht1
	6406-MJA-SW-XX-DR-C	002 - P3	Level Strategy Sht2
	6406-MJA-SW-XX-DR-C	003 - P3	Level Strategy Sht3
	6406-MJA-SW-XX-DR-C	004 - P3	Level Strategy Sht4
	6406-MJA-SW-XX-DR-C	005 - P3	Level Strategy Sht5
	6406-MJA-SW-XX-DR-C	006 - P3	Level Strategy Sht6
	6406-MJA-SW-XX-DR-C	010 - P2	Drainage Strategy Sht1
	6406-MJA-SW-XX-DR-C	11 - P2	Drainage Strategy Sht2
	6406-MJA-SW-XX-DR-C	30 - P3	Street Lighting Sht1
	6406-MJA-SW-XX-DR-C	31 - P3	Street Lighting Sht2
	6406-MJA-SW-XX-DR-C	40 - P3	Visibility & dimensions Sht1

6406-MJA-SW-XX-DR-C	41 - P3	Visibility & dimensions Sht2
6406-MJA-SW-XX-DR-C	101- P2	Long Section Rd Sht 1 of 2
6406-MJA-SW-XX-DR-C	102- P2	Long Section Rd Sht 2 of 2
6406-MJA-SW-XX-DR-C	103- P2	Long Sections Rds 2-5
6406-MJA-SW-XX-DR-C	104- P2	Long Sections Rds 6-10
6406-MJA-SW-XX-DR-C	105- P2	Long Sections Rds 16-19
6406-MJA-SW-XX-DR-C	106- P2	Long Sections Rds 17
6406-MJA-SW-XX-DR-C	150- P1	Southern Pond Sections
6406-MJA-SW-XX-DR-C	201- P1	Adoptable Sewer Details
6406-MJA-SW-XX-DR-C	202- P1	Attenuation Details
6406-MJA-SW-XX-DR-C	500 - P3	Refuse Tracking Sht1
6406-MJA-SW-XX-DR-C	501 - P3	Refuse Tracking Sht2
6406-MJA-SW-XX-DR-C	502 - P3	Fire Tender Tracking Sht1
6406-MJA-SW-XX-DR-C	503 - P3	Fire Tender Tracking Sht2
Prefix	Dwg No	Drawing Name
	20-T083/21/	Proposed Eashing Lane connection to Eash Fields SANG and Bridleway 124
	20-T083/54	Proposed highway works, access and relocated hedgerow plan (dated 10/08/2023)

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

3. **Construction Transport Management Plan:** no development shall take place, including any ground works or works of demolition, until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CTMP shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - a) The anticipated number, frequency and types of vehicles used during construction;

- b) Parking for vehicles of site personnel, operatives and visitors;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials;
- e) Programme of works (including measures for traffic management);
- f) Provision of boundary hoarding behind any visibility zones;
- g) HGV deliveries and hours of operation;
- h) Vehicle routing;
- i) Provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- j) Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- k) Measures to prevent deliveries at the beginning and end of the school day;
- l) On-site turning for construction vehicles has been submitted to and approved in writing by the local planning authority. Only the approved details shall be implemented during the construction of the development; and,
- m) Hours of operation.

Reason: pre-commencement condition in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the NPPF Section 9 “Promoting Sustainable Transport” and with Policy ID3(6) of the Guildford Local Plan.

4. **Construction Environmental Management Plan (CEMP):** no development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details. The CEMP shall include, but is not limited to, the following:
- a) Information on the persons/bodies responsible for identified activities associated with the CEMP that demonstrate they are qualified for the activity they are undertaking including an ecological Clerk of Works and lines of communication;

- b) Practical measures (both physical measures and sensitive working practices) to be used during the development in order to minimise environmental impact of the works (inter-alia, considering both potential disturbance and pollution including air quality (dust and PM10), noise, and including traffic routing to reduce vehicles emissions, compounds for storage of plant/machinery/materials, protective fencing, exclusion barriers and warning signs for the protection of existing hedgerows, trees and other landscape features to be retained, detailed method statements considering construction noise, vibration and lighting effects and plant operation, storage and spillage of oil/chemicals and soil protection measures (may be provided as a set of method statements);
- c) Noise assessment - the rating level (L_{Ar},Tr) of sound emitted from any machinery associated with the construction shall not exceed the plant rating level limits specified for the relevant Working Hours. All measurements and assessments shall be made in accordance with the methodology of BS 4142:2014+A1:2019 '*Methods for rating and assessing industrial and commercial sound*' and/or its subsequent amendments;
- d) Any necessary mitigation for protected species and measures to protect retained trees, treed hedgerows and alongside the main watercourse feeding into the existing watercourse, during works;
- e) A Soil Management Plan including proposals for stripping and storing soil for later reuse on site in accordance with DEFRA's Construction Code of Practice for the Sustainable Use of Soil on Construction Sites September 2009;
- f) Risk assessment of potentially damaging construction activities;
- g) Lighting used for construction must be kept to a minimum and switched off when not in use. Lighting should be positioned so as not to spill on to adjacent land or retained vegetation. Night working (see Working Hours condition) should be avoided where possible to reduce lighting of sensitive habitats and disturbance to species;
- h) The timing of the works including timings to avoid harm to environmentally sensitive area or features and the times when specialist ecologists need to be present on site to oversee works;
- i) Implementation of a construction-phase drainage strategy to intercept, capture and attenuate surface water runoff to avoid detrimental impacts on the interest waterbodies from ground and/or surface water pollution. Chemicals and fuels must be stored in secure containers located away from watercourses or water bodies. Spill kits must be available on site;

- j) Measures to manage flood risk, both on and off the site, during the construction phase. This may be incorporated into the CEMP or form a standalone document;
- k) Use of protective fences, exclusion barriers and warning signs;
- l) Excavations must be covered or securely fenced (with no potential access points beneath fencing) when the construction site is closed to prevent entrapment of animals (especially badgers);
- m) A detailed method statement for the long-term management and control of Japanese Knotweed on the site including measures to prevent its spread during any operations and measures to ensure that any soils brought onto the site are free of the seeds/root/stem on any invasive plant listed under the Wildlife and Countryside Act 1981 (as amended) if evident on site;
- n) Detail relating to the proposed ecological compensation and enhancement actions in relation to habitat creation and management (30-years) to be provided within the CEMP, or as a separate Ecological Management Plan report, secured through planning; and,
- o) Any necessary pollution protection methods.

Reason: pre-commencement condition to ensure that any adverse environmental impacts of development activities are mitigated in accordance with Policy ID4(4)(5)(7) of the Guildford Local Plan.

5. **Vehicle parking:** prior to the site, sports pitches and facilities being brought into first use, the spaces required for parking shall be laid out within the site in accordance with the approved Landscape Strategy Plan (dwg No. 1504/101) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the NPPF Section 9 “Promoting Sustainable Transport” and with Policy ID3(6) of the Guildford Local Plan.

6. **Cycle stands:** prior to the site, sports pitches and facilities being brought into first use, the Wooden West Cross Cycle Stand from Broxap shall be laid out within the site in accordance with the approved Landscape Strategy Plan (dwg

No. 1504/101). These facilities shall be fully implemented and made available for user prior to first use and shall thereafter be retained for such use at all times.

Reason: to ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy ID9(2)(3a)(4) and Paragraph 6.132 of the Guildford Local Plan.

7. **Hard and soft landscaping:** all hard and soft landscaping works shall be carried out in accordance with the Landscape Strategy Plan (dwg No. 1504/101) as approved by the Local planning Authority. All landscaping work and new planting shall be carried out prior to the first use of any part of the application site. Any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in the same place.

Reason: to ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality and in accordance with Policy D7 of the Guildford Local Plan.

8. **External lighting:** no external lighting including sports pitch lighting shall be installed on the site.

Reason: to minimise light pollution to protect the setting of the Green Belt and to ensure the protection and enhancement of wildlife and to protect the amenities of the neighbouring properties in accordance with Policy D5 and D12 of the Guildford Local Plan.

9. **Boundary treatment:** no boundary treatment/means of enclosure is to be erected around and within the application site including the permanent erection of sports pitch fencing.

Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting this Order with or without modification), no fences, gates or walls, or

structures of any kind, shall be erected as stated above.

Reason: to safeguard the 'openness' character of the Green Belt and enhance the appearance of the site in accordance with Policy D7 of the Guildford Local Plan.

10. **Toilet facility:** no above ground works shall take place (excluding ground works and construction up to damp proof course and the construction of the access) until details regarding the proposed septic tank have been submitted to and approved in writing by the Local Planning Authority. Prior to the site, sports pitches and facilities being brought into first use, the toilet facility and store building shall be constructed in accordance with the approved Toilet Facility and Store Details (dwg No. 1504/50/ Rev. A) and located on the Landscape Strategy Plan (dwg No. 1504/101). These facilities shall be fully implemented and made available for use and shall thereafter be retained for such use at all times.

Reason: to ensure that satisfactory facilities are provided in accordance with Sport England's Guidance and in accordance with Policy ID6 of the Guildford Local Plan.

11. **Site levels/ earthworks:** no development above ground level shall take place until details of earthworks as indicated on Sports Pitch Site Sections (dwg No. 1504/94-2) have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. As part of the works, the top soil will be stripped and stockpiled, and placed over final graded surfaces. It is explicitly noted that no soil material will be taken off site but used in the mounds in accordance with the approved Landscape Strategy Plan (dwg No. 1504/101).

Reason: to retain the agricultural-quality soil and enable habitat creation and safeguard the 'openness' character of the Green Belt and enhance the appearance of the site in accordance with NPPF paragraph 174(a)

12. **Existing Hedgerow:** the replacement hedgerow as indicated on the Landscape Strategy Plan (dwg No. 1504/101) will be planted within the first planting

season following the grant of permission as advance screen planting and allowed to mature for two seasons prior to the removal of the existing hedgerow as indicated on Hedge Removal Plan (dwg No. 1504/94-3). The parking and access will not be used until the required visibility splays required can then be instated.

Reason: to safeguard the 'openness' character of the Green Belt and enhance the appearance of the site in accordance with Policy D7 of the Guildford Local Plan.

13. **Ground Conditions:** no above ground works shall take place until:
- a) A detailed assessment of ground conditions of the land proposed for the new sports pitches as shown on approved Landscape Strategy Plan (dwg No. 1504/101) has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and,
 - b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and in accordance with Sport England's Guidance and in accordance with Policy ID6 of the Guildford Local Plan.

14. **Construction:** the playing field/pitches shall be constructed and laid out in accordance with the approved Landscape Strategy Plan (dwg No. 1504/101) and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before occupation of the development hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available

for use before development (or agreed timescale) and to accord with Policy D7 of the Guildford Local Plan.

INFORMATIVES

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

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

In this case pre-application advice was not sought prior to submission, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues and the proposal is now deemed to be acceptable.

2. Surrey County Council Highway Authority
 - a) Design standards for the layout and construction of access roads and

junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

- b) The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
- c) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
- d) All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
- e) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding advice.
- f) The developer is reminded that it is an offence to allow materials to be carried

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

- g) When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
- h) The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- i) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- j) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- k) The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy: <http://www.surreycc.gov.uk/environment-housing-and->

planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol.

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

m) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

3. (Sport England) **Sport Pitches:** the proposed pitches should be designed; prepared and constructed in accordance with our Natural Turf for Sport (2011) guidance. This can be found here: <https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/natural-turf-for-sport.pdf>.

Date: September 2023

Peter Dijkhuis
BL Arch MCPUD TRP(SA) MRTPI
Principal Planning Officer – Major Applications
Place Services
For and behalf of Guildford District Council

Claire Upton-Brown
Executive Head Planning Development
For and behalf of Guildford District Council

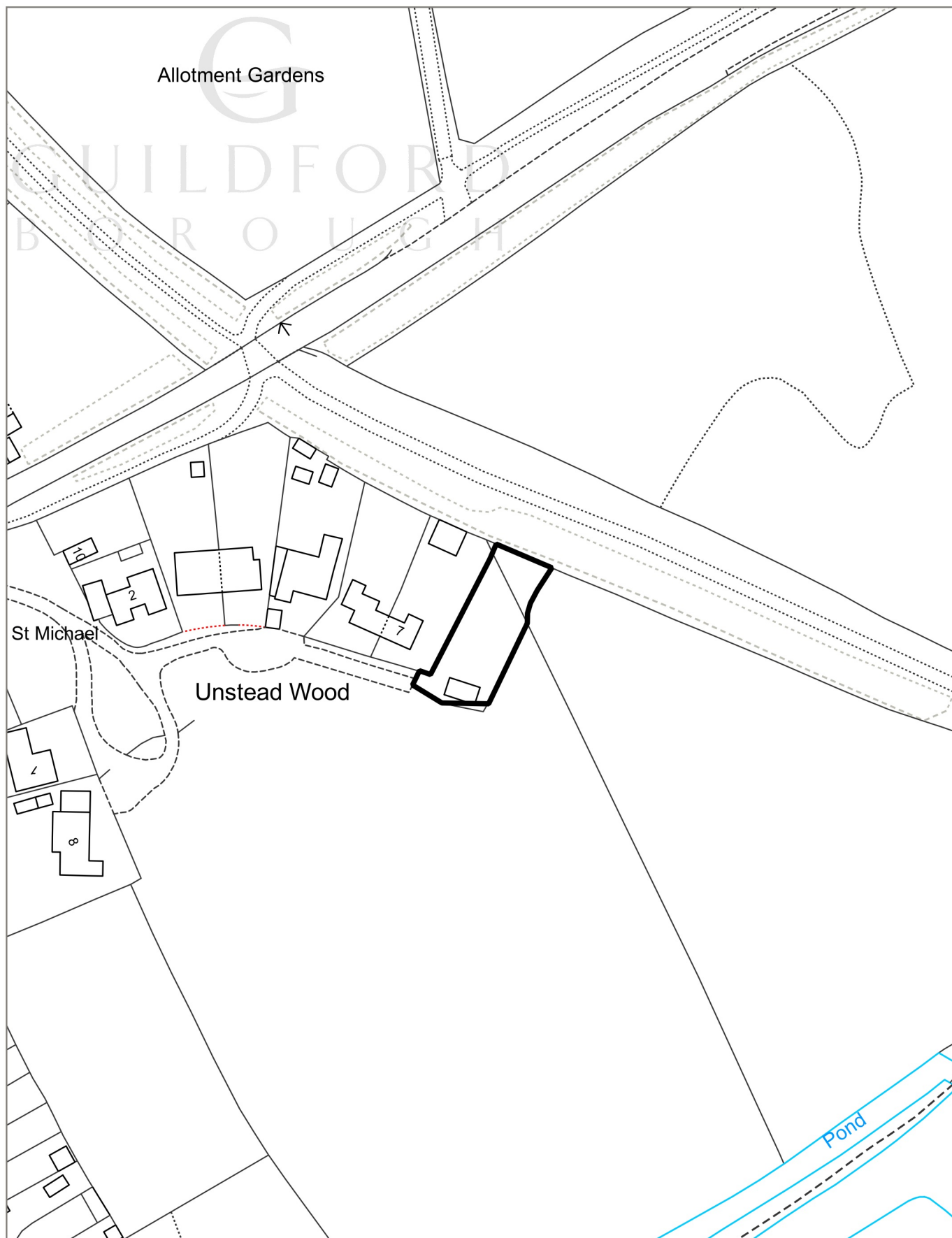
NATIONAL PLANNING POLICY FRAMEWORK

In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

qa/2023

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23/P/00835 - Land Adjacent To 7 Unstead Wood, Peasmarsh



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Print Date: 30/08/2023



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23/P/00835 – Land adjacent to 7 Unstead Wood, Peasmarsh



Not to scale

App No: 23/P/00835 **8 Wk** 11/07/2023
Deadline:

Appn Type: Full Application

Case Officer: Katie Williams

Parish: Shalford

Ward: Shalford

Agent : Mr. Matt Smith
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Applicant: L. Foster c/o Agent

Location: Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG

Proposal: Erection of a pair of semi-detached dwellings and associated works following demolition of an outbuilding (revision of application 22/P/01543, refused on 24/04/2023).

Executive Summary

Reason for referral

This application has been referred to the Planning Committee by Councillor Catherine Houston for the following reasons:

- the proposal may have an adverse impact on highway safety
- concerns regarding access and parking

Key information

The proposal is for the erection of a pair of semi-detached dwellings and associated works following demolition of an outbuilding (revision of application 22/P/01543, refused on 24/04/2023).

Parking spaces: 4 (2 per new dwelling) plus 2 retained for the existing 2 bedroom dwelling.

Summary of considerations and constraints

The proposed residential development is acceptable in principle and it is concluded

that there would be no adverse impact on the character of the area, the wider landscape character of the ALGV and Corridor of the River Wey. It is also concluded that subject to the recommended conditions, there would not be an adverse impact on neighbouring amenity, ecology or trees.

It is concluded that the proposal, due to the increase in on-site parking provision compared to the previous refused application, has overcome the reason for refusal attached to 22/P/01543 and would now accord with the Council's Parking for New Developments SPD and Policy ID10 of the LPDMP 2023.

RECOMMENDATION:

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

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

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

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

2022-02-516-001 REV C, 002 REV C, 003 REV C, 004 REV C, 005 REV C, 006 REV C, 100 REV C and 101 REV C received on 26 May 2023.

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

3. Prior to the commencement of any development above slab level works, a written schedule with details of the source/ manufacturer, colour and finish, OR samples on request, of all external facing and roof materials. This must include the details

of embodied carbon/ energy (environmental credentials) of all external materials. These shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using only those detailed.

Reason: To ensure that a satisfactory external appearance of the development is achieved and to ensure materials that are lower in carbon are chosen.

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

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

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

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

6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 6 cars (2 car spaces for each new dwelling and 2 car spaces for the

existing dwelling) and turning areas to enable vehicles to enter and leave the site in forward gear. The parking and turning areas shall be permanently retained exclusively for its designated purpose.

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

7. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to, and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) programme of works
- (e) wheel washing facilities
- (f) measures to control the emissions of dust and dirt during construction

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

8. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the Local Planning Authority that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats. The CEMP should address the following impacts:

- Map showing the location of all of the ecological features
- Risk assessment of potentially damaging construction activities
- Practical measures to avoid and reduce impacts during

construction

- Location and timing of works to avoid harm to biodiversity features
- Responsible persons and lines of communication
- Use of protected fences, exclusion barriers and warning signs
- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Waste disposal
- Noise/visual/vibrational impacts
- Measures to ensure no materials, machinery, vehicles or works will encroach on the designated site
- Details of how the lowland deciduous woodland (Habitat of Principle Importance) will be adequately protected from development

The approved CEMP shall be adhered to at all times.

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

9. No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced.

10. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building

Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

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

11. No development shall take place until full details, of both hard and soft landscape proposals, to include details of new tree planting and replacement hedgerow planting (including species type, number, size) to the front of the site, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

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

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

13. The approved Arboricultural Report – Revision 1,, which includes an Arboricultural Method Statement (AMS) and Tree Protection

Plan (TPP), prepared by AFA Consulting, dated May 2023, must be adhered to in full, and may only be modified by written agreement from the LPA. No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

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

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

15. No external lighting shall be installed at the development site unless it is in accordance with a Sensitive Lighting Plan which has been submitted to and agreed in writing by the Local Planning Authority. Any Sensitive Lighting Plan should ensure that the proposed development will result in no net increase in external artificial lighting at the development site and across the adjacent woodland habitat in accordance with the recommendations in BCT & ILP (2018) Guidance Note 08/18. *Bats and artificial lighting in the UK. Bats and the Built Environment.* Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.

Reason: To ensure the adequate protection of protected species and habitats and owing to the proximity to a SSSI.

16. An updated walkover survey for badgers shall be carried out 6-8 weeks prior to the commencement of development to ensure no new badger setts have been created.

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

Informatives:

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

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

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

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

3. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
4. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
5. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
6. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect

that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Contact Natural England for further details:

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/europeanprotectedspecies.aspx>

Officer's Report

Site description.

The site is mostly located within the Inset settlement boundary of Shalford with the exception of the north east corner of the site as well as a strip of land at the front of the site, which are within the Green Belt.

The site is also within an Area of Great Landscape Value and is within the 5km to 7km buffer of the Thames Basin Heath SPA.

The site currently consists of the garden area of the existing dwelling at 7 Unstead Road. There is also an existing outbuilding located towards the front of the site which is in use as an osteopath's clinic (granted consent under 18/P/02317).

The site now also includes a strip of land which sits to the front of the site but currently falls outside of the property boundary. There is current existing vegetation covering this piece of land.

The site is located at the end of Unstead Road which is a residential cul-de-sac with dwellings of varying styles and sizes running along the northern side of the road. The site adjoins an area of woodland which surrounds the site boundaries to the north, east and south.

Proposal.

Erection of a pair of semi-detached dwellings and associated works following demolition of an outbuilding (revision of application 22/P/01543, refused on 24/04/2023).

Parking spaces: 4 (2 per new dwelling) plus 2 retained for the existing 2 bedroom

dwelling.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
22/P/0154 3	Erection of a pair of semi-detached dwellings and associated works following demolition of an outbuilding	Refuse 24/04/2023	N/A
18/P/0231 7	Erection of replacement building for use as an osteopath's clinic (Use Class D1) (retrospective application).	Approve 07/02/2019	N/A
18/P/0231 8	Erection of single storey outbuilding (retrospective application)	Approve 08/02/2019	N/A

22/P/01543 - Reason for refusal:

The level of parking provision proposed for the two new three bedroom dwellings and the existing dwelling would not accord with the requirements set out in the Council's Parking Standards for New Development SPD. In addition, the proposed parking and access arrangement would rely on land outside of the applicant's control for vehicle turning and manoeuvring. It has not been satisfactorily demonstrated that there would not be a resultant adverse impact on highway safety or movement of the other road users resulting from overspill parking and from vehicles turning and manoeuvring to access the site. The proposal is therefore contrary to Policy ID10 of the Local Plan Development Management Policies 2023 and the Council's Parking Standards for New Developments SPD 2023.

Consultations.

Statutory consultees

County Highway Authority:

- Recommended conditions and informatives
- It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.

Natural England:

- Advise that an appropriate planning condition or obligation is attached to any planning permission to secure the submission of a Construction Environmental Management Plan (CEMP) in order to mitigate any adverse effects on the Wey Valley Meadows Site of Special Scientific Interest (SSSI).

Thames Water:

- No comments to make

Internal consultees

Head of Environmental Health and Licensing:

- No Environmental Health comments

Tree Officer:

- No objection, condition recommended

Non-statutory consultees

Surrey Wildlife Trust:

- recommended conditions
- recommend LPA consult Natural England on likely impacts on statutory sites [Officer note: Natural England has been consulted. See comments above]

Shalford Community Council:

- proposed development would constitute overdevelopment of the site
- out of character with surrounding properties
- bedroom sizes are extremely small
- the site is within the AGLV and currently under consideration for inclusion in the AONB, therefore no development should be approved until after the conclusion of these deliberations.
- trees which have been removed should be replaced
- highway safety concerns regarding further traffic movements at the junction with Broadford Road
- if permission is granted, a very detailed Transport Management Plan will be required

Third party comments:

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

- the legal state of the land identified for access to the new proposed parking bays is not clear
- without legally-assured enduring access to the new properties there is the potential for future problems
- new access route would include the loss of some designated Green Belt land, including an established hedgerow and some small trees
- large horse chestnut tree removed prior to the original planning application
- concerns that the existing commercial use would be moved to a different outbuilding on the property, implications for traffic movements [Officer note: the change of use of a domestic outbuilding to a business use would require separate planning permission]
- loss of openness
- impact on the Green Belt
- adverse impact on character of the road
- impact of construction vehicles on the existing unmade road
- light pollution
- impact on wildlife
- impact on the ecology of the adjacent woodland

- noise, vibration and disturbance during construction
- would set a precedent for further development in the area
- overdevelopment
- will result in visitor parking on the road
- loss of established hedgerows and small trees
- impact on infrastructure facilities
- safety concerns regarding junction with Broadford Road
- not details of proposed PV panels or battery storage
- working hours of contractors should be restricted

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

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

Chapter 15 Conserving and enhancing the natural environment

Planning Policy Guidance (PPG)

National Design Guide (NDG)

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

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

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2022). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore

greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

The following policies are relevant:

S1: Presumption in favour of sustainable development

H1: Homes for all

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

P2: Green Belt

P4: Flooding, flood risk and groundwater protection zones

P5: Thames Basin Heaths Special Protection Area

D1: Place shaping

D2: Climate change, sustainable design, construction and energy

ID1: Infrastructure and delivery

ID3: Sustainable transport for new developments

ID4: Green and Blue infrastructure

Guildford Borough Council: Development Management Policies (LPDMP) March 2023:

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

Policy P6: Protecting Important Habitats and Species

Policy P7: Biodiversity in New Developments

Policy P11: Sustainable Surface Water Management

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity space

Policy D6: External Servicing Features and Stores

Policy D8: Residential Infill Development Proposals

Policy D10: Noise Impacts

Policy D13: Corridor of the River Wey and Godalming Navigations

Policy D14: Sustainable and Low Impact Development

Policy D15: Climate Change Adaptation

Policy D16: Carbon Emissions from Buildings

Policy ID10: Parking Standards

Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020
Planning Contributions SPD 2017
Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Residential Design SPG 2004
Parking Standards for New Development SPD (March 2023)

Other guidance:

Surrey County Council Vehicular and Cycle Parking Guidance 2023

Planning considerations.

The main planning considerations in this case are:

- revisions from refused application 22/P/01543
- principle of development
- character and design
- impact on the AGLV
- the impact on neighbouring amenity
- amenity and space standards
- highway and parking considerations
- sustainable development
- impact on biodiversity
- impact on trees
- Thames Basin Heath SPA

Revisions from refused application 22/P/01543

Following the refusal of the previous application 22/P/01543, this revised application now includes some additional land (now included within the red line site boundary), which the application states the applicant has acquired, and which provides additional space for parking and turning to the front of the site. As a result, this application shows the proposed provision of 2 parking spaces for each of the new dwellings and 2 parking spaces for the retained / existing dwelling.

Principle of Development

The site is mostly located within the inset boundary of Shalford. However the north east corner of the site and the strip of land now included to the front of the site, are within the Green Belt.

The Case Officer has visited the site and notes that despite the north eastern corner of the rear garden being designated as Green Belt land, the garden of the dwelling is not cut off at this point and as such as existing the domestic curtilage of the dwelling includes Green Belt land. The proposed use of the Green Belt land to the rear of the proposed dwellings would remain as garden space associated with the proposed dwellings. No built development is proposed on this part of the site. As such the proposal would not encroach further onto Green Belt land to the rear of the site or have any greater impact on the Green Belt given that the use of the land on the part of the site which falls within the Green Belt would not change from that of a domestic garden.

As noted above, the site now incorporates a strip of land to the front of the site, measuring approximately 5.5m in width, to allow for increased space for parking and manoeuvring for the proposed dwellings. This would result in the loss of some vegetation and its replacement with hardsurfacing to accommodate the parking / turning area. However, there would be no new structures proposed on this part of the site. As such, it is considered that this element of the proposal would not have a significantly greater impact on the openness of the Green Belt compared to the existing situation.

The proposed new dwellings themselves and the proposed access and parking areas would be located within the inset boundary. As such, it is considered that there will be no adverse impact on the Green Belt.

As such, the principle of residential development on the site is acceptable provided it meets the below policy considerations.

Loss of employment

The existing outbuilding to be demolished is currently used as an osteopath clinic (granted consent under 18/P/02317). This use was granted as a personal permission to the current occupier/ owner of 7 Unstead Wood and there is a

condition attached to the planning permission stating that the use of the building is to revert back to incidental residential use when no longer occupied by the current owner. As such, it is considered that the current use is not a permanent employment use and the loss of the use has already been accepted.

Character and design

Having regard to the NPPF at paragraph 124 it is necessary, in the context of making effective use of land to consider, inter alia, the desirability of maintaining the prevailing character and setting of the area or of promoting regeneration and change. Paragraph 130 sets out how development should achieve well-designed places. The National Design Guide (NDG) is also a material consideration. The NDG uses ten different characteristics to illustrate the Government's priorities for well-designed places. These characteristics include understanding and responding to site's context and its identity or character.

Local Plan Policy D1 requires new development to achieve high quality design that responds to the distinctive local character (including landscape character) of the area in which it is set.

Policies D4 and D8 of the LPDMP are also relevant. Policy D13 relates to the Corridor of the River Wey and Godalming Navigation. Policy D8 has requirements that should be taken into account for 'Residential Infill Development Proposals' and the scheme shall be assessed against these.

The dwellings along Unstead Wood are varied in style and size with a mix of bungalows and 2 storey dwellings and a mix of detached and semi detached properties positioned on the northern side of the road.

The application site is located at the end of the cul-de-sac and there is an existing gap between the side of the existing dwelling at 7 Unstead Wood and the eastern side boundary of the plot which adjoins the Green Belt and woodland boundary to the east. There is an existing outbuilding which occupies the front (south eastern) corner of the site which would be demolished as part of this proposal.

The proposed development would infill this gap with a pair of two storey semi-detached dwellings, following the demolition of the existing outbuilding. The units would be set 5.6 metres from the existing dwelling to the west and set 2.6 metres

from the eastern site boundary. The proposed spacing between the existing and new dwellings would exceed the spacing between existing dwellings along the cul-de-sac. It is noted that No. 6 Unstead Wood and No. 5 Unstead Wood are separated by a 3.6 metres gap with a narrower gap between Nos.2 and 3 Unstead Wood. The proposed garden areas would be narrower than many of the neighbouring properties however it is noted that both Nos.2 and 10 Unstead Wood have gardens of a similar size or smaller than those proposed. Furthermore, the position of the proposed dwellings would follow the established building line along the northern side Unstead Wood and thus would not appear unduly prominent or out of context with the established pattern of development in the existing cul-de-sac.

The street scene plan provided shows that the proposed dwellings would have a maximum ridge height of approximately 7.7 metres which would sit approximately 0.4 metres lower than the ridge of the adjacent dwelling at No.7 Unstead Wood which is of a similar height to the other two storey dwellings in the area. It is also noted that the dwellings would have a joint width of 13.4 metres which would be 0.3 metres less than the two storey width of both Nos. 6 and 7 Unstead Wood.

The depth of the proposed dwellings would exceed the neighbouring properties by 3.3 metres. The additional depth would consist of a single storey projection to the rear of the dwellings and would not be visible within the street scene. As such the overall scale of the proposed dwellings would be in keeping with the surrounding dwellings and would not appear dominant or out of character in the street scene.

The roofs of the proposed dwellings would be pitched with half hipped gable ends. Whilst the closest neighbouring dwellings at Nos. 6 and 7 Unstead Wood have fully hipped roofs, it is noted that the dwellings along Unstead Wood have varying roof types with no more than two dwellings having matching roofs. As such, whilst the proposed would have a roof type differing slightly from others in Unstead Wood they would still be in keeping with the character of the area.

The overall design, character and materials of the proposed dwellings would be of a traditional style in keeping with properties in the surrounding area, with slightly more contemporary rear elevations with larger windows and rooflights to promote natural light. This however would be sympathetic to the building style and would not appear contrived. The proposed porches would be modest in scale and of a simple design similar to other porches along Unstead Wood.

A condition is recommended to ensure full details of the proposed boundary treatments along the site boundaries and between the plots is submitted, to ensure the boundary treatment is sympathetic to the character of the surroundings, including to the front of the site.

The application proposes an area for parking two cars to the front of each of the proposed units. This will extend the domestic curtilage forwards of the existing curtilage of the dwelling at 7 Unstead Wood and would result in the loss of some existing vegetation. This would alter the appearance of this part of the site, compared to the existing. However, the backdrop of the existing woodland to the east of the site would still be visible. Furthermore, there will be sufficient space to allow for replacement soft landscaping, including hedge planting along the new front boundary which would soften the visual impact of the proposal. Details of soft landscaping, including replacement planting, can be secured by condition.

The application site also lies within the Corridor of the River Wey designation. However, the site is well screened from the wider landscape by the surrounding woodland. As such, there are no concerns with regard to any adverse impact on the character or setting of the Corridor of the River Wey and the proposal is considered to accord with Policy D13 in this regard.

Subject to the recommended conditions, it is considered that the revised proposal accords with Para 130 of the NPPF, Policy D1 of the LPSS and Policies D4, D8 and D13 of the LPDMP, with regard to the character considerations. The other considerations set out in Policy D8, including the proposed access arrangements, impact on highway safety and impact on neighbouring amenity are considered in the report below.

Impact on the AGLV

The site is located within an AGLV. However, as noted above, the site is well screened within the wider landscape by the area of woodland which surrounds the site. The proposed development would not encroach onto the existing woodland and would be set adjacent to and read against the existing line of dwellings along Unstead Wood. It is considered that this together with the modest overall scale of the proposed development, in keeping with that of the adjacent dwellings, would ensure that the proposal would not have an adverse impact on the wider landscape

character of the AGLV.

Impact on neighbour amenity

The neighbouring property most affected is the existing dwelling to be retained at No. 7 Unstead Wood.

The proposed dwellings would have a depth greater than that of 7 Unstead Wood by 3.3 metres. The rear elements would however only be single storey. There would be a proposed separation distance of approximately 2.8 metres between the proposed dwelling on Plot 1 and the shared boundary with the retained plot for No. Unstead Wood and a further 2.7 metre distance beyond the shared boundary to the existing dwelling itself. As a result, the proposed rear projection would not have an adverse impact in terms of overbearing or overshadowing to the existing dwelling at 7 Unstead Wood. The main two storey element of the new dwelling on Plot 1 would be in line with the neighbouring property at No.7 Unstead Wood which has no side windows. As such, it is considered that the proposal would not result in an adverse loss of light, overshadowing or overbearing impacts to the neighbouring dwelling.

The nearest of the proposed dwellings (Unit 1) would not have side windows and as such there are no concerns regarding adverse overlooking or loss of privacy.

With regard to intensification, the proposed development would introduce two new three-bedroom properties to the area with the potential of a total of 8 extra occupiers along Unstead Road. With regard to potential noise it is noted that the area is residential with several semi-detached dwellings. Furthermore the proposed dwellings would be spaced sufficiently from the nearest neighbouring properties. As such, it is considered that the proposal would not result in adverse increase in noise and disturbance when compared to the existing levels of activity in the area.

As such, it is concluded that the proposal accords with Policy D5 of the LPDMP.

Amenity and Space Standards

Paragraph 130(f) of the NPPF 2019 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing

and future users.

Policy D1(4) of the Guildford Borough Local Plan 2015-2034 states that all new development is expected to have regard to and perform positively against the recommendations set out in the latest Building for Life guidance and conform to the nationally described space standards (MHCLG).

Both dwellings will exceed the minimum space standards required for properties with the proposed number of bedrooms and storeys and both exceed the overall floor area requirements and bedroom size requirements.

The plot would be split into three separate parts to facilitate the two new dwellings and retain land for the existing dwelling at No.7. Whilst the garden of No.7 would be reduced in area, it is currently a large plot and a good sized garden area would be retained. The proposed garden sizes for the existing (retained) and new dwellings would be appropriate for the scale of the dwellings they would serve. As such the outdoor amenity space would be adequate.

The proposal is overall found to comply with Policy D1 of the LPSS and the NPPF in this respect.

Highway and Parking Considerations

The proposed development would be accessed via Unstead Road which is a private road. The CHA has no objection to the proposal with regard to highway safety or capacity. The County Highway Authority has considered the wider impact of the proposed development and finds that it would not have a material impact on the safety and operation of the adjoining public highway.

With regard to parking provision, the site is within a rural edge of village location. The Council's has a recently adopted Parking Standards for New Developments SPD. Policy ID10 of the LPDMP also states that 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.

Table A.2 within the SPD sets out that in villages and rural areas the expected level of provision is 2 spaces per 3 bedroom dwelling. There is also a requirement for

1.5 spaces for the existing 2 bedroom dwelling.

The proposal shows the provision of a shared access at the end of Unstead Road to serve the two new units, with an area of parking providing two spaces to the front of each of the new dwellings.

The existing driveway parking for the existing dwelling at No.7 Unstead Wood, which currently provides space for parking at least 2 cars, would be retained as existing. As such, the proposal would meet the expected level of parking provision required by the Council's Parking Standards for New Development SPD.

The proposed site boundary now incorporates an area of land to the front of the site to provide space for cars to turn and manoeuvre. A condition is recommended to ensure that this part of the site is retained as parking and turning space in perpetuity.

It is therefore concluded that the proposal, due to the increase in on-site parking provision compared to the previously refused application, has overcome the reason for refusal attached to 22/P/01543 and would accord with the Council's Parking for New Developments SPD and Policy ID10 of the LPDMP 2023.

Sustainable Development

The NPPF emphasises the need to support the transition to a low carbon future in a changing climate and new developments are required to meet the requirements of paragraph 154 through suitable adaptation measures, including through the planning of green infrastructure and reduce greenhouse gas emissions. Paragraph 157 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS requires new development to take sustainable design and construction principles into account, including by adapting to climate change, and reducing carbon emissions and Policies D2(3) and (11) requires sustainability and energy statements to be submitted. The Council has adopted the Climate Change, Sustainable Design, Construction and Energy SPD in December 2020.

Policies D14, D15 and D16 of the LPDMP carry full weight and build on policy D2. In

the context of the Council declaring a climate emergency in July 2019 and the UK having 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.

Following adoption of the LPDMP D16: Carbon Emissions from Buildings (1), (2), (3), (4), would supersede D2: Climate Change, Sustainable Design, Construction and Energy (5), (6), (7), (9).

A fabric first approach is required under Policy D14(1) in accordance with the energy hierarchy. Through the use of low energy design and energy efficient fabric. Then Policy D2(1), (5), (9) of the LPSS and Policy D16 of the LPDMP require measures for low and zero carbon and decentralised energy.

With regard to sustainable design and lifestyles Policy D2(1)(c), (e) of the LPSS seeks to ensure that there are sustainability measures to offer choices.

The application includes a completed climate and sustainability questionnaire where the applicant has given clear detailed answers on some of the measures intended to mitigate the environmental impact of the proposed dwellings.

With regard to waste the applicant has stated that materials will be locally sourced and the applicant during development would source recycled aggregates and materials in accordance with the BRE Green Guide to Specification.

The applicant has provided information regarding the energy output of the dwelling and has shown it exceeds building regulation requirements. The dwellings have been orientated in such a way to promote natural lighting and solar heating.

Water efficiency details have been provided which show a level which passes the policy D2 requirement of 110 Litres per occupant per day. These will be conditioned should the application be approved.

The questionnaire details a wide range of carbon reduction methods including the use of solar power and EV charging points as well as other ways in which the dwellings would be designed with climate change in mind.

The dwellings would be constructed under new building regulations and as such must meet a 31% reduction in CO2 emissions. The information provided in the

climate change questionnaire outlines exactly how this would be achieved.

As such, it is considered that the proposed development would comply with policy D2 of the LPSS and Policies D14, D15 and D16 of the LPDMP.

Impact on Biodiversity

LPSS Policy ID4 sets out the Council will seek to maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, while new development should aim to deliver gains in biodiversity where appropriate.

Policy P6 of the LPDMP relates to 'Protecting Important Habitats and Species' and Policy P7 of the LPDMP relates to 'Biodiversity in New Developments'.

A Preliminary Ecological Appraisal has been provided by Deepdene Ecology dated August 2022.

Under previous application (22/P/01543) Surrey Wildlife Trust requested further badger survey work to be carried out. This was done and a report submitted. Following the receipt of the badger survey, SWT advised that the proposals are considered acceptable in this regard, subject to condition to ensure further walkover surveys are carried out prior to the commencement of development.

SWT has also advised that appropriate bat surveys have been carried out and that the proposed demolition of the existing outbuilding (building 2) would not adversely impact on bats.

SWT advise that if the application is to be approved, conditions should be included requiring a Construction Environmental Management Plan (CEMP) and an Ecological Enhancement Plan (including a Sensitive Lighting Plan), in order to ensure any adverse impacts on ecology during construction are adequately mitigated and to ensure measures for achieving ecological enhancement and biodiversity net gain are secured.

SWT also advised that the site falls within the Impact Risk Zone (IRZ) for Wey Valley Meadows SSSI. As such, Natural England should be consulted. NE were subsequently consulted on the application and advised that they have no objection to the application subject to a condition being attached to ensure that a CEMP is submitted

to the LPA for approval, that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats.

Subject to these conditions, it is concluded that the proposals would meet the requirements of Policy ID4 of the LPSS and Policy P7 of the LPDMP.

Impact on trees

AFA Consulting have provided an Arboricultural Report: Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan dated 15/05/2023.

The assessment found that there were no concerns however it has suggested some mitigation methods to protect the trees and vegetation. The Council's Arboricultural Officer has reviewed the information and concerns raised by the neighbours however and has concluded that there are no arboricultural concerns and the proposed mitigation methods are acceptable and therefore should be conditioned should the application be approved.

It is also noted that a tree or trees which were within the site appear to have been felled prior to the submission of the application. It is recommended that a condition is attached (as part of the landscaping condition) to ensure new replacement trees are planted to compensate for tree loss as well to secure new hedge planting to mitigate for the loss of existing vegetation to the front of the site.

Thames Basin Heaths Special Protection Area

The site is within the 5km to 7km buffer zone of the Thames Basin Heath SPA and therefore outside of the 400m to 5km buffer zone. In accordance with the Thames Basin Heath SPA Avoidance Strategy 2017, there is therefore no requirement for mitigation in relation to the proposed development.

Conclusion

The proposed residential development is acceptable in principle and it is concluded that there would be no adverse impact on the character of the area, the wider landscape character of the AGLV and Corridor of the River Wey. It is also concluded that subject to the recommended conditions, there would not be an adverse

impact on neighbouring amenity, ecology or trees.

It is concluded that the proposal, due to the increase in on-site parking provision compared to the previous refused application, has overcome the reason for refusal attached to 22/P/01543 and would now accord with the Council's Parking for New Developments SPD and Policy ID10 of the LPDMP 2023.

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PLANNING COMMITTEE

13 SEPTEMBER 2023

PLANNING APPEAL DECISIONS

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact Sophie Butcher (sophie.butcher@guildford.gov.uk)

<p>1.</p>	<p>Mr & Mrs Arvind & Deepika Bawa 9 Longmead, Guildford, GU1 2HN</p> <p>22/P/02128 – The development proposed is a single storey front extension, garage conversion, first floor side extension, part single and part two storey rear extension & fenestration changes to the external appearance.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is the effect of the proposal on the character and appearance of the host property and the locality.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>*ALLOWED</p>
<p>2.</p>	<p>Mr M Hawksworth 30 The Street, Tongham, Surrey, GU10 1DH</p> <p>22/P/01913 – The development proposed is first and second floor side extension over car port.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is the effect of the proposal on the living conditions of the occupiers of No.28 The Street, with particular</p>	<p>*ALLOWED</p>

	<p>regard to outlook and light.</p> <p>Please view the decision letter on the planning portal for further info.</p>	
3.	<p>Bellway Homes (South London) Ltd Orchard Farm, Harpers Road, Ash, Surrey, GU12 6DB</p> <p>22/P/01083 – The development proposed is the erection of 51 dwellings with associated open space, landscaping and parking.</p> <p>Planning Committee – 26 April 2023 Decision – To Refuse Officer’s Recommendation – To Approve</p> <p>Inspector’s Main Issues: The appeal was made against the failure of the Local Planning Authority (LPA) to give notice of its decision on the planning application within the prescribed period. The LPA subsequently resolved that planning permission would have been refused because the proposal would reduce highway safety on Harpers Road, would not be in keeping with the character of the area, and in the absence of planning obligations there would be a likely significant effect on the Thames Basin Heaths Special Protection Area (SPA) and a failure to provide affordable housing and mitigate the effect on infrastructure.</p> <p>The planning agreement subsequently submitted contains obligations which address concerns relating to the SPA, affordable housing and infrastructure. Having regard to the submitted documentation and the representations received, I consider that the main issues in this appeal are: i) The effect of the proposed development on highway safety on Harpers Road. ii) The effect of the proposed development on the character and appearance of this part of Ash.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>*ALLOWED</p>
4.	<p>Mr Daniel Jordan 67 Agraria Road, Guildford, GU2 4LG</p> <p>22/P/01511 – The development for which a certificate of lawful use or development is sought is a single storey rear extension.</p>	<p>*ALLOWED</p>

	<p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: Section 192(2) of the Town and Country Planning Act 1990 (1990 Act) indicates that if, on an application under that section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operation or other matter described in the application, or that description as modified by the local planning authority or a description substituted by them, they shall issue a certificate to that effect; and in any other case shall refuse the application. My decision is therefore based on the facts of the case and judicial authority. For the avoidance of doubt, this means that the planning merits of the proposed development are not relevant to this appeal and the main issue is whether the Council’s decision to refuse to grant a Certificate of Lawful Use or Development (LDC) was well founded. In this respect, the burden of proof is on the appellant to show that, on the balance of probability, the development proposed would have been lawful on the date on which the application was made.</p> <p>Please view the decision letter on the planning portal for further info.</p>	
<p>5.</p>	<p>Mr Casper Koorts 26 Daryngton Drive, Guildford, Surrey, GU1 2QD</p> <p>22/P/01088 – The development proposed is demolish existing single storey rear extension, proposed part single, part two storey side and rear extensions, proposed loft conversion including side dormers.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: I consider that the main issue in this case is its effect on the living conditions of neighbouring residents.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>*ALLOWED</p>

<p>6.</p>	<p>Mr Graham Lee (TCPP Ltd) Summer Place, Pirbright Road, Normandy, GU3 2AQ</p> <p>Application for Costs: I am directed by the Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State”) to decide your application for an award of costs, on behalf of the appellant, made on 28 April 2023 against Guildford Borough Council (“the Council”). The appeal was against the Council’s decision of 11 October 2022 to refuse a certificate of lawfulness (“LDC”) for the siting of an additional caravan. The appeal was withdrawn on 20 April 2023. The Council has not commented on the costs application.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>*ALLOWED</p>
<p>7.</p>	<p>Mr James Gross (Orthodox Foundation of St. Michael) 86 The Mount, Guildford, GU2 4JB</p> <p>21/P/01496 – The development proposed is demolition of existing bungalow and garage, and the construction of a new 2 storey dwelling (with room in the roof) with basement level and associated external works.</p> <p>Planning Committee – 13 July 2022 Decision – To Refuse Officer’s Recommendation – To Refuse</p> <p>Inspector’s Main Issues: The main issues are the effect of the proposal on the living conditions of the occupiers of 84a The Mount with particular reference to outlook; and the effect of the proposal on the character and appearance of the area.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>DISMISSED</p>
<p>8.</p>	<p>Mr Mark Woods Green Mead, Silkmore Lane, West Horsley, Leatherhead, KT24 6JQ</p> <p>23/P/00468 – The development proposed is front and rear</p>	<p>DISMISSED</p>

	<p>extension, raising of the second storey to facilitate rooms in roof with front and rear dormers, new double storey feature entrance, small recessed balcony to the rear and change to fenestrations and elevation material.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is the effect of the proposal on the character and appearance of the host property and the locality.</p> <p>Please view the decision letter on the planning portal for further info.</p>	
<p>9.</p>	<p>Mr B Hurst Bowline Cottage, Rad Lane, Peaslake GU5 9PB</p> <p>22/P/00191 – The development proposed is to demolish garage and car port and replace with a double garage and store.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies. The effect of the proposal on the openness of the Green Belt Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>DISMISSED</p>
<p>10.</p>	<p>Mr Jon Wood Shepherds Hill Broadfield Road, Peaslake GU5 9TB</p> <p>22/P/00046 – The development proposed is a replacement external storage building.</p> <p>Delegated Decision: To Refuse</p>	<p>DISMISSED</p>

	<p>Inspector’s Main Issues: The main issues are:</p> <ul style="list-style-type: none"> • Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies. • The effect of the proposal on the character and appearance of the area, including the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). • If the proposal is inappropriate development, the effect on the openness of the Green Belt and whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal. <p>Please view the decision letter on the planning portal for further info.</p>	
<p>11.</p>	<p>Mr P Cook of Wynngate, Guildford Ltd Chestnut Beech, 255 Guildford Road, Effingham KT24 5NP</p> <p>21/P/02646 – The development proposed is described as “Demolition of the existing building for the construction of a two storey building to the front of the site and a single storey building to the rear of the site comprising 5 No. x 1 bed flats with 5 car parking spaces and landscaping”.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues:</p> <p>i) whether the proposed development would provide satisfactory living conditions for the future occupiers of the flats with particular regard to access to amenity space for flats 2, 3 and 4; and</p> <p>ii) the effect of the proposed development upon the character and appearance of the area.</p> <p>(No copy of appeal document online)</p>	<p>DISMISSED</p>

<p>12.</p>	<p>Mr & Mrs Williams 16 Grove Heath North, Ripley, Surrey, GU23 6EN</p> <p>22/P/00945 – The development proposed is part demolition of the existing ground floor extension, demolition of existing conservatory and garage. New first floor over original bungalow, ground floor rear extension and alterations to the fenestration.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; the effect on the openness of the Green Belt; the effect on the character and appearance of the existing dwelling and wider area; and whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.</p> <p>Please view the decision letter on the planning portal for further info.</p>	<p>DISMISSED</p>
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