



GUILDFORD
BOROUGH

www.guildford.gov.uk

Tom Horwood
Joint Chief Executive
of Guildford and Waverley
Borough Councils

Contact Officer:

Sophie Butcher,
Democratic Services Officer

31 October 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 8 NOVEMBER 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: 364 976 496 604#.

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

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

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

Authorised Substitute Members:

| | |
|------------------------------|-------------------------------|
| Councillor Sallie Barker MBE | Councillor Matt Furniss |
| Councillor Phil Bellamy | Councillor Bob Hughes |
| Councillor Joss Bigmore | Councillor Jane Tyson |
| Councillor James Brooker | Councillor James Walsh |
| Councillor Philip Brooker | Councillor Dominique Williams |
| Councillor Ruth Brothwell | Councillor Keith Witham |
| Councillor Amanda Creese | Councillor Catherine Young |
| Councillor Jason Fenwick | |

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 - 30)

To confirm the minutes of the meeting of the Committee held on 13 September 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 31 - 32)

All current applications: 23/P/00679 - 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 23/P/00679 - Garages, land to the rear of, Bishopsmead Parade, East Horsley, KT24 (Pages 33 - 52)

6 PLANNING APPEAL DECISIONS (Pages 53 - 60)

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)

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| * 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 Lizzie Griffiths and Pat Oven for whom there were no substitutes. An apology was also received from Councillor George Potter for whom Councillor Catherine Houston attended as a substitute.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Councillor Catherine Houston declared a non-pecuniary interest in application 23/P/00835 – Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG. This was owing to speaking in her capacity as ward councillor only for that application and would leave the room for the duration of the debate and decision made.

Councillor David Bilbé declared a non-pecuniary interest in application 23/P/00835 – Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG. This was owing to his daughter being a local resident. However, this would not affect his objectivity when considering the application.

PL3 MINUTES

The minutes of the Planning Committee held on 16 August 2023 were agreed and signed by the Chairman as a true and accurate record.

PL4 ANNOUNCEMENTS

The Committee noted the Chairman's announcements.

**PL5 22/P/00461 - LITTLE ACRE, OLD RECTORY LANE, EAST HORSLEY,
LEATHERHEAD, KT24 6QH**

The Committee considered the above-mentioned full application for erection of two detached dwellings with associated parking and landscaping following demolition of the existing house.

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

- Mr Anthony Dinkin (to object);
- Mr James Burt (to object) and;
- Mr Dan Stock (Applicant)

The Committee received a presentation from the Planning Officer, Morgan Laird. The application was for the demolition of the existing house and the construction of two, two-storey detached 5-bedroom dwellings. Old Rectory Lane was characterised by predominantly detached houses, whilst Kingston Avenue had more terraced and semi-detached housing. Both proposed dwellings were located centrally on the plot with garden and amenity areas to the west and car parking to the east. Plot 2 would be accessed via an existing driveway to the north and plot 1 would be accessed via a new access. To the south, boundary treatments would be largely retained and only part removed to form the new entrance to plot 1. A condition was recommended to retain the hedgerow along the highway, requiring the submission of a landscaping plan to be approved by the Local Planning Authority.

The new dwellings would be approximately 1 metre above the adjoining dwellings to the north and to the south would be 679 mm above the height of the existing dwelling. The existing hedgerow ran along the highway boundary and would screen the dwellings.

The proposal would deliver the net increase of one dwelling in a sustainable location. Planning officers considered the proposal would not harmfully affect the character or appearance of the site and the surrounding area or result in an unacceptable adverse impact on neighbouring properties. The applicant had

demonstrated that there would be no flood risk to the property which had been confirmed by the Environment Agency who withdrew their original objection. The application was therefore recommended for approval.

The Chairperson permitted Ward Councillor Catherine Young to speak for three minutes. The Committee noted concerns raised that the proposal would cause significant harm and severe changes to the character of the immediate local setting. It would also cause a significant adverse effect on the private amenity of neighbours as well as cause an increased flood risk to surrounding properties. The development did not comply with East Horsley's Neighbourhood Plan, policy EH7, and contradicted Local Plan policy D1.1 Place-Shaping, as it did not respond to the local character and did not meet the test for respecting local distinctiveness. The height of both houses would be much taller than the rest of the dwellings in the cul-de-sac and was far less screened than the others. The two houses would dominate the street scene from every angle. The scale, mass and bulk of the two dwellings was excessive when compared to the surrounding properties which were comprised of bungalows and more chalet type dwellings. This development would therefore cause substantial harm to the local character and streetscene. As specified by policy EH8 regarding residential infilling, a development that caused any material harm to neighbouring amenities would not be supported. The need to protect private amenity space was also given weight in policy D5. As well as overlooking, the height and bulk of the new houses would dominate views to and from neighbouring properties and gardens. Lastly, the government's official website showed that the site was at high risk of flooding. The proposal was therefore contrary to Local Plan H4 and EHN5 of the Neighbourhood Plan.

In response to comments made by the public speakers and Ward Councillor, the planning officer, Morgan Laird confirmed that the applicant had submitted a report with hydraulic modelling to the Environment Agency which then resulted in the withdrawal of their objection. The hedgerow would also be protected by condition.

The Committee discussed the application and noted concerns raised about residential infilling Policy EH8. Plot 1 appeared very close to the existing dwelling and much closer than the current houses which would have an impact upon neighbouring amenity. The Committee also noted support for the application given that the proposal was consistent with the Neighbourhood Plan and the site was inset, it was therefore difficult to identify the harm.

The Joint Executive Head of Planning, Claire Upton-Brown confirmed that the Local Plan and Neighbourhood Plan recognised the need for additional dwellings and that windfall sites had to also be considered. In the planning officers view, there was a mixture of plot sizes and dwellings with other properties close to adjoining boundaries. The Committee therefore had to decide whether the subdivision of the site and putting two dwellings on it was in keeping and if not did it warrant refusal of the application.

The Committee noted that there had been mention of a restrictive covenant in place on the land and wanted to know if this had any bearing on the consideration of the application. The Legal Advisor, Claire Beesly confirmed that it was not a material planning consideration and that only the land owner could take up that benefit afforded by the restrictive covenant.

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

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

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

RESOLVED to approve application 22/P/00461 subject:

- (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 determined by the Executive Head of Development Management subject to conditions.
- (iii)

PL6 22/P/01409 - LAND AT HURST FARM, CHAPEL LANE, MILFORD, GU18 5HU

The Committee considered the above-mentioned full 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.

The Committee received a presentation from the Senior Planning Officer, Peter Dijkhuis. This was a hybrid cross boundary application with Waverley Borough Council. The application had been referred to the Planning Committee because the proposed development of land in the Green Belt was for the provision of sports pitches and public open space. The Committee noted the supplementary late sheets where a correction had been made noting that the removal of the parcel of land from the Green Belt was incorrect. The site remained in the Green Belt and was not an inappropriate form of development. The Waverley Borough Council application was approved by its Planning Committee on 23 August 2023 subject to a S106 agreement. In the event the legal agreement required under recommendation A was not forthcoming within six months of 23 August 2023, the Committee's resolution was permission to refuse. It was a complex S106 which required ongoing discussions with the applicant regarding the conditions. At the applicant's request, where the conditions attached to the application refer to the site or the development, this is defined in the officer's report.

The main application was for approximately 200 houses, a sports field, amenities and a new garden centre. A SANG would also be created to offset some of the harm created by the main application. There was also a new development to the north within Waverley called Oxford Farm. The Green Belt ran between the boundaries of the two boroughs. To the west, the land was either designated as countryside or an Area of Great Landscape Value (AGLV) as well as Eashing Fields SANG. The most northern portion would remain in agricultural use. Some of the hedgerows had already been removed to accommodate a car parking area and planting was proposed to reinstate the damage done. The nature of Eashing Lane would change quite considerably through the application given it was currently covered with hedgerows and mature trees.

Given it was a cross boundary application, Waverley Borough Council's Local Plan policy DS14 applied which was allocated for 117 dwellings. The applicant was however proposing 216 dwellings. Both authorities accepted that the additional units could come forward on the site given the requirement for public off-site open space was taken forward in the adjacent site. The site was not part of the Development Plan for Guildford and was outside of its identified settlement boundary. The application should therefore be read against policy P2 Green Belt and policy P3 Countryside as well as NPPF 149 and 150. Certain forms of development were not inappropriate in the Green Belt and one of those was for the development of sports fields. Guildford Borough Council had a duty to cooperate with adjacent boroughs in order to enable development.

Central to the site was two new sports pitches using grass which was not artificial and therefore provided drainage. Some grading would also be done to the site. There was allocated parking onsite with 30 parking bays which complied with parking standards and 8 cycling stands. In addition, a small utility building, including changing facilities and a toilet would be provided.

Access to the site would be provided off Eashing Lane which required visibility lines to be created. The applicant was working with the Highways Authority to undertake a series of mitigation measures such as reducing the speed limit from 60mph to 40mph with aspiration to reduce it by a further 20mph. Pedestrian movement would also be enabled across the two fields. The removal of the hedgerows would be mitigated with new planting creating new habitat and therefore increasing biodiversity. A condition had been included to require that the new planting is put in prior to the development of the sports field so to allow the new hedgerow to grow before the harm was totally exposed.

In conclusion, the Council had a duty of co-operation, the proposal was for the provision of public open space and a sports field to enable the development which should be encouraged. The Green Belt and surrounding countryside was not affected. In the short term there would be some removal of vegetation but this would be reinstated. Over time that harm would be mitigated. There was only one existing resident closest to the southern boundary where there was a condition for screen planting and no installation of sports lights permitted so not to affect the dark skies. No objections had been received from the Highways Authority in terms of accessibility or parking. No impact would be incurred from flooding. Cumulatively, it was assessed that the benefits of the proposal clearly outweighed the harm caused by the proposal.

The Committee discussed the application and agreed that given there were no close neighbouring residents nearby the scheme would not affect the enjoyment of their amenities. In addition, the Committee supported the scheme, particularly for the provision of much needed open space and a sports pitch for the local community.

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

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

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

RESOLVED to approve application 22/P/01409 subject:

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.

**PL7 23/P/00835 - LAND ADJACENT TO 7 UNSTEAD WOOD, PEASMARSH, GU3
1NG**

Prior to the consideration of this application, Councillor Catherine Houston sat in the ward councillor seat owing to speaking in that capacity and not participating as a Committee member.

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

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The outbuilding was currently used as an osteopath clinic. The proposal was a revision to a previously refused application, 22/P/01543. The site boundary now incorporated a piece of land to the south of the existing property boundary to provide additional space for parking access and manoeuvring. The agent for the application had confirmed that the applicant had an agreement with the landowner to acquire the land subject to planning permission being granted.

The site currently consisted predominantly of the garden area of 7 Unstead Wood which was located at the end of a residential cul-de-sac. The dwellings were of varying styles and sizes running along the northern side of the road. The site also adjoined an area of woodland which ran to the site boundaries to the north. The site was mostly located within the inset settlement boundary of Shalford, with the exception of the rear corner of the site in the north-east corner and a strip of land to the front of the site which was within the Green Belt. The site was also within an Area of Great Landscape Value (AGLV) and sat outside of the 5km to 400m buffer zone of the Thames Basin Heath Special Protection Area (TBHSPA).

The rear garden boundaries would remain as per existing in terms of the use of the land which lay within the Green Belt. The proposed pair of semi-detached dwellings would be positioned on a similar building line to the adjacent pair of semi-detached houses. The existing plot would be subdivided which would result in a plot similar in size to the adjacent properties within the cul-de-sac. A minimum separation distance of 2.8 metres would be either side of the boundary with a shared access at the end of the cul-de-sac and driveways providing parking for two cars to the front of each of the dwellings. The existing driveway to the front and side of the existing dwelling would be retained providing space for two cars. The proposed parking provision complied with the Council's adopted parking standards. The Highway Authority had confirmed that it had no objection and considered that the proposal would not have a material impact on the safety and operation of the adjoining public highway. The parking area to the south-east of the site would result in the removal of the existing hedge and vegetation, however there was sufficient space for replacement planting and a condition was recommended to secure this.

The proposed dwellings would have a traditional style, incorporating pitched roofs with half hipped gable ends. Each dwelling would incorporate a single storey rear projection with a monopitch roof. The overall floor space for the dwellings and the room sizes would accord with the nationally described space standards. In the streetscene, the proposed dwellings would be of similar ridge height to the surrounding dwellings in the road.

In summary, it was the planning officer's view that the proposed residential development was considered acceptable in principle and it was concluded that there would be no adverse impact on the character of the area. The wider landscape character of the AGLV and the corridor of the River Wey. It was also concluded that subject to the recommended conditions, there would be no adverse impact on neighbouring amenity, ecology or trees. It was noted that small parts of the site fell within the Green Belt, however, the proposed new dwellings were within the inset boundary. The use of the rear part of the site, which was in the Green Belt would remain as a domestic garden. The front part of the site, which was also in the Green Belt, would be used for access and turning and it was therefore considered that the proposal would not have a significantly greater impact on openness compared to the existing situation. It was concluded that the proposal, due to the increase in onsite parking provision compared to the previously refused application had overcome the reasons for refusal attached to 22/P/01543 and would now accord with the Council's parking standards and policy ID10 of the Local Plan and the application was therefore recommended for approval.

The Chairperson permitted Councillor Catherine Houston to speak in her capacity as ward councillor. The Committee noted concerns that the application would increase the number of properties in a confined space by 25%. The proposal represented a form of over-development. There was also an unmade track that was in an appalling state which the owner had refused to maintain for 10 years. 5 additional conditions were therefore recommended. That the unmade access track must be repaired and made good, inspected and signed off by the Council prior to the development proceeding. The track which was accessed via Bradford Road was a busy road and the entrance to which was concealed. A condition was therefore recommended to direct traffic via a concealed entrance sign. A condition that construction traffic must approach by driving past the entrance, turning at the roundabout and proceed back along Bradford Road and turn right into Unstead Wood. A second application for the property number 89 would apparently be making land available for the new houses to have parking spaces. There must be certainty that any future owners do not have the right to change their mind over the use of the land now or forever. Currently number 7 operated an osteopathic practice in an outbuilding which would be demolished if this scheme went ahead. The previous application included the ceasing of trading and if this was not included in this application there was concern that another outbuilding used for their business would increase the number of cars arriving and leaving and churn up the muddy track. A condition was therefore required to forbid the potential for any business trade.

The Joint Executive Head of Planning Development, Claire Upton-Brown confirmed that it would not be possible to enact the conditions recommended. If the Committee was minded to approve the application, it would not be possible to require a third party to carry out maintenance improvements to the access. Similarly, it would not be possible to require the Highway Authority to erect a sign. It would also not be possible to impose a condition requiring that any land agreement be put in the public domain or put a covenant on any of the three properties preventing them from being used for businesses or other purposes. It was confirmed that the main difference from the refused application was that they had incorporated that section of additional land at the front which had given more space for parking. Previously it was one space per dwelling and now it was two spaces.

The Committee discussed the application and noted the concerns raised. However, the Committee agreed that the plot of land was fairly large and the spacing between the homes was adequate. Access to and from the site also appeared to be okay with a good sight line.

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

| RECORDED VOTE LIST | | | | |
|--------------------|-----------------|-----------|----------|----------|
| | COUNCILLOR | FOR | AGAINST | ABSTAIN |
| 1 | Cait Taylor | X | | |
| 2 | James Jones | X | | |
| 3 | Bilal Akhtar | X | | |
| 4 | Fiona White | X | | |
| 5 | Sue Wyeth-Price | X | | |
| 6 | Joanne Shaw | X | | |
| 7 | Maddy Redpath | X | | |
| 8 | David Bilbe | X | | |
| 9 | Richard Mills | X | | |
| 10 | Stephen Hives | X | | |
| 11 | Vanessa King | X | | |
| 12 | Howard Smith | X | | |
| | TOTALS | 12 | 0 | 0 |

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

RESOLVED to approve application 23/P/00835 subject to the conditions and reasons as detailed in the report.

PL8 PLANNING APPEAL DECISIONS

The Committee discussed and noted the planning appeal decisions.

The meeting finished at 8.30 pm

Signed

Date

Chairman

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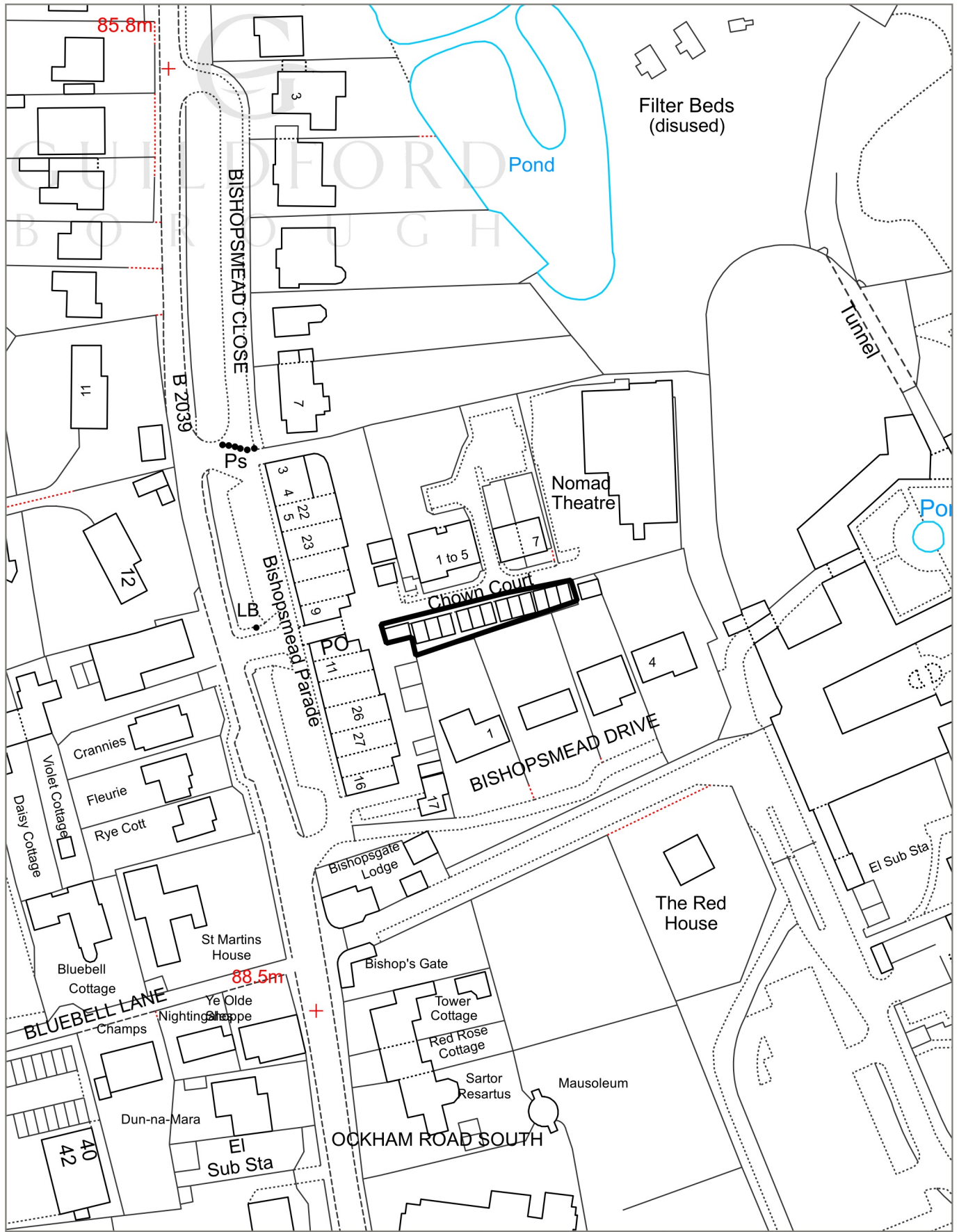
GUILDFORD BOROUGH COUNCIL**PLANNING COMMITTEE INDEX****08/11/2023**

| Item No. | Ward | Applicant | Location | App.No. | Rec. | Page |
|-----------------|---------------------|---------------------------------|--|----------------|-------------|-------------|
| 5.1 | Clandon and Horsley | Mr & Mrs Little, Badgers Hollow | Garages, land to the rear of, Bishopsmead Parade, East Horsley, KT24 | 23/P/00679 | APPC | 33. |

Total Applications for Committee**1**

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23/P/00679 - Garages, Land To The Rear Of, Bishopsmead Parade, East Horsley



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This map is for identification purposes only and should not be relied upon for accuracy.

Print Date: 31/10/2023



23/P/00679 – Garages, land to the rear of Bishopsmead Parade, East Horsley

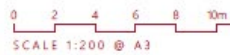


key: ○ Grade B/C trees ○ Grade C trees ○ Root Protection Areas

PLANNING ISSUE

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| REV | AMENDMENT | BY | CHECK | DATE |
|-----|-----------|----|-------|----------|
| A | | JT | DP | 05.04.23 |



LytleAssociates
ARCHITECTS

THE FOUNTAIN HEAD QUARRY STREET GUILDFORD
SURREY GU1 3UY 01483 301661
LYTLE-ASSOCIATES.COM

| CLIENT | PROJECT | TITLE | DRAWING NUMBER | REV |
|-------------------|---|--------------------|----------------|-----|
| Mr and Mrs Little | Land Rear of Bishopsmead Parade, East Horsley | Proposed Site Plan | 1961_025 | A |

Not to scale



App No: 23/P/00679 **8 Wk Deadline:** 13/11/2023
Appn Type: Full Application
Case Officer: Morgan Laird
Parish: East Horsley **Ward:** Clandon & Horsley
Agent : Mr. Jonathan Tan **Applicant:** Mr. and Mrs. Little
Lytle Associates Architects
20 Quarry Street
Guildford
GU1 3UY
Badgers Hollow
Mill Reach
Albury
GU5 9BA

Location: Garages, land to the rear of, Bishopsmead Parade, East Horsley, KT24
Proposal: Proposed erection of two detached two storey dwellings with associated parking, refuse and cycle store following the removal of 13 purpose built garages.

Executive Summary

Reason for referral

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

Key information

The proposal is for two, two-bedrooms detached dwellinghouses following the demolition of the existing garages within the village of East Horsley.

Each dwelling would have private and separate outdoor garden areas, roof terraces, refuse and cycle storage and two car parking spaces.

The dwellings would occupy a larger footprint than the existing garages and extend further forward and further back. At two stories in height, they would also exceed the height of the garages.

Unit 1 would have a gross internal area of 86 sqm while Unit 2 would have a gross internal area of 88 sqm.

The dwellings would be constructed of a combination of flint, red brick and slate with a modern architectural design.

Summary of considerations and constraints

Subject to the imposition of the recommended conditions, the proposed development of two, two-bedroom dwellings would not have an unacceptable adverse impact on the character of the area, on the significance of the Conservation Area, or on neighbouring amenity. There would be no material impact on highway safety and operation, and the design would present adequate sustainability and biodiversity enhancement measures. The application is therefore deemed to be acceptable and the application is recommended for approval.

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: 1961_021, 1961_024, 1961_025 REV A, 1961_023, 1961_041, 1961_035, 1961_036, 1961_037 REV A, 1961_038 REV A, 1961_039, 1961_040, 1961_030 REV A, 1961_031 REV A and 1961_032 REV A received on 19 April 2023.

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

3. The approved Arboricultural Report, which included an Arboricultural Method Statement prepared by Honey Arboricultural Consultancy, dated 23rd March 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 have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

4. Prior to commencement, a biodiversity enhancement scheme shall be submitted to the Local Planning Authority for approval. The scheme shall be consistent with the recommendations set out in the *Preliminary Ecological Appraisal*, dated August 2023. Thereafter the approved scheme shall be implemented, retained and maintained to the satisfaction of the Local Planning Authority.

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

5. 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.

6. 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.

7. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of charging 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.

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

Reason: 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.

9. 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.

10. Prior to first occupation, hard and soft landscaping details shall be submitted to and approved in writing by the Local Planning Authority including full details of:
a) hardstanding surfaces;

- b) green edges to separate the buildings from the existing access;
- c) plans and elevations of boundary treatments and of the roof terrace privacy screens;
- d) height, density and native species of new planting.

The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented in accordance with the approved plans.

Any trees or plants whether new or retained which within a period of five 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 and public realm in the interests of the visual amenities of the locality.

11. No external lighting shall be installed on the site or affixed to any buildings on site unless the Local Planning Authority has first approved in writing the details of the position, height, design, measures to control light spillage and intensity of illumination. Any external lighting shall comply with the recommendations of the Bat Conservation Trusts' document entitled 'Bats and Lighting in the UK - Bats and The Built Environment Series' Guidance Note 08/18 and shall thereafter be maintained.

Reason: In the interests of visual amenity, in order to preserve and enhance the natural environment including protected species and to minimise obtrusive light pollution.

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 sought and provided which addressed potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

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.

Officer's Report

Site description.

The site is within an area inset from the Green Belt and lies within the settlement area of East Horsley. The site area lies adjacent to but outside of the East Horsley Conservation Area with the exception to this a single shed directly to the rear of the Bishopsmead Parade which does lie within the East Horsley Conservation Area.

The site lies within the 5 - 7 km buffer zone of the Thames Basin Heath Special Protection Area.

The application site is located to the rear of the parade of shops at Bishopsmead Parade and is accessed from an archway that runs underneath the centre of the three storey terrace of Bishopsmead Parade. This access also serves the Nomad Theatre building that lies directly to the East of the site.

The site occupies lower ground than the Bishopsmead Parade of shops and is long and narrow and rectangular in shape. The site comprises of a series of garages situated to the rear boundaries of those properties within Bishopsmead Drive and to the rear of Bishopsmead Parade. Between the existing garages and rear boundaries of 1,2 and 3 Bishopsmead Drive lies a linear group of Lawson and Leyland Cypress trees , which are protected by a TPO (No. 17 of 2005).

Proposal.

Proposed erection of two detached two storey dwellings with associated parking, refuse and cycle store following the removal of 13 purpose built garages.

Relevant planning history.

| Reference: | Description: | Decision Summary: | Appeal: |
|-------------------|---|---------------------------------|--------------------|
| 22/A/00211 | Removal of 13 existing purpose built garages. Replace with erection of two detached dwellings and associated parking, refuse and cycle storage. | NA | NA |
| 20/P/01725 | Erection of terrace of three dwellings and associated parking with the construction of refuse and cycle store following removal of 13 purpose built garages. | Non Determination 08/02/2022 | DISM 22/07/2022 |
| 11/P/00992 | Erection of 13 single storey garages, comprising 4 x 3 garage units and 1 single garage, following the demolition of the existing garages on site. | Approved | NA |
| 10/P/02353 | Erection of 14 single storey garages following demolition of existing garages | Withdrawn | NA |
| 05/P/02022 | Erection of a terrace of three two storey cottage style houses with associated parking following demolition of existing garages. | Refused | DISM |
| 05/P/01287 | Erection of terrace of three two storey cottage style houses with associated parking following demolition of existing garages. | Withdrawn | NA |
| 02/P/02318 | Erection of three two storey cottage style houses with associated parking following demolition of existing domestic garages (as amended by plans received on 12th MArch 2003 reducing the number of units from four to three, reducing the parking spaces from four to three and increasing the communal amenity area). | Refused | DISM |
| 02/P/01903 | Erection of terrace of four two storey cottage style houses with associated parking following demolition of existing garages. | Withdrawn | NA |

| | | | |
|--------------------|---|----------|----|
| GU/R 13270 1954 | The erection of a lock-up garage | Approved | NA |
| GU/R 12753 1964 | The erection of a block of lock-up garages | Approved | NA |

Consultations.

Statutory consultees

County Highway Authority: no concerns raised subject to conditions.

Thames Water: no concerns raised.

Affinity Water Company: no comment received.

Surrey Wildlife Trust: no concerns raised subject to conditions.

East Horsley Parish Council: no objection.

Internal consultees

Head of Environmental Health and Licensing: no concerns raised.

Cleansing Manager - Operational Services: no concerns raised.

Third party comments:

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

- Impact on Badgers and bats [Officer comment: a preliminary ecological appraisal has been submitted which confirms no presence of roosting bats and no records of badgers within a 1km radius of the site and no signs of badger activity].
- Damage to trees [Officer comment: the application is supported by an arboricultural method statement, implications assessment and tree protection plan. The Council's Tree Officer has reviewed these documents and raises no objection].
- Invasion of privacy from overlooking.
- Insufficient road width [Officer comment: the proposal would not alter the road width, although it is noted that the access is private].
- Infrastructure capacity [Officer comment: Thames Water have not raised an objection].
- Unduly prominent and out of keeping with the surrounding buildings and local area.
- Insufficient parking.
- Dismantling of garages would reduce parking [Officer comment: the garages are used for B8 storage and not used to store garages. Accordingly, there would not be a loss of parking].
- Drainage issues [Officer comment: Thames Water have not raised an objection].
- Construction impacts [Officer comment: the access to the site is private and the management of construction traffic would be controlled by other legislation and its management would not be proportionate to the small scale of the development].
- Increase in traffic [Officer comment: the County Highway Authority have not raised an objection].
- Plot not large enough for two dwellings, parking and gardens.
- No visitor parking proposed [Officer comment: the proposal includes adequate car parking in line with the Parking Standards for New Development SPD].
- Area would be overcrowded with residential properties.
- Development would impede access to the Nomad Theatre.
- Safety concerns with opening front door onto the access.
- Loss of light to properties on Chown Court and to trees.

- Overdevelopment.
- Cannot enact the "High Hedges Act" [Officer comment: the Council's Tree Officer did not raise an objection].
- Emergency vehicle access.
- Noise impact on new residential properties from the Theatre.
- Refuse/rubbish collection [Officer comment: the Council's Operational Services team did not raise an objection].
- Poor access to public transport due to distance and frequency.
- Poor outlook and access to natural light.
- Proposed garden area not likely to allow grass growth due to shade.
- Requests that existing damage to access be rectified before proposed development proceeds [Officer comment: this is not a material planning consideration].

Planning policies.

National Planning Policy Framework (NPPF):

- Chapter 2: Achieving sustainable development
Chapter 4: Decision Making
Chapter 5: Delivering a sufficient supply of homes
Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

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 S1: Presumption in favour of sustainable development
Policy H1: Homes for all
Policy E9: Local Centres and isolated retail units
Policy D1: Place shaping
Policy D2: Climate Change, sustainable design, construction and energy
Policy D3: Historic environment
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 D18: Designated Heritage Assets
Policy D20: Conservation Areas
Policy ID10: Parking Standards for New Development

East Horsley Neighbourhood Plan 2017 - 2033

| | |
|------------------|--|
| Policy EH-S1: | Spatial development in East Horsley |
| Policy EH-EN2: | Trees & Hedgerows |
| Policy EH-EN4: | Biodiversity |
| Policy EH-H7(a): | East Horsley design Code: Houses & Bungalows |
| Policy EH-H8: | Residential Infilling |

Supplementary planning documents:

Residential Design Guide (2004)
Climate Change, Sustainable Design, Construction and Energy SPD (2020)
Planning Contributions SPD (2017)
Parking Standards for New Development SPD (2023)
Thames Basin Heath Special Protection Area Avoidance Strategy (2017)
National Design Guide (2021)

Planning considerations.

The main planning considerations in this case are:

- The principle of development
- Impact on the character of the Conservation Area
- Character and appearance
- Amenity and space standards
- The impact on neighbouring amenity
- The impact on highways and parking
- Sustainability
- Impact on biodiversity

Background to this application

The previously submitted application (20/P/01725) for the erection of three terraced dwellings was dismissed under appeal for the following reasons:

- *The proposal would have an adverse effect on the character and appearance of the surrounding area. As such, it would fail to comply with Policy D1 of the Guildford Borough Local Plan: Strategies and Sites 2015 - 2034 (adopted 25 April 2019). Policy G5 of the Guildford Borough Local Plan 2003, the Residential design Guide Supplementary Planning Guidance July 2004 and the National Planning Policy Framework, which together seek to ensure good design.*
- *While the proposal would not have an adverse effect on the living conditions of the future occupiers of Unit 1 of the proposal with regards to outlook and light, it would have an adverse effect on the living conditions of future occupiers of Units 2 and 3 with regards to outlook and light, and of all units with regards to privacy and the provision of outdoor space. As such, it would fail to comply with Policy D1 of the Guildford Borough Local Plan: Strategies and Sites 2015 - 2034 (adopted 25 April 2019), Policy G1(3) of the Guildford Borough Local Plan 2003 and the National Planning Policy Framework, which together seek to ensure adequate living conditions.*

Since the application was dismissed at appeal, the Applicant has been in a pre-application discussions with the LPA. The scheme submitted differed from the dismissed scheme in the following ways:

- Reduction from three terrace houses to two detached dwellinghouses.
- The revised design included a more articulated form to break up the expansive brick and stone facades.
- The living spaces are shown on the ground floor and bedrooms on the first floor, which allows more windows.
- Living areas repositioned to open up into private garden spaces.
- Greater area of private outdoor amenity space.

It was concluded in the pre-application that the development would likely be acceptable subject to the following amendments:

- inclusion of additional ground floor windows to serve the kitchen areas of both units.
- Increase visibility of the front entranceways of both units to improve the occupants 'sense of place' and contribute to an active frontage.
- Privacy screen to be included on the southern elevation of both terraces.
- Inclusion of full elevation plans.

The plans submitted under this application have adopted this feedback.

The principle of development

The site is located within the identified settlement boundary of East Horsley which has been inset from the Green Belt. As this settlement is not within the Green Belt, there is no requirement to assess the proposal against the restrictive Green Belt policies.

The western corner of the site, which contains a single garage building sits within the boundary of the Local Centre. As the garages are in use as Class B8 - storage and distribution, there would be no loss of retail space. Consequently, the proposal would not be contrary to Policy E9 of the LPSS.

As such, there is no in principle objection to the provision of additional residential units on the site.

Impact on the character of the Conservation Area

Statutory provisions:

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

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 199 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF sets out that the local planning authority

should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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

The significance of the East Horsley Conservation Area encompasses 25 listed structures, which include a number of distinctive 'arts and craft' homes designed by architect, Frank Chown as well as other buildings in the distinctive Lovelace architectural style which includes the use of brick with flint facings. References to Frank Chown can also be found outside of the buildings themselves, but also in street names, Chown Court being a clear example.

A small section of the site at the most westerly edge of the site lies within the East Horsley Conservation Area. This part of the site is currently occupied by a pre-cast concrete garage. There are no listed buildings within or adjacent to the site. Given the sites location to the rear of Bishopsmead Parade of shops and the current occupation of the site by the garages, there would be no material harm to the designated heritage asset.

Character and appearance

The application site is currently occupied by 13 purpose built garages which are used as storage units. The garages have no architectural merit. Consequently, the demolition of these buildings would not harm the character of the area.

The proposed two-storey detached dwellinghouses, as well as the associated car parking spaces and landscaping would occupy a greater built footprint than the existing buildings, and extend further forward and further back. Each proposed dwelling would have two-bedrooms, a private garden space to the east and a first floor terrace. Two car parking spaces are proposed for each unit, with identified refuse storage and secure cycle storage to the side of the buildings. The proposed gross internal area of unit 1 would be 88 sqm, and 86 sqm for unit 2.

The design of the proposed dwellings would be in keeping with the modern architectural character of other buildings to the rear of Bishopsmead Parade, including the apartments and duplex opposite the site, and the Nomad Theatre. The palette of materials would include the use of flint, red brick and slate which while applied in a contemporary way, would be characteristic of the local Lovelace style.

The use of flint would ground the base of the building and seamlessly enclose the side gardens. The red brick upper storey would float over side parking and enclose the bin and bike storage so that they integrate with the building form. A single parking bay with an oversailing pergola structure would provide a lighter visual break between the two properties. The proposed articulated roof design would break up the mass of the built form, and reduce the overall prominence of the buildings from the public footpath and surrounding properties.

Given the character of the area, the contemporary fenestration and enclosure to the roof terraces would be appropriate to the buildings' form and the use of larger windows and rooflights would maximise opportunities for natural light and ventilation.

While the plot is long and narrow, the proposed dwellings would comfortably within the area owing

to the use of external materials and articulated roof design, as well as provision for private and open garden space to each unit. The reduction from three terrace houses to two detached dwellings would be more characteristic of the area and ensure that there would be adequate amenity space for occupants. The proposed development would be appropriately sized for the plot and not appear unduly cramped or contrived.

While the proposed dwellings would be situated in close proximity to the public footpath which would provide access to the Nomad Theatre to the rear of Bishopsmead Parade, both units would have a staggered facade to break up the building facade. There would also be a landscaped strip to the front of the site which would provide a soft transition between the hardstanding of the access and the building facade. While landscaping is shown on the proposed plans, no details of the type or composition of this have been provided. Should the application be recommended for approval, a condition would be imposed requiring a landscaping plan be submitted prior to occupation detailing all proposed soft and hard landscaping measures.

With respect to the East Horsley Design Code (Policy EH-H7(a) of the East Horsley Neighbourhood Plan), the proposed development would be in keeping with the character of East Horsley and with the style of properties surrounding the development. The proposal would increase the amount of green space, therefore enhancing the 'leafy' character of East Horsley. The development would be two stories only. The proposal would therefore comply with Policy EH-H7(a).

Policy EH-H8 of the East Horsley Neighbourhood Plan supports residential infilling development where the site is substantially surrounded by existing development and the size and massing of new residential development is no greater than that of surrounding property. The proposal is for only two, two-bedroom detached dwellings in an area with apartments and a duplex. It is clear that the scale and massing would be no greater than existing development. The proposal would therefore comply with this policy.

Overall the proposed development would be an example of high quality design that would appropriately respond to the constraints of the site. The demolition of the existing garages in place of the dwellings would enhance the character of the area. The choice of materials would respond to the wider East Horsley character, and the Lovelace architectural design of buildings within the wider area. It is therefore considered that the proposed development would comply with Policy D1 of the LPSS, Policies D4 and D8 of the LPDMP and Policies EH-H7(a) and EH-H8 of the East Horsley Neighbourhood Plan.

Amenity and space standards

Paragraph 130(f) of the NPPF 2021 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: Strategies and Sites 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 (NDSS).

The proposed development includes the construction of two, two-bedroom, four occupant residential units with gross internal floor areas of 86 and 88 sqm. For dwellings of this size the minimum gross internal floor area would be 79 sqm. Both dwellings would comply with this.

All bedrooms would be double occupancy and comply with the minimum area and dimension standards. The proposed development would therefore comply with the NDSS.

In the case of both proposed units there would be a private garden space to the east, accessible from the living room on the ground floor through large bi-fold doors. The garden areas would be surrounded by a flint wall that would be seamlessly integrated with the dwellings to provide privacy to occupants. The front elevation of the wall would be staggered to create both visual interest from the public footpath and to reduce the prominence. Each unit would also have a roof terrace at first floor level accessible from a bedroom. In the case of unit one the roof terrace would have an area of approximately 7.9 sqm, and for unit two, 15.6 sqm. A privacy screen would be installed along the northern and southern sides of both terraces to ensure privacy of both the occupants and neighbouring properties. It is considered that both proposed units would be provided with sufficiently sized and shaped private outdoor amenity space, compliant with Policy D5 of the LPDMP.

Both units would have adequate windows to provide natural light and sunlight to habitable rooms. In the case of the first floor of both units, rooflights would be proposed to supply light to the western bedrooms. The bi-fold doors from the eastern bedrooms along with the smaller rooflights would supply light to these rooms.

Overall, it is considered that both dwellings would have acceptable living conditions through provision of private outdoor amenity space, NDSS compliance and access to natural light. The proposed development would therefore comply with Policy D1 of the LPSS and Policy D5 of the LPDMP.

The impact on neighbouring amenity

The adjoining properties most impacted by the proposed development would be 1 - 5 Chown Court, 6 - 7 Chown Court, Rivendell (1 Bishopsmead Drive), Brandywine (2 Bishopsmead Drive), Riduna Cottage (3 Bishopsmead Drive), 4 Bishopsmead Drive and the Nomad Theatre.

1 - 7 Chown Court

The application site is located opposite the residential dwellings of Chown Court. The proposed dwellings would maintain a separation gap of approximately 7.5 metres from these properties. At this distance the proposed development would not result in loss of light or overbearing impact on these properties. However, these properties have habitable room windows facing the application site. Similarly, the proposed dwellings would have habitable room windows and a first floor terraces facing Chown Court.

Unit 1 would be positioned towards the west with only the roof terrace having potential views into the dwellings at 1 - 5 Chown Court. A privacy screen would be installed along both the northern and southern sides of the terrace to obscure views of neighbouring properties. While unit 1 would have two first floor windows, due to the positioning of the dwelling, these would not look directly towards 1 - 5 Chown Court. With regards to Unit 2, the privacy screens on the roof terrace would obscure views of 6 - 7 Chown Court, and the building's and first floor window positioning would avoid direct overlooking. The proposed development would therefore appropriately mitigate any potential impact from overlooking.

Rivendell and Brandywine

Rivendell and Brandywine adjoin the application site to the south and consist of detached two-storey dwellinghouses, approximately 18 - 22 metres from the southern wall of the proposed dwellings. While the proposal would be noticeably greater in scale and height than the existing garages, the proposed dwellings have been designed so that the roof form is stepped to minimise bulk, as well as having the first floor setback from the southern boundary with the single storey element acting as a partial buffer to further minimise the bulk of the building. These features, in addition to the separation distance would mean that both units would not appear as overbearing features or result in a loss of light or overshadowing.

Neither unit 1 or unit 2 would have any first floor windows on the southern/rear elevations. While there would be ground floor rear facing windows, these would be screened by the existing fence and vegetation to the rear. To ensure an acceptable level of privacy is maintained between Rivendell and Brandywine and the proposed units, the proposal would be required to retain the existing boundary fence. As the existing trees are not located within the Applicant's property, it would not be possible to require this development to retain these. However, a condition would be imposed requiring the development to proceed in accordance with the submitted aboricultural reports to protect the trees during construction. In addition, the trees are subject to a TPO which would ensure their ongoing protection.

A privacy screen would be installed on the southern boundary of the roof terraces to obscure views into Rivendell and Brandywine and other properties to the south. Subject to the above mentioned conditions, the proposed development would not result in an unacceptable impact on the amenity of these properties.

Riduna Cottage

Riduna Cottage adjoins the application site to the south-east and consists of a detached two-storey dwellinghouse, approximately 17.5 metres from the eastern wall of the proposed unit 2. Unit 1 would not be highly visible as it would be screened by unit 2.

Due to the distance, there would be no loss of light or overshadowing concerns and the dwelling would not appear as an overbearing feature. Due to the orientation of unit 2 towards the east, there may be oblique views of Riduna Cottage from the proposed roof terrace. To mitigate the potential overlooking impact, a privacy screen would be erected. Outside of this, only the ground floor windows would look towards this property, which would be screened by existing boundary treatments. As with Rivendell and Brandywine, the boundary fence would be retained and the trees protected by a TPO and the recommended measures included within the aboricultural reports.

It is therefore considered that there would not be an unacceptable impact on the amenity of the occupants or Riduna Cottage.

Conclusion

Subject to the imposition of the conditions outlined above, the proposed development would not result in an unacceptable adverse impact on the amenity of neighbouring properties, in compliance with Policies D5 and D8 of the LPDMP and Policy EH-H8 of the East Horsley Neighbourhood Plan.

The impact on highways and parking

The application site is accessed from Bishopsmead Parade, under an archway between the shops. The site is currently occupied by 13 garages which the Applicant confirmed are used as storage units for private users. Even if the garages were to be used for car parking, with the exception of garage building 1, they would not meet the minimum dimension standards set out under the Parking Standard for New Development SPD, which require garages to be a minimum of 6 metres by 3 metres. The loss of one parking space would have a negligible impact on highway safety.

The parking SPD sets out an expected car parking provision of 1.5 spaces for a two-bed dwelling. Where the spaces provided are allocated, the provision for visitor parking would be 0.2 spaces per dwelling. In accordance with this SPD, the expected car parking space requirement would be 3.4 spaces. Even if this were to be rounded up, the proposed 4 parking spaces would comply. As noted by the County Highway Authority, any overspill parking would be controlled by the existing parking restrictions on Bishopsmead Parade.

Subject to the imposition of conditions requiring the installation of a fast-charge EV socket per unit and covered bicycle parking with an e-bike charging point, the Highway Authority was satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway and would promote sustainable transport and a reduction in carbon emissions.

The proposed development would therefore comply with Policy ID3 of the LPSS, Policy ID10 of the LPDMP and the Parking Standards for New Development SPD.

Impact on trees

As noted above, there are mature cypress and silver birch trees to the rear of the site which are protected by a TPO. Given the prominence of these trees, they are clearly a distinctive feature of the site and surrounding area. They would therefore offer important visual amenity that should be protected in line with Policy EH-EN2 of the East Horsley Neighbourhood Plan and Policy D4 of the LPDMP. The Application is supported by an arboricultural method statement, implications assessment and tree protection report which have been reviewed by the Council's Tree Officer. Subject to compliance with the recommendations within these documents, the proposal would adequately protect the trees during demolition and construction.

The proposed development would comply with Policy EH-EN2 of the East Horsley Neighbourhood Plan and Policies D5 and P6 of the LPDMP.

Sustainability

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:

- Where possible, recycled materials such as existing bricks and flint will be used.
- Where possible, demolition material will be recycled for reuse on site. Existing prefabricated garages and concrete will be assessed for suitability crushed down and reused.
- Bricks and slates will be UK sourced.
- Timber will be FSC certified.
- Compliance with building regulations.
- Careful design to minimise requirement for artificial lighting .
- Design for maximum solar gain.
- Cross ventilation.
- Water efficiency below 110 litres per person per day.
- Rainwater butts and flow restrictors.
- EV charging points and cycle stores.
- Garden spaces with raised terraces to minimise hardstanding.
- Airsource heat pumps.

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 and the installation of an EV charging point and e-bike charging point. As the proposal would include the demolition of the existing garages, to comply with Policy D14 a condition would be imposed requiring the submission of a Site Waste Management Plan prior to commencement. 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. While the proposal does include details of the proposed materiality of the buildings, no details have been provided on their carbon efficiency. To ensure materials are locally sourced, a condition would be imposed requiring the embodied carbon details of the proposed materials. 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 ecology and biodiversity

The application is supported by a Preliminary Ecological Appraisal. The reporting confirms no presence of any protected species, which would be consistent with the dominance of developed land, inclusive of the sealed surface and buildings. The mature trees present do however have some value and may provide a habitat corridor for species such as bats and birds. As recommended in the ecological appraisal and requested by Surrey Wildlife Trust, a Sensitive Lighting Management Plan/sensitive lighting scheme should be provided. This would be required to mitigate any potential impact from artificial light on roosting species that may be present in the trees around the site and in the wider area.

In accordance with Policy ID4 of the LPSS and Policy P7 of the LPDMP, a new development proposals are required to provide for the net gain in biodiversity. The Preliminary Ecological

Appraisal sets out a number of potential biodiversity enhancements, including:

- Proposed landscaping should seek to enhance the ecological value of the site by making use of native plant species of local provenance and/or non-native species with high pollinator value.
- Create 13cm x 13cm holes in timber fencing with 'hedgehog highway' signs along the eastern boundary to maintain ecological permeability across the site, and
- Install woodcrete bat and bird boxes on the proposed dwellings.

As the proposed development proposal does not include a biodiversity enhancement scheme, to ensure compliance with Policies ID4 and P7 a condition would be warranted that requires the Applicant to submit, prior to commencement, a biodiversity enhancement scheme in line with the recommendations of the Preliminary Ecological Appraisal for the approval of the LPA. This is reiterated by the Surrey Wildlife Trust.

Subject to the above mentioned conditions, the proposed development would comply with Policy ID4 of the LPSS and Policy P7 of the LPDMP.

Conclusion.

Subject to the imposition of the recommended conditions, the proposed development of two, two-bedroom dwellings would not have an unacceptable adverse impact on the character of the area, on the significance of the Conservation Area, or on neighbouring amenity. There would be no material impact on highway safety and operation, and the design would present adequate sustainability and biodiversity enhancement measures. The application is therefore deemed to be acceptable and the application is recommended for approval.

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PLANNING COMMITTEE

8 NOVEMBER 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)

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| <p>1.</p> | <p>Mr Philip Cooper 3 Shere Court, Hook Lane, Shere, Guildford, GU5 9QH</p> <p>22/P/01692 – The development proposed is erection of a summerhouse.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and if so, whether the 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 online via the planning portal.</p> | <p>*ALLOWED</p> |
| <p>2.</p> | <p>Ms Wu 11 Caledon Place, Guildford, Surrey, GU4 7YX</p> <p>22/P/02187 – The development proposed is first floor front extension above garage with alteration to roof and single storey rear extension.</p> <p>Delegated Decision: To Refuse</p> | <p>*ALLOWED</p> |

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| | <p>Inspector’s Main Issues: The main issue is the effect of the proposed development upon the character and appearance of the building and surrounding area.</p> <p>Please view the decision letter online via the planning portal.</p> | |
| <p>3.</p> | <p>Mrs Catherine Wheeler St Thomas Court, 39 Epsom Road, Guildford, GU1 3LA</p> <p>22/P/00034 – The development proposed is the conversion of existing office use B1(a) to residential C3 for 7 no. apartments including: removal of the existing single storey entrance lobby; introduction of a three storey side gable extension, installation of rooflights, provision of and enlargement of the existing basement with external staircase; and associated cycle and car parking and refuse storage.</p> <p>Delegated Decision: non-determination</p> <p>Inspector’s Main Issues: The main issues are:</p> <ul style="list-style-type: none"> • the principal of the change of use; • the character and appearance of the locality; • residential amenity for neighbours and future occupiers; • highway safety and parking; • the environment generally; and • the Thames Basin Heath Special Protection Area (TBHSPA) specifically. <p>Please view the decision letter online via the planning portal.</p> | <p>*ALLOWED</p> |
| <p>4.</p> | <p>Mr Simon Persin 29 Merrow Woods, Guildford, Surrey, GU1 2LQ</p> <p>23/P/00087 – The development proposed is described as “The proposed works will include a rear and single storey extension, conversion of the garage into habitable space, with a first floor side extension over part of the converted garage and a ground floor extension infill”.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The effect of the proposed development on the character and</p> | <p>*ALLOWED</p> |

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| | <p>appearance of the building and surrounding area; and the living conditions of occupiers of 27 Merrow Woods, with particular regard to light and outlook.</p> <p>Please view the decision letter online via the planning portal.</p> | |
| <p>5.</p> | <p>Mr Neil Thompson 15 Foxenden Road, Guildford, Surrey, GU1 4DL</p> <p>22/P/00917 – The use for which a certificate of lawful use or development is sought is use of property as a house in multiple occupation for 7 persons (Use Class C4).</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the existing use which is found to be lawful.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>*ALLOWED</p> |
| <p>6.</p> | <p>Mr and Mrs Brown Grey Timbers, 6 Park Horsley, East Horsley, KT24 5RZ</p> <p>23/P/00087 – The development proposed is described as “The proposed works will include a rear and single storey extension, conversion of the garage into habitable space, with a first floor side extension over part of the converted garage and a ground floor extension infill”.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issues are whether the proposal amounts to inappropriate development in the Green Belt, including the effect on the openness of the Green Belt and the purposes of including land within it; The effect of the proposal on the character and appearance of the area; If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>*ALLOWED</p> |

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| <p>7.</p> | <p>Mr John George Black Land at Roundoak, White Hart lane, Wood Street Village, Guildford, GU3 3EA</p> <p>EN/21/00414 – The breach of planning control as alleged in the notice is without permission the erection of brick piers and gates.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED AND ENFORCEMENT NOTICE UPHELD</p> |
| <p>8.</p> | <p>Mr Jack Lampard Land at 4 Lawrence Close, Guildford, GU4 7RD</p> <p>Appeal Ref: APP/Y3615/C/22/3307904 -The breach of planning control as alleged in the notice is without planning permission operational development consisting of the erection of a wall between points A and B on the attached plan.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: It is clear that the breach of planning control relates to the erection of a wall. The purpose of the notice is to remedy the breach of planning control by removing all the wall. The removal of all the wall is not therefore an excessive step as it would remedy the breach of planning control. I therefore conclude that the ground (f) appeal fails.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED AND ENFORCEMENT NOTICE UPHELD</p> |

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| <p>9.</p> | <p>Woodlands Country Homes Ltd 50 Fairlands Avenue, Fairlands, Surrey, GU3 3NB</p> <p>22/P/01289 – The development proposed is described as a ‘detached bungalow’.</p> <p>Delegated Decision: Non-determination</p> <p>Inspector’s Main Issues:</p> <p>The effect of the proposal on the character and appearance of the area; the effect of the proposal on the living conditions of the occupants of the host property, No50A Fairlands Avenue, having particular regard to the provision of outdoor space, noise and disturbance; and the effect of the proposal on the Thames Basin Heaths Special Protection Area (TBHSPA).</p> <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED</p> |
| <p>10.</p> | <p>Mr Greg Toynton Brambles, Mill Lane, Pirbright, Surrey, GU24 0BS</p> <p>22/P/00927 – The development proposed is first floor rear extension.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues:</p> <ul style="list-style-type: none"> i) whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; ii) the effect of the proposed development on the openness of the Green Belt; and, iii) if the proposal is inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations as to amount to the very special circumstances required to justify the development. <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED</p> |

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| <p>11.</p> | <p>Mr Michael Croney 7 St Pauls Close, Tongham, Surrey, GU10 1EN</p> <p>22/P/01108 – The development proposed is described as “build two out buildings (sheds) on hard stands beyond dwelling front elevation where curtilage is detached from property (not directly in front of house) as this be the best area keeping it out of site of neighbours. Lawful develop certificate was submitted of this but requires planning because the sheds are beyond front elevation.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is the effect of the development on the character and appearance of the area.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED</p> |
| <p>12.</p> | <p>Mr and Mrs M Jacklin Springfold House, Shophouse Lane, Albury, Guildford, GU5 9EQ</p> <p>22/P/00619 – The development proposed is first floor rear extension over existing orangery, enclosing of existing open porch and changes to the fenestration.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: Whether the proposed development 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; the effect of the proposal upon biodiversity and protected species; and whether the 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 online via the planning portal.</p> | <p>DISMISSED</p> |

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| <p>13.</p> | <p>Mr and Mrs M Jacklin Springfold House, Shophouse Lane, Albury, Guildford, GU5 9EQ</p> <p>22/P/01624 – The development proposed is removal of existing single glazed windows and doors and replacement with new double glazed A++ high energy efficient PVC windows to match existing in design and colour.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issue is the effect of the proposed replacement windows on the significance of designated heritage assets, having particular regard to the Ripley (CA) and Elm Tree House, which is a Grade II listed building.</p> <p>Please view the decision letter online via the planning portal.</p> | <p>DISMISSED</p> |
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