



Contact Officer:

Sophie Butcher, Democratic Services  
Officer

28 November 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 6 DECEMBER 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: 216 627 18#.

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 OBE	

## **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



## **A G E N D A**

**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 - 22)**

To confirm the minutes of the meeting of the Committee held on 8 November 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 23 - 24)**

All current applications between numbers 20/P/02173 and 23/P/01774 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

- 5.1 **20/P/02173 - Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA**  
(Pages 25 - 138)
- 5.2 **22/P/01682 - 59 Shawfield Road, Ash, Guildford, GU12 6QX**  
(Pages 139 - 152)
- 5.3 **22/P/01966 - 94 Potters Lane, Send, Woking, GU23 7AL**  
(Pages 153 - 186)
- 5.4 **23/P/00392 - Stanford Cottages, Aldershot Road, Pirbright, Woking, GU24 ODQ**  
(Pages 187 - 198)
- 5.5 **23/P/01291 - Land to the rear of 168 The Street, West Horsley, KT24 6HS**  
(Pages 199 - 224)
- 5.6 **23/P/01424 - 36 Railton Road, Guildford, GU2 9LX**  
(Pages 225 - 234)
- 5.7 **23/P/01774 - Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH**  
(Pages 235 - 256)

## **6 PLANNING APPEAL DECISIONS (Pages 257 - 262)**

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*.

## PLANNING COMMITTEE

Councillor Fiona White (Chairperson)

\* Councillor Vanessa King (Vice-Chairperson)

- |                               |                              |
|-------------------------------|------------------------------|
| * 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    |                              |

\*Present

### **PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

An apology was received from Councillor Fiona White and Councillor Jane Tyson attended as her substitute.

### **PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

#### **23/P/00679 – Garages, land to the rear of Bishopsmead Parade, East Horsley, KT24**

Councillor David Bilbé declared a non-pecuniary interest in the above application owing to the fact that one of his son's lived in East Horsley. However, the site was not in close proximity to his son's place of address and would not affect his objectivity in the consideration of this application.

Councillor Jo Shaw declared a non-pecuniary interest in the above application owing to the fact that her father lived in East Horsley. However, the site was not in close proximity to her father's place of address and would not affect her objectivity in the consideration of this application.

### **PL3 MINUTES**

The minutes of the Planning Committee held on 13 September 2023 were agreed and signed by the Chairman as a true and accurate record.

**PL4 ANNOUNCEMENTS**

The Committee noted the Chairman's announcements.

**PL5 23/P/00679 - GARAGES, LAND TO THE REAR OF, BISHOPSMEAD PARADE, EAST HORSLEY, KT24**

The Committee considered the above-mentioned full application for proposed erection of two detached, two storey dwellings with associated parking, refuse and cycle store following the removal of thirteen purpose-built garages.

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

- Mr Andrew Rowe (to object);
- Mrs Christine Hamilton (to object) and;
- Mr Jonathan Tan (Agent) (in support)

The Committee received a presentation from the Senior Planning Officer, Morgan Laird. The Committee noted that the application site was located to the rear of the shops and close by was a Theatre. To the north was pair of semi-detached dwelling houses. The site was also partially within the East Horsley Conservation Area which incorporated only one of the thirteen garages. TPO trees were located to the south and access to the site was through an archway between the shops.

The garages proposed to be demolished were used for storage only and were not sized in accordance with existing parking dimensions. The garages were not used for retail and therefore there would be no loss of retail space. Both dwellings proposed would have a roof terrace on the first floor, two car parking spaces and cycle storage. The row of trees by the garages were subject to a Tree Preservation Order (TPO).

The dwellings were contemporarily designed with articulated roofs using materials of flint and red brick. This was consistent with the architectural design that was common in East Horsley. The articulated roof design and use of materials would break up the bulk from the front elevation. The dwellings were moderate in height and below the ridge height of the dwellings to the rear. The dwellings had also been positioned to avoid any direct overlooking and would not face directly into the first-floor windows of these units.



In conclusion, it was the planning officer's view that the proposal would deliver the net increase of two dwellings in a sustainable location. The proposal would not be harmful or affect the character or appearance of the site or conservation area and would not result in an unacceptable adverse impact on neighbouring properties. There would not be a material impact on highway safety or operations and the design would provide sustainability and biodiversity enhancement measures. Subject to conditions, the application was therefore recommended for approval.

In response to comments made by public speakers, the Senior Planning Officer, Morgan Laird confirmed that condition three ensured the protection of the trees prior to the commencement of any works taking place.

The Committee discussed the application and noted that the design was very contemporary in comparison to the historic Lovelace style employed throughout much of East Horsley. It was also noted that there were in fact three entrances to the parade as well as via the archway in the centre. Access could therefore be achieved to the houses from Ockham Road North. An entrance at the north or south would assist increasing traffic flows caused by the proposal.

The Committee noted comments that the design was not attractive but was an insufficient reason to refuse the application given there were no statutory objections to the scheme. The Committee also noted comments that the proposal would be an improvement upon the garages that existed currently. The Theatre located nearby would already attract traffic and the additional two dwellings was not an onerous addition to traffic flows. The Committee commended the clever design which included outside space.

The Committee remained concerned about the protection of the trees which had a Tree Preservation Order (TPO). The Committee was assured that any works to be conducted to the trees during their lifetime were controlled by the TPO. If a tree were to die, then the landowner would require its replacement.

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

RECORDED VOTE LIST				
		FOR	AGAINST	ABSTAIN
1	Patrick Oven	X		
2	Sue Wyeth-Price	X		
3	Yves de Contades			X
4	Stephen Hives		X	
5	Vanessa King	X		
6	Joanne Shaw	X		
7	James Jones	X		
8	Maddy Redpath	X		
9	Howard Smith	X		
10	David Bilbe	X		
11	Cait Taylor	X		
12	Lizzie Griffiths	X		
13	Bilal Akhtar	X		
14	Richard Mills	X		
15	Jane Tyson	X		
	<b>TOTALS</b>	<b>13</b>	<b>1</b>	<b>1</b>

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

RESOLVED to approve application 23/P/00679 subject to the conditions and reasons as detailed in the report.

## PL6 PLANNING APPEAL DECISIONS

The Committee considered and noted the appeal decisions.

The meeting finished at 8.00 pm

Signed .....

Date .....

Chairman

**GUILDFORD BOROUGH COUNCIL****PLANNING COMMITTEE INDEX****06/12/2023**

<b>Item No.</b>	<b>Parish</b>	<b>Applicant</b>	<b>Location</b>	<b>App.No.</b>	<b>Rec.</b>	<b>Page</b>
5.1	Worplesdon	c/o Agent	Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA	20/P/02173	S106	25.
5.2	Ash	Guildford Council, Millmead House	59 Shawfield Road, Ash, Guildford, GU12 6QX	22/P/01682	APPC	139.
5.3	Send	Hawksmoor Homes, c/o Agent	94 Potters Lane, Send, Woking, GU23 7AL	22/P/01966	S106	153.
5.4	Pirbright	Mr Marshall, 6 Stanford Cottages	Stanford Cottages, Aldershot Road, Pirbright, Woking, GU24 0DQ	23/P/00392	REF	187.
5.5	West Horsley	Everest	Land to the rear of 168, The Street, West Horsley, KT24 6HS	23/P/01291	S106	199.
5.6	Stoughton North	Ms V Potts, 36 Railton Road	36 Railton Road, Guildford, GU2 9LX	23/P/01424	APPC	225.
5.7	East Horsley	Mr Gary Lonie, Woodlands	Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH	23/P/01774	REF	235.

**Total Applications for Committee****7**

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## 20/P/02173 - Land At Burpham Court Farm, Clay Lane, Guildford



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

Print Date: 17/11/2023

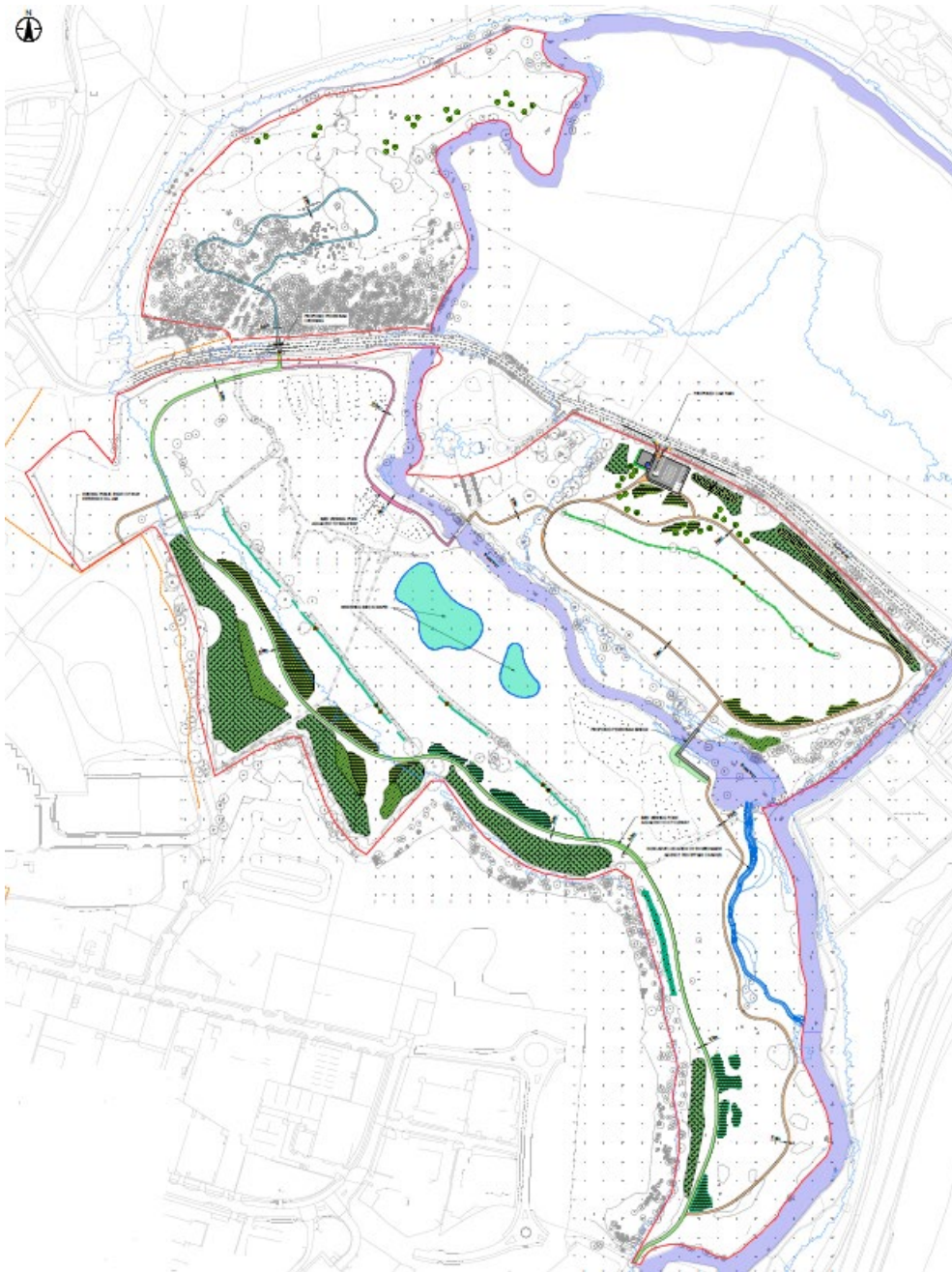


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GUILDFORD  
BOROUGH

**20/P/02173 – Land at Burpham Court Farm, Clay Lane, Guildford**



**Not to scale**

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**App No:** 20/P/02173 **13 Week Deadline / EOT:** 29/12/23

**Appn Type:** Full Application

**Case Officer:** Joanna Chambers

**Parish:** Part of the site: Worplesden

**Ward:** Stoke, Worplesdon and Burpham

**Agent:** Savills  
Mountbatten House,  
1 Grosvenor Square  
Southampton  
SO15 2BZ

**Applicant:** Guildford Borough Council

**Location:** Land at Burpham Court Farm, Clay Lane, Guildford, GU4, 7NA

**Proposal:** The change of use of the site to 45.9 hectares of land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG). Amended details submitted 12<sup>th</sup> July 2023

### **Executive Summary**

#### **Reason for Referral**

This application has been referred to the Planning Committee because it is a key project related to the adjoining Slyfield Area Regeneration Project (SARP) and is key to enabling the wider project which is one of the largest strategic sites (Site A24) in the Guildford Borough Local Plan: strategy and sites (LPSS) 2019 and is the Council's main regeneration project.

This application has already been considered by the Planning Committee at the meeting on 20<sup>th</sup> October 2021 when the Committee resolved to grant planning permission subject to securing a legal agreement and to the Heads of Terms and conditions set out in the Officer's report. A copy of the Officer's report and minutes of the Committee Meeting are attached as Appendix 2.

Changes have subsequently been made to the scheme for which planning permission was resolved to be granted, as well as to the Heads of Terms of the legal agreement and the wording of the conditions as previously reported to committee. These changes fall outside the delegated authority granted by Committee and as a result of this the application is therefore being reported back to Committee for Decision.

### **Key Information**

The application has been submitted on behalf of Guildford Borough Council ('the Applicant') acting in its capacity as landowner in support of the Slyfield Area Regeneration Project (SARP). Hybrid planning consent (Ref: 20/P/02156) was granted in March 2022 for a sustainable, mixed-use riverside community now referred to as Weyside Urban Village (WUV). The WUV masterplan incorporates new homes integrated alongside landscaped open spaces, associated community, and retail facilities, with associated infrastructure including highways and green spaces. The site has the capacity to deliver approximately 1,500 new homes together with community and employment uses.

This application is for the change of use of 45.9 hectares of land at Burpham Court Farm to publicly accessible open space to facilitate a Suitable Alternative Natural Greenspace (SANG). The purpose of a SANG is to provide attractive green spaces for recreation in areas where development could bring increased visitor pressure on Special Protection Areas (SPAs) in accordance with adopted local plan policy.

Guildford is within the Zone of Influence of the Thames Basin Heaths Special Protection Area (SPA). The SPA was designated under the European Birds Directive in March 2005; it aims to protect important breeding populations of ground nesting birds. It includes 8,274 hectares (ha) of heathland across Surrey, Hampshire and Berkshire, covering nine different local authorities, including Guildford. As a result, SANGs are necessary as proposals for residential development come forward in Guildford. SANGs are a central element of the Council's Special Protection Area Strategy for the Thames Basin Heaths to reduce pressure on the SPA by providing attractive green spaces that people can use for recreation instead of the SPA.

The area identified for SANG is divided by a branch of the River Wey and Clay Lane and is located to the north of and adjacent to Slyfield Industrial Estate and areas allocated for the Slyfield Area Regeneration Project. The area is located



north-east of the Weyside Urban Village (WUV) site and it is anticipated that the area identified for SANG will assist considerably in providing mitigation for WUV and potentially other developments in the Guildford area prior to occupation to enable Guildford Borough Council to meet its housing need as set out in the adopted development plan.

At the meeting on 20<sup>th</sup> October 2021, the Planning Committee resolved to grant planning consent for the proposed change of use subject to securing a legal agreement with the applicant and to the Heads of Terms and conditions set out in the Officer's report. The scheme was considered to comply with the requirements of National Policy (being an appropriate use in the Green Belt), local plan and the Thames Basin Heaths SPA SPD. It was considered that the proposals would preserve the openness of the Green Belt and the purposes of including land within it. The full Committee Report and minutes of the meeting are attached for information at Appendix 1.

Since the resolution to grant planning consent, changes have been to the scheme in particular, to address concerns raised by the Environment Agency regarding potential flood risk. Whilst approval of the details of the car park location, design and access and all details of landscaping are not to be approved as part of this application and are subject to Condition, the Environment Agency have expressed concern about the possible impact of these works on the flood plain. It has therefore been agreed with the Environment Agency that further flood risk assessment will be undertaken to support detailed design and the car park should only be located within Flood Zone 1 and that the Environment Agency should be consulted on all details of the car park and hard and soft landscaping before such details are approved.

Further discussions have also taken place with the applicant regarding the precise wording of the conditions and the Heads of Terms of the legal agreement and amendments have been agreed to the wording of the conditions and Heads of Terms as previously reported to the Planning Committee.

The changes to the proposal may be summarised as follows:

- i) *Amended site boundary*- The site boundary has been amended to exclude the Bowers Land bridge which is in the ownership of the National Trust. The amended red line boundary does not alter the capacity for SANG and Biodiversity Net Gain. The Bowers Lane Bridge is not essential to the establishment of the SANG but will facilitate public access from areas to

the east of the site, but the applicant is nevertheless encouraged to work with the National Trust to secure the opening and use of the Bowers Lane bridge by pedestrians in the future.

- ii) *Amended SANG Concept design*- The updated details show the direction of travel of how a future SANG could be laid out although the application does not seek approval of these works and these will be secured by condition and subject to additional consultation with Natural England and the Environment Agency. The main amendments relate to the relocation of the car park from land adjacent to the Burpham Court Farm buildings to an area within Flood Zone 1 on Clay Lane; an increase in the number of spaces to 32 and changes to the walking route and the siting of a bridge to enable crossing of the river to address concerns raised by the Environment Agency and other consultees.
- iii) *Heads of Terms*- The resolution to grant consent was subject to securing a legal agreement (a Unilateral Agreement as the Council is also the applicant) and the Heads of Terms set out in the Officer Report. The Heads of Terms comprised the following:
  - Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
  - Improvements to the Bowers Lane Bridge, with public access granted by confirmatory deed.
  - Construction of a controlled pedestrian crossing across Clay Lane, and costs of any associated TRO to adjust extent of Jacobs Well speed limit.
  - Improvement to bell mouth of access to Burpham Court Farm to bring to a Safe Standard

As the bridge is in the ownership of the National Trust (and now outside the revised application boundary), it will not therefore be possible to secure this obligation through a Unilateral Agreement and it has therefore been removed from the Heads of Terms as previously reported. The National Trust has confirmed that it has no objection in principle to the use of the bridge by pedestrians and to entering into a form of agreement with the Council to deal with liability for repairs and maintenance. The applicant is therefore encouraged to work with the National Trust to secure the opening and use of the Bowers Lane bridge by pedestrians.

An additional item relating to Biodiversity Net Gain (BNG) has been added to the Heads of Terms to reflect the planning approval granted for the

Weyside Urban Village development. This relates to the use of the site for offsite biodiversity gain associated with the Weyside Urban Village and other residential development through the purchase of the BNG Credits.

- iv) *Conditions*- The wording of the conditions as previously reported has been amended to provide greater clarification and conditions have been added to address the specific issues raised by the Environment Agency regarding protection of the flood plain as detailed above and the County Highway Authority regarding revised access and parking arrangements.

The proposals, including the proposed changes, continue to comply with the requirements of National Policy (being an appropriate use in the Green Belt), local plan (including the Local Plan Part 2 adopted in March 2023) and the Thames Basin Heaths SPA SPD.

Officers are satisfied that the changes to the planning application, the Heads of Terms and wording of the Conditions do not deviate from the overall principle of the decision reached by the committee at the meeting on 20<sup>th</sup> October 2021. Works on the SANG are programmed to commence in January 2024 and will facilitate delivery of the wider Weyside Urban Village development and housing delivery.

### **Summary of Considerations and Constraints**

For these reasons, and the reasons set out in the body of the report, the proposal is in accordance with the development plan. The material considerations do not indicate that a decision should be taken other than in accordance with the development plan (s. 38(6) Planning and Compulsory Purchase Act 2004).

### **RECOMMENDATION:**

That this application be **APPROVED** subject to securing a planning obligation with the Heads of Terms as set out in Section 10 of this report and subject to the conditions set out below for the reasons set out in the body of the report.

That the Joint Executive Head of Planning Development (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives) prior to a decision notice being issued, provided that the Joint Executive Head of Planning Development (or person with acting authority

thereof) is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee, where necessary in consultation with the Chairman of the Planning Committee and lead Ward Members for Stoke, Worplesdon and Burpham Wards.

That upon completion of the planning obligation, the application be determined by the Joint Executive Head of Planning Development.

That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Joint Executive Head of Planning Development (or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.

If the application is granted regulation 30 of the Environmental Impact Assessment Regulations 2017, which sets a duty on the local planning authority to inform the Secretary of State, consultation bodies and the public of the final decision, shall be complied with.

### **1. Timing**

The development hereby permitted shall commence 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. Drawing Numbers**

The development hereby permitted shall be carried out in accordance with the following list of approved plans and documents, except where other conditions require the submission to and approval by the Local Planning Authority of detailed and /or revised drawings on specific matters.

Drawing No	Date issued/ last revision	Title

<b>42287/3147/001 Rev C</b>	12 July 2023	Site Location Plan
<b>42287/3147/03</b>	17th Dec 2020	Transport Note including Indicative Site Access and Parking Layout Drawings
<b>42287/3147/03</b>	17th Dec 2020	Indicative Landscape Details
<b>20275-MA-RP-D-TS01</b>	17th Dec 2020	Arboricultural Statement
<b>42287/3163/REV01</b>	December 2020	Ecological Appraisal
<b>42287</b>	December 2020	Shadow Habitats Regulations Assessment Screening Statement
<b>44287/4017 Rev B</b>	6th October 2023	Flood Risk Assessment
<b>48801/3001/ACO02</b>	December 2020	Noise Assessment
<b>42287/3167</b>	10 Dec 2020	Sustainability Statement
<b>332610273/2400/TN001</b>	October 2023	Technical Note
<b>BCF-STN-SANG-XX-DR- C-0011 P04</b>	4 October 2023	Concept SANG Design
<b>BCF-STN-SANG-XX-DR- O-0100 P01</b>	08 November 2023	Existing and proposed 5yr flood levels and compensation
<b>BCF-STN-SANG-XX-DR- O-0101 P01</b>	08 November 2023	Existing and proposed 100yr +24% flood levels and compensation

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.

### 3. SANG Capacity Plan

Prior to commencement of the development hereby permitted a final SANG Capacity Plan based on the revised Concept SANG Design (ref: BCF-STN-SANG-XX-DR-C-0011 P04) shall be submitted to and approved by the Local

Planning Authority in consultation with Natural England and Environment Agency. The Capacity Plan will be required to demonstrate how Natural England's SANG criteria have been satisfied and shall include:

- i. Boundary of the area to be used as SANG;
- ii. A primary circular walk of a minimum of 2.3 km and other measures to encourage public access such as walkways, cycleways and signage;
- iii. Identification of conservation grazing areas;
- iv. Areas to be excluded from the SANG comprising:
  - All areas defined as biodiversity exclusion zones where public access is to be restricted including the exclusion zone for the protection of wintering birds in the centre of the site;
  - All areas within the 60 dB LAeq noise contour;
  - All areas shown within flood zone 3 unless otherwise agreed with the LPA, Natural England and the Environment Agency.

Reason: To ensure the Natural England minimum standards for SANGS are met.

#### **4. Final Design**

The development hereby permitted must not be commenced until final design details of watercourse crossings, ramps and any raised landforms including but not limited to, boardwalks, cycle paths and walkways supported by technical assessment including hydraulic modelling, has been submitted to and approved in writing by the Local Planning Authority. The technical assessments and modelling shall consider a range of different scales of flood including lower order events up to and including the Design Flood Event.

This assessment shall also:

- confirm that boardwalks shall be open in design and permeable to flood waters to ensure they do not affect flood flow routes.
- confirm the new bridge will be a clear span open structure designed to minimise impedance of river or floodplain flows.
- provide a compensatory floodplain storage scheme to mitigate for loss of floodplain storage, on a level for level basis, for a range of flood events up to the design flood.

The final design shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any

other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: This condition is in accordance with paragraphs 164 and 167 of the National Planning Policy Framework (NPPF) and Policy P4 Flooding, flood risk and groundwater protection zones in the Guildford borough Local Plan: strategy and sites 2015 – 2034 and seeks to prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of floodplain storage.

## **5. Flood Risk Assessment**

The development shall be carried out in accordance with the submitted flood risk assessment (ref: Flood risk assessment for Burpham court farm SANG ref: 44287/4017 Rev B dated October 2023) and the following mitigation measures it details:

- In accordance with Table 2 of the Flood Risk and Coastal Change Planning Practice Guidance: Flood risk vulnerability and flood zone 'incompatibility', development layout shall be compatible with the flood zone in which it is located and only water compatible uses shall be within Flood Zone 3b.
- The car park and visual bund shall be located outside of the 1% annual exceedance probability plus appropriate allowance for climate change flood extent.

Reason: This condition is in accordance with paragraphs 164 and 167 of the National Planning Policy Framework (NPPF) and Policy P4 Flooding, flood risk and groundwater protection zones in the Guildford borough Local Plan: strategy and sites 2015 – 2034 and seeks to reduce the risk of flooding to the proposed development.

## **6. Landscaping**

No development shall take place until details of all hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority in consultation with Natural England and the Environment Agency. The details shall be in accordance with the approved SANG Capacity Plan..

The landscaping details should include the following elements:

- i. The design of the pedestrian/cycle paths/routes, bridges and other required infrastructure.

- ii. A minimum 10-metre-wide buffer zone to the fish bypass channel. This shall be free from all built development including footpaths.
- iii. Landscaping within and around the perimeter of the car park.

The works shall be carried out in accordance with the approved plans.

No area within the site boundary shall be used as a SANG until hard and soft landscaping has been implemented in accordance with the approved details.

The design and implementation of the approved paths, bridges and other required infrastructure shall not result in the loss of floodplain storage or impact on flood flow paths up to the 1% plus appropriate allowance for climate change level unless in accordance with details of appropriate onsite mitigation submitted to and approved in writing by the Local Planning Authority.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

## **7. Biodiversity Gain Plan**

The development hereby permitted shall not commence until a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Natural England. This shall quantify any measurable additionality over and above the minimum requirements and baseline value of the SANG through application of the national Biodiversity Metric which may count towards biodiversity net gain (BNG) in accordance with the Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) (Natural England, August 2021). For the purposes of the BNG calculation, the baseline value of the SANG is to be the site with all requirements to achieve a functional SANG already incorporated. Any additional features provided for BNG purposes should be informed by local



nature or wildlife strategies and priorities and should not conflict with the principal purpose of the SANG.

Reason: To ensure that biodiversity net gains are delivered for enhancement and improvement of habitats.

## **8. Pedestrian Crossings**

No vehicle shall access the site unless and until the proposed vehicular access to Clay Lane hereby approved has been constructed and provided with a continuous, level pedestrian/cyclist priority crossing and visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

No area within the site boundary north of Clay Lane shall be used as a SANG unless and until details of a signalised pedestrian crossing linking footpaths north and south of Clay Lane have been approved by the Local Planning Authority and Highways Authority and that pedestrian crossing is delivered in accordance with the approved details.

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

## **9. Transport Facilities**

The development hereby approved shall not be brought into first use unless and until a pedestrian and cycle network route has been provided within the site which connects with the wider pedestrian and cycle routes leading to and from the site. The facilities shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

### **10.Car Park**

The development hereby approved shall not be brought into first use as a SANG unless and until a car park providing a minimum of 1 car parking space for every 1ha of SANG (taking into account any allowance to be agreed with Natural England) and space for vehicles to enter and leave the site in forward gear has been laid out the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include facilities for the secure, covered parking of bicycles. The car park shall be located wholly in Flood Zone 1. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: To ensure the Natural England minimum standards for SANGS are met in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

### **11.Electric Vehicle Charging Points**

The approved car park for the SANG shall not be brought into use until a feasibility report for the provision of fast-charge Electric Vehicle charging points (with minimum requirements of 7 kw Mode 3 with Type 2 connector/230v AC 32 Amp single phase dedicated supply) within the approved car park has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Highway Authority. Any Electric Vehicle charging points shall be provided in accordance with the approved feasibility report and shall be retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

### **12.SANG and Biodiversity Management Plan**

Prior to commencement of the development hereby permitted a SANG and Biodiversity Management Plan (SBMP) shall be submitted to and approved in writing by the Local Planning Authority. The SBMP shall be carried out and maintained thereafter in accordance with the approved details.

All site establishment works in the approved SBMP, shall be implemented before any approved parts of the plan are brought into use as SANG.

The plan shall include the elements listed below:

- i. Description of the habitat and other features of the site to be managed and habitat condition to be achieved.
- ii. Landscape establishment details including timings, management and maintenance, work programmes, replacements.
- iii. Details of how the impacts of disturbance caused by recreational pressure (including dogs) for the whole of the SANG will be addressed, in particular the impacts on wintering birds and other wildlife.
- iv. details of how the river will be protected from recreational pressures such as dogs and people accessing the river, fish bypass channel and weir pool.
- v. details of how biodiversity will be monitored to assess the impact of recreational pressure on the site. This should take account of wintering bird species sensitive to disturbance such as Lapwing, Snipe, Teal and Wigeon which are known to use the site.
- vi. details of management and maintenance regimes for each habitat type supported by suitable plans and schedules including conservation grazing.
- vii. details of measures to reduce disturbance to overwintering waders using wetland scrapes.
- viii. Timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works)
- ix. Monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site.
- x. Details of new/restored Hedgerow planting and enhancement of hedgerows e.g. through in-fill or double/new planting.
- xi. Management of existing woodland via selective thinning and planting of new woodland.
- xii. Diversification of some grassland areas e.g. using meadow management techniques.
- xiii. Management of existing ponds to increase the diversity of habitats.
- xiv. The creation of larger shallow pools or scrapes in areas agreed.
- xv. Creation of log and brash piles or other refugia habitat to provide refuge for small fauna.
- xvi. The installation of new bird and bat boxes

- xvii. Details of measures to encourage otter habitat.
- xviii. Details of monitoring and ongoing survey work

Unless otherwise required by the SBMP, the development shall be undertaken in accordance with the recommendations set out in the submitted Ecological Appraisal and surveys, and any recommendations arising from subsequent surveys undertaken to inform the SANG and Biodiversity proposals, which shall be submitted and approved in writing by the Local Planning Authority.

The SBMP shall be implemented, and the site managed and maintained in accordance with the approved details unless otherwise agreed with the local planning authority

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

### **13. Heritage Management Plan**

Prior to commencement of development hereby permitted, a heritage management plan shall be submitted to and approved by the local planning authority showing how heritage assets and archaeological features (particularly surviving and remnant sections of the 'Flowing River'), would be maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways; and the scheme shall be implemented in line with the approved plan

Reason: To protect heritage assets. This is required to be a pre-commencement condition to ensure that this issue is fully considered in drawing up detailed management proposals.

### **14. Construction Environment Management Plan (CEMP)**

No development shall take place until a method statement/construction environmental management plan has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

- i. The timing of the works
- ii. The measures to be used during construction in order to minimise the environmental impact of the works including potential disturbance to protected species
- iii. A map or plan showing habitat areas to be specifically protected during construction
- iv. Construction methods
- v. Any necessary pollution prevention methods
- vi. Information on the Project Ecologist and/or Ecological Clerk of Works responsible for particular activities associated with the CEMP
- vii. Details of how the river bank and riparian zone will be restored and enhanced following construction

The works shall be carried out in accordance with the approved CEMP.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

## **15.Tree Protection Measures**

Prior to commencement of development hereby permitted, a finalised Arboricultural Impact Assessment and Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan, prepared in accordance with British Standard 5837:2012 shall be submitted to and approved in writing by the local planning authority. No development should take place until a site meeting has taken place with the site manager, the retained consulting arboriculturist and the LPA and Parks and Countryside Tree Officers

The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed

of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission..

#### **16.Ancient Woodland**

No development may take place within 15m of any veteran tree or area of ancient woodland identified in the arboricultural statement (20275-MA-RP-D-TS01), other than no-dig development and/or in accordance with details submitted to and agreed in writing by the Local Planning Authority within the Arboricultural Method Statement.

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

#### **17.River Wey Buffer Zone Scheme**

In order to protect the River Wey (and associated biodiversity receptors), an 8m minimum ecological buffer shall be maintained between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for the creation of the SANG circular walk-through paths, bridges and other required infrastructure as approved under Conditions 3,4 8 and 9.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

#### **18.Restriction of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no buildings, gates, fences, or any other form of enclosure other than shown on the approved SANG and Biodiversity Management Plan (Condition 11) and Hard and Soft Landscaping Plans (Condition 8) shall be constructed or erected on the site unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

### **19.Lighting**

No lighting shall be installed on the site unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and nature conservation. Any variance would require a separate habitat assessment in terms of protected species such as bats.

### **Informatives**

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see

<https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>

2. The permission hereby granted shall not be construed as authority to carry out any works

(including Stats connections/diversions required by the development itself or the associated

highway works) on the highway or any works that may affect a drainage channel/culvert or watercourse. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

3. The applicant is expected to ensure the safe operation of all construction traffic 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. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm. 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. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

5. 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.

6. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock



impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

7. Whilst not essential to the establishment of the SANG, the applicant is nevertheless encouraged to work with the National Trust to secure the opening and use of the Bowers Lane bridge by pedestrians.

8. In accordance with Natural England's current guidelines, the applicant is permitted to use Metric Version 2.0 (December 2020) in calculating post development biodiversity value as this version of the Biodiversity Metric was used for the purpose of calculations at the start of the project. These calculations are detailed in the Weyside Urban Village: Biodiversity Metric Report (20th July 2021) approved under application ref: 20/P/02155 which prioritises biodiversity improvements at the Weyside Biodiversity Opportunity Area and Burpham Court Farm to meet the Biodiversity Net Gain requirements for the Weyside Urban Village development.

9. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

9. Should Bats be identified as present or their roosts, the applicant should contact Natural

England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

10. The proposed site is unlikely to provided mitigation against the impact of residential development on the TBH SPA unless and until a SANG Management Plan, including details and responsibilities of a suitable management body and the long term funding of the sites management, has been agreed with the Local Planning Authority in consultation with Natural England.

11. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths and evidence that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

12. In determining this application, the Local Planning Authority has worked with the Applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the Applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirements of the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **Officer's Report**

#### **Site Description**

The application site is wholly within the greenbelt and is located approximately 3 km north-east of the centre of Guildford. The site is of irregular shape and is divided by a branch of the River Wey and Clay Lane. To the south-west is Slyfield

Industrial Estate and an area of land that forms part of the Slyfield Area Regeneration Project (SARP), which is allocated for mixed use redevelopment, including approximately 1,500 new homes, under Policy A24 (SARP) of the adopted Local Plan (April 2019). Weyside Urban Village (WUV) forms part of the SARP site.

Other land uses in close proximity include the Riverside Park Local Nature Reserve and existing SANG, Bowers Lane allotments and the community of Jacobs Well which forms a northern suburb of Guildford. The residential part of the WUV site is a short distance to the south. The site area is approximately 46 hectares, though not all of this is suitable for full SANG use.

The site is currently greenfield land comprising areas of pasture and marshy grassland grazed by cattle to the south of Clay Lane. To the north is an area of marshy grassland and woodland. Many trees and hedges are found within the site with a dense tree belt on the western boundary. The southernmost part of the site is defined as Local Nature Reserve and as a Site of Nature Conservation Importance (SNCI).

The River Wey is a dominant feature of the site, which has existing wetland features. A large proportion of the site falls within Flood Zone 3 and is at the highest probability of flooding. A Flood Risk Assessment accompanies the application.

The application site is entirely within the Metropolitan Green Belt. A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding. Most of the Site with the exception of the drier field in the north-east of the part south of Clay Lane and small parts of the fields in the western extent of the Site fall within the River Wey (plus tributaries) Biodiversity Opportunity Area (BOA). BOAs identify the most important areas for wildlife conservation in Surrey, where targeted conservation action will have the greatest benefit. The River Wey - Woking SNCI passes through the site.

The site is within the Zone of Influence of the Thames Basin Heaths SPA. At its nearest point, the SPA is located approximately 600m north west of the site.

## **Proposal**

The application is for the change of use of 45.9 hectares of land at Burpham Court Farm to publicly accessible open space and Nature Reserve to facilitate

the creation of a Suitable Alternative Natural Greenspace (SANG). The purpose of a SANG is to provide attractive green spaces for recreation in areas where development could bring increased visitor pressure on Special Protection Areas (SPAs) in accordance with adopted local plan policy.

The site is indicated as site SANG 5 Strategic Suitable Alternative Natural Green Space (SANG) Burpham Court Farm, North Guildford in appendix 6 of the Infrastructure schedule of the LPSS. The proposed use is also critical to the delivery of Weyside Urban Village and is identified in the planning consent granted for that development (Ref: 20/P/02155) as future SANG to mitigate the impact of that development on the Thames Basin Heaths Special Protection Area and to deliver the necessary Biodiversity Net Gain.

A SANG Concept Design has been submitted but the application does not seek approval of the works as illustrated. This will be secured by condition and subject to additional consultation at condition stage. The Concept Design has been prepared to demonstrate how Natural England's SANG criteria and the concerns raised by the Environment Agency regarding flood risk can be satisfactorily addressed.

There are currently no public rights of way across the site, although footpath 438 to Jacobs Well fringes its eastern boundary and the proposals would provide improved access and land management. A car park is proposed on the northern part of the site with access off Clay Lane. A circular walk would be introduced in the part of the site south of Clay Lane with three entry points to walkers, off Clay Lane near Jacobs Well, at the western edge of the site linking to footpath 438 and at the southern edge of the site on the Wey navigation non towpath side linking to the riverside open space.

Various areas would be proposed for new planting including hedgerow restoration, and some areas would have restricted public access in order to enhance biodiversity net gain for the Weyside urban village application. Various picnic areas and seating is proposed as well as signage.

**Relevant planning history**

<b>Planning reference</b>	<b>Description</b>	<b>Decision</b>
20/P/00725	Proposed change of use of existing agricultural building to form a single residential dwelling, with associated access, landscaping, amenity space and parking	Granted 19 March 2021
20/W/00060	Conversion of existing agricultural buildings (referred to as buildings 1 to 4) to form four dwellinghouses (use class C3) and associated building operations.	Appeal allowed: 15 September 2021
20/P/02155	<p>Hybrid planning application for the redevelopment of part of the allocated site for the Slyfield Area Regeneration Project for a mixed-use development (known as Weyside Urban Village) comprising:</p> <p>A. Outline planning approval for the demolition of existing buildings and infrastructure and outline planning permission for up to 1550 dwellings; local centre comprising up to 1800 sqm of retail (inc. convenience store), healthcare, community, nursery and flexible employment uses (Use Class E); up to 500 sqm of flexible community facilities (Use Classes E/F1/F2); up to 6,600 sqm of flexible employment space (Use Classes E/B2/B8); up to 30,000 sqm for new Council Depot Site (Use Classes E/B8); 6 Gypsy and Traveller pitches (Use Class C3); and associated road infrastructure, landscaping (including Sustainable Drainage Systems) and amenity space.</p> <p>B. Full planning permission for the development of primary and secondary site accesses, internal access roads and associated landscaping.</p> <p>C. Full planning permission for engineering operations associated with</p>	Granted 30 March 2022

	remediation and infrastructure, including primary and secondary sub-stations; utilities and drainage (including Sustainable Drainage Systems).	
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## Consultations

Two rounds of consultation have been undertaken on this planning application. The first round of consultation related to proposals submitted on 17<sup>th</sup> December 2020 and the responses are fully documented in the Officer's report which was considered by Planning Committee at the meeting on 20<sup>th</sup> October 2021 when it was resolved to grant planning consent subject to the completion of a legal agreement. This report is attached as Appendix 1 and the consultation responses are not reproduced in this report.

The second round of consultation related to the amendments to the scheme which were submitted to the Local Planning Authority on 12<sup>th</sup> July 2023. These responses are summarised below.

### Statutory consultees

**Natural England:** No objection to the original proposal but previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. *Officer Note:* Natural England's previous comments have been addressed.

**Environment Agency:** The Environment Agency originally objected to the proposed development on three grounds:

*Objection 1: Biodiversity-* likely effect on floodplain grazing marsh and insufficient details of mitigation or compensation measures to address any identified risks.

*Objection 2: Inadequate Flood Risk Assessment* - requirement for further flood risk assessment to demonstrate the expected floodplain losses from the

previous development and how this could be compensated for on a level for level basis within the site boundary.

*Objection 3: Development in the functional floodplain-* part of the proposal falls within a flood risk vulnerability category that is inappropriate in the Flood Zone in which the application site is located.

Subsequently, it is noted that the applicant has worked closely with officers and the Environment Agency and made amendments to the scheme and submitted further information to address these objections. Through the additional technical work the applicant identified suitable areas to provide compensatory floodplain storage to mitigate for raised land within the site. An indicative location and design including calculations has been provided through this work. The Environment Agency has not undertaken a detailed review of the modelling at this stage. The base modelling has been updated with site specific topography and on-site features such as cycleways. It has been acknowledged that further detailed hydraulic modelling will be required to reflect the final layout and detailed design. It is understood that the model build does not include floodplain compensatory flood storage, this assessment will be carried out alongside the fluvial hydraulic modelling.

The Environment Agency formally withdrew their objection subject to conditions on 13 November 2023 and encourage the applicant to engage with them early regarding the discharge of conditions and any other consents including flood risk activity permits. As such, the Environment Agency now raise no objection to the proposal.

**SCC Lead Local Flood Authority:** As there is no change to the drainage strategy or Surface Water drainage system, no further comments. *Officer Note:* The LLFA's previous comments have been addressed.

**County Highway Authority:** No objection subject to conditions relating to the provision of vehicular access to Clay Lane, car parking spaces, pedestrian crossings, pedestrian and cycle network within the site, pedestrian and cyclist improvements leading to/from the site, facilities for secure covered parking of bicycles.

#### Internal consultees

**Head of Parks and Countryside:** The comments previously raised including the objectives for the site to comply with Guildford's Countryside Vision and the Design principles remain valid. The Parks Development Team have been working

with the developer to address the points previously raised and welcome the changes made to this revision. The amended red line application boundary is acceptable and does not impact on the functionality of the SANG. Further recommendations made on development of the detailed SANG management plan and would welcome the opportunity to be consulted in the development of the plan, its design, and the impact on future maintenance of the site:

- The exclusion zone for the protection of wintering birds in the centre of the site is to be extended to the western bank of the river, so that it includes the area between the proposed bridge crossings;
- Location of the pedestrian bridge in the revised concept plan has been assessed and agreed with the Parks Development Team. Would like to be consulted on further details on the bridge design such as materials and screening.;
- Access to Land North of Clay Lane: this has been addressed in the revised concept plan;
- Mature/ veteran trees: the requirement to locate footpaths away from important trees (i.e. min 15m+) or include sufficient tree protection measures remains valid. We would like to see this addressed through the detailed SANG management plan. Reason: To protect and improve health condition of mature/ veteran trees;
- Support the revised design and location of the car park;
- North/ South cycle route is acceptable in principle;
- It would be beneficial to clarify conservation grazing areas in the site design and management plan. We would like to see this addressed in the SANG management plan;
- Additional Access routes to site have been included in the revised concept plan;
- Would welcome further discussion with the design team to consider adjusting and clearing ditch network, so that water levels can be controlled and water logging to trees can be reduced without compromising wader habitat. Would like to see this addressed in the SANG management plan;
- Would welcome further discussion about the suitability of BNG proposals for the long term vision of habitat development on site.

**HDA Landscape (GBC Specialist Landscape Advisor):** It is understood that the application does not seek approval of the works illustrated in the SANG Concept Design, as these would be secured by condition and subject to additional



consultation at condition stage. The previous location of the car park utilised an existing access and the footprint of former cattle sheds, which was commendable, as no new areas of hardstanding would be introduced into the site. The amended location creates a new access off Clay Lane, resulting in the loss of an Ash tree (T543 on the previous tree survey) and the introduction of new areas of hardstanding in a location that was previous grass. It is understood that the reason for moving the proposed car park was to locate it in Flood Zone 1 (previously within Flood Zone 2, or 3). It is stated in the covering letter that the amended car park would not alter the BNG calculations. Our previous comments raised concerns whether the car park would be big enough, as NE guidance is for one space per hectare of SANG (stated as being 45ha), however, the provision of 12 spaces may already have been agreed. The proximity of the amended car park to Clay Lane is better than the previous proposals, as this would allow natural surveillance from the road. However, the visibility of cars from Clay Lane would be contrary to the rural character of this road, and some augmentation of the roadside vegetation should be provided. It is regrettable that connection over Bowers Lane bridge has been removed, and it is hoped that dialogue with the landowners (National Trust) can continue to bring this linkage to fruition (and to the Riverside SANG).

### **Local Groups**

**Merrow Residents Association:** Support the creation of a SANG at Burpham Court Farm and pleased to note that 32 parking spaces are now provided as requested by Natural England. Remain of the view that it would be preferable for an underpass or bridge to be provided across Clay Lane rather than a pedestrian crossing in view of the amount of heavy traffic on this road. Any pedestrian crossing must ensure that there can be a complete stop of the traffic to permit pedestrians to cross the road in total safety. *Officer Note:* This application is not for a change of use to SANG but would facilitate the creation of the SANG.

### **Individuals:**

21 representations were received from members of the public in respect of the original application including 17 objections. These are summarised in the report to Committee on 20<sup>th</sup> October 2021. The objections related to traffic impacts and the adequacy of parking provision; flood risk assessment and the impact of increased recreational pressure on wildlife. *Officer Note:* The amended application has addressed these matters and provided further detail on flood

risk assessment and the number of parking spaces in the proposed car park has been increased.

Neighbours and representees were reconsulted on the amended application in July 2023. One objection was received from an individual who had also objected to the original application on the following grounds: The junction of the car park and Clay lane will create another accident hotspot in an already dangerous road, where there continue to be frequent accidents. The car park is too large and in the wrong place and will attract too many visitors turning this into a recreational park rather than a nature reserve. No account has been taken of the sudden and increased risk of flooding. No risk assessment seems to have been done. Clay Lane can be under several feet of water. The whole area should be made dog free to protect the existing wildlife. *Officer Note:* The County Highway Authority has raised no objection and a condition is proposed which requires details of the vehicular access to Clay Lane to be submitted and approved by the Local Planning Authority. The size of the car park is in accordance with Natural England's SANG criteria. Further flood risk modelling has been undertaken and conditions are proposed which require technical assessment to support design details. The Biodiversity and SANG Management Plan will include measures to manage recreational pressure and protect wildlife.

## **Planning Policies**

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

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan.

Policy S1 Presumption in favour of sustainable development

Policy S2 Planning for the borough- our spatial strategy

Policy P4 Flooding, flood risk and groundwater protection zones

Policy P5 Thames Basin Heaths Special Protection Area

Policy D1 Place shaping

Policy D2 Climate change, sustainable design, construction and energy

Policy D3 Historic environment

Policy ID1 Infrastructure and delivery

Policy ID3 Sustainable transport for new developments

Policy ID4 Green and blue infrastructure

Site Allocation A24: Slyfield Area Regeneration project, Guildford

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

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

Policy P6: Protecting Important Habitats and Species

Policy P7: Biodiversity in new developments

Policy P9: Air quality and Air Quality Management Areas Policy

Policy P10: Water quality, Waterbodies and Riparian Corridors

Policy P11: Sustainable Surface Water Management

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy D6: External Servicing Features and Stores

Policy D7: Public Realm

Policy D11: Noise Impacts

Policy D12: Light Impacts and Dark Skies Policy

Policy D15: Climate Change Adaptation

Policy ID7: Community Facilities

Policy ID9: Achieving a Comprehensive Guildford Borough Cycle Network

Policy ID10: Parking Standards

National Planning Policy Framework (NPPF):

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Making effective use of land

Chapter 12. Achieving well-designed places

Chapter 13: Protecting Green Belt land

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

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

South East Plan 2009 (as saved by CLG Direction):

Policy NRM6 Thames Basin Heath Special Protection Area Page 6

Supplementary planning documents:

Strategic Development Framework SPD (July 2020)

Parking Standards SPD (March 2023)

Climate Change, Sustainable Design, Construction and Energy SPD (2020)

Thames Basin Heaths Special Protection Area Avoidance Strategy (2021)

Other guidance:

National Design Guide (NDG) (2019)

Surrey County Council Vehicular and Cycle Parking Guidance 2018

Guildford Children's Play Strategy 2016-2021

National Trust Guidance on Developments Adjoining River Wey

Designations relating to the site

### **Planning Considerations and Appraisal**

#### **1. Principle of Development**

- 1.1 The site is located wholly within the Green Belt. Criterion (3) of Guildford Borough Local Plan (GBLP) Policy P2 states that: "Certain other forms of development are considered not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these are listed in the NPPF"

- 1.2 Criterion e) of Paragraph 146 of the NPPF sets out that material changes in the use of land, such as changes of use for outdoor sport or recreation, are not inappropriate. The proposed change of use would secure the land as publicly accessible open space for recreation and ecological enhancement, thereby preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, in accordance with local and national policy.
- 1.3 A car park would have a small impact on reducing the openness of the Green Belt but would further the Green Belt acceptable use of outdoor recreation and is essential (required by SANG Guidance and Natural England) for the future use of the site as a SANG of this size. Ecological use is not specifically listed in NPPF Para. 150 however the list (including open space) is not exclusive, stating 'such as' providing the key test of preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, which these proposals meet.
- 1.4 The Thames Basin Heath Special Protection Area Strategy 2009 – 2016 and Thames Basin Heaths SPA Avoidance Strategy 2021 SPD both identify the site as a potential option for SANG. These documents also set out that Natural England has confirmed, in principle, that the site can meet the criteria for SANG in accordance with Policy P5. It is considered that the principle of the proposed change of use for publicly accessible open space accords with national and local planning policy and therefore is an acceptable use of this site preserving the openness of the Green Belt and the purposes of including land within it
- 1.5 The proposal is therefore considered to be acceptable in principle subject to consideration of the following matters:
  - Suitability of the Site as a SANG
  - Relocation of Car Park
  - Noise
  - Ecology and Biodiversity Net Gain
  - Landscape and Trees
  - Flood Risk
  - Heritage Issues
  - Access and Highways

## **2. Suitability of the Site as a SANG**

2.1 It should be noted that this application is only for a change of use to publicly accessible open space to facilitate the use of the site as SANG and further works would be required to establish the SANG which would be secured under relevant conditions and planning obligations. The site is identified in the Thames Basin Heaths SPA Avoidance Strategy SPD as a potential option for SANG and Natural England has confirmed in principle that the site can meet the criteria for SANG. Notwithstanding this, the SANG Guidelines within Annexe 2 of the SPD sets out a checklist of essential and desirable criteria for individual SANGs. The provision of a SANG Management Plan should be a condition of any planning permission for this proposed change of use and will detail how these guidelines will be met. However, the supporting information and updated Concept Plan enables a number of criteria to be satisfactorily assessed at this stage, including:

- Adequate parking for visitors
- Provision of a circular 2.3-2.5km walk that would be possible from the car park
- Car parking being easily and safely accessible by car
- The accessibility of the site would include access points appropriate for visitor use
- Safe design
- Semi natural feel
- Variety of habitats

2.2 The revised SANG Concept Design demonstrates that the site could satisfy Natural England's SANG Criteria. The proposed change of use would provide approximately 46ha of land for potential use as SANG, which would provide sufficient SANG land for a maximum 5,750 new residents with a catchment area of 5km. The SANG Concept Plan and supporting information demonstrates that parking can be provided (minimum 0.75 parking spaces per ha of SANG and minimum of 26.4ha needed to service Weyside Urban Village) and that a circular walk, in excess of 2.3km from the car park and other access points can be completed. The delivery of Biodiversity Net Gain would provide enhancement to the existing range of habitats to users to experience in a semi-natural space in an accessible location to existing and proposed residential development.

Considered against the Natural England SANG criteria the proposed change of use would facilitate a suitable site as SANG in compliance with policy and the Thames Basin Heaths SPA Avoidance Strategy.

- 2.3 Some areas of the site may not be suitable as SANG and these will be identified on the final SANG Capacity Plan which will be secured by condition. The area to the north of Clay Lane will not be suitable for use as SANG until a pedestrian crossing has been provided and this will also be secured by condition.
- 2.4 GBC Parks and Countryside and Natural England support the change of use proposal in principle but wish to see further development of the concept design. This will be secured by condition.
- 2.5 Discussions are also ongoing regarding the SANG management plan – these are expected to be concluded before the date of the committee, however no interests would be prejudiced as a suggested condition would require approval of a detailed management plan which would be subject to public consultation, and conditions would define excluded areas and require a minimum length of circular walk.
- 2.6 The Bowers Lane bridge has been removed from the revised site boundary and whilst it is not essential to the establishment of the SANG, the applicant is nevertheless encouraged to work with the National Trust to secure the opening and appropriate use of the Bowers Lane bridge by pedestrians in the future. It is however noted that some local concerns were previously raised that this could lead to potential traffic impacts and increased pressures on existing parking provision in Bowers Lane. This concern should be addressed by the provision of a suitably located car park which has the capacity to meet SANG criteria but should be considered in the event of any future proposals to open the bridge to pedestrians.
- 2.7 The application does not seek approval of the works illustrated in the updated SANG Concept Design. Details of facilities, layout and landscaping would be secured by condition and subject to additional consultation at condition stage.

### **3. Relocation of Car Park**

- 3.1 The provision of a suitably sized car park is a prerequisite of the use of land as SANG to satisfy the criteria set by Natural England. Extensive discussions have taken place with the Environment Agency and the Highways Authority regarding the location of the car park and access arrangements and agreement has been reached on the revised proposals subject to the submission and approval of details which would be secured by condition.
- 3.2 Whilst the previous proposal had the benefit of utilising an area of existing hard standing, it was located within Flood Zone 2 or 3 which was deemed unacceptable by the Environment Agency. Concerns had also been raised about the impact of the car park on the setting of the Grade II listed Burpham Court Farm Cottages and mitigation in the form of landscaping had been proposed.
- 3.3 In order to satisfy the concerns regarding flood risk it has been necessary to relocate the car park to a site within Flood Zone 1 and the amended location is considered to be the best available location taking into account flood risk and access requirements. The proposal is to create a new access off Clay Lane which could require the removal of one Category C Ash tree (T543 on the tree survey) and the introduction of new areas of hardstanding in a location that was previous grassland. The visibility of cars from Clay Lane could impact on the rural character of this road and some augmentation of the roadside vegetation should be provided. Details of layout and landscaping would be secured by condition in order to mitigate the visual impact of the car park.
- 3.4 The revised car park location has the capacity to meet the SANG parking standard of one space per ha of SANG (whilst it is noted Natural England has agreed this can be reduced by 25% as part of the WUV site is within 4000m of Burpham Court Farm).

### **4. Noise**

- 4.1 A tranquil environment is a fundamental component of the acceptability of a site as a SANG. Although no noise limit is set in Natural England SANG guidance, they have asked for a limit of 60 dB LAeq,16h. based on the recommendations



of the applicant's noise consultant. The noise report submitted with the application took measurements at 4 locations and then modelled noise across the whole of the rest of the site based on its topography.

- 4.2 The existing levels across the site, without mitigation, are below 60 dB LAeq,16h across the majority of the site. A small area along Clay Lane and an area on the eastern side of the site, closer to the A3, exceed 60 dB LAeq,16 hours. To achieve 60 dB LAeq,16 hours across 100 % of the site would not be practicably achievable and a compromise will have to be made between the extent of mitigation and the percentage of the site below the 60 dB criterion. Based on the results of the acoustic model, the proposed noise criterion of 60 dB LAeq, 16hours would be met across approximately 81 % of the site without mitigation. This can be considered acceptable from a noise perspective with no mitigation required. The site is large enough to accept a 19% reduction in area and still provide a viable SANG.
- 4.3 The Final SANG Capacity Plan will be required to show areas within the 60 dB LAeq noise contour and this will be secured by condition.

## **5. Ecology and Biodiversity Net Gain**

- 5.1 Policy A24 (SARP) of the Local Plan (April 2019) sets out the requirements that the development must accommodate. Policy D1 (Place Shaping) states that strategic allocation sites must create their own identity to ensure cohesive and vibrant neighbourhoods. Criterion (1) of GBLP Policy ID4 states that: *"The Council will maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, particularly within and adjacent to Biodiversity Opportunity Areas (BOAs)"*
- 5.2 Criterion (2) of GBLP Policy ID4 states that: *"New development should aim to deliver gains in biodiversity where appropriate. Where proposals fall within or adjacent to a BOA, biodiversity measures should support that BOA's objectives."*
- 5.3 The application is supported by an Ecological Appraisal (Stantec, December 2020). The appraisal establishes the ecological baseline and outline impacts associated with the proposed change of use. It also provides broad principles for mitigation and enhancement to be taken forward into the subsequent detailed

design process. The appraisal identifies a range of habitats on the site with known or potential value to a variety of species. The appraisal identifies that the proposed change of use has a potential impact as a result of disturbance. However, this could be overcome by sensitive approaches and timing to any future works and through appropriate design. The Appraisal also identifies that there are significant opportunities to enhance the biodiversity of the site through design and management and removal of invasive non-native species.

- 5.4 The results of the Biodiversity Metric 2.0 (beta test) calculation, undertaken with reference to the illustrative design for the SANG and biodiversity enhancements at Burpham Court Farm, demonstrate that the proposed biodiversity enhancements and habitat creation are capable of delivering a net gain in biodiversity value (+115.43 habitat units, +43.37%, and +9.58 hedgerow units, +37,876.36%). These calculations are detailed in the Weyside Urban Village: Biodiversity Metric Report (20th July 2021) approved under application ref: 20/P/02155 which prioritises biodiversity improvements at the Weyside Biodiversity Opportunity Area and Burpham Court Farm to meet the Biodiversity Net Gain requirements for the Weyside Urban Village development. In addition to providing capacity for an off-set for Weyside Urban Village, there may also capacity for other GBC or other applicants to use Burpham Court Farm as a Habitat Bank. The use of Biodiversity Net Gain Credits should be addressed in the accompanying Unilateral Agreement.
- 5.5 In accordance with Natural England's current guidelines, the applicant will be permitted to use Biodiversity Metric Version 2.0 in calculating post development biodiversity value as this version of the Biodiversity Metric was used for the purpose of calculations at the start of the project.
- 5.6 It is considered that the proposed change of use would maintain, conserve, and enhance biodiversity in accordance with Policy ID4.

## **6. Landscaping and Trees**

- 6.1 The application is supported by an Arboricultural Statement (Treework Environmental Practice, December 2020), which includes an extensive survey of the trees on the site and future recommendations. The proposed change of use

seeks to preserve the character of the site and its landscape features and the Statement confirms that all of the valuable trees on the site can be retained and protected. Localised removal of trees may be necessary for future pedestrian access. However, tree planting and landscaping to enhance the site will form part of a future application to Natural England. The Concept Plan has considered areas for additional landscaping within the site that would inform the future SANG management plan, which will be supported by a detailed tree and planting plan and schedule to increase native species and secure a robust landscape framework for the site.

- 6.2 It is considered that the proposed change of use would safeguard and enhance the characteristic landscape of the locality and the Corridor of the River Wey. Details of new hard and soft landscaping would be secured by condition.

## **7. Flood Risk**

- 7.1 A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding. The Environment Agency objected to the proposed development on the grounds: of the lack of details of mitigation or compensation measures to address any identified risks to biodiversity; *inadequate Flood Risk Assessment* and development within the functional floodplain (notably the car park).
- 7.2 The applicant has worked closely with officers and the Environment Agency and made amendments to the scheme (including the relocation of the car park) and submitted further information and flood risk assessment to address these objections. Through the additional technical work undertaken, the applicant has identified suitable areas to provide compensatory floodplain storage to mitigate for raised land within the site. The base modelling has been updated with site specific topography and on-site features such as cycleways.
- 7.3 Further detailed hydraulic modelling will be required to reflect the final layout and detailed design and an assessment of floodplain compensatory flood storage will be carried out alongside the fluvial hydraulic modelling.
- 7.4 The Environment Agency have formally withdrawn their objection subject to a number of conditions relating to the final design, flood risk assessment and the

incorporation of mitigation and compensatory measures to protect biodiversity in the Construction Environmental Management Plan and the SANG and Biodiversity Management Plan.

## **8. Heritage**

- 8.1 In the original proposals the proposed car park was located immediately to the south of the Grade II listed Burpham Court Cottages on the site of the derelict pigsties. This was considered to have less than substantial harm on the setting of the heritage asset but it was concluded that this would be outweighed by the planning benefits. As it is now proposed to relocate the car park away from the listed buildings, the harm that was previously identified has and the harm has been removed..
- 8.2 A Heritage Management Plan is recommended as a condition of planning to ensure that the historic features within the Application Site and its immediate environs, particularly surviving and remnant sections of the 'Flowing River', are maintained and not adversely impacted by proposed planting, re-landscaping and construction of the walkways. There is an opportunity to implement a programme of Public Engagement through signage to promote the historic environment of the Application Site. This will be secured by condition.

## **9. Access and Highways**

- 9.1 Extensive discussions have taken place with the Highways Authority regarding access to the site and detailed arrangements for the car park layout and provision for bike storage and EV charging.
- 9.2 The revised access arrangements are considered acceptable on highways grounds subject to conditions regarding the detailed design of the new vehicular access to Clay Lane, car parking provision and facilities for secure covered parking of bicycles, new pedestrian crossings on Clay Lane and the creation of a pedestrian and cycle network within the site which links with the wider network.

## **10. Legal Agreement**

10.1 The applicant has agreed to enter into a legal agreement and this will be required to take the form of a Unilateral Undertaking as the applicant is Guildford Borough Council. The Heads of Terms previously reported to Planning Committee have been amended to reflect the changes which have been made to the proposed development and amended Heads of Terms have been agreed with the applicant.

10.2 The Heads of Terms as previously reported comprised the following:

- Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
- Improvements to the Bowers Lane Bridge, with public access granted by confirmatory deed.
- Construction of a controlled pedestrian crossing across Clay Lane, and costs of any associated TRO to adjust extent of Jacobs Well speed limit
- Improvement to bell mouth of access to Burpham Court Farm to bring to a Safe Standard

10.3 As the Bowers Lane bridge is in the ownership of the National Trust (and now outside the revised application boundary), it will not therefore be possible to secure this obligation through a Unilateral Agreement and it should therefore been removed from the Heads of Terms as previously reported. The National Trust has confirmed that it has no objection in principle to the use of the bridge by pedestrians and to entering into a form of agreement with the Council to deal with liability for repairs and maintenance. The applicant is therefore encouraged to work with the National Trust to secure the opening and use of the Bowers Lane bridge by pedestrians. The construction of the pedestrian crossing on Clay Lane can be secured by condition and improvements to the bell mouth of the access to Burpham Court Farm are no longer required as the car park has been relocated.

10.4 An additional item relating to Biodiversity Net Gain (BNG) has been added to the Heads of Terms to reflect the planning approval granted for the Weyside Urban Village development. This relates to the use of the site for offsite biodiversity gain associated with the Weyside Urban Village and other residential development through the purchase of the BNG Credits.

10.5 The amended Heads of Terms are as follows:

- Not to transfer the SANG to another entity other than one approved by the Council (or an Eligible Entity)
- The landowner to manage and maintain the SANG in accordance with the SANG Management Plan (condition 12) in perpetuity at its own cost and at no cost to the Council
- The landowner to submit to the Council for approval a funding statement demonstrating how the SANG maintenance and management will be funded.
- The landowner to provide unfettered public access to the SANG (save for agreed excluded areas) in perpetuity. The excluded areas will be shown on a plan or cross referenced to the final SANG Capacity Plan which will be subject to a condition
- The landowner to allocate the required area of SANG to the Weyside permission to meet the Weyside planning obligation and not to allocate any area of SANG allocated to Weyside to any other development
- Allocation of Biodiversity Net Gain (BNG) Credits to the Weyside permission.

## **11. Planning Balance and Conclusions**

- 11.1 The proposed change of use to publicly accessible open space will facilitate delivery of SANG which is an appropriate use within the Green Belt. The application is supported by technical documents which conclude that there would be no unacceptable environmental impacts and that there is significant room for enhancement in terms of landscape and biodiversity.
- 11.2 The proposed amendments to the application are considered acceptable and the extensive work undertaken since the application was reported to Committee in October 2021 has addressed the concerns raised by the Environment Agency regarding flood risk. With the amendments to the parts of the farm to be covered by public open space (for SANG), and the size and location of the car parking area, and the route of the circular walk the proposal would comply with policy and guidance on public open space and SANG provision.
- 11.3 The proposed site for the relocation of the car park in Flood Zone 1 will require the loss of some grassland and potentially one Category C tree. This is considered to be acceptable on balance given the lack of any suitable areas of existing hard standing and the need to provide adequate car parking to satisfy Natural England's criteria for land to be used as SANG. Details of the layout and

landscaping of the car park will be secured by condition to minimise any visual or environmental impact. Relocation of the car park from the previously proposed site adjacent to the Grade II listed Burpham Court Farm cottages will have some heritage benefits.

- 11.4 The proposal will result in significant public benefits in terms of access to a recreational resource for existing and future residents, which will also bring significant environmental benefits, helping to reduce recreational pressure on the Thames Basin Heaths SPA in accordance with local and national policy. The proposed development is necessary as suitable mitigation to enable Guildford Borough Council to meet its housing need, including at Weyside Urban Village as set out in the adopted development plan.
- 11.5 Full details for the SANG including layout, boundaries, vehicular access and parking, landscaping, walkways, boundary works and associated works will be secured by way of condition and future management of the SANG will be subject to a detailed a SANG Management Plan and Biodiversity Management Plan to be agreed with Natural England.
- 11.6 For these reasons, and the reasons set out in the body of the report, the proposal is in accordance with the development plan. The material considerations do not indicate that a decision should be taken other than in accordance with the development plan (s. 38(6) Planning and Compulsory Purchase Act 2004).

**Appendix 1**

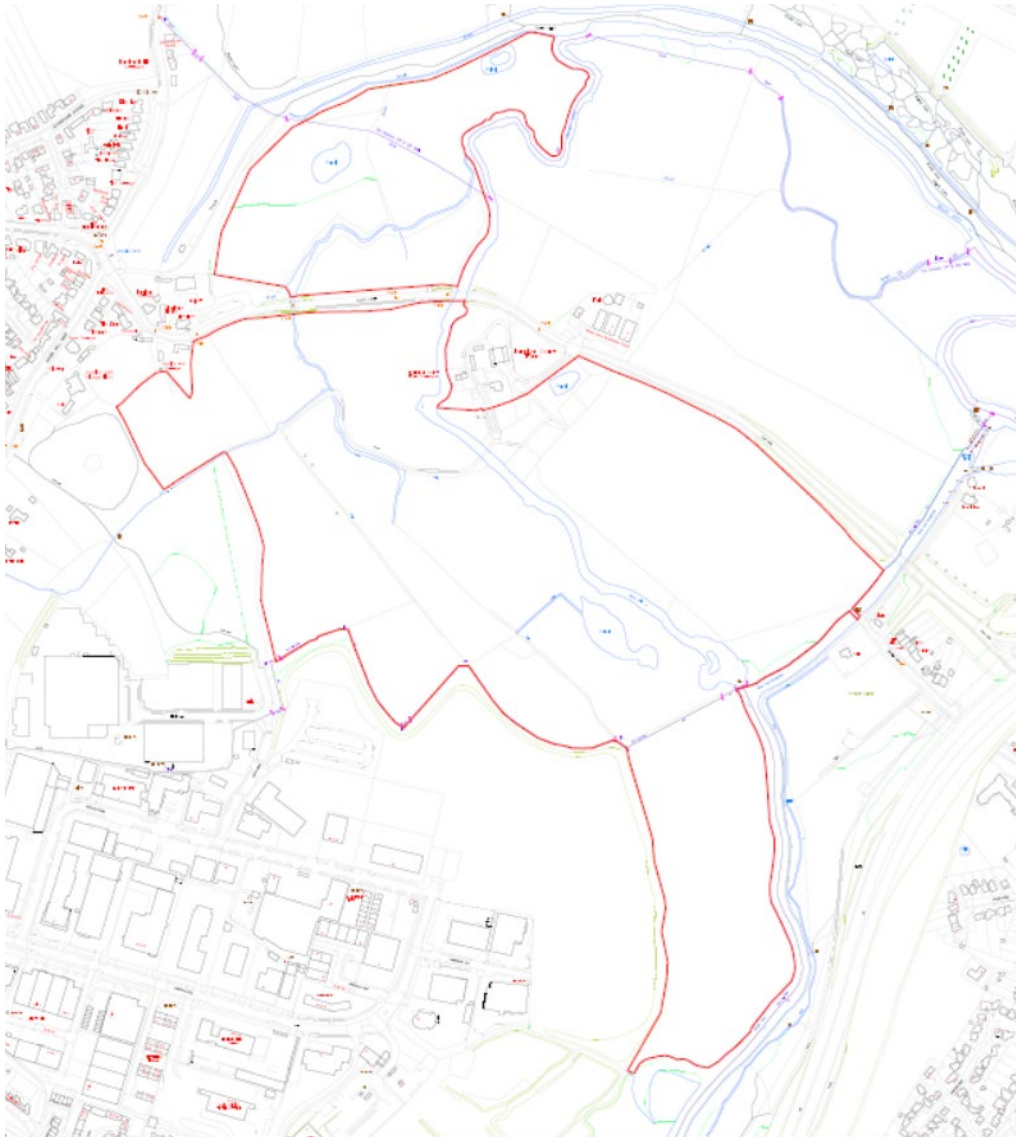
**Application 20/P/02173**

**Report to Planning Committee and Minutes of Meeting**

**20<sup>th</sup> October 2021**



**20/P/02173**  
**Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA**



**Not to scale**

**Applicant:** Guildford BC c/o The Agent

**Location:** Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA

**Proposal:** The change of use of the site to 45.9 hectares of land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The application itself has been screened as not requiring Environmental Assessment, however the Slyfield Urban Village application has been and is required to assess cumulative impact and hence its Environment Statement (ES) assesses cumulative impact of several other proposals in the Slyfield project, including the Burpham Court Farm application.

How each of the schemes is assessment in the Environment Statement is shown below:

<b>Planning Applications</b>	<b>Assessment within the ES</b>
<b>Weyside Urban Village</b>	The Proposed Development assessed in the main WUV ES report
<b>New STW</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>New CRC and WRC</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>Burpham Court Farm COU</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>North Moors and Aldershot Road Allotments</b>	Incorporated into future baseline conditions assessed within WUV ES Volume 1
<b>Other existing and/or approved developments</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2 Developments that are under construction or with discharged conditions are assessed as part of the future baseline within WUV ES Volume 1

## **1        Executive Summary**

### **1.1       Reason for Referral**

- 1.1.1       This application has been referred to the Planning Committee because it is a key project related to the adjoining Slyfield Area Regeneration Project (SARP) and is key to enabling the wider project A24 which is one of the largest strategic sites in the Guildford Borough Local Plan: strategy and sites (LPSS) 2019 and is the Council's main regeneration project.

### **1.2       Executive Summary**

- 1.2.1       This application has been prepared on behalf of Guildford Borough Council ('the Applicant') as land owner in support of the redevelopment of part the land allocated for the Slyfield Area Regeneration Project (SARP).
- 1.2.2       The application is for change of use to public open space/nature reserve, as a SANG itself is a function of areas which are within these land uses. The purpose of a SANG is to provide attractive green spaces for recreation in areas where development could bring increased visitor pressure on Special Protection Areas (SPAs) in accordance with adopted local plan policy.
- 1.2.3       Guildford is within the Zone of Influence of the Thames Basin Heaths Special Protection Area (SPA). The SPA was designated under the European Birds Directive in March 2005; it aims to protect important breeding populations of ground nesting birds. It includes 8,274 hectares (ha) of heathland across Surrey, Hampshire and Berkshire, covering nine different local authorities, including Guildford. As a result, SANGs are necessary as proposals for residential development come forward in Guildford. SANGs are a central element of the Council's Special Protection Area Strategy for the Thames Basin Heaths to reduce pressure on the SPA by providing attractive green spaces that people can use for recreation instead of the SPA.
- 1.2.4       The area identified for SANG is divided by a branch of the River Wey and Clay Lane and is found North of and adjacent to Slyfield Industrial Estate and areas allocated for the Slyfield Area Regeneration Project. The area identified for SANG is also located north east of the Weyside Urban Village (WUV) site, which is allocated in the adopted Guildford Borough Local Plan to deliver approximately 1,500 homes. An application on this site was submitted in December 2020 and is a later item on this agenda. It is anticipated that the area identified for SANG will assist considerably in providing mitigation for WUV and other development in the Guildford area before they are occupied to enable Guildford Borough Council to meet its housing need as set out in the adopted development plan.

### **1.3       Reasons for Recommended Decision**

- 1.3.1       The scheme complies with the requirements of National Policy (being an appropriate use in the Green Belt), local plan and the [Thames Basin Heaths SPA SPD](#). The proposals would preserve the openness of the Green Belt and the purposes of including land within it
- 1.3.2       With the suggested conditions unsuitable areas for a SANG-Open Space are excluded from the application, and a suitable car parking area included.
- 1.3.3       With these changes the site has demonstrated suitability for change of use to a SANG – open space with safe highway access.

- 1.3.4 There would be less than significant harm to the setting of Burpham Court Farm Cottages from the use of the derelict pigsties, however this is outweighed by utilising a brownfield location for the car park as other locations would result in a loss of habitat in a sensitive area. This location is supported by a number of nature conservation consultees. Adequate screening can be provided through the landscaping condition.
- 1.3.5 There are no other significant material considerations.



## 2 Formal Recommendation

That this application be **GRANTED** subject to securing a planning obligation with the heads of terms as set out in Appendix 1, and subject to the conditions set out in Appendix 2, for the reasons set out in section 1.31.-1.3.5 above and expanded on in the body of the report.

That the Head of Place (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives) prior to a decision notice being issued, provided that the Head of Place (or person with acting authority thereof) is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee, where necessary in consultation with the Chairman of the Planning Committee and lead Ward Members for Stoke, Worplesdon and Burpham Wards.

That upon completion of the planning obligation, the application be determined by the Head of Place.

That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Head of Place (or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.

If the application is granted regulation 30 of the Environmental Impact Assessment Regulations 2017, which sets a duty on the local planning authority to inform the Secretary of State, consultation bodies and the public of the final decision, shall be complied with.

### 3 Relevant Planning History

- 3.1.1 An online review of planning history reveals no relevant planning applications on the site. Notable planning history adjacent to the site includes:

Planning reference	Description	Decision
20/P/00725: Burpham Court Farm, Clay Lane, Jacobs Well, Guildford, GU4 7NA	Proposed change of use of existing agricultural building to form a single residential dwelling, with associated access, landscaping, amenity space and parking (Amended description and amended plans received 19/08/2020).	Approved Fri 19 Mar 2021
<b>Ref 20/W/00060, dated 27 April 2020</b>	<p>The development proposed is described in the application form as 'conversion of existing agricultural buildings (referred to as buildings 1 to 4) to form 4 no. residential dwellings'</p> <p>The appeal is allowed and prior approval is granted under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for the conversion of existing agricultural buildings to form four dwellinghouses (use class C3) and associated building operations at Burpham Court Farm, Clay Lane, Jacobs Well, GU4 7NA in accordance with the terms of the application Ref 20/W/00060, dated 27 April 2020, and subject to the conditions set out in the attached schedule.</p> <p>'The proposals would not, whether considered individually or cumulatively, amount to a rebuild of the existing buildings that goes beyond what is reasonably necessary for conversion to residential use. Furthermore, the works would not amount to either a complete or substantial re-building of the pre-existing structures, or in effect, the creation of a new building or buildings.... The proposed building operations would be reasonably necessary to convert the buildings to dwellinghouses and would fall within the scope of works allowed under Class Q (b).'</p>	<p>Appeal Allowed 15<sup>th</sup> Sept 2021</p> <p>Appeal Ref: APP/Y3615/W/20/3265437</p>

### 4 Consultation

- 4.1.1 The following bodies and residents were consulted, where no reply has been received this is indicated.
- Woodland Trust
  - Surrey Wildlife Trust, The Old School

- National Trust - Wey Navigation
- Worplesdon Parish Council, Unit 2 Beaufort, Parklands
- Natural England
- Guildford Society
- Surrey County Council Highways
- SCC SuDS Team
- Thames Water Development Control (Planning) – No reply
- Forestry Commission – No reply
- Tim Holman Tree Officer – No reply
- Campaign to Protect Rural England – No Reply
- SANGs Officer – No Reply
- Stephen Cake - Designing Out Crime– No Reply
- Andrew Taylor – Surrey Hills AONB -No Reply
- Geoff Monck – Trees Officer - No Reply
- Planning Policy – No Reply
- Parks & Countryside –
- Design & Conservation -No Reply
- Hankinson Duckett Associates
- Burpham Court Farm Cottages are Willow Tree Cottage and Moles Cottage – No reply

## **5 Consultation Responses**

5.1.1 Many of the responses referred to an original SANG concept design submitted in December 2021. Since then, there has been engagement with Natural England and GBC Parks and Countryside to revise the SANG Concept and a revised plan was submitted in September 2021. The SANG concept plan will need to be refined in relation to conditions imposed by this consent and a condition proposes the completed design be submitted for approval by Natural England and the LPA. This will be subject to condition.

### **5.1.2 Statutory Consultees**

#### **5.1.3 Natural England – No Objection to SANG application alone**

As submitted, this application itself does not include residential development and would not have likely significant effects on the Thames Basin Heaths Special Protection Area (SPA) through increased recreational disturbance. Therefore Natural England have no objection to this proposal as a standalone application.

However, if any dwellings were to come forward wishing to use this site as their SPA mitigation then Natural England would currently object to this. The individual 'bespoke' proposals for avoidance and mitigation measures offered with this proposal are not considered to be appropriate because there is currently insufficient information to enable certainty that the use of this SANG to provide mitigation will be effective in ensuring no likely significant effect arising from recreational impacts to Thames Basin Heaths SPA.

Natural England advises that further information is required from the applicant to enable certainty that there will not be a significant impact upon the SPA from any developments wishing to use this SANG. We advise that further information is sought on:

- The exact length of primary circular walk. The requirement for a SANG is a minimum of 2.3km and this application states that it would be 'approx 2.5km+' which is fine but we would need to know the distance exactly;



- A SANG Management Plan containing information on the proposed long term management, costs and funding of the SANGs for in perpetuity (who will management ultimately default to, Natural England's preferred option would be the LPA);
- An agreement from Land Trust that they intend to manage the SANG in perpetuity if this is the case and wording included regarding step-in-rights. Alternatively, we would need confirmation that Guildford Borough Council agrees step-in-rights.
- Information on which areas will be discounted from the SANG due to noise being above 60db, areas for birds and flooding (if people cannot access certain parts of the SANG all year round). We would need to know the total hectareage of the site once the discounted areas have been taken into account.
- Information on which option will be taken as a result of the noise assessment to ensure no noise is above 60db due to its location adjacent to the A3 and its potential to disturb SANG users.
- Information on the car parking. Natural England want it officially recorded that a minimum of 32 car parking spaces will be required for this SANG, not the 12 spaces recorded elsewhere. Ordinarily the rule of thumb would be one space per hectare of SANG, however we accept a modest reduction here as some of the housing attributed to the SANG will be within 400m of the SANG and thus walking distance. Please re-consult Natural England once this information has been obtained.

#### **5.1.4 Surrey County Council Highways – Require More Information**

I refer to the above planning application upon which you have requested our consideration of the highway and transport issues. I am currently considering this application alongside the Transport Assessment submitted as part of the Weyside Urban Village application (20/P/02155). As a result of considering the applications together, the full response for this application will be slightly delayed. However, in the meantime, I have the following comments:

1. Please could you clarify whether the layout of the proposed SANG, including the specification and alignment of the proposed pedestrian pathways, subject to this application? The Transport Statement submitted suggests that the layout of the site is to be determined by a future detailed design application.
2. The proposal includes public access on both sides of Clay Lane and subsequently a crossing facility should be provided, as concluded by the Transport Assessment. However, I do not consider that this matter can be deferred for detailed approval at a later date as we cannot otherwise determine whether it is fundamentally acceptable. On this basis, I think a crossing location must be set out at this stage, and be subject to a design assessment and Road Safety Audit. The proposed car park access should also be safety audited. SCC can arrange this and add it to the list of Safety Audits being undertaken as part of the Weyside scheme, but this will delay our response on this application considerably.

#### **5.1.5 Surrey County Council –Flooding**

As there is no change to the existing drainage or surface water regime, we would have no further comments

The Flood Risk Assessment by Stantec refers to footpaths and carparks that are to be included within the SANG; these elements will require design some form of drainage that does not increase surface water flood risk on or off site. No details have been submitted within this application. There appears to be opportunity to accommodate sustainable drainage systems (SuDS) within the site. Consideration should be given to including SuDS where possible.

5.1.6 Internal Consultees

5.1.7 **GCC Conservation Officer**

The application seeks consent for the change of use of 45.9 hectares of agricultural land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The area identified for SANG is sited approximately 3km north east of the centre of Guildford. The site is of an irregular shape and is divided by a branch of the River Wey and Clay Lane and adjoins the Slyfield Industrial Estate to the south. A small enclave of properties known as Burpham Court Farm are situated toward the north of the site.

There are a couple of designated heritage assets that have been identified as having the potential to be impacted by the proposed change of use. These are namely:

- Wey and Godalming Navigations Conservation Area;
- Burpham Court Farm

Each heritage asset has been assessed individually and this is reflected in the following comments.

*Wey and Godalming Navigations Conservation Area*

**Description**

The proposed development site sits adjacent to the Wey and Godalming Navigations Conservation Area (WGNCA) which, as its name suggests, is a conservation area that is dedicated to the Wey and Godalming Navigations. The Navigations is a long and sinuous inland canalised waterway. In total it provides a 20-mile continuous navigable route from the River Thames at Weybridge, all the way through to Godalming, via Guildford, entering and exiting Guildford Borough at Wisley and Peasmarsh respectively. It passes through a rich tapestry of varied landscapes as it traverses the borough, ranging from tranquil flood plain meadows through to the bustling urban environment of Guildford Town Centre.

The waterway was opened in two sections. The course between Guildford and Wisley, running all the way through to the Thames is historically known as the Wey Navigation and was completed in 1653, making it one of the earliest rivers to be made navigable in England. Whilst the southern extension, the Godalming Navigation, was seamlessly added in 1760. The purpose of its conception was to provide a more efficient and practical means of transportation between Guildford, London and beyond, particularly for commercial traffic. Of particular note the route has facilitated the transportation of timber and stone to London following The Great Fire in 1666, including construction materials (stone) for St Paul's Cathedral, as well as providing a safe conduit for the shipment of gunpowder from Chilworth Powder Mills.

Today it is valued as a multifunctional asset fulfilling important amenity, biodiversity, transport, leisure and recreation roles. It also forms an essential part of the borough's green infrastructure network and makes a fundamental contribution to the landscape quality and character of the borough.

A couple of pieces of notable canal infrastructure that can be found along this particular stretch of the Navigations which is considered to contribute and enrich the significance of the Conservation Area are Stoke Lock and its associated Lock-keepers Cottage. Stoke Lock as seen today was opened in 1653 having been constructed from some reclaimed stone from one of Henry VIII's palaces and is noted as being the oldest lock in Surrey. It is thought, but as yet, no conclusive proof, that it could possibly be the oldest lock in the country. The lock-keepers cottage, sited on the NW bank of the lock, dates from 1882 and replaced an earlier building.

### *Setting*

Originally, the Navigations setting of the section that is most relevant to this application, would have comprised of rural open countryside on both sides (NW & SE) with possible views towards nearby isolated farmsteads. Nevertheless, over the past few centuries, as a consequence of industrialisation and population growth, this setting has undergone notable change, specifically on its NW bank. Initially from the advent of the STW that is located within the application site, but also as a result of Guildford's suburban expansion, which has yielded a significant amount of housing in this area. Despite being in such proximity to these new additions to the landscape the Navigation bank is naturally planted with trees and vegetation, and there are only a small number of instances where existing structures are legible or partly legible in view from the towpath.

In contrast, the Navigations setting along its SE bank has, certainly in the visual foreground, remained rather bucolic with the retention of adjoining mature water meadow and woodland which is now an 80-hectare nature reserve, however the background noise of the nearby A3, which sits approximately 250m away, serves as a reminder that this not a totally rural setting. Taking into account the above the conclusion is the character of this part of the Navigations is probably best described as being urban-rural fringe.

### *Significance*

The significance of a heritage asset is defined by its archaeological, artistic, architectural and historic values. In the case of the Conservation Area this can be summarised as follows:

#### Artistic and Architectural

- Represents a locally valuable and environmentally sensitive water corridor
- The area's natural qualities and character subtly and harmoniously combine with the prevailing remnants of the industrial revolution
- Retention of key pieces of canal infrastructure
- The Lock-keepers cottage is a good example of local vernacular architecture

#### Historic

- WGNCA instrumental in continuing and enhancing Guildford's prosperity – enabling an efficient and quicker way of transporting goods thereby encouraging both industry and agriculture
- Both the WGNCA and Stoke Lock, by virtue of their early technical innovation as pioneering examples of canalisation

The National Trust who are custodians of the waterway have produced their own Statement of Significance for the Navigations which states:

"The Wey Navigations is nationally significant as one of the earliest waterways to be made navigable which, when combined with the Godalming Navigations, form the southernmost extremity of the Inland Waterway network. Together the Navigations represent a locally very important and environmentally sensitive corridor through Surrey, linking heavily populated and commercially developed suburban areas with open countryside. The corridor offers unique opportunities for informal recreational enjoyment, educational development and historical enrichment by a wide range of visitors and users. The development and use of the Navigations over the past 350 years has significantly influenced local history, commerce, townscape and landscape throughout the valley of the Wey from Godalming to the Thames at Weybridge."

#### Impact on Significance

The proposed change of use allows for the retention of the existing rural landscape character that is experienced along this stretch of the Navigation, and as such would not detract from the adjoining conservation area. Given this, and the modest level of

infrastructure required, I am satisfied that proposal would not harm the setting or the significance of the WGNCA.

### *Burpham Court Cottages*

#### *Description and Setting*

Nos 1 & 2 Burpham Court Cottages are pair of fairly modest and unassuming 2 storey cottages which date back to the early 17th Century, that are located within and historically associated with the Burpham Court farmstead. It is believed that the parts of the farmstead date back to the 11th Century, with the earliest building on the wider site not appearing until the middle of the 17th Century, when the 1768 John Rocque Map of Surrey illustrates boundaries of fields and buildings marked as Burpham Farm. In addition to the cottages the farmstead also included the farmhouse, and a number of historic outbuildings and agricultural buildings. The farmhouse and the outbuildings are situated fairly centrally, whilst the cottages are located on the western side of the complex, immediately adjacent to the River Wey Navigation. The farmstead's configuration consists of linked ranges formally arranged around a couple of yards, which is a fairly common arrangement for estate farms, as this once was.

With regards to the cottages, historic records indicate that No.2 Burpham Court Cottage now occupies the original 17th century structure, whilst No.1 Burpham Court Cottage is largely contained within a late 19th Century extension that was undertaken under Lord Onslow's ownership of the site.

The 17th century section of the property is identifiable by its timber framed construction (parts of which are still externally exposed on the property's north elevation) and red brick infill, whilst the 19th Century addition is solely of brick construction. Both sections are covered over by a plain tiled pitched roof, however the 19th Century section is made more discernible as a result of its hipped form. Articulating this roofscape is a total of three brick chimney stacks.

The overall built form of the cottages, following their subdivision at the end of the 19th Century, remains intact and clearly legible, and the integrity of the historic fabric and exterior treatment remain essentially intact. The cottages exhibit a variety of window and door styles which suggest these have been replaced at various times.

The listing description reads as follows:

*Cottages. Early C17 with C19 extensions to right end. Timber framed centre and left on rendered plinth, exposed with brick infill, red brick extensions to right. Plain tiled roof hipped to right and over extension. Two storeys. 3 framed bays with extension projecting to front right. Front ridge stack to left, end stack to right. 3 casement windows in first floor centre left, one larger casement window to right of centre, one 3-light cambered head casement to first floor right. 3 casement windows to ground floor, with one single arched casement window to right. Single storey, low pitched gable extension projecting to left with C20 planked door under pentice drip course. (No. 2). Further door to right hand return front (No. 1).*

#### *Significance*

*The significance of a heritage asset is defined by its archaeological, artistic, architectural and historic values. In the case of the Burpham Court Cottages this can be summarised as follows:*

- *Good example of early 17th century domestic vernacular architecture*
- *A domestic structure that forms part of a legible historic courtyard 'E' plan estate farmstead with medieval origins - Opportunities to recognise, understand and appreciate their contribution to the collection of buildings*

### *Impact on Significance*

In one sense there is a concern that the proposed change of use from agricultural to a SANG does start to dilute the farmstead setting of the cottages, particularly the land to the south, which has had a long historical association with the farmstead, thus weakening the overall historic narrative. Despite recent development works to and around the farmstead, including conversion of outbuildings to domestic use, the arrangement of the agricultural grouping and their relationship with the surrounding land, including 'farmland' continues to be perceptible. Nevertheless, it is acknowledged that the proposed change of use would allow for the retention of the existing rural landscape character, albeit in a slightly modified way.

The main areas of modification would be the provision of formalised walking routes; seating and rest stops; interpretation boards and signage, and carparking. All of these are features which are not typically associated with farmland, but in most instances would not necessarily be too discernible in views to be of concern, particularly once the landscape becomes more established over time. The exception to this is the proposed carpark. This is shown to be sited close to the Burpham Court Farm boundary, approximately 50m south of the statutory heritage asset, and would also be accessed through the complex

Paragraph 5.27 of the supporting Planning Statement states that the maximum capacity of the car park would be 12 spaces, however this is contradicted by the supporting Heritage Statement which indicates in paragraph 4.10 that the proposals are for a minimum of 12 car parking spaces but goes on further to say that this is expected to increase to approximately 30 car parking spaces.

Based on the indicative plans provided, the introduction of a formalised carpark in very close proximity to the listed cottages, along with the proposed convoluted route of access as illustrated in the indicative plan is of significant concern for the following reasons:

- Increase traffic and movement through the historic farmstead and alongside the listed cottages
- The imposition of formal parking and ensuing parked vehicles with the setting
- The dilution of formal courtyard plan as a result of the meandering vehicular access

Given all of the above I have to conclude that proposed change of use would result in harm to this statutory designated heritage asset. When assessing 'harm', current good practice is to firstly identify whether the harm is substantial or less than substantial and to then consider it against a spectrum, ranging from low to high. With that in mind, and given all that has been discussed above, I would conclude that the degree of harm caused to this asset would be classed as less than substantial. However, in terms of where on the spectrum it would fall, this is pretty difficult to conclusively determine. The harm resulting from the change of use by itself would certainly be at the lower end of the spectrum, however, given that certain infrastructure (paths, car parks, etc...) is required in order to implement, then I find myself concluding that the harm will undoubtably increase, more so if the parking capacity is be increased.

Nevertheless, as harm has been identified this means that paragraph 202 of the NPPF needs to be engaged, with the resultant harm being weighed against the public benefits of the proposal.

#### 5.1.8 GBC Parks and Countryside

Thank you for the opportunity to provide comments on the updated SANG concept plan dated 10/06/2021 that has been made available on 22/09/2021.

Several issues regarding the SANG development were raised by the Parks Section, including SANG Officer and Tree Officer. Those were submitted as a draft document to Planning on the original submitted concept plan dated 17/12/2020.

The Countryside team had concerns that the concept plan (17/12/2020) for the layout at Burpham Court Farm SANG impacts negatively on existing biodiversity and misses opportunities to protect and enhance wildlife habitat through Biodiversity Net Gain.

It was also doubtful that the proposed access network adequately addresses issues with future management and maintenance, including likely visitor movements, user conflicts, infrastructure safety and maintenance. The SANG layout should be considered within the wider SANG Network in the area, building on connections with already existing SANG.

The Parks and the Countryside Team recommended several adjustments to make the SANG proposal acceptable in planning terms and we have welcomed the opportunity to take part in discussions with the developer to address the concerns. This is reflected in the new concept plan dated 10/06/2021.

We welcome the opportunity that the site provides for Wey Valley habitat improvement works and partnership programmes under the umbrella of the Wey Landscaped Partnership.

Burpham Court Farm has, as Council owned site, the potential to set an example on implementation of policies of support the Governments Environment Plan and emerging Biodiversity Net Gain policies.

Key objectives in line with the Guildford Council's adopted Countryside Vision:

- Minimise disturbance to wintering wader habitat in middle part of site (South of Clay Lane)
- Maximise opportunity to create new wintering wader habitat on site North of Clay Lane
- Avoid changes to northern ridge and furrow
- Enable fish bypass channel
- Protect veteran trees (protect root zones, aim to reduce water logging)
- Create access for SANG and link into opportunities to develop a "super SANG" through existing SANG network
- Design new infrastructure with the aim to retain a natural environment, minimise urbanisation and long-term maintenance requirement

*Design principles:*

- Utilise/ upgrade ditch system for water level management and visitor management
- Use footpath system to provide larger SANG route utilising Riverside (as this is the obvious access route from WUV).
- Keep footpaths on higher elevations to avoid flooding and minimise impact on flood plain
- Provide new river crossing at location of weir
- Minimise disturbance from north / south path
- Plan in potential need for additional car parking. Use location that draws people away from sensitive areas.
- Design site for management with conservation grazing in western part of site and north of clay lane.

*Development of the new concept plan:*

GBC Parks and Countryside welcome that the following proposed amendments have been addressed in the new concept plan (10/06/2021) in discussion with Natural England.

1) Southern Part of BCF:

Locate bridge crossing in a location near the existing weir.

Reasons: To reduce disturbance to overwintering waders using wetland scrapes in the middle of the site. Utilise existing foundations. Provide circular SANG route.

2) Land North of Clay Lane:

Redesign access to provide additional access through southern wooded part and remove access to the northern part.

Reason: To provide access to woodland habitat and create variety of site experiences, including nature watching opportunities. Create wetland scrapes and wintering wader habitat in northern part of this site through biodiversity net gain. To provide habitat enhancement and mitigation for potential disturbance in middle part of BCF.

3) Mature/ veteran trees:

Locate footpaths away from important trees (i.e. min 15m+)

Reason: To protect and improve health condition of mature/ veteran trees

*Further recommendation for SANG Management Plan:*

The Parks and Countryside Section made further recommendations that should be considered in the development of the detailed SANG management plan and would welcome the opportunity to be consulted in the development of the plan.

1) Car Parking: We recognise the constraints in relation of the car park location. We would like to see further communication on the car park design with this department so that any impacts on the site, including operational constraints and visitor movements can be managed through design.

2) North/ South cycle route:

This route should be located close to the western site boundary.

Reasons: To reduce disturbance to overwintering waders using wetland scrapes in the middle of the site, use of land form to ensure path does not flood, protect mature/ veteran trees.

3) Management through conservation grazing:

It would be beneficial to clarify conservation grazing areas in the site design and management plan.

7) Access: There are further access opportunities from the public footpath adjacent to the industrial estate and Parish Council Field.

8) Trees: Consider adjusting and clearing ditch network, so that water levels can be controlled and water logging to trees can be reduced without compromising wader habitat.

9) Biodiversity Net gain areas: We would welcome further discussion about the suitability of BNG proposals for the long term vision of habitat development on site.



#### 5.1.9 HDA Landscape – GBC Specialist Landscape Advisors

This is a full application, but the proposals are presented only in outline (e.g., it is evident that the proposals are at an early stage in the design process given the title of the only drawing showing the proposals which is “indicative SANG concept plan”). To ensure that a SANG can be delivered on this site, an initial detailed site quality checklist, based upon Natural England’s SANG twelve criteria (2008) of ‘must/should haves’, should be provided (in much greater detail than addressed at paragraph 5.7 of the Planning Statement). It is imperative for the application to demonstrate that the site is fit for propose as a SANG, for example, would flooding issues, noise levels (generated by traffic on the A3 and Clay Lane) or the need for biodiversity exclusion areas, limit the amount of land available for SANG purposes. Following on from the checklist, the application should also be supported by detailed hard and soft landscape plan(s) (based upon the topographical survey used for the Tree Constraints Plan) and a SANG management plan, including ‘in perpetuity’ maintenance costs.

The following issues require resolution prior to any planning approval:

- a. Access from the southern end of the SANG to link to WUV – A pedestrian connection needs to be resolved relative to the proposed waste recycling centre, the Ancient Woodland (and its 15m non-development buffer), retention of tree T63 and woodland G58.
- b. Given that people will naturally gravitate towards the river, to walk along its banks, the applicant needs to confirm if this would be in conflict with ecological objectives and whether any means of resisting/controlling access will be required?
- c. Access to the car park – Demonstration that there will be no impact arising from widening the access track on trees T454, T455 and T457 (all Category B) or submit designs for no-dig construction methods in the Root Protection Areas (RPAs) of these trees.
- d. The proposed car park would utilise the footprint of former cattle sheds [sic piggeries], which is commendable as no new areas of hardstanding would be introduced into the site.

However, there are concerns that the car park is not big enough (guidance of 1 space per hectare of SANG), therefore where will the additional parking be located and would it be preferable to split provision so its visual intrusion is reduced?

- e. There are also concerns that given the car park’s distance from Clay Lane it would be difficult to keep it under surveillance from the road (though its proximity to buildings at Burpham Court Farm would provide some natural surveillance, but also the potential for disturbance to these residents). The applicant will need to demonstrate that car park security has been adequately addressed, either through installation of CCTV, or management to close the car park at dusk. There is also the potential that the existing Jacobs Well village hall car park will be utilised by SANG users, but this is unlikely to be acceptable to the parish council, unless some agreement is put in place (for upkeep).

- f. A vehicle height restriction barrier should be included on the access to the car park. If the car park access is also proposed for use by maintenance vehicles, details of how potential conflicts with a height restriction barrier would be overcome should be provided.

g. Investigate other potential pedestrian accesses into the SANG to improve accessibility from the surrounding area, e.g., from Footpath 438 where it joins the northern end of North Moors, or from Harry's Memorial Field behind Jacobs Well village hall.

h. Pedestrian access is proposed from Bowers Lane over a bridge owned by the NT, therefore their agreement for its use/upkeep should be secured.

i. Confirmation is required from the applicant that the 2.5km SANG route can be accommodated in areas with noise levels below 60 decibels or whether mitigation will be required to enable this. If mitigation is required, details of this will be required (e.g., fencing along the A3 is likely to be detrimental to motorists' current views of roadside vegetation).

j. The SANG will need to be accessible to dogs off the lead. If areas need to be fenced off for biodiversity enhancement purposes (e.g., protection of ground nesting birds), then wire pig netting will need to be attached to the post and wire fencing. The excluded areas could not be counted towards SANG provision.

Access into the fenced off areas will still be required for maintenance operations.

k. Crossings of river – Would the crossing to the south-west of the car park utilise the existing concrete bridge (is it fit for purpose?) or is a new bridge proposed?

Submit proposals for new bridges, if any, for example, to north-west of weir.

l. Fish pass – Design details to be provided (and confirmation that these are acceptable to the Environment Agency), including how the fish pass is to be bridged (twice) by the SANG route. The proposed position of the fish pass should avoid the removal of the trees at G611.

m. The FRA confirms that the site is within Flood Zone 3, therefore details are required to demonstrate that the proposed SANG route would be accessible all year round, e.g., large lengths of the route may need to be accommodated on boardwalks and these will need to be designed with safety constraints and 'in perpetuity' maintenance costs in mind.

n. Potential impacts from the relocated SWWTW on the attractiveness of the SANG cannot be considered until the planning application is forthcoming. This will include potential visual effects and reference to an odour assessment.

o. Do the practicalities of providing a pedestrian crossing of Clay Lane make the SANG north of this busy road feasible? This parcel of land does not contribute to the 2.5km SANG route, therefore is it required to provide the necessary SANG capacity?

p. Verification of potential secondary circular walk route through the woodland belts of W712 and W713 to the north of Clay Lane to minimise impact on RPAs.

Issues raised by NE and NT should also be addressed.

Provision of the information requested above is required before a judgement can be made that the site subject of this application is suitable for use as a SANG

#### 5.1.10 GBC Tree Officer

I can confirm having reviewed the submitted arboricultural documentation and visited the site, I raise no objection to the proposal for the change of use from agricultural land to publicly accessed open space and Local Nature Reserve to facilitate a Suitable Natural Greenspace (SANG).

A Detailed Arboricultural Statement that has assessed the trees and woodland at Burpham Court Farm and surrounding farm land, has been submitted.

The detailed survey identifies 325 individual trees, 64 tree groups containing around 286 significant trees, 7 woodland groups and 2 hedges.

The report also highlighted a number of veteran trees of high value and remnant ancient woodland features.

In regard to ancient trees and woodland paragraph 180c of the NPPF states that 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'

The Forestry Commission and Natural England Standing Advice on Ancient Woodlands and Trees recommends that a 15 metre buffer be retained between the edge of ancient woodland and any proposed development.

A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.

The report highlights that all trees of value can be retained and only the removal of a small number of trees maybe necessary for footpath access.

To ensure the necessary protection to all retained trees and woodland (buffer zones, no-dig construction of paths etc) a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) will need to be submitted, once finalized plans are agreed. This should be in accordance with the British Standard 5837:2012.

If planning is approved, an appropriate condition will be required to secure the AMS and TPP.

Eg.

*No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan, in accordance with British Standard 5837:2012, has been submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the agreed Arboricultural Method statement and Tree Protection Plan.*

*No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.*

Reason: *To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.*

There will also need to be a long-term management plan for trees and woodland. A separate condition will be required to ensure the Woodland Management Plan is commissioned, implemented and updated when necessary.

## **5.2 Other Groups**

### **5.3 Woodland Trust – No Objection**

We have noted the application in question and the Arboricultural Statement submitted as part of this planning application. We consider that the Arb Statement has given strong consideration to the presence of both veteran trees and the candidate veterans that would be the successors to the existing generation of veteran trees. We note that the authors of the Arboricultural Statement, Treework Environmental Practice, have taken account of these trees and considered the appropriate planning guidance and policy related to veteran trees, including the need for buffer zones of 15 times the DBH / 5m beyond the crown (whichever is greater), as recommended in Natural England's standing advice and recognised by the Woodland Trust and Ancient Tree Forum.

As long as the proposals in question follow the guidance and practice suggested within the applicant's Arboricultural Statement and in standing advice, then the Woodland Trust has no objection to planning application 20/P/02173.

### **5.4 Surrey Wildlife Trust and Surrey Nature Partnership – Support**

Support proposal for its recreational and nature conservation benefits.

### **5.5 National Trust - Objection**

Summarised – full response on public access.

In principle the National Trust supports the proposal to create a SANG at Burpham Court Farm, which it considers to be an appropriate location for such use, consistent with the Trust's objectives for this stretch of the River Wey Navigation. However, the Trust has several reservations about the proposals.

#### *Biodiversity*

Most concerned about the inclusion in the SANG of the land to the north of Clay Lane. This area of land is of importance for wildlife and is largely undisturbed at present.

In the Ecological Appraisal submitted with the application it is recorded that this area has lowland mixed deciduous woodland, a priority habitat, and marshy grassland. The Ecological Appraisal also notes the presence of protected species including great crested newt, reptiles, reedbed birds, bats and barn owls. That being the case there is no doubt that increased recreational use, including dog walking, would be prejudicial to the habitats and protected species in this area. The Trust considers that the land north of Clay Lane should be excluded from the SANG and that consideration should be given to the inclusion of alternative, less sensitive blocks of land within the application site. The area to the north of Clay Lane should remain as a wildlife refuge, suitable for some of the more specialist species, such as otter.

The Trust has several suggestions to make as to how Biodiversity Net Gain might be achieved:

The presence of Cetti's warbler suggests that there is already some wetland, reed and marginal habitat of reasonable quality available. This should be retained, expanded where possible, and enhanced with measures to ensure that it remains wet for the majority of the year.

National Trust volunteers have identified at least 15 dragonfly and damselfly species on Trust-owned land in the River Wey catchment. This is almost certainly an underestimate (because of the limited number of surveys undertaken) and there should be an emphasis on creating high quality marginal areas for these and other invertebrates associated with this habitat.

Eel passes have been installed in parts of the Thames catchment downstream and it is thought that this species is present on-site in small numbers. However, the SANG is an opportunity to ensure that passes are installed, wherever possible, to enable eels to migrate from the main channel into surrounding ditches and wetland.

Otter was thought to have been seen in the initial biodiversity survey. This is a mammal that needs shelter and refuge from people and dogs and often uses quiet scrubby areas. Suitable sanctuary areas should be created and managed, where minimal human activity is permitted.

The National Trust has had experience of high-quality wildflower meadow restoration. Much of this work has been undertaken in partnership with specialists in the subject (e.g. Royal Botanic Gardens, Wakehurst/Millennium Seed Bank). A major contribution towards ensuring that the SANG is as flower-rich as possible would be to create high quality grassland even in the areas of high recreational use, by employing the most up-to-date techniques of seed collection, sowing and germination to maximise floristic diversity. which, in themselves, will be nectar sources for a large number of invertebrates.

- 5.5.1 A range of bat species use the flood plain. Probably the most important in this respect is *Nathusius' pipistrelle*. Every effort should be made to create suitable habitat and roosting areas for bats, with input from specialist bat workers who understand its requirements..

Where tree planting is possible the emphasis should be on those species that will thrive best on floodplains such as willow and black poplar. Provision should also be made for significant areas of the scrubbiest species such as hawthorn, which will provide refuges for songbirds and an invaluable source of nectar for many invertebrates.

#### *Flood risk and drainage*

The Trust notes that the flood risk assessment submitted with the application concludes that there would be no increase in flood risk as a result of the proposed use of the application site as a SANG. Given the proximity of the application site to the River Wey Navigation and the presence of outfalls from the site into the river the Trust needs to be satisfied that the flood risk assessment is robust and that its findings can be relied upon. Until such time as the Trust has completed its review of the flood risk assessment it must adopt a precautionary approach and give notice that it may seek the inclusion of further mitigation measures if it appears likely that there could be an increase in flood risk.

#### *Car parking and access*

The Trust has three concerns relating to car parking and access. The first relates to the level of parking provision in the proposed car park at Burpham Court Farm. Here 12 spaces are proposed which the Trust considers will be insufficient to accommodate the likely demand for parking at peak periods. To avoid casual parking in Clay Lane and the associated congestion and risk to highway safety it would be advisable for greater provision to be made in the new car park.

The second concern is about whether the existing car park in Bowers Lane will have sufficient capacity to accommodate visitors to both the Riverside SANG and the Burpham Court SANG. The Trust has its doubts that the existing parking provision can meet the future demand and is concerned that there will be increased on-street parking and traffic congestion at peak times. In addition, the Trust notes that access to the Burpham Court SANG from Bowers Lane is proposed over a National Trust-owned bridge. Whilst the Trust has no objection in principle to the use of this bridge by pedestrians such use can only be under the terms of an agreement between the Trust and the Borough Council to deal with liability for repairs and maintenance.

The Trust's third concern relates to the proposed pedestrian crossing on Clay Lane to access the northern part of the SANG. For the reasons set out above the Trust considers that the land north of Clay Lane should be excluded from the SANG in the interests of nature conservation. Under the current proposals people accessing this area would need to cross Clay Lane, which is a busy road leading to the A3. An informal crossing in this location would be potentially dangerous for anyone slow to cross the road so, if pedestrian access is required, there should be a formal crossing with traffic light control. A better resolution in the Trust's view would be to avoid the need for a crossing by excluding the land to the north from the SANG.

- 5.5.2 Over the last year or so the National Trust has enjoyed a productive working relationship with the Borough Council in the formulation of its proposals for Weyside Urban Village and the SANG. As part of this ongoing collaboration the Trust would welcome the opportunity to discuss the above issues with the Borough Council with a view to reaching a satisfactory resolution before the application is determined.

## **5.6 Local Groups**

### **5.6.1 Merrow Residents Association – Support**

Needs 32 parking spaces as stated by National Trust.

Clay lane is dangerous to cross and needs an underpass or bridge.

### **5.6.2 Worpleden Parish Council**

Clay Lane floods.

### **5.6.3 Guilford Society – Support**

a) Parking Provision does not appear generous enough, it should be improved.

b) The proposed Pedestrian Crossing should be provided but in the form of a underpass or bridge. Clay Lane is a busy road and having a crossing close to a bend is major risk.

c) The border between the Sang and the Exclusion Area for Biodiversity is not stated, how is this going to provided.

d) The Sang access point at the southern end needs to provide detail as to how a footpath/bike path will link into the Weyside Development and the Riverside Park.

## **5.7 Individuals**

- 5.7.1 21 representations received from members of the public. Many of these relate to and duplicate representations made on the accompanying Weyside Urban Village Application also considered on this agenda.

5.7.2 A Mr J Allen raises many technical points regarding the flood risk modelling and transport assessment and raises specific points about the adequacy of parking at Bowers Lane given proposals for yellow lines to secure emergency service access. Needs 10 parking spaces for canoeists and landing area.

5.7.3 One from a Mr Martin Kettell states:

*'I cannot support this proposal, since its principal aim seems to be as a SANG, in other words the provision of space for people and dogs to exercise. One of the factors that makes the site so special is the lack of disturbance in the main (western and southern) wetland area. The SANG concept plan shows footpaths surrounding this area, which will undoubtedly lead to people and dogs having access to much of the site.*

*The Ecological Appraisal seems fairly thorough but fails to sufficiently highlight the importance of Burpham Court Farm for wintering wildfowl. The site regularly holds the largest flock of Wigeon in Surrey during the winter months, as well as good numbers of Teal and Snipe. Rarer wildfowl often stop here too; in the last few months there have been records of Pintail, Shelduck and Russian White-fronted Goose. In the Spring, at least one pair of Lapwings usually attempts to breed.*

*All of these species (mostly red or amber listed) are acutely sensitive to disturbance. The current plan would bring people and dogs much closer to the pools and grassland in the centre of the farm, and without doubt these special birds would disappear.'*

5.7.4 A Mr M Weightman states:

*The land North of clay lane floods annually and can go from nothing to being completely underwater in 30 mins. As we know, it was the stress of this flooding, that caused the local farmer at Burpham Court farm to take his own life.*

*I have had livestock who have in the past needed rescuing from the land that has been proposed as a result of flooding. Given this, I don't know how it is feasible to put safe walkways around some of the areas. Further research would need to be undertaken to ensure it was safe for users, particularly the elderly and disabled.*

5.7.5 A Mr Guy Norman States:

*I ... fully support the protection of this remarkable and very beautiful area, and have no objection in principle to classification as "publicly accessible open space and Nature Reserve". However, documentation including the SANG Concept Plan submitted 17 Dec 2020 strongly suggests that it is likely to become a high-throughput recreational park rather than a Nature Reserve, and I have therefore indicated my stance as Object. In my view, protection of this site's ecological value requires strong measures to restrict human and dog access to most of the area, and the current plans do not ensure this.*

5.7.6 5 members of the public state 12 parking spaces (the number at Boyers Lane) is insufficient and this often overflows. Several mention the dangerous nature of the proposed crossing on Clay Lane.

## **6 Planning Policies**

### **6.1 Heritage Duties**

- 6.1.1 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 6.1.2 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the

### **6.2 National Planning Policy Framework July 2021 (NPPF):**

- 6.2.1 The fourth revision of the National Planning Policy Framework (NPPF) published on 20th July 2021 sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration in determining the application. In assessing and determining planning proposals, the local planning authority should apply the presumption in favour of sustainable development, which is the main focus of the NPPF in relation to both the plan-making and decision-making process (para. 11). It states that this means 'approving development proposals that accord with an up-to-date development plan without delay.'
- 6.2.2 However, the presumption in favour of sustainable development does not apply in a number of defined cases relating to: habitats sites (europa sites – european designations) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty,; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change. Of these the following applies to parts of the site: Green Belt, Wey and Godalming Canal Navigation Conservation Area. In addition in terms of international sites, such as the Thames Basin Special Protection Area: the NPPF states (para 182) '*The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.*'
- 6.2.3 The sections of the latest version of the NPPF can be found below.

- 
- [1. Introduction](#)  
Paragraphs 1 to 6
- 
- [2. Achieving sustainable development](#)  
Paragraphs 7 to 14
- 
- [3. Plan-making](#)  
Paragraphs 15 to 37
- 
- [4. Decision-making](#)  
Paragraphs 38 to 59



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- [5. Delivering a sufficient supply of homes](#)  
Paragraphs 60 to 80

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  - [6. Building a strong, competitive economy](#)  
Paragraphs 81 to 85

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  - [7. Ensuring the vitality of town centres](#)  
Paragraphs 86 to 91

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  - [8. Promoting healthy and safe communities](#)  
Paragraphs 92 to 103

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  - [9. Promoting sustainable transport](#)  
Paragraphs 104 to 113

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  - [10. Supporting high quality communications infrastructure](#)  
Paragraphs 114 to 118

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  - [11. Making effective use of land](#)  
Paragraphs 119 to 125

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  - [12. Achieving well-designed places](#)  
Paragraphs 126 to 136

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  - [13. Protecting Green Belt land](#)  
Paragraphs 137 to 151

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  - [14. Meeting the challenge of climate change, flooding and coastal change](#)  
Paragraphs 152 to 173

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  - [15. Conserving and enhancing the natural environment](#)  
Paragraphs 174 to 188

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  - [16. Conserving and enhancing the historic environment](#)  
Paragraphs 189 to 208

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  - [17. Facilitating the sustainable use of minerals](#)  
Paragraphs 209 to 217

- 6.2.4 In particular para 180 (d) of the NPPF states:  
‘developments whose primary objective is to conserve or enhance biodiversity should be supported’

### **6.3 Guildford Borough Local Plan: strategy and sites (LPSS) 2019:**

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

S1 Presumption in favour of sustainable development  
H1 Homes for all  
H2 Affordable homes  
P4 Flooding, flood risk and groundwater protection zones  
P5 Thames Basin Heaths Special Protection Area  
D1 Place shaping  
D2 Climate change, sustainable design, construction and energy  
D3 Historic environment  
ID1 Infrastructure and delivery  
ID3 Sustainable transport for new developments  
ID4 Green and blue infrastructure

- 6.3.2 In April 2021 the Council agreed to review the LPSS to include a full update and reassessment of the relevant evidence used and other factors including regeneration, demand for retail/commercial property, impact of the pandemic, loss of A3 widening scheme, infrastructure delivery, declaration of Climate Emergency and the Planning Bill. This review is at a very early stage and no draft plan is published, and therefore the NPPF would accord the review limited weight.

- 6.3.3 The site is indicated as site SANG 5 Strategic Suitable Alternative Natural Green Space (SANG) Burpham Court Farm, North Guildford In appendix 6 Infrastructure schedule of the LPSS.

### **6.4 Evidence base:**

- Land Availability Assessment (LAA) 2020
- Open Space, Sport and Recreation Assessment 2017
- The Guildford Borough Traveller Accommodation Assessment (TAA) 2017
- West Surrey SHMA Guildford Addendum Report (SHMA Addendum) 2017
- West Surrey Strategic Housing Market Assessment (SHMA) 2015
- Green Belt & Countryside Study 2013

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

- 6.5.1 Following the adoption of the LPSS, until the Local Plan: Development Management Plan Policies DPD is produced and adopted some of the policies (parts of the policies) contained within the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) remain part of the development plan.

G1 (3), (4), (8), (11), (12) General Standards of Development  
G5 (2), (3), (4), (5), (7), Design Code  
(8), (9)  
NE4 Species Protection  
E5 Dev. Affecting Trees, Hedges & Woodlands

R2 Recreational Open Space in Large Residential Developments

**6.6 South East Plan (SEP) 2009: (as saved by CLG Direction)**

NRM6 Thames Basin Heath Special Protection Area

**6.7 Supplementary planning documents:**

- Climate Change, Sustainable Design, Construction and Energy SPD 2020
- Planning Contributions SPD 2017
- [Thames Basin Heaths Special Protection Area SPD 2021](#)
- Guildford Landscape Character Assessment 2007
- Vehicle Parking Standards SPD 2006
- Residential Design SPG 2004
- Surrey Design 2002

**6.8 Other guidance:**

- Surrey County Council Vehicular and Cycle Parking Guidance 2018

**6.9 Designations relating to the Site**

- 6.9.1 The application site is entirely within the Metropolitan Green Belt. A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding.
- 6.9.2 Most of the Site with the exception of the drier field in the north-east of the part south of Clay Lane and small parts of the fields in the western extent of the Site fall within the River Wey (plus tributaries) Biodiversity Opportunity Area (BOA). BOAs identify the most important areas for wildlife conservation in Surrey, where targeted conservation action will have the greatest benefit.
- 6.9.3 The River Wey - Woking SNCI passes through the site.

## **7        Planning Report**

### **7.1        Site Description and Context**

- 7.1.1        The application site is wholly within the greenbelt and is located approximately 3 km north east of the centre of Guildford. The site is of irregular shape and is divided by a branch of the River Wey and Clay Lane. To the south west is Slyfield Industrial Estate and an area of land that forms part of the Slyfield Area Regeneration Project (SARP), which is allocated for mixed use redevelopment, including approximately 1,500 new homes, under Policy A24 (SARP) of the adopted Local Plan (April 2019). Weyside Urban Village (WUV) forms part of the SARP site.
- 7.1.2        Other land uses in close proximity include the Riverside Park Local Nature Reserve and existing SANG, Bowers Lane allotments and the community of Jacobs Well which forms a northern suburb of Guildford. The residential part of the WUV site is a short distance to the south. The site area is approximately 46 hectares, though not all of this is suitable for full SANG use.
- 7.1.3        The site is currently greenfield land comprising areas of pasture and marshy grassland grazed by cattle to the south of Clay Lane. To the north is an area of marshy grassland and woodland. Many trees and hedges are found within the site with a dense tree belt on the western boundary. The southernmost part of the site is defined as Local Nature Reserve and as a Site of Nature Conservation Importance (SNCI).
- 7.1.4        The River Wey is a dominant feature of the site, which has existing wetland features. A large proportion of the site falls within Flood Zone 3 and is at the highest probability of flooding. A Flood Risk Assessment accompanies the application.
- 7.1.5        The site is within the Zone of Influence of the Thames Basin Heaths SPA. At its nearest point, the SPA is located approximately 600m north west of the site.

### **7.2        The Proposed Development**

- 7.2.1        The proposal would require relatively small physical changes to the area, mostly improvements to access and some land management changes to facilitate access.
- 7.2.2        There are currently no public rights of way across the site, although footpath 438 to Jacobs Well fringes its eastern boundary. There is the Bowers lane footbridge which does enable informal access to the eastern part of the site.
- 7.2.3        The project would introduce a car park directly to the South of the existing farm, replacing an area of derelict cattle sheds.
- 7.2.4        A circular walk would be introduced in the part of the site south of Clay Lane with four entry points to walkers, off Clay Lane near Jacobs Well, at the western edge of the site linking to footpath 438, across the Bowers lane footbridge and at the southern edge of the site on the Wey navigation non towpath side linking to the riverside open space.
- 7.2.5        Various areas would be proposed for new planting including hedgerow restoration, and some areas would have restricted public access in order to enhance biodiversity net gain for the Weyside urban village application.
- 7.2.6        Various picnic areas and seating is proposed as well as signage.

### **7.3 Key Issues**

7.3.1 The following are the key issues in this case:

- The Principle of Development
- Suitability of the Site as a SANG
- Noise
- Ecology and Biodiversity Net Gain
- Landscape and Trees
- Flood Risk
- Heritage Issues
- Loss of Agricultural Land
- Access and Highways

### **7.4 Principle of Development**

7.4.1 The site is located wholly within the Green Belt. Criterion (3) of Guildford Borough Local Plan (GBLP) Policy P2 states that:

“Certain other forms of development are considered not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these are listed in the NPPF.”

7.4.2 Criterion e) of Paragraph 146 of the NPPF sets out that material changes in the use of land, such as changes of use for outdoor sport or recreation, are not inappropriate.

7.4.3 The proposed change of use would secure the land as publicly accessible open space for recreation and ecological enhancement, thereby preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, in accordance with local and national policy.

7.4.4 A car park would have a small impact on reducing the openness of the Green Belt but would further the Green Belt acceptable use of outdoor recreation and is essential (required by SANG Guidance and Natural England) for a SANG of this size. Ecological use is not specifically listed in NPPF Para. 150 however the list (including open space) is not exclusive, stating ‘such as’ providing the key test of preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, which these proposals meet.

7.4.5 Criterion (3) d) of GBLP Policy P5 sets out that proposals for new SANGs are unlikely to be acceptable unless agreed by Natural England.

7.4.6 The Thames Basin Heath Special Protection Area Strategy 2009 – 2016 and [Thames Basin Heaths SPA Avoidance Strategy 2021 SPD](#) both identify the site as a potential option for SANG. These documents also set out that Natural England has confirmed, in principle, that the site can meet the criteria for SANG in accordance with Policy P5.

7.4.7 It is considered that the principle of the proposed change of use for publicly accessible open space accords with national and local planning policy and therefore is an acceptable use of this site preserving the openness of the Green Belt and the purposes of including land within it.

## 7.5 Suitability of the Site as a SANG

- 7.5.1 The application is not directly for a SANG as this is a function of a land use, not a type of a land use. However as the intention is to operate as a SANG it is sanguine to consider its suitability.
- 7.5.2 The site is identified in the Thames Basin Heaths SPA Avoidance Strategy SPD as a potential option for SANG and Natural England has confirmed in principle that the site can meet the criteria for SANG. Notwithstanding this, the SANG Guidelines within Annex 2 of the SPD sets out a checklist of essential and desirable criteria for individual SANGs. The provision of a SANG Management Plan is anticipated to be a condition of any planning permission for this proposed change of use and will detail how these guidelines will be met. However, this change of use application, the supporting information and Concept Plan enables a number of criteria to be assessed, including:
- Adequate parking for visitors
  - Provision of a circular 2.3-2.5km walk that would be possible from the car park
  - Car parking being easily and safely accessible by car
  - The accessibility of the site would include access points appropriate for visitor use
  - Safe design
  - Semi natural feel
  - Variety of habitats
- 7.5.3 The applicant has set down an assessment of the sites suitability against Natural England's SANG Criteria.

Must/should have – these criteria are essential for all SANGS		
Criteria		Description
1	Parking on all sites larger than 4ha (unless the site is intended for use within 400m only)	Car park proposed for Burpham Court Farm using existing access from Clay Lane and located at site of former piggeries. (space for 32 car-parking spaces shown on illustrative plan).
2	Circular walk of 2.3-2.5km	Illustrative plan shows circular route possible from Burpham Court Farm car park (including new Wey Crossing over existing weir) (3600m). Secondary loop via crossing point across Clay Lane (625m). NB GBC also exploring potential for wider potential links with new footbridge over the Wey to Riverside Nature Reserve.
3	Car parks easily and safely accessible by car and clearly sign posted	Road safety and visibility splay checks have been undertaken of use of existing access road from Clay Lane and into car park at former piggeries.
4	Access points appropriate for particular visitor use the SANGS is intended to cater for	Access from proposed car park directly onto 3.6km loop (either direction). Furthermore, and perhaps even more importantly, proposal for direct access from Weyside Urban Village also proposed directly from the southern end of the 3.6km loop. Linkages onto wider footpath network also identified.
5	Safe access route on foot from nearest car park and/or footpath	Yes – direct access to the 3.6km loop from the car park. Crossing point to be provided to secondary loop (pelican crossing).
6	Circular walk which starts and finishes at the car park	Yes – see illustrative plan and as above.

<b>7</b>	Perceived as safe – no tree and scrub cover along part of walking routes	Range of habitats are present in SANG (appropriate for SANG of >12ha). Existing or proposed tree cover is anticipated along the route but mostly as gateways to open areas and to guide recreation use to appropriate areas (and away from sensitive winter bird/wetland area). Existing tree cover north of Clay Lane would be walked through (likely on board walk). However, this provides good screen to road and helps create semi-natural feel within the area north of Clay Lane so should be seen as advantageous and likely to create perception of “gateway” into that section of SANG.
<b>8</b>	Paths easily used and well maintained but mostly unsurfaced	Proposal to create new pathways; likely some would be created on bunds and/or on boardwalk to allow year-round access due to lower fields being in floodplain.
<b>9</b>	Perceived as semi-natural with little intrusion of artificial structures	Yes, there is already a good semi-natural feel at the site which is supported by the trees/woodland belts around the SANG edge, the River Wey corridor running through it and the retention of some of the old farm field structures. Potential for additional planting and bunding on northern section of Burpham Court Farm to provide additional screening of upper field from Clay Lane. Additional screening also required between existing farmhouse at Burpham Court Farm (currently being refurbished) and the SANG.
<b>10</b>	If larger than 12 ha then a range of habitats should be present	Range of habitats already present – different grassland types, River corridor, ditches, defunct hedges, woodland edge. potential to provide additional habitat enhancements to habitats present to secure Biodiversity Net Gain. These measures would be over-and-above requirements relating to SANG. The BNG measures would include those measurable through the Defra Metric (habitat enhancements) and additional measures for species enhancements (e.g. reptile hibernacula). Latter features (targeting species) would be provided away from walking routes.
<b>11</b>	Access unrestricted – plenty of space for dogs to exercise freely and safely off the lead	Likely to need guide planting/signage to discourage people and their dogs from using the sensitive bird area. However, this is mainly used by birds in winter and the area of most bird interest is also likely to be flooded in winter which would discourage recreational access on foot in any case.
<b>12</b>	No unpleasant intrusions (e.g. sewage treatment smells etc.)	Proposal for new STW within Slyfield industrial estate acknowledged. Information on “unpleasant intrusion” and proposed odour control has been sought from Thames Water to inform SANG exclusion area.
<b>13</b>	Clearly sign posted or advertised in some way	Proposal for interpretation/signage at key points along route: proposed new car park, bird area viewing screens and at woodland “gateway” entrance to the proposed SANG area north of Clay Lane.
<b>14</b>	Leaflets or website advertising their location to potential users (distributed to homes and made available at entrance points and car parks)	Potential for this new area to be advertised via existing website and for new information to be provided in new home-owners pack.
<b>Desirable features</b>		
<b>15</b>	Can dog owners take dogs from the car park to the SANGS safely off the lead	Potential for dog owners to take dogs safely off lead straight from possible new car park at Burpham Court Farm.

<b>16</b>	Gently undulating topography	Variable topography already present
<b>17</b>	Access points with signage outlining the layout of the SANGS and routes available to visitors	Potential for additional interpretation boards and signage, as described above (no. 13)
<b>18</b>	Naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. Provision of open water is desirable	All already present.
<b>19</b>	Focal point such as a view point or monument within the SANGS	Views already available from upper field of SANG down into lower SANG and across to Guildford. Proposed viewing screens across winter bird interest area.



- 7.5.4 The proposed change of use would provide approximately 46ha of land for potential use as SANG, which would provide sufficient SANG land for a maximum 5,750 new residents with a catchment area of 5km. The SANG Concept Plan and supporting information demonstrates that parking can be provided (minimum 0.75 parking spaces per ha of SANG and minimum of 26.4ha needed to service Weyside Urban Village) and that a circular walk, in excess of 2.3km from the car park and other access points can be completed. The delivery of Biodiversity Net Gain would provide enhancement to the existing range of habitats to users to experience in a semi-natural space in an accessible location to existing and proposed residential development.
- 7.5.5 Considered against the Natural England SANG criteria the proposed change of use would facilitate a suitable site as SANG in compliance with policy and the Thames Basin Heaths SPA Avoidance Strategy.
- 7.5.6 However, it transpires some of the site may not be suitable as SANG as:
- a. The area north of Clay Lane has difficult access and a pedestrian crossing would require a safety audit. A condition is suggested to exclude this from the SANG area and for it to become a biological exclusion zone unless and until there is approval and delivery of a safe pedestrian crossing facility on Clay Lane. There are no protected species identified North of Clay Lane – this apprehension from the National Trust appears to derive from a misreading of the Ecological Report.
  - b. Some parts of the site suffer from noise from the A3, and areas within the 60dba contour are unsuitable, including from the circular walk;
  - c. Some parts of the site will need to be fenced as Biological exclusion zones;. Including some areas used by overwintering birds;
  - d. Some parts of the site are in flood risk 3 areas and will be underwater for much of the winter. If suitable parts of the circular walk can include such areas (safe boardwalks) and any escape routes in case certain areas are cut off during periods of flooding.
- 7.5.7 With these changes it seems certain that Burpham Court Farm would be too small alone to fully mitigate Weyside Urban Village as a SANG, until the pedestrian crossing on Clay Lane is built, however as the report on Weyside Urban Village explains Tyting Farm is also available as a SANG.
- 7.5.8 GBC Parks and Countryside, Natural England and the National Trust support the change of use proposal in principle but have been concerned about the detailed design to operate as a SANG. The design submitted with the application was very high level and lacked key details. Since then, a more detailed plan has been prepared and detailed discussions are on going with the National Trust and Natural England, and discussions are ongoing with the applicant on the amended plan in terms of areas excluded and routing of the circular walk. The revised illustrative design demonstrates:
- The confirmed length of the primary circular walk (3600m) and the secondary loop (625m)
  - The confirmed area considered suitable for SANG is 27.9ha (note exclusion zones identified for noise, wintering bird interest and anticipated likely odour plume ('unpleasant intrusions') from the Thames Water proposed new Sewage Treatment Works)
  - Indicates car-parking location suitable for 32 car parking spaces.

- 7.5.9 However, your officers remain concerned about safety issue for crossing Clay Lane, and are proposing excluding north of Clay Lane from Public open space (SANG) Use (as a biological exclusion area) so the change of use here would solely be for Nature Reserve unless and until safe pedestrian crossing of Clay Lane is provided.
- 7.5.10 Discussions are also ongoing regarding the SANG management plan – these are expected to be concluded before the date of the committee, however no interests would be prejudiced as a suggested condition would require approval of a detailed management plan which would be subject to public consultation, and conditions would define excluded areas and require a minimum length of circular walk.
- 7.5.11 The SANG parking standard is one space per ha of SANG, however Natural England agree this can be reduced by 25% are part of the WUV site is within 4000m of Burpham Court Farm. This is accepted. A car park is essential to meet the SANG Standard and the site of the derelict pigsties is considered acceptable on balance and the best site available (see section of report on heritage impact). GBC Parks and Countryside would support a full 32 spaces as not all would be used for SANG use, i.e. for volunteer activities.

## 7.6 Noise

- 7.6.1 A tranquil environment is a fundamental component of the acceptability of a site as a SANG. Although no noise limit is set in Natural England SANG guidance, they have asked for a limit of 60 dB LAeq,16h. based on recommendations of the applicant's noise consultant. The noise report submitted with the application took measurements at 4 locations and then modelled noise across the hole of the rest of the site based on its topography.
- 7.6.2 The existing levels across the site, without mitigation, are below 60 dB LAeq,16h across the majority of the site. A small area along Clay Lane and an area on the eastern side of the site, closer to the A3, exceed 60 dB LAeq,16 hours.
- 7.6.3 The noise levels along Clay Lane and in the eastern corner of the site could exceed 60 dB by 1 to 2dB. This is within the margin of forecasting error.
- 7.6.4 The noise levels in the southern part of the site, nearest to the A3, are likely to be up to approximately 70 dB LAeq,16h.
- 7.6.5 The report has modelled the proportion of the site that would be below the acceptable 60 dB LAeq,16h level given a number of mitigation scenarios, no mitigation, 2 m Bund along Clay Lane, and 2, 3 and 4m barriers alongside the A3.

Modelled Options	Approximate % of SANG below 60 dB LAeq, 16hours
<b>No Barrier (Existing) 81</b>	89
<b>2 m Bund along Clay Lane</b>	83
<b>2 m Barrier along A3</b>	89
<b>3 m Barrier along A3</b>	95
<b>4 m Barrier along A3</b>	96

- 7.6.6 To achieve 60 dB LAeq,16 hours across 100 % of the site would not be practicably achievable and a compromise will have to be made between the extent of mitigation and the percentage of the site below the 60 dB criterion.
- 7.6.7 Based on the results of the acoustic model, the proposed noise criterion of 60 dB LAeq, 16hours would be met across approximately 81 % of the site without mitigation. This can be considered acceptable from a noise perspective with no mitigation required. The site is large enough to accept a 19% reduction in area and still provide a viable SANG. The cost of noise mitigation along the A3 would be very high and disproportionate in this case.

## **7.7 Ecology and Biodiversity Net Gain**

- 7.7.1 Criterion (1) of GBLP Policy ID4 states that:  
*“The Council will maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, particularly within and adjacent to Biodiversity Opportunity Areas (BOAs)”*
- 7.7.2 Criterion (2) of GBLP Policy ID4 states that:  
*“New development should aim to deliver gains in biodiversity where appropriate. Where proposals fall within or adjacent to a BOA, biodiversity measures should support that BOA’s objectives.”*
- 7.7.3 The application is supported by an Ecological Appraisal (Stantec, December 2020). The appraisal establishes the ecological baseline and outline impacts associated with the proposed change of use. It also provides broad principles for mitigation and enhancement to be taken forward into the subsequent detailed design process.
- 7.7.4 The appraisal identifies a range of habitats on the site with known or potential value to a variety of species. The appraisal also identifies the presence of the invasive non-native plant, Himalayan balsam on the site.
- 7.7.5 The appraisal identifies that the proposed change of use has a potential impact as a result of disturbance. However, this could be overcome by sensitive approaches and timing to any future works and through appropriate design. The Appraisal also identifies that there are significant opportunities to enhance the biodiversity of the site through design and management and removal of invasive non-native species. These opportunities include:
- Enhancement of hedgerows e.g. through in-fill or double/new planting.
  - Management of existing woodland via selective thinning and planting of new woodland.
  - Diversification of some grassland areas e.g. using meadow management techniques.
  - Management of existing ponds to increase the diversity of vegetation.
  - Creating buffer areas along the riverbanks where access is prevented.
  - The creation of larger shallow pools or scrapes in areas toward the centre of the Site.
  - Creation of log and brash piles to provide refuge for small fauna.
  - Expansion of reedbed habitat in the south of the Site.
  - The installation of new bird and bat boxes.

- 7.7.6 The results of the Biodiversity Metric 2.0 (beta test) calculation, undertaken with reference to the illustrative design for the SANG and biodiversity enhancements at Burpham Court Farm, demonstrate that the proposed biodiversity enhancements and habitat creation are capable of delivering a net gain in biodiversity value (+115.43 habitat units, +43.37%, and +9.58 hedgerow units, +37,876.36%). Accordingly, in addition to providing capacity for an off-set for Weyside Urban Village, there is also capacity for other GBC or other applicants to use Burpham Court Farm as a Habitat Bank.
- 7.7.7 Natural England has agreed that once a project has commenced using version 2 of the metric there is no switch to the more recent version 3.
- 7.7.8 It is considered that the proposed change of use would maintain, conserve, and enhance biodiversity in accordance with Policy ID4.
- 7.7.9 Note: A Habitat Regulation Screening Assessment was submitted with the application. The HRA Screening identified the following European Sites within 10km of the Project with the potential to be affected by the Project:
- Thursley, Ash, Pirbright & Chobham SAC; and
  - Thames Basin Heaths SPA.
- 7.7.10 The potential threats / vulnerabilities identified for the qualifying features of these European Sites as a result of the Project were identified and considered as to if they were relevant to the Project.
- 7.7.11 The Screening Statement found no relevant potential threats/vulnerabilities at the identified European Sites such that a Screening Stage of Likely Significant Effects is not required
- 7.7.12 Accordingly, this shadow HRA Screening Statement concludes that the proposed Project will not result in any significant adverse effects on the integrity of the identified European Sites located within 10km of the Site, either alone or 'in-combination' with other Plans or Projects. This statement is accepted.

## **7.8 Landscape and Trees**

- 7.8.1 The site is located within the Corridor of the River Wey and includes a large number of trees within it. Saved GBLP 2003 Policy G11 seeks to protect or improve the special character of the landscape within the Corridor. Saved GBLP Policy G1 (12) seeks to safeguard and enhance the characteristic landscape of the locality and existing natural features on the site, such as hedgerows, trees, watercourses and ponds which are worthy of protection.
- 7.8.2 The application is supported by an Arboricultural Statement (Treework Environmental Practice, December 2020), which includes an extensive survey of the trees on the site and future recommendations. The proposed change of use seeks to preserve the character of the site and its landscape features and the Statement confirms that all of the valuable trees on the site can be retained and protected. Localised removal of trees may be necessary for future pedestrian access. However, tree planting and landscaping to enhance the site will form part of a future application to Natural England. The Concept Plan has considered areas for additional landscaping within the site that would inform the future SANG management plan, which will be supported by a detailed tree and planting plan and schedule to increase native species and secure a robust landscape framework for the site.
- 7.8.3 It is considered that the proposed change of use would safeguard and enhance the characteristic landscape of the locality and the Corridor of the River Wey in accordance with Saved GBLP 2003 Policies G1 (12) and G11.

## **7.9 Flood Risk**

- 7.9.1 A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding. GBLP Policy P4 sets out a number of criteria for development in areas of high risk of flooding:
- (2) Development in areas at medium or high risk of flooding, as identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment, including the 'developed' flood zone 3b (functional floodplain), will be permitted provided that:
    - a) the vulnerability of the proposed use is appropriate for the level of flood risk on the site
    - b) the proposal passes the sequential and exception test (where required) as outlined in the NPPF and Government guidance
    - c) a site-specific flood risk assessment demonstrates that the development, including the access and egress, will be safe for its lifetime, taking into account climate change, without increasing flooding elsewhere, and where possible, will reduce flood risk overall
    - d) the scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site
    - e) when relevant, appropriate flood warning and evacuation plans are in place and approved and
    - f) site drainage systems are appropriately designed, taking account of storm events and flood risk of up to 1 in 100 year chance with an appropriate allowance for climate change.

- 7.9.2 Paragraph 164 of the NPPF sets out that applications for changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.
- 7.9.3 The application is supported by a Flood Risk Assessment (FRA) (Stantec, December 2020).
- 7.9.4 The FRA sets out that the proposed change of use constitutes a 'Water Compatible' use, which is appropriate within all flood zones and is exempt from the application of the Sequential and Exception tests. The FRA also sets out that the SANG management plan will include flood mitigation measures. The SANG will be proposed in accordance with applicable criteria:
- Remain safe for users in times of flood;
  - Result in no net loss of floodplain storage;
  - Not impede water flows and not increase flood risk elsewhere.
  - Undeveloped corridor of minimum 8m either side of the watercourses.
- 7.9.5 As a result, the proposed change of use would be safe and in accordance with the requirements of national and local planning policy.

## **7.10 Heritage Issues**

- 7.10.1 The National Planning Policy Framework (NPPF) sets out the Government's policy with regards to the Historic Environment. It makes clear that harm to the significance of heritage assets can result from changes to their setting (paragraph 190). The NPPF requires that all harm to heritage significance should be avoided where possible or minimised, and that any remaining harm has clear and convincing justification (paragraphs 190 and 194). Harm to the significance of a designated heritage asset should then be weighed against the public benefits of a proposal in the manner set out in paragraph 196.
- 7.10.2 In terms of Archaeological Interest a Desk Based Assessment for the site has been produced by Oxford Archaeology which provides a comprehensive archaeological and historical baseline for the Application Site. The following extract summarises the archaeological potential for the main part of the site:
- "The River Wey passes though the site and the site is considered to have a high potential to contain relict water courses (palaeochannels) and sub channels associated with the river. The site is bounded to the west by a drainage channel (OA 90). This drainage channel may have originally been a branch of the River Wey which was reduced to a drain following the construction of the River Wey Navigation (1651-1653). Another extant river channel (OA 130) has been identified immediately north-west of the site. These features have the potential to contain waterlogged deposits and organic material which would contribute to the understanding of the floodplain chronology and evolution. It is also worth noting that archaeological material can be found beneath, within and overlying alluvial deposits.
- No early prehistoric period (Palaeolithic and Mesolithic) remains have been recorded within the study area and accordingly the site has a low potential to contain finds or monuments dating to this period.

The site is considered to have a moderate potential to contain later prehistoric activity (Neolithic, Bronze Age and Iron Age). Eight pits containing Bronze Age/early Iron Age pottery were found c 50m south of the site, on the River Wey gravel terrace and a further two later prehistoric finds have been recovered from river gravel terraces elsewhere within the study area. The central and southern part of the site are situated on alluvium whilst the eastern part of the site is situated on Kempton Park Gravel Member deposits. Prehistoric activity if present is likely to be focused upon areas of high ground within the gravel terrace. The alluvial deposits within the site have been formed by the repeated inundation of the site caused by the flooding of the river. These areas are less likely to have been utilised for settlement in these periods.

There is a moderate potential for Roman activity within the site. Burials associated with Roman pottery were found 100m south of the site (OA 41), suggesting that a Roman settlement may have been located nearby. A Roman road is thought to pass through the north-eastern part of the study area although the exact course of this road is unknown. The road may have been the focus of Roman activity in the area including farmsteads and roadside burials.

The site has an unproven potential to contain Saxon and medieval settlement remains. Documentary sources suggest that the Saxon manor of Burgham may have been located in the north-eastern part of the site in the area now occupied by Burgham Court. At present there is no archaeological evidence for this settlement but place name evidence suggests that a fortified settlement may have been located in this area and topographically the north-eastern part of the site, which is situated in a loop of the River Wey, would have been a suitable location for a defensive settlement.

During the medieval and post-medieval periods, it is likely the site was used for both arable and pastoral agriculture. The north-western part of the site contains earthwork ridge and furrow (OA 115) which could be associated with the medieval open field system. A number of drainage ditches (OA 121, OA 122) were identified across the central and southern part of the site and it is possible that these features are associated with earlier field boundaries or possibly a water meadow system.

The Bowers Cut (OA 87) of the River Wey Navigation bounds the southern part of the site as does the associated Old Bucks Weir (OA 76). The Old Bucks Weir (OA 76) was initially one of the four 'tumbling bays' original weirs built in the 1650s but was rebuilt in the 20th century. The parts of the site which are adjacent to these features have the potential to contain extant or below ground remains associated with the initial construction of the River Wey Navigation". (Oxford Archaeology 2019, 13-14).

- 7.10.3 The 'Flowing River' refers to a stretch man-made waterway cut by Sir Richard Weston in c. 1618, so that he could improve his meadows by systematically flooding them. It is recorded as 'Flowing River' on the tithe map for Stoke by Guildford and ran from Stoke Lock to near Burgham Weir. Currie (1995) and Nash (1969) record that he was considered 'largely an innovator'. Currie noted that Weston scheme is, 'one of the earliest recorded watermeadow schemes on a large scale to be carried out in England' (Currie 1995).
- 7.10.4 Assessment of LiDAR indicates that the asset is visible as an extant earthwork ditch to the north of 'North Moors' and runs parallel to the application site boundary (Figure 5). A short section of the ditch at the northwest of the study site shows as a residual earthwork. The QGIS profiling tool indicates a residual (<50cm deep) ditch along the same alignment as the Flowing River. The flowing river is then beneath modern development and is then visible as an extant earthwork to the north of Clay Lane.

- 7.10.5 LiDAR assessment identified additional drainage ditches (Orion 2); Residual ridge and furrow (Orion 3); Area of drainage ditches (Orion 4); Water management feature/pond (Orion 5); Area of drainage ditches (Orion 6); Ditch (Orion 7); Water management feature/pond (Orion 8). These form an extension of land management features previously recorded by Oxford Archaeology 2019 and 2021). The features are currently undated, but may relate to post-medieval land-use.
- 7.10.6 The Wey Navigation passes through the site which is part of the Wey/Godalming Conservation area (WGNCA). The WGNCA is a stretch of the River Wey which is considered to be the earliest example of canalisation in this country. The resulting waterway is typical of canals, following restoration, usually from considerable dereliction, to become picturesque and peaceful recreational areas augmented by light pollution at night.
- 7.10.7 Despite the proximity of the A3 dual carriageway, differing levels result in relatively minor noise pollution, although it is understood that this is augmented at night by car-light pollution.
- 7.10.8 The WGNCA was instrumental in continuing and enhancing Guildford's prosperity, developed from the Middle Ages, but the canal system allowed transport of goods both to and from the town, encouraging both industry and agriculture. As a result of this, the historic value of the WGNCA is medium. The proposals do not impact this value. Similarly, the artistic and aesthetic values of the Conservation Area will not be impacted by the proposed development.
- 7.10.9 The proposals will result in minor landscape alterations within the setting of the Conservation Area. Based on the minor character of the changes it is clear that no harm to setting or significance of the Conservation Area will result from the proposed development as its rural character would be protected
- 7.10.10 Based on the proposed development involving largely minor landscape and alterations it is clear that no harm to the setting or significance of Sutton Park/Sutton Green Conservation Area will result from the proposed development.
- 7.10.11 Part of the site north of Clay Lane has historic ridge and furrows which would be unaffected by the development as proposed to be conditioned.
- 7.10.12 Some cottages at Burpham Farm are listed. List description as follows:  
*Grade II Burpham Court Cottages (NHLE 1191703)*  
*Cottages. Early C17 with C19 extensions to right end. Timber framed centre and left on rendered plinth, exposed with brick infill, red brick extensions to right. Plain tiled roof hipped to right and over extension. Two storeys. 3 framed bays with extension projecting to front right. Front ridge stack to left, end stack to right. 3 casement windows in first floor centre left, one larger casement window to right of centre, one 3-light cambered head casement to first floor right. 3 casement windows to ground floor, with one single arched casement window to right. Single storey, low pitched gable extension projecting to left with C20 plank door under pentice drip course. (No. 2). Further door to right hand return front (No. 1).*
- 7.10.13 The significance of Burpham Court Cottages lies in their historic and architectural value as early 17th century domestic structures. They provide an example of the local vernacular architecture and historic dispersed settlement pattern. The cottages are located adjacent to the River Wey Navigation and the study site form part of the immediate and wider rural setting of the asset. The farmstead is well preserved although the setting of the listed buildings are disrupted by a modern agricultural building between the farmstead and Clay lane..



- 7.10.14 The proposals are for a minimum of 12 space car-park but ongoing consultation with GBC and Natural England means this is expected to increase to approximately 30-35 space car park c.50m south of the asset within its wider rural setting. The introduction of a small car park at ground level will result in a slight increase in traffic, and low level visual intrusion at ground level. The proposals include the planting of broadleaved woodland and scrub around the western edge of the car park which will mitigate harm to the setting of the asset.
- 7.10.15 There would be less than significant harm to the setting of Burpham Court Farm from the use of the derelict pigsties, however this is outweighed by utilising a brownfield location for the car park as other locations would result in a loss of habitat in a sensitive area. The route to it is circuitous, but this is necessarily so to avoid the root protection area of a numbers of trees. This location is supported by a number of nature conservation consultees, Adequate screening can be provided through the landscaping condition. Therefore the scheme complies with the NPPF Heritage tests.
- 7.10.16 Construction of the car park will be brought forward as a separate application. It is noted that the proposed car park is located within an area of previous development / disturbance and is therefore unlikely to disturb previously unrecorded archaeological remains. Significant effects to archaeology as a result of such works are not expected.
- 7.10.17 A Heritage Management Plan is recommended as a condition of planning to ensure that the historic features within the Application Site and its immediate environs, particularly surviving and remnant sections of the 'Flowing River', are maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways. There is an opportunity to implement a programme of Public Engagement through signage to promote the historic environment of the Application Site.
- 7.10.18 In terms of all other heritage assets other than the Burpham Court Farm cottages, following the implementation of the recommendations above, the proposed development will result in no harm to designated assets within the vicinity of the Application Site. The designated assets considered, individually and cumulatively, include:
- The Wey and Godalming Navigation Conservation Area lies immediately adjacent to the east boundary of the study site. There is currently no published conservation area appraisal (Figure 3).
  - Sutton Park/Sutton Green Conservation Area.
  - Grade II\* Sutton Park
- 7.10.19 The impact on Grade II Burpham Court Cottages (NHLE 1191703) less than significant harm to the setting of Burpham Court Farm being negative – less than significant harm, which is considered justified (see para. 7.10.5 above) by benefits to nature conservation and public access to the SANG, and so complies with the NPPF Heritage tests. This impact can be mitigated by conditions on design of the car park and screening landscaping.

## **7.11 Loss of Agricultural Land**

- 7.11.1 The site is grade 4 poor quality. This grade is not protected by national planning policy.

## **7.12 Access and Highways**

- 7.12.1 GBLP Policy ID3 sets out transport requirement for new developments. Paragraph 109 of the NPPF states that:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

- 7.12.2 The application is supported by a Transport Statement, prepared by Markides Associates, December 2020. The Statement sets out the linkages the site will have to existing and proposed development to serve pedestrians and cyclists, and vehicles.
- 7.12.3 As the proposed change of use will enable recreational use of the site for walking and dog walking, it is expected that the majority of users will arrive on foot. The site will be accessed directly from the local area through connection to Footpath 438 and Clay Lane to Jacobs Well and Slyfield Industrial Estate. The site would also be accessible on foot from the proposed WUV development. Improved footway access to Burpham Farm and a cycle route through to Clay Lane would be secured as part of the Weyside urban village planning application if approved.
- 7.12.4 For vehicular users' access is proposed from Clay Lane using the existing access to Burpham Court Farm. Supporting drawings demonstrate how suitable access could be arranged and a car park provided for up to 12 car parking spaces, however the SANG standard requires 1 space per Ha of SANG (which HE and GBC accept could be reduced by 25% because part of the WUV site is within 400m). The required number of spaces to meet the standard is proposed to be set by planning condition and approval of further details of the parking area. As a result, the traffic generation from the SANG is expected to be minimal in the context of the local highway network. There may also be demand for non - SANG uses, i.e. volunteers for biodiversity works.
- 7.12.5 It is considered that the proposed change of use would provide well integrated sustainable transport opportunities and safe highway access in accordance with local and national policy.

## **8        Planning Balance and Conclusion**

- 8.1.1        The proposed change of use will facilitate an appropriate use within the Green Belt. The application is supported by technical documents which conclude that there would be no unacceptable environmental impacts and that there is significant room for enhancement in terms of landscape and biodiversity.
- 8.1.2        With the amendments proposed by condition to the parts of the farm to be covered by public open space (for SANG), and the size and location of the car parking area, and the route of the circular alk the proposal would comply with policy and guidance on public open space and SANG provision.
- 8.1.3        The proposal will result in significant public benefits in terms of access to a recreational resource for existing and future residents, which will also bring significant environmental benefits, helping to reduce recreational pressure on the Thames Basin Heaths SPA in accordance with local and national policy. The proposed development is necessary as suitable mitigation to enable Guildford Borough Council to meet its housing need, including at Weyside Urban Village a major brownfield site, as set out in the adopted development plan.
- 8.1.4        The impact on Grade II Burpham Court Cottages (NHLE 1191703) less than significant harm to the setting of Burpham Court Farm being negative – less than significant harm, which is considered justified (see para. 7.10.5 above) by benefits to nature conservation and public access to the SANG, and so complies with the NPPF Heritage tests. This impact can be mitigated by conditions on design of the car park and screening landscaping.
- 8.1.5        Full details for the SANG including layout, boundaries, vehicular access and parking, landscaping, walkways, boundary works and associated works will be submitted through a SANG Management Plan and Biodiversity Management Plan to be agreed with Natural England.

## **8.2 Human Rights**

- 8.2.1 From 2nd October 2000 the Human Rights Act 1998 has the effect of enshrining much of the European Convention on Human Rights in UK law. Under 6(1) of the Act, it is unlawful for a public authority to act in a way, which is incompatible with a convention right. A person who claims that a public authority has acted (or proposes to act) in a way which is made unlawful by Section 6(1), and that he is (or would be) a victim of the unlawful act, may bring proceedings against the authority under the Act in the appropriate court or tribunal, or may rely on the convention right or rights concerned in any legal proceedings.
- 8.2.2 The main Convention rights relevant when considering planning proposals are Article 1 of the First Protocol (the peaceful enjoyment of property) and Article 8 (the right to a private and family life). Article 1 of the First Protocol guarantees the right to peaceful enjoyment of possessions and Article 8 of the Human Rights Act 1998 guarantees a right to respect for private and family life. Article 8 also provides that there shall be no interference by a public authority with the exercise of this right except 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 freedom of others.
- 8.2.3 For the reasons set out in 'Planning Considerations, it is not thought there would be any breach of the convention rights. Even if there was to be an interference with convention rights then, in this case, it is thought that the interference would be justified in the interests of public amenity. Accordingly, it would not be unlawful to grant planning permission for this development.

## **8.3 Public Sector Equalities Duty**

- 8.3.1 Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or "PSED").
- 8.3.2 in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.3.3 The relevant protected characteristics are "age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, and sex and sexual orientation."
- 8.3.4 The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; and
  - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

**8.4 Planning Obligation Heads of Terms**

8.4.1 Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step in rights

8.4.2 This is necessary to ensure proper management of the SANG is secured.

8.4.3 Improvements to the Bowers Lane Bridge

8.4.4 This is necessary to ensure that access is maintained from the Bowers Lane area.

8.4.5 Construction of a controlled pedestrian crossing across Clay Lane

8.4.6 This is necessary on public safety grounds and to bring the area north of clay lane into SANG use.

**9            Positive and Proactive Working**

- 9.1.1        In determining this application, the local Planning Authority has worked with the Applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the Applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirements of the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **Appendix 1 Planning Obligation Head of Terms**

- Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
- Improvements to the Bowers Lane Bridge, with public access granted by confirmatory deed.
- Construction of a controlled pedestrian crossing across Clay Lane, and costs of any associated TRO to adjust extent of Jacobs Well speed limit X
- Improvement to bell mouth of access to Burpham Court Farm to bring to a Safe Standard.

## Appendix 2 Planning Conditions and Informatives

### CONDITIONS:

#### 1. Time limit – Full Application

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. Drawing no.s

The development hereby permitted shall be carried out in accordance with the following list of approved plans and documents, except where other conditions require detailed and /or revised drawings on specific matters.

Plan No	Date Issued /last revision	Title
42287/3147/001	17 <sup>th</sup> Dec 2020	Site Location Plan
42287/3147/03	17 <sup>th</sup> Dec 2020	Transport Note including Indicative Site Access and Parking Layout Drawings
42287/3147/03	17 <sup>th</sup> Dec 2020	Landscape Details
20275-MA-RP-D-TS01	17 <sup>th</sup> Dec 2020	Arboricultural Statement
201209-1.0-WUVSANG-AS-CH	17 <sup>th</sup> Dec 2020	Ecological Appraisal and Shadow Habitats Regulations Assessment Screening Statement
42287/3163	17 <sup>th</sup> Dec 2020	Flood Risk Assessment
42287/4017	17 <sup>th</sup> Dec 2020	Noise Assessment
42287/3167	17 <sup>th</sup> Dec 2020	Sustainability Statement
<b>20_P_02173</b>	22 Sep 2021	SANG Illustrative Design

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.

#### 3. Exclusion of Certain Areas as SANG (pre-commencement condition)

The change of use to Public Open Space (intended for SANG purposes) does not apply to the following areas:

- a) All areas within the site Boundary north of Clay Lane, unless and until the pedestrian crossing required by the planning obligation linking footpaths north and south of Clay



Lane is approved by the planning authority and highways authority and so implemented.:

- b) All areas defined as biological exclusion areas in the approved landscape management plan;
- c) All areas within the A3 60DbA noise contour;
- d) All areas shown on the flood management plan as being within flood zone 3 and where safe pedestrian access cannot be provided.

Prior to commencement of development and coming into use as a SANG clear plans shall be submitted to and approved by the local planning authority showing each of these 4 areas, and the area of the residual SANG area.

Reason: To ensure the Natural England minimum standards for SANGS are met.

#### **4. Public Use in Perpetuity**

Following the of all the capital works as shown on the approved plans under condition 2 the site shall be made available for public use in perpetuity, other than the excluded areas listed in condition 3.

Reason To ensure the site can qualify as a SANG

#### **5. SANG Car Park (pre-commencement condition)**

Prior to commencement of development and coming into use as a SANG plans for a car park and access arrangements within the red line boundary for at least 1 car parking space for every 0.7ha of approved SANG, plus other spaces for Non SANG activities, shall be submitted to and approved by the local planning authority and so implemented. This shall include screening landscaping details and include a minimum of two DDA wide bays.

In addition, the Car Park shall not be opened for public access until the planning obligation for improvement to the bellmouth has been implemented.

Reason: To ensure the Natural England minimum standards for SANGS are met.

#### **6. SANG and Biodiversity Management Plan (pre-commencement condition)**

Prior to commencement of development hereby permitted a SANG and landscape and ecological management plan (SLEMP), including long-term design objectives, management responsibilities and maintenance schedules for all areas shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be carried out and maintained thereafter in accordance with the approved details.

All works in the approved SLEMP, including hard and soft landscaping, shall be implemented before any approved parts of the plan suitable for SANG are brought into use or as public open space.

The plan shall also include the additional elements listed below:

- i. aims and objectives of the management plan
- ii. description of the ecological features of the site to be managed and habitat condition to be achieved, including tree planting measures

- iii. a plan which illustrates which areas have been included for Biodiversity Net Gain for other schemes;
- iv. Description of measures to encourage and manage public access, including signage, walkways, bird hides, cycleways, car parks, and picnic areas
- v. Ecological trends and constraints on site that might influence management
- vi. Areas where public access is restricted (biodiversity exclusion areas)
- vii. details of maintenance regimes for each habitat type supported by a detailed map. coppicing/pollarding should aim to create approximately 60% sun and 40% shade over the watercourse.
- viii. timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works) details of how public access will be restricted and disturbance minimised to the buffer zone
- ix. landscape maintenance for a minimum period of 10 years, including timings, work programmes, replacements etc
- x. monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site
- xi. details of new/restored Hedgerow planting and enhancement of hedgerows e.g. through in-fill or double/new planting.
- xii. management of existing woodland via selective thinning and planting of new woodland.
- xiii. diversification of some grassland areas e.g. using meadow management techniques.
- xiv. management of existing ponds to increase the diversity of vegetation.
- xv. creating buffer areas along the riverbanks where access is prevented.
- xvi. the creation of larger shallow pools or scrapes in areas toward the centre of the Site.
- xvii. creation of log and brash piles to provide refuge for small fauna.
- xviii. expansion of reedbed habitat in the south of the Site.
- xix. the installation of new bird and bat boxes
- xx. details of Eel passes
- xxi. details of proposals to increase wetland areas, wet woodland and wildflower meadows
- xxii. details of measures to encourage otter habitat
- xxiii. details of on-going ecological survey work to further shape the Management Plan details of management responsibilities
- xxiv. all native planting is to be of local provenance.
- xxv. details of the legal and funding mechanism(s) by which long term implementation of the plan shall be secured by the developer with the management body responsible for its delivery
- xxvi. A circular walk of minimum length of 2.3 km

- xxvii. The LEMP shall be implemented in accordance with the approved details and thereafter maintained.
- xxviii. Details of drainage

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

## **7. Heritage Management Plan (pre-commencement condition)**

Prior to the commencement of development a heritage management plan shall be submitted to and approved by the local planning authority showing how heritage assets and archaeological features (particularly surviving and remnant sections of the 'Flowing River'), are maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways; and the scheme shall be implemented in line with the approved plan.

Reason: to protect heritage assets. This is required to be a pre-commencement condition to ensure that this issue is fully considered in drawing up detailed management proposals.

## **8. Tree protection measures (pre-commencement meeting)**

No development shall other than in accordance with finalised Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging of works relating to the full application) and the finalised Tree Protection Plan (TPP), submitted with and approved as part of this planning application, including both trees affected by the full application works, and needing to be protected where part of future phases, in accordance with British Standard 5837:2012.

The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission.

## **9. Tree Protection Meeting (pre-commencement meeting)**

No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA and Parks and Countryside Tree Officers.

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 tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

#### **10. Ancient Woodland and Veteran Tree Buffer**

No development may take place within 15m of any veteran tree or area of ancient woodland identified in the arboricultural statement (20275-MA-RP-D-TS01), other than no-dig development agreed in advance with the local planning authority.

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

#### **11. Weyside Buffer Zone scheme**

In order to protect the River Wey (and associated biodiversity receptors), an 8m minimum ecological buffer is required between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for access to the River Wey or for the creation of a riverside Walk.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

#### **12. Restriction of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no buildings, gates, fences, or any other form of enclosure other than shown on the approved plans or agreed as part of the Landscape and Biodiversity Enhancement and Management Plan shall be constructed or erected on the site.

Reason: In the interests of visual amenity.

#### **13. Ecological Appraisal**

Unless otherwise agreed by the Biodiversity and Landscape Enhancement and Management Plan the development shall be undertaken in accordance with the recommendations set out in the submitted Ecological Appraisal as well as the Bat Survey, Breeding Birds Survey, Badger Survey, Dormouse Survey and Great Crested Newt Survey.

Reason: In order to protect the nature conservation and biodiversity value of the site.

#### **14. Landscape Design (SANG use)**

Prior to use of the site as an area of public open space approved for use as Suitable Alternative Natural Green Space (SANG) details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. They shall be subsequently implemented in accordance with the approved plan details.

Reason: In order to ensure implementation of the approved landscape details..

#### **15. No Lighting**

No lighting shall be installed on the site unless otherwise agreed and approved in writing by the LPA.

Reason: In the interests of visual amenity and nature conservation. Any variance would require a separate habitat assessment in terms of protected species such as bats.

**16. Western Wey Bank Exclusion Zone**

The exclusion zone for the protection of wintering birds in the centre of the site is to be extended to the western bank of the river, so that it includes the area between the proposed bridge crossings.

Reason: To protect this area from disturbance to wintering birds, reduce operational impacts on managing this area for nature conservation and biodiversity net gain.

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## **Informatives**

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

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

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

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

2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths in accordance with the manufactures recommendations, this should include evidence

that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

3. County Highway Authority Informatives:

The permission hereby granted shall not be construed as authority to carry out any works on the highway.

The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs)

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

[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme)

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice)

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

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

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

5. Ecology Informative:

Should Bats be identified as present or their roosts, the applicant should contact Natural England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

6. SANG Informative

The proposed site is unlikely to provided mitigation against the impact of residential development on the TBH SPA unless and until a SANG Management Plan, including details and responsibilities of a suitable management body and the long term funding of the sites management, has been agreed with the Local Planning Authority in consultation with Natural England.

Agenda item number: 5(1)

### **Appendix 3 Review of Environment Statement**

Please refer to Weyfield Urban Village Report appendix 3



## PLANNING COMMITTEE

\* Councillor Fiona White (Chairman)  
Councillor Colin Cross (Vice-Chairman)

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

\*Present

Councillors Joss Bigmore, George Potter, John Redpath and John Rigg, were also in attendance.

### **PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Chris Barrass and Colin Cross. Councillors Tim Anderson and Tony Rooth attended as substitutes for Councillors Chris Barrass and Colin Cross respectively.

### **PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

No disclosable pecuniary interests were declared.

#### **20/P/02173 – Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA and 20/P/02155 – Weyside Urban Village (Slyfield Regeneration Programme), Slyfield Green, Guildford, GU1**

Councillor Fiona White declared a non-pecuniary interest in the above applications, owing to being a member of the Weyside Urban Village Governance Board and Guildford Borough Councils Major Projects Board. Only the principles of developing the Council's strategic sites in the Local Plan had been discussed by those Board's and she had not made statements at any time that would prejudice her objectivity in deciding either of the above applications.

Councillor Paul Spooner declared a non-pecuniary interest in the above applications, owing to being Chairman of the Major Projects Board until May 2019 and member of the Major Projects Board since May 2019, also formerly Lead of the Council and previously, the Lead Member for Planning Policy and Development Management in relation to the Local Plan (Weyside Urban Village as an allocated strategic site). He confirmed he had not been involved in the details of either application and would not prejudice his objectivity in deciding either of the above applications.

Councillor Ramsey Nagaty declared a non-pecuniary interest in the above applications, owing to being a member of the Weyside Urban Village Governance Board and Guildford Borough Council's Major Projects Board. He confirmed that his membership of those Boards would not prejudice his objectivity in deciding either of the above applications.

Councillor Angela Gunning wished to confirm that despite being a ward councillor for Stoke for the past 25 years that this would not prejudice her objectivity in deciding either of the above applications.

**PL3      20/P/02173 - LAND AT BURPHAM COURT FARM, CLAY LANE, GUILDFORD, GU4 7NA**

The Committee considered the above-mentioned application for change of use of the site to 45.9 hectares of land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The Committee received a presentation from Kelly Jethwa, Specialist Development Management (Majors). The Committee noted that the change of use would allow for the land to be used as a SANG which was mitigated in accordance with the Thames Basin Heaths Avoidance Strategy (TBHSPA) adopted by the Council. Members were reminded that the SANG was not a land use of itself, the application was to look at the material change of use so that it could become publicly accessible land. If the land became a SANG, its proximity to the residential development proposed at Weyside Urban Village to the south would provide valuable mitigation for that development as well as other residential development that would meet the Council's housing needs.

The site was referenced in Appendix 6 of the Local Plan as part of the Infrastructure Schedule. It is located in the Green Belt and would be appropriate development as it complied with paragraph 150, Part E of the NPPF which allowed for change of use for outdoor recreation. The proposed car park would be an engineering operation as it would preserve the openness of the Green Belt being on brownfield land or near existing development at the farmstead. The site would also have biodiversity value added to it and would continue to act as a home for protected species.

The Council and Natural England had worked with the applicant on refining and improving the SANG concept design to ensure that the site would provide a suitable environment. As a result, Natural England had no objection to the proposals. The constraints of the site needed to be taken into consideration, which included the provision of crossing points, the distance of footpaths to trees, new footpaths which would provide year-round access and odour control from the new sewage treatment works. Taking these constraints into consideration, it was believed that the site would be able to deliver a SANG of 27.9 hectares. Conditions were recommended in relation to the final design and SANG management plan as well as additional screening. Land to the north of Clay Lane would require a safe crossing point and therefore at this time land would only be used as a nature reserve until a safe pedestrian access across Clay Lane could be provided. Most of the site would have noise levels that were within acceptable levels. The parts of the site where noise levels would be exceeded included areas by Clay Lane and by the A3 and would not be used as SANG land. The site is also located within a flood zone, however flood mitigation measures were proposed and formed part of the management plan. The applicant had also provided a possible circular SANG walking route from Burpham Court and the proposed car park with a secondary loop also provided.

A range of habitats existed on the site including grasslands, river corridor, ditches, hedges, and woodland edge. There was also the potential to include additional habitat enhancements which would also provide and secure biodiversity net gain such as hedgerow enhancements, shallow pools, log, and brush piles to extend the reed bed and bird and bat boxes. The most significant trees would be retained and where trees were removed there would be new planting, the details of which secured by condition 6. The site would need a car park and the illustrative plans proposed 32 spaces with suitable access.

The proposed site contained a Grade II listed building, Burpham Court Farm Cottages which provides a good example of early 17<sup>th</sup> century domestic architecture and formed part of the legible historic courtyard of the farmstead. Less than substantial harm would be caused to the setting of the Farm Cottages and had been verified by the Council's Conservation Officer who when balancing the harm caused to the heritage assets and its setting against the public

benefits concluded that given the car park would be sited on previously developed land its location would have a lesser impact on habitats and the benefits would outweigh the setting of the identified heritage asset in this case. Members were also reminded that several alternative sites were looked at for the car park and this was felt to be the best one given the other constraints that existed. The application was therefore recommended for approval subject to conditions and a legal agreement.

The Chairman permitted the Ward Councillor for Burpham, Councillor George Potter to speak for an extended period of time of five minutes. He noted concerns raised regarding the Flood Risk Assessment and its robustness having been questioned by the National Trust in earlier versions of the application such as getting the height of the riverbanks incorrect. The site was in a floodplain and any errors in Flood Risk Assessment would materially affect the suitability of parts of the site for SANG usage. In terms of car parking, one parking space per hectare should be provided and according to Waterway's guidance an additional 10 parking spaces should be provided for canoe users to access water. In the report it was stated that only 0.75 hectares was needed but condition 5 only provides 0.7 spaces per hectare. Natural England stated that you needed 38 spaces for the new SANG yet only 32 spaces had been recommended as part of condition 5. You would therefore have a shortfall of 16 spaces. This would also provide an extension to the existing Burpham Nature Reserve with the existing access point at Bower's Lane serving as one of the access points to the new SANG. The existing nature reserve did not have 1 parking space per hectare provided, so if the new SANG did not accommodate this unmet need, we would see more parking at Bower's Lane which was already at capacity and also at Clay Lane. No parking spaces had been provided on the urban side of the new SANG meaning that the catchment area would be much bigger than for the residents of Weyside and many of the people using the SANG would come by car. He raised further concerns that to approve a change of usage the new use was meant to be viable and sustainable which cannot be the case if concerns remained over the flood risk, parking, and access. Parking concerns had been raised by County Highways, GBC Parks and Countryside and GBC's specialist landscape advisers.

He raised concerns that if the application was approved that additional conditions should be applied so to ensure that parking provision took account of the unmet need for visiting nature reserves and make provision for other users of the SANG such as canoe users. Condition 5 should be varied which went beyond the reduction agreed by Natural England and failed to take account of the unmet need of Burpham Nature Reserve. Assurance was needed also that the Flood Risk Assessment would be properly tested and evaluated. Any changes made to the second application in terms of the recommendation and changes to conditions also needed to be applied to this application. Insufficient parking provision would negatively affect the residents of Jacob's Well and Clay Lane.

The Head of Place, Dan Ledger confirmed that in respect of concerns raised regarding flood risk this issue had already been addressed on pages 51 and 52 of the agenda. This set out the flood risk compatibility of the use being provided, and the measures being put in place. Again, parking had been covered in the report, and in terms of working out the parking provision for the site, whilst the site area was of a significant size, the amount of it that was put towards the SANG was less. The purpose of the SANG was to serve the new development and not to mitigate other impacts that were already in existence. One of the intentions of the location so it was close to Weyside was so that it was accessible by foot thereby reducing reliance upon vehicle movements and car parking. The final point in relation to the scheme of delegation, it had been mentioned that we should make the same updates in relation to the following application 20/P/02155. This was a matter for members, the intention was to keep the recommendation as simple as possible, but it should be straightforward to implement if desired.

The Committee discussed the application and noted that clarification was requested on page 51 of the agenda regarding flood risk and paragraph E in relation to appropriate flood warning and evacuation plans. How would the SANG work in practice given the current flood problems?

The Committee sympathised with the concerns raised regarding parking and whether that issue should be re-visited by the Review Board? In relation to the timescale for the SANG, it was understood that the SANG had to be operational before any property was first occupied. There was also a proposal in the agenda that Tyting Farm might be a suitable fallback position for a SANG and whether that was viable?

The Head of Place, Dan Ledger confirmed that it had previously been discussed at Committee about the difference between planning applications for land use and the operation of the land as a SANG. A planning permission for residential development would include S106 requirements regarding the operation of a SANG. This would set the triggers in place for standards to be met and safety factors were always integral to this. In terms of Tyting Farm, it was not strictly relevant to this application, however just for clarity, it's set out as an alternative due to the crossing requirements for the northern part of the SANG. Tyting Farm was set within the right catchment area but was further away and could be used if needed. Operational matters to do with the SANG were generally controlled through the S106 on residential developments. Natural England had to be content on each of those applications that the SANG provision was adequate. So even if permission was granted for land intended to be a SANG, at the point of granting permission or intending to grant permission for those other applications, Natural England still had to be content that what was on the ground was acceptable.

The Senior Planning Officer – Major Applications, Andrew Lainton further confirmed that the SANG would not be needed unless after 2027 there was no crossing north of Clay Lane. Effectively, the council had 5-6 years to design, consult and build a pedestrian crossing which could be reasonably achieved. A flow of housing would come forward in phases in Weyside to satisfy the condition. There had to be sufficient SANG at the point that phase came forward to meet the Natural England test. It was possible for Burpham Court Farm to be built in phases, and the more SANG you build the more housing that relied on that SANG could be built.

The Committee noted a query raised regarding sustainable drainage systems and whether further information could be provided by officers in that regard.

The Committee also noted a query in relation to it being asked to approve a change of use rather than for this specifically to be a SANG. The S106 requirements for any residential development was hoped would give us some guidance or control over what was happening on the SANG whilst also assuming that we were talking about reserved matters for residential development on the Weyside Urban Village. The Committee was also in agreement with the proposal put forward by the Ward Councillor for Burpham, George Potter that the formal recommendation was changed to be the same as that for Weyside Urban Village and that any necessary changes were made in consultation with the Chairman of the Planning Committee.

The Senior Planning Officer – Major Applications, Andrew Lainton referred members to page 63 of the agenda where the key condition on the management plan was detailed. Natural England had to agree the SUDs and included a large number of issues which had also been agreed with the Council's Parks and Ecology Services. The condition did not mention SUDs like it did for a housing development given that SUD's were designed to recreate the natural drainage you might find on a riverside or park, so strictly speaking SUDs was not the term which should be used, it would rather be drainage. The condition at point 23 could therefore be updated to include details of drainage.

A motion was moved and seconded which was carried so that the formal recommendation for this application was updated to reflect the same wording as that used for application 20/P/02155:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Paul Spooner	X		
2	Liz Hogger	X		
3	Fiona White	X		
4	Maddy Redpath	X		
5	Pauline Searle	X		
6	Ruth Brothwell	X		
7	Angela Gunning	X		
8	Tim Anderson	X		
9	Tony Rooth	X		
10	Jon Askew	X		
11	Angela Goodwin	X		
12	Chris Blow	X		
13	Marsha Moseley	X		
14	Ramsey Nagaty	X		
15	David Bilbe	X		
	<b>TOTALS</b>	<b>15</b>	<b>0</b>	<b>0</b>

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ruth Brothwell	X		
2	Maddy Redpath	X		
3	Chris Blow	X		
4	Liz Hogger	X		
5	Angela Gunning	X		
6	Paul Spooner	X		
7	Tim Anderson	X		
8	Fiona White	X		
9	Tony Rooth	X		
10	David Bilbe	X		
11	Ramsey Nagaty	X		
12	Pauline Searle	X		
13	Marsha Moseley	X		
14	Jon Askew	X		
15	Angela Goodwin	X		
	<b>TOTALS</b>	<b>15</b>	<b>0</b>	<b>0</b>

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

RESOLVED that this application be GRANTED subject to securing a planning obligation with the heads of terms as set out in Appendix 1, and subject to the conditions set out in Appendix 2, for the reasons set out in section 1.31.-1.3.5 above and expanded on in the body of the report.

That the Head of Place (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives) prior to a decision notice being issued, provided that the Head of Place (or person with acting authority thereof) is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee, where necessary in consultation with the Chairman of the Planning Committee and lead Ward Members for Stoke, Worplesdon and Burpham Wards.

That upon completion of the planning obligation, the application be determined by the Head of Place.

That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Head of Place (or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.

If the application is granted regulation 30 of the Environmental Impact Assessment Regulations 2017, which sets a duty on the local planning authority to inform the Secretary of State, consultation bodies and the public of the final decision, shall be complied with.

## **Appendix 1 Planning Obligation Head of Terms**

- Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
- Improvements to the Bowers Lane Bridge, with public access granted by confirmatory deed.
- Construction of a controlled pedestrian crossing across Clay Lane, and costs of any associated TRO to adjust extent of Jacobs Well speed limit X
- Improvement to bell mouth of access to Burpham Court Farm to bring to a Safe Standard.

**Appendix 2 Planning Conditions and Informatives**
**CONDITIONS:****1. Time limit – Full Application**

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. Drawing no.s**

The development hereby permitted shall be carried out in accordance with the following list of approved plans and documents, except where other conditions require detailed and /or revised drawings on specific matters.

Plan No	Date Issued /last revision	Title
42287/3147/001	17 <sup>th</sup> Dec 2020	Site Location Plan
42287/3147/03	17 <sup>th</sup> Dec 2020	Transport Note including Indicative Site Access and Parking Layout Drawings
42287/3147/03	17 <sup>th</sup> Dec 2020	Landscape Details
20275-MA-RP-D-TS01	17 <sup>th</sup> Dec 2020	Arboricultural Statement
201209-1.0-WUVSANG-AS-CH	17 <sup>th</sup> Dec 2020	Ecological Appraisal and Shadow Habitats Regulations Assessment Screening Statement
42287/3163	17 <sup>th</sup> Dec 2020	Flood Risk Assessment
42287/4017	17 <sup>th</sup> Dec 2020	Noise Assessment
42287/3167	17 <sup>th</sup> Dec 2020	Sustainability Statement
<b>20_P_02173</b>	22 Sep 2021	SANG Illustrative Design

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.



### **3. Exclusion of Certain Areas as SANG (pre-commencement condition)**

The change of use to Public Open Space (intended for SANG purposes) does not apply to the following areas:

- a) All areas within the site Boundary north of Clay Lane, unless and until the pedestrian crossing required by the planning obligation linking footpaths north and south of Clay Lane is approved by the planning authority and highways authority and so implemented.:
- b) All areas defined as biological exclusion areas in the approved landscape management plan;
- c) All areas within the A3 60DbA noise contour;
- d) All areas shown on the flood management plan as being within flood zone 3 and where safe pedestrian access cannot be provided.

Prior to commencement of development and coming into use as a SANG clear plans shall be submitted to and approved by the local planning authority showing each of these 4 areas, and the area of the residual SANG area.

Reason: To ensure the Natural England minimum standards for SANGS are met.

### **4. Public Use in Perpetuity**

Following the of all the capital works as shown on the approved plans under condition 2 the site shall be made available for public use in perpetuity, other than the excluded areas listed in condition 3.

Reason To ensure the site can qualify as a SANG

### **5. SANG Car Park (pre-commencement condition)**

Prior to commencement of development and coming into use as a SANG plans for a car park and access arrangements within the red line boundary for at least 1 car parking space for every 0.7ha of approved SANG, plus other spaces for Non SANG activities, shall be submitted to and approved by the local planning authority and so implemented. This shall include screening landscaping details and include a minimum of two DDA wide bays.

In addition, the Car Park shall not be opened for public access until the planning obligation for improvement to the bellmouth has been implemented.

Reason: To ensure the Natural England minimum standards for SANGS are met.

### **6. SANG and Biodiversity Management Plan (pre-commencement condition)**

Prior to commencement of development hereby permitted a SANG and landscape and ecological management plan (SLEMP), including long-term design objectives, management responsibilities and maintenance schedules for all areas shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be carried out and maintained thereafter in accordance with the approved details.

All works in the approved SLEMP, including hard and soft landscaping, shall be implemented before any approved parts of the plan suitable for SANG are brought into use of as public open space.

The plan shall also include the additional elements listed below:

- i. aims and objectives of the management plan
- ii. description of the ecological features of the site to be managed and habitat condition to be achieved, including tree planting measures
- iii. a plan which illustrates which areas have been included for Biodiversity Net Gain for other schemes;
- iv. Description of measures to encourage and manage public access, including signage, walkways, bird hides, cycleways, car parks, and picnic areas
- v. Ecological trends and constraints on site that might influence management
- vi. Areas where public access is restricted (biodiversity exclusion areas)
- vii. details of maintenance regimes for each habitat type supported by a detailed map. coppicing/pollarding should aim to create approximately 60% sun and 40% shade over the watercourse.
- viii. timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works) details of how public access will be restricted and disturbance minimised to the buffer zone
- ix. landscape maintenance for a minimum period of 10 years, including timings, work programmes, replacements etc
- x. monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site
- xi. details of new/restored Hedgerow planting and enhancement of hedgerows e.g. through in-fill or double/new planting.
- xii. management of existing woodland via selective thinning and planting of new woodland.
- xiii. diversification of some grassland areas e.g. using meadow management techniques.
- xiv. management of existing ponds to increase the diversity of vegetation.
- xv. creating buffer areas along the riverbanks where access is prevented.
- xvi. the creation of larger shallow pools or scrapes in areas toward the centre of the Site.
- xvii. creation of log and brash piles to provide refuge for small fauna.
- xviii. expansion of reedbed habitat in the south of the Site.
- xix. the installation of new bird and bat boxes
- xx. details of Eel passes
- xxi. details of proposals to increase wetland areas, wet woodland and wildflower meadows
- xxii. details of measures to encourage otter habitat
- xxiii. details of on-going ecological survey work to further shape the Management Plan details of management responsibilities
- xxiv. all native planting is to be of local provenance.
- xxv. details of the legal and funding mechanism(s) by which long term implementation of the plan shall be secured by the developer with the management body responsible for its delivery
- xxvi. A circular walk of minimum length of 2.3 km

- xxvii. The LEMP shall be implemented in accordance with the approved details and thereafter maintained.
- xxviii. Details of drainage.

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

#### **7. Heritage Management Plan (pre-commencement condition)**

Prior to the commencement of development a heritage management plan shall be submitted to and approved by the local planning authority showing how heritage assets and archaeological features (particularly surviving and remnant sections of the 'Flowing River'), are maintained and not adversely impacted by proposed planting, re-landscaping and construction of the walkways; and the scheme shall be implemented in line with the approved plan.

Reason: to protect heritage assets. This is required to be a pre-commencement condition to ensure that this issue is fully considered in drawing up detailed management proposals.

#### **8. Tree protection measures (pre-commencement meeting)**

No development shall other than in accordance with finalised Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging of works relating to the full application) and the finalised Tree Protection Plan (TPP), submitted with and approved as part of this planning application, including both trees affected by the full application works, and needing to be protected where part of future phases, in accordance with British Standard 5837:2012. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission.

#### **9. Tree Protection Meeting (pre-commencement meeting)**

No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA and Parks and Countryside Tree Officers.

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 tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

#### **10. Ancient Woodland and Veteran Tree Buffer**

No development may take place within 15m of any veteran tree or area of ancient woodland identified in the arboricultural statement (20275-MA-RP-D-TS01), other than no-dig development agreed in advance with the local planning authority.

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

### **11. Weyside Buffer Zone scheme**

In order to protect the River Wey (and associated biodiversity receptors), an 8m minimum ecological buffer is required between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for access to the River Wey or for the creation of a riverside Walk.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

### **12. Restriction of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no buildings, gates, fences, or any other form of enclosure other than shown on the approved plans or agreed as part of the Landscape and Biodiversity Enhancement and Management Plan shall be constructed or erected on the site.

Reason: In the interests of visual amenity.

### **13. Ecological Appraisal**

Unless otherwise agreed by the Biodiversity and Landscape Enhancement and Management Plan the development shall be undertaken in accordance with the recommendations set out in the submitted Ecological Appraisal as well as the Bat Survey, Breeding Birds Survey, Badger Survey, Dormouse Survey and Great Crested Newt Survey.

Reason: In order to protect the nature conservation and biodiversity value of the site.

### **14. Landscape Design (SANG use)**

Prior to use of the site as an area of public open space approved for use as Suitable Alternative Natural Green Space (SANG) details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The shall be subsequently implemented in accordance with the approved plan details.

Reason: In order to ensure implementation of the approved landscape details.

### **15. No Lighting**

No lighting shall be installed on the site unless otherwise agreed and approved in writing by the LPA.

Reason: In the interests of visual amenity and nature conservation. Any variance would require a separate habitat assessment in terms of protected species such as bats.

### **16. Western Wey Bank Exclusion Zone**

The exclusion zone for the protection of wintering birds in the centre of the site is to be extended to the western bank of the river, so that it includes the area between the proposed bridge crossings.

Reason: To protect this area from disturbance to wintering birds, reduce operational impacts on managing this area for nature conservation and biodiversity net gain.

## Informatives

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

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

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

2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths in accordance with the manufacture's recommendations, this should include evidence

that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

3. County Highway Authority Informatives:

The permission hereby granted shall not be construed as authority to carry out any works on the highway.

The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs)

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

[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme)

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice)

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

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

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. For guidance and further information on charging modes and connector types please refer to:

[www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html](http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html)

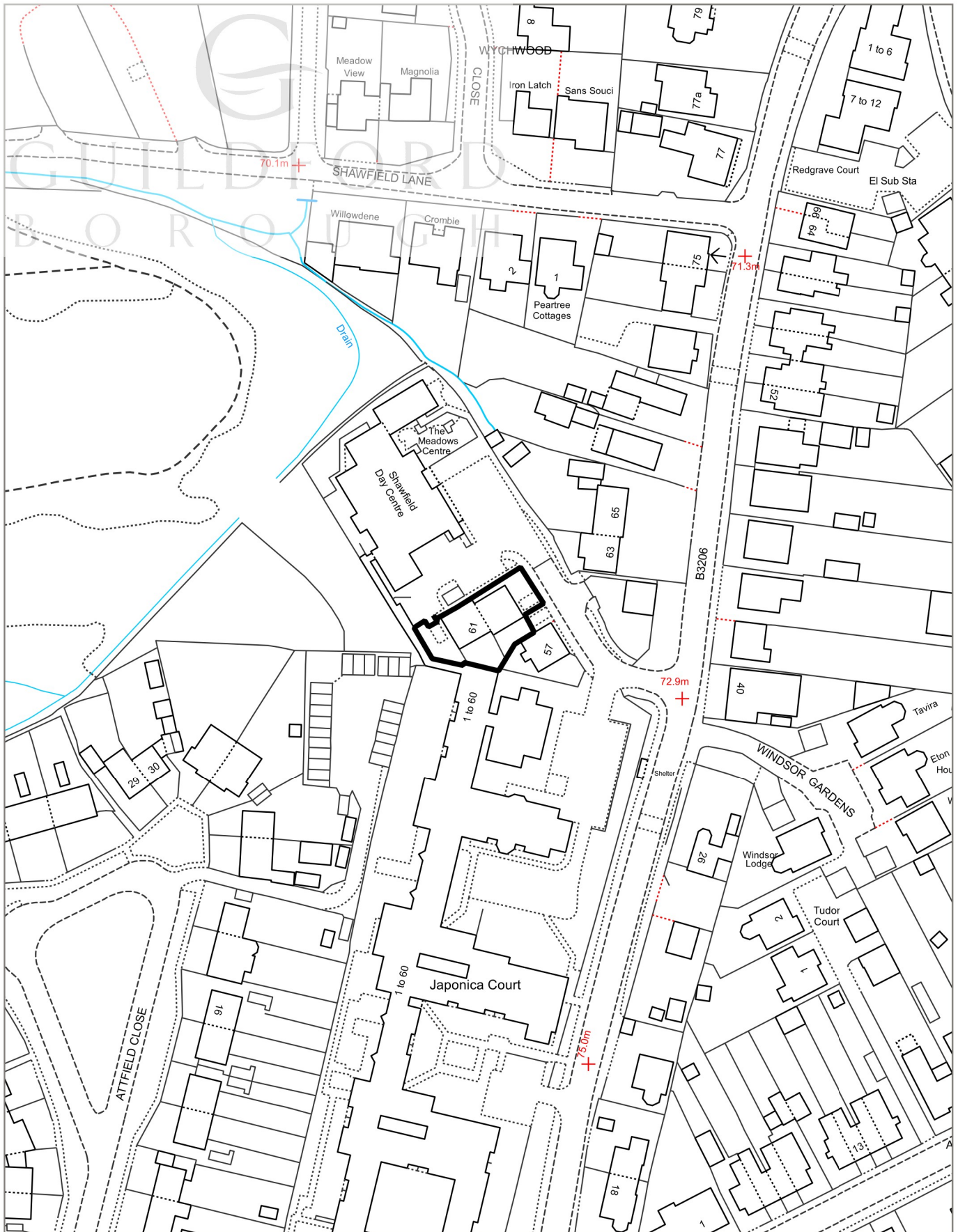
5. Ecology Informative:

Should Bats be identified as present or their roosts, the applicant should contact Natural England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

6. SANG Informative

The proposed site is unlikely to provided mitigation against the impact of residential development on the TBH SPA unless and until a SANG Management Plan, including details and responsibilities of a suitable management body and the long term funding of the sites management, has been agreed with the Local Planning Authority in consultation with Natural England.

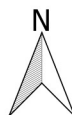
## 22/P/01682 - 59 Shawfield Road, Ash, Guildford



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Print Date: 16/11/2023



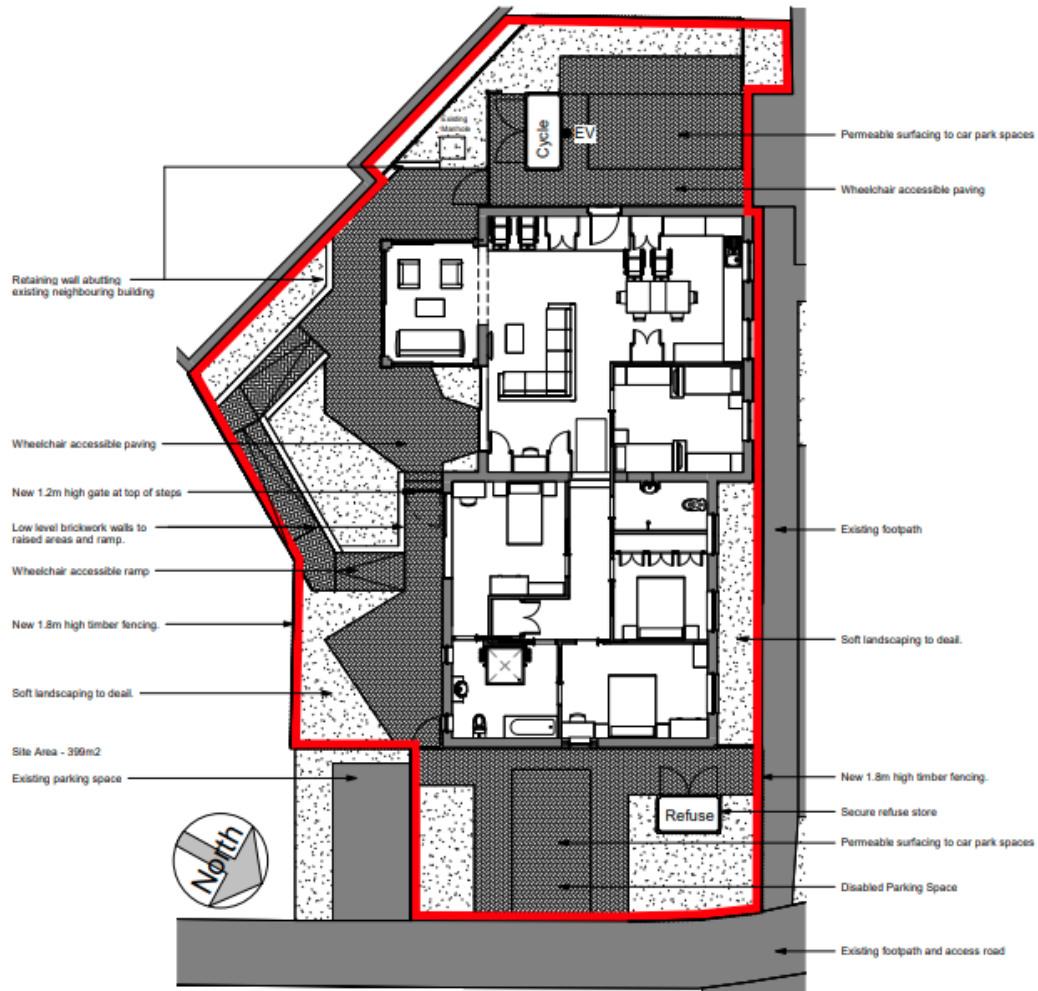
Page 139 Not to Scale



**GUILDFORD**  
BOROUGH



22/P/01682 – 59 Shawfield Road, Ash, Guildford



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**App No:** 22/P/01682

**8**                      **Wk 30/12/2022**

### Deadline:

**Appn Type:** Full Application

**Case Officer:** James Amos

**Parish:** Ash

**Ward:**

**Agent :** Mr Charles

**Applicant** Guildford Council

Seville Ltd

**t:** Millmead House

## Co/ Stable Clockhouse

## Millmead

## Trulls Hatch

GU2 4BE

## Argos Hill

## Rotherfield

TN6 3QL

**Location:** 59 Shawfield Road, Ash, Guildford, GU12 6QX

**Proposal:** Conversion of 2 existing and dilapidated bungalows into a single family, 4 bed, wheelchair accessible property.

## Executive Summary

## Reason for referral

This application has been referred to the Planning Committee because the applicant is Guildford Borough Council.

## Key information

Planning permission is sought for the extension and conversion of 2 existing and dilapidated bungalows into a single family, 4 bed, wheelchair accessible property.

There existing one and 2 bedroom semi-detached bungalows would be combined and adopted to form a 4 bedroom wheelchair accessible family unit. The proposals also include the erection of a single storey conservatory at the rear. 2 parking spaces would be provided, together with cycle parking and a landscaped rear garden.

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

The proposals would restore and extend 2 existing small residential units, which are vacant and in a dilapidated condition, to a family sized wheelchair accessible dwelling. There would be no loss of residential accommodation.

The proposed dwelling would provide adapted accommodation for a local family. The new dwelling would include suitable parking and amenity space, whilst the existing structure would be upgraded to provide modern, energy efficient accommodation.

No harm is identified with regards to the visual amenities of the area or to the amenities of neighbouring residents. Accordingly, planning permission is recommended subject to conditions.

### **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:

Proposed Site Plan (SR-PL-203) received on 03/10/2022

Existing GA (SR-PL-200) received on 03/10/2022

Proposed GA (SR-PL-202 rev A) received on 03/10/2022

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

3. The development hereby permitted shall be undertaken and completed in accordance with the materials set out on the application form and on the approved drawings.

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

4. Prior to the occupation of the development hereby permitted, details of the electric charging point shall be provided for 1 of the car parking spaces shown on drawing No. SR-PL-203 and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

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

5. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

6. 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.

7. No development shall take place until details of the sustainability measures to be included in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Sustainable Design and Construction Supplementary Planning Document (March 2011). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.

## **Officer's Report**

### **Site description.**

The application site comprises two vacant and partly derelict semi-detached bungalows located on the western side of Shawfield Road, opposite the entrance to Windsor Gardens. The pair of bungalows are part of a group of three located off Shawfield Road and adjacent to Shawfield Day Centre. Each bungalow is constructed of a facing brickwork with a shallow pitched and tiled roof. Each property has a small private garden and off street parking. The bungalows comprise a 1 bed unit and a 2 bed unit.

The site lies in a mixed residential area within the urban area of Ash. The site lies within the Thames Basin Heaths SPA 400m to 5km buffer zone.

### **Proposal.**

Planning permission is sought for the extension and conversion of 2 existing and dilapidated bungalows into a single family, 4 bed, wheelchair accessible property. The proposed extension would comprise a conservatory located at the rear of the south-western end of the building and would measure 4.0m by 3.075m with a flat

roof to a height of 2.6m and would provide direct access to a landscaped wheelchair accessible garden. The internal layout of the converted building would provide a single 4 bedroom dwelling which would be converted for wheelchair accessibility. Two of the bedrooms would be provided with direct access to a family bathroom suitable for the 2 members of the family who use wheelchairs.

It is proposed to change the external materials of the proposed dwelling and finish the converted and refurbished dwelling in render and vertical cladding. The roof would be finished in slate effect tiles with insulation below.

Externally, two parking spaces, including 1 space suitable for wheelchair uses would be provided.

**Relevant planning history.**

None.

**Consultations.**

Statutory consultees

County Highway Authority: Notes that the application site is accessed via a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway. However, in order to promote sustainable transport and to reduce carbon emissions the County Highway Authority recommends that conditions be imposed in any permission granted requiring the provision of an electric vehicle charging point and cycle parking including charging for e-bikes.

Ash Parish Council

No observations.

**Third party comments:**

No letters of representation have been received

**Planning policies.**

National Planning Policy Framework (NPPF)

Chapter 2: Achieving sustainable development  
Chapter 5: Delivering a sufficient supply of homes  
Chapter 8: Promoting healthy and safe communities  
Chapter 9: Promoting sustainable transport  
Chapter 11: Making effective use of land  
Chapter 12: Achieving well-design places  
Chapter 14: Meeting the challenge of climate change, flooding and coastal change

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

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan.

Policy S1: Presumption in favour of sustainable development  
Policy H1: Homes for all  
Policy D1: Place shaping  
Policy D2: Climate change, sustainable design, construction and energy

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

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. The Plan carries full weight as part of the Council's Development Plan.

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness  
Policy D5: Protection of Amenity and Provision of Amenity Space  
Policy D14: Sustainable and Low Impact Development  
Policy D15: Climate Change Adaptation  
Policy ID10: Parking Standards

South East Plan 2009

NRM6: Thames Basin Heath Special Protection Area

Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Parking Standards for New Development 2023

Residential Design Guide 2004

**Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- the impact on the character of the area
- the impact on neighbouring amenity
- living conditions
- highways / parking considerations
- sustainability
- Thames Basin Heaths Special Protection Area

The principle of development

Paragraphs 119 and 120 of the NPPF state that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.

The application site is located in the urban area where the principle of residential development is considered acceptable. LPSS Policy H1 states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. It goes on to state that development that results in the net loss of existing housing (C2 use class or C3 use class accommodation or traveller accommodation) will not be permitted. Furthermore, all new residential development must conform to the nationally described space standards. Part (5) of Policy H1 goes on to state that provision of well-designed specialist forms of accommodation in appropriate sustainable locations is encouraged, taking into account local housing needs. The supporting text to the policy states that this type of accommodation should be located in accessible areas with links to public transport and local facilities.

Planning permission is sought for the conversion of two small bungalows (1 and 2 beds) to a 4 bedroom family dwelling which would be accessible for wheelchair users. Although the number of units is reduced by the proposal, there would be a net increase in the number of bedspaces on the site. In this regard, it is not considered that there would be a net loss of housing from the site as a result of the proposals. Furthermore, the proposals would provide a specialist form of accommodation which has been identified as a specific need for a local family. In these circumstances, it is considered that the requirements of LPSS Policy H1 are met, and no objections are raised to the conversion of the two smaller bungalows to a specially adapted single family dwelling house.

However, the application is still subject to other relevant planning policies and technical considerations. These are considered in the proceeding sections of this report.

#### The impact on the character of the area

Paragraph 126 of the NPPF states that 'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.' The PPG in its design guidance provides advice on the key points to take into account on design; these include being functional, adaptable, resilient design, distinctive in character, attractive and encouraging ease of movement. The National Design Guide (NDG) also illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

Policy D1 of the LPSS sets out the Borough's vision, requiring all new development to achieve high quality design that responds to the distinctive character of the area in which it is set. The policy also details other key aspects of urban design, including the creation of safe, connected and efficient streets, a network of green spaces and public places, and that foster crime prevention, access, inclusion, and other factors designed to support healthy communities. Policy D4 of the LPDMP requires proposals to demonstrate how they achieve the ten characteristics of well-designed places as set out in the National Design Guide to ensure high quality design as well as requirements for respecting local distinctiveness.



The overall scale and size of the building would be broadly the same as existing./ The proposed single storey extension would be located at the rear and would not be visible from the street scene. The proposed extension would be provided with a flat roof and glazed walls and would appear as a subservient addition to the dwelling. Other changes to the external materials would replace the existing facing brickwork with insulated render and vertical cladding whilst new aluminium high performance windows would provide a modern contemporary appearance to the property.

The area around the site is characterised a mix of dwelling types and the adjoining Community Centre, of varying designs and finished. In this regard, the changes to the exterior finish of the proposed dwelling would appear in keeping with the character of the surrounding area and would add to the mix of styles and designs. In light of this, it is considered that the proposals would accord with the requirements of LPSS Policy D1 and LPDMP Policy D4.

#### The impact on neighbouring amenity

Paragraph 130(f) of the NPPF requires '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'. These principles are included in policy D5 of the LPDMP which protects from unneighbourly development.

In terms of neighbouring amenity there would be no material impact on nearby properties. The front of the property faces towards the Shawfield Day Centre, whilst the rear elevations faces towards the flank elevation of the adjoining flats at Japonica Court, a two storey block of flats. In each case, the proposed rear extension and the changes to the elevations would not have an impact on the amenities of neighbouring residents or users of the day centre. Accordingly, it is considered that the proposals would accord with the provisions of LPDMP Policy D5.

#### Living conditions

Policies H1 and D1 of the LPSS requires that all new developments 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 as set out by the Ministry of Housing, Communities and Local Government (MHCLG).

The proposed new dwelling would have a floor area of 146.07sqm which would exceed the minimum requirements of the nationally described space standards for a 4 bedroom dwelling. Bedroom sizes would range from 10sqm to 14sqm. All habitable room windows would have adequate access to daylight and outlook. Externally the proposed dwelling would have access to outdoor amenity space.

It is concluded that the development proposal would not give rise to unacceptable impacts on the living conditions of future occupiers of the development. For these reasons the development complies with the objectives of policy H1 and D1 of the LPSS, D5 of the LPDMP, the National Design Guide (NDG) and NPPF.

#### Highways / parking considerations

The Council's Vehicle Parking Standards SPD 2023 requires 2.5 spaces per 4 or more bedroom dwelling. The application identifies that 2 parking spaces would be provided, slightly below the adopted standard for a 4 bedroom unit. However, given that the proposed dwelling is to be adapted for wheelchair users, it is not considered that this minor conflict with the standards would be unacceptable. The Highways Authority has assessed the proposal and raise no objection in terms of the safety and operation of the adjoining highway and have recommended conditions to be attached to any approval.

No concerns are raised with regard to parking provision or highway matters, and it is considered that the proposals would comply with LPSS Policy ID3 and the NPPF.

#### Sustainability

In order for the development to comply with the Council's Sustainable Design, Construction and Energy SPD 2020, the development would need to include water efficiency measures.

Under the LPSS 2019, buildings need to achieve a 20% reduction in carbon

emissions over and above building regulation standards and also provide water efficiency measures. However, 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.

The applicant has submitted a sustainability questionnaire confirming the efficient use of minerals, waste minimisation and reuse of any materials. High standards of insulation will be added to the existing building, and low energy fixtures and fittings will be used, including an air source heat pump. Permeable paving will be used within the rear garden to provide a suitable landscape garden for the new occupants of the dwelling.

#### Thames Basin Heaths Special Protection Area and Appropriate Assessment

The application site is located within the 400m – 5km buffer zone of the TBHSPA. Natural England advise that new residential development in this proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. This application proposes the conversion of two small residential units to a single larger unit suitable for wheelchair users. In this regard it is not considered that the proposal has the potential, in combination with other development, to have a significant adverse impact on the protected sites and therefore no mitigation is required.

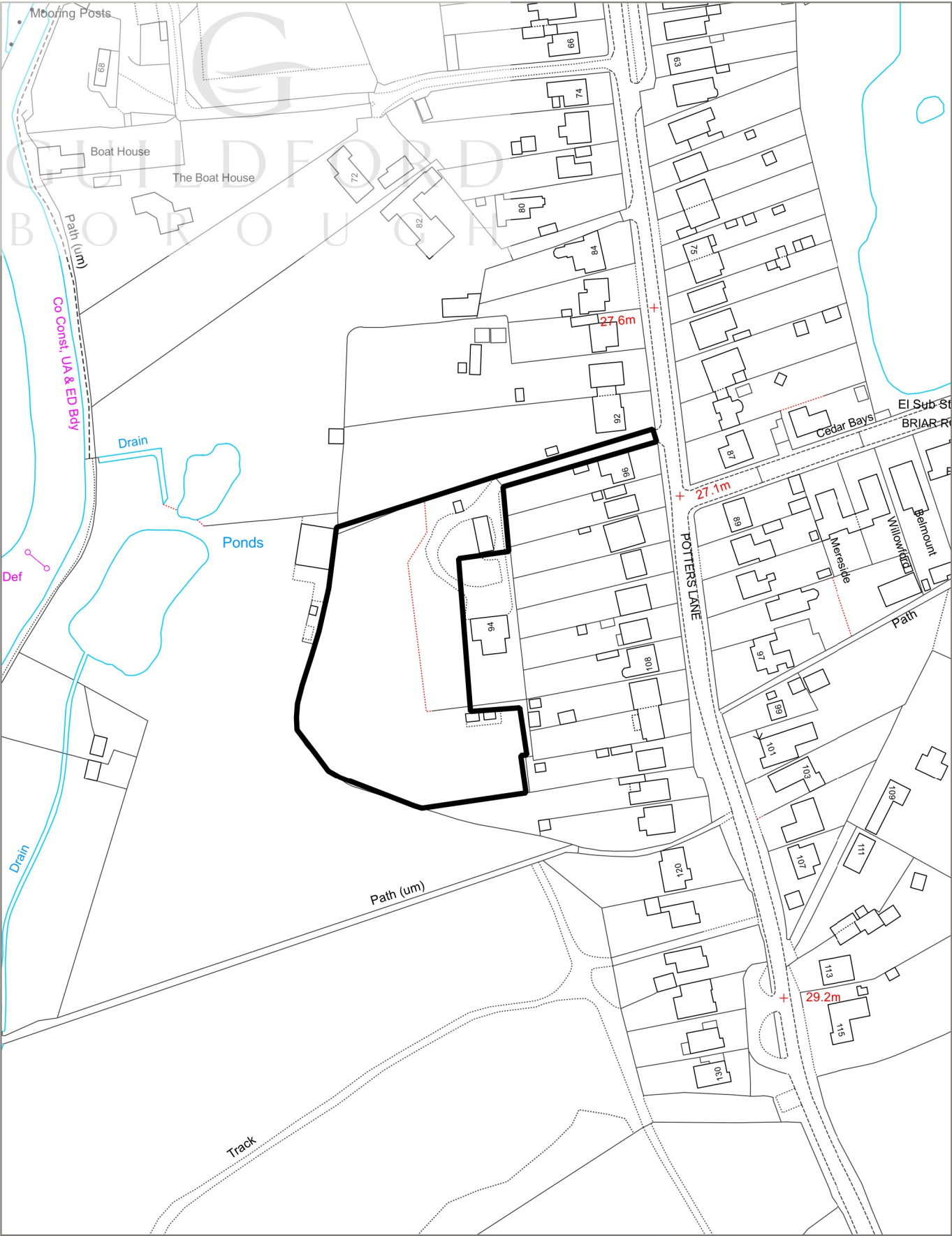
#### **Conclusion.**

Planning permission is sought for the extension and conversion of 2 existing and dilapidated bungalows into a single family, 4 bed, wheelchair accessible property. The existing 1 and 2 bedroom bungalows will be combined to create an adapted dwelling suitable for a local family who include 2 wheelchair users. The conversion would not result in a loss of residential accommodation and would meet an identified need.

The new dwelling would be converted and improved using modern insulation and materials and would provide a suitable residential environment for the family.

Accordingly, no objections are raised and subject to conditions, it is recommended that planning permission be granted.

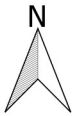
22/P/01966 - 94 Potters Lane, Send, Woking



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Print Date: 20/11/2023



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GUILD FORD  
BOROUGH

**22/P/01966 – 94 Potter Lane, Send, Woking**



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**App No:** 22/P/01966 **8 Wk 16/01/2023**  
**Deadline:**

**Appn Type:** Full Application

**Case Officer:** Justin Williams

**Parish:** Send

**Ward:**

**Agent :** Mrs McSharry  
Pro Planning  
Hollycombe House  
Down Lane  
Compton  
GU3 1DQ

**Applicant:** Mr Atterbury  
Hawksmoor Homes  
c/o agent

**Location:** 94 Potters Lane, Send, Woking, GU23 7AL

**Proposal:** Construction of 5 dwellings, including access and landscaping.

### **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 application is a full planning permission for the erection of five detached dwellings at a site inset from the Green Belt within Send Village

The application site currently serves one detached property which would be retained and is accessed from a driveway off Potters Lane.

The application is a revision from a previous refused scheme for 29 units which was dismissed by the Planning Inspector on grounds of the impact on the character and appearance of the area, the setting of the River Wey Conservation Area, impact on the amenities of the occupiers of the adjacent neighbouring properties, particular No. 90 and highway safety.

The application has less properties than the previous scheme and would be set away from boundaries of the site than the previous dismissed scheme

Each property would have two car parking spaces with EV charging point and an air source heat pump

The design of the properties would be varied and have a traditional appearance.

The site is within 5kms of the Thames Basin Heath Special Protection Area

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

The site is inset from the Green Belt and therefore the principle of development is considered acceptable.

The site is approximately 133 metres from the River Wey Navigation Conservation Area. The site would be slightly visible from the Conservation Area, but the reduction in units opens a more spacious form of development in keeping with the character of the area.

There are good separation distances between the proposed units and the adjacent neighbouring properties and therefore the proposal would not result in overlooking or loss of privacy or be an overbearing or unneighbourly form of development.

The proposal would utilise an existing access and highways authority raise no concern regarding highway safety.

The application is therefore recommended for approval subject to conditions and a Unilateral Undertaking for mitigation on the Thames Basin Heath Special Protection Area.

### **RECOMMENDATION:**

**Subject to a Section 106 Agreement securing appropriate SANG and SAMM mitigation payments, the decision is to:**

**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: Tree Constraints Plan, P101, Tree Protection Plan, P117, 0115-01 and S101 received on 21 November 2022 and SK113 received 13 December 2022, P111 Rev A, P112 Rev A, P114 Rev A, P115 Rev A, C101 A received 3 November 2023

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

3. Prior to the commencement of any development above slab level works, a written schedule with details of the source/manufacturer, colour and finish or samples on request, of all external facing and roof materials. This must include the details of embodied carbon/energy (environmental credentials) of all external materials. These shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using only those detailed.

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

4. No external lighting shall be installed at the site or affixed to any buildings on site until details of the position, height, design, measures to control light spillage and intensity of illumination has been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall comply with the recommendations of the Bat Conservation Trusts document Bats and Lighting in the UK - Baths and the Built Environment Series Guidance Note 8/18 and shall thereafter be maintained in

perpetuity.

Reason: To protect the amenities of the occupiers of the adjacent neighbouring properties, wildlife and to minimise obtrusive light pollution.

5. Prior to the commencement of development a Landscape and Ecological Management Plan (LEMP), including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority.

This should be in accordance with the recommendations in the submitted response note (AA Environmental Consultants Ltd July 2023, Technical Notice (Ecology (AA Environmental Consultants Ltd 2022) The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- Details of any new habitats created on site.
- Details of the extent and type of new planting and seeding outside of the developed areas, which should be native species of UK provenance.
- Details of the lighting scheme that should be of a sensitive design to minimise impacts on all semi-natural habitats within and adjacent to the site.
- Details of maintenance regimes including how the semi-natural habitats will be managed over the long-term in order to retain their ecological diversity.
- Details of management responsibilities including adequate financial provision and named body responsible for maintenance.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the

appearance of the surrounding area and to ensure the protection of wildlife, supporting habitat and secure the opportunities for the enhancement of the nature conservation value of the site.

6. No vehicle shall access the site unless and until the proposed vehicular access to Potters Lane hereby approved has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the NPPF and to comply with Policy ID3 of the Guildford Local Plan 2019 and the NPPF.

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

Reason In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the NPPF and to comply with Policy ID3 of the Guildford Local Plan 2019 and the NPPF.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the NPPF and to comply with Policy ID3 of the Guildford Local Plan 2019.

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

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highways users and to promote sustainable transport and to comply with Policy ID3 of the Guildford Local Plan and Policy within the NPPF.

10. No development shall take place until a written Waste Minimisation Statement confirming how 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 resource to ensure that the amount of waste to landfill is reduced.

11. Full details of both hard and soft landscaping works including tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted. The details shall include indications of all changes to levels, hard surfaces, walls, fences, or other means of enclosure within or around the site, access features, minor structures, the existing

trees and hedges to be retained, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development. The above details should also be supported by a phasing plan/timetable for the delivery on the hard and soft landscaping.

Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out in accordance with the phasing plan/timetable agreed with the Local Planning Authority.

Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority give written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area.

12. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

13. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This

must demonstrate that the surface water drainage system has been constructed as per the agreed scheme as outlined in the submitted Flood Risk Assessment (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

14. 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.

15. The approved Arboricultural Report, which included an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by treetec consultancy Ltd., dated September 2022, must be adhered to in full, and may only be modified by written agreement from the LPA. No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees 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.

16. The proposed development shall be constructed in accordance with the submitted Precautionary Working Method Statement and its appendices within the Ecology report dated October 2022

Reason: To ensure the protection and minimise the disturbance of any unexpected wildlife on the site and to protect the environment of the site and vicinity.

17. No development shall take place until a Construction Environment Management Plan has been submitted to an approved in writing by the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas detailing the works to be carried out showing how the environment will be protected during construction. Such a scheme shall include details of the following:

- The timing of different aspects of site clearance and construction works
- Any necessary pollution prevention methods including those to prevent polluted surface water run-off entering any of the ditches or streams in or adjacent to the site.
- Construction methods.
- Dust suppression methods

The works shall be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: To achieve sustainable development and protect the environment in the vicinity of the site

**Informatives:**

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483

444545 or buildingcontrol@guildford.gov.uk

2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre-application advice service 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.

Pre-application advice was not sought prior to submission. Minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see: <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>
4. 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.

5. 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.
6. Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to [www.naturalengland.gov.uk](http://www.naturalengland.gov.uk)
7. The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours: -  
8.00am - 6.00pm Monday to Friday  
8.00am - 1.00pm Saturday  
and not at all on Sundays and Bank Holidays.
8. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents in the locality. This may involve the use of dust screens and importing a water supply to wet areas of the

site to inhibit dust.

## **Officer's Report**

### **Site description.**

The application site is located within a residential area of Send which is characterised by detached properties of varied styles in spacious plots. The site is located behind an established row of residential properties and is accessed by an existing access, which currently serves one property. To the west of the site is an existing farm which includes a large detached agricultural building. The Wey Navigation Conservation Area lies approximately 120 metres to the west of the site. Footpath No 55 runs to the south of the site being separated from the site by the adjacent agricultural unit. The site is within 5 kms of the Thames Basin Heath Special Protection Area.

The site is enclosed by mature hedging and is currently predominantly laid to grass. The site lies within the Urban Area.

### **Proposal.**

Construction of 5 dwellings, including access and landscaping. The proposed dwellings would utilise the existing access to No. 94 Potters Lane which is to be retained on site with the existing dwelling and garage. The proposed dwellings would be of varied design and style set in good sized plots with garden depths of at least 15 metres and with off street parking. The properties would have varied heights with a maximum height of 7.9 and a minimum of 7.4 metres.

The mix of the scheme would be as follows

- 2 bedroom x 1
- 3 bedroom x 3
- 4 bedroom x 1
- 

The submitted layout plan shows the development having landscaping throughout the site and including a Heritage Orchard close to the rear boundaries of properties in Potters Lane.

The proposed properties would be set off the western boundary with the adjacent agricultural unit by approximately 20 metres with landscaping reinforcing the existing green Buffer with the adjacent site.

The applicant has submitted a number of supporting documents to accompany their application, which are summarised below.

The submitted Planning Statement and Heritage Statement outlines how the design has been evolved with the number of units and spacious plots to reflect the change from the open area to the west of the site and the more urban, residential area to the east of the site.

The Flood Risk Assessment outlines how Surface Water will be managed on site and that the site is not within the medium or high risk flood zone.

The Transport Statement outlines that each property would have their own parking areas provide at least two car parking spaces each and each property would have an EV charging point. The number of vehicle trips to and from the site will be increased, however this would be an average of between 2 and 3 trips in peak morning and afternoon.

The Landscape Visual Impact Assessment notes that views to the site are limited from the North West because of the existing agricultural barn and vegetation. With other views of the site limited because of the topography of the land.

The submitted Ecology Report notes that there are no protected species on site, but there are badgers in the vicinity. The site is not within a protected area, with the closest being the SNCI and SSSI of the Wey Navigation approximately 130 metres from the site. The report details measures to improve biodiversity at the site with additional planting and other measures.

#### **Relevant planning history.**

<b>Reference</b>	<b>Description:</b>	<b>Decision Summary:</b>	<b>Appeal:</b>
20/P/0048 2	Erection of 29 dwellings (12 affordable) including access, associated garages, parking, open space, play area and landscaping following the demolition of 2 dwellings (92 and 94 Potters	Refused 7th August 2020	Appeal Dismissed 24th January 2022

Lane).

18/P/0239 4	Erection of greenhouse and shed (retrospective application).	Approve 28/02/2019	N/A
18/P/0173 6	Proposed replacement dwelling to include five bedrooms and two first floor studies following demolition of existing bungalow.	Withdrawn 31/10/2018	N/A
18/P/0076 1	Certificate of Lawfulness for a proposed development to establish whether a triple bay garage and workshop/hobby room, with solar panels and renewable energy storage area, would be lawful.	Refuse 13/06/2018	ALLD 30/01/2019
18/P/0012 1	Certificate of Lawfulness for a proposed development to establish whether a triple bay garage and workshop would be lawful.	Refuse 22/03/2018	N/A
17/P/0042 9	Erection of a new dwelling and carport following the demolition of an existing dwelling	Refuse 12/06/2017	N/A
18/P/0228 5	Erection of greenhouse and shed (retrospective application).	Pending	N/A

## Consultations.

### Statutory consultees

County Highway Authority: No objection subject to conditions regarding visibility

splays, parking, EV charging bays and secure bike storage

Surrey Wildlife Trust: No objection subject to conditions regarding submission of an external lighting plan, landscape and Ecological Management plan

Thames Water: No comments to make

Internal consultees

Conservation Area Officer - Object

Tree Officer - No objection

Environmental Health Officer - No objection

Operational Services Officer - No objection

Policy Officer - No objection on Sustainability or energy

Parish Council

Send Parish Council - Object for the following reasons:

- The Council has a five year supply of housing and there is no need for further housing.
- The increased use of the access way would result in noise and vibration and lead to a loss of amenity to the occupiers of the adjacent neighbouring properties
- The buildings would be clearly visible in the area especially from the Towpath of the Navigation. The proposed dwellings would have an adverse impact on the character and appearance of the Conservation Area.
- The proposed dwellings would be higher than the barn to the west of the site and have an adverse impact on the rural character of the area
- The proposal would impact on the Thames Basin Heath Special Protection Area (Officer Comment - The applicant has submitted a completed Unilateral Undertaking for mitigation on the ground nesting birds in accordance with the Council's adopted policies.

Amenity groups/Residents associations

National Trust: Raise concerns about the proposed development of the

application site which it considers would be out of keeping with the character and appearance of this stretch of the Wey and Godalming Navigations Conservation Area. The layout and design of the proposed development is such that, even with the proposed landscape planting, the buildings would be visible in, and detrimental to, views currently enjoyed along the River Wey Corridor and would harm the setting of the Navigation, a designated heritage asset. As such, the proposed development would be contrary to Local Plan policies which seek to safeguard the character and appearance of the Conservation Area and the setting of heritage assets. Furthermore, the proposals would not comply with the National Trust's guidelines for development along this stretch of the River Wey, in particular, by encroaching on the open land between the Navigation and the village of Send.

Third party comments:

*The application has been advertised in the local press, a site notice has been displayed and neighbour notification has been sent out to neighbouring properties.* 37 letters of representation have been received raising the following objections, 28 from different properties and a summary of their concerns is detailed below:

- There should be no further building works in Potters Lane or being visible from the Wey Navigation
- The access to the site would not be sufficient causing noise and disturbance to occupiers of adjacent neighbouring properties
- The additional houses would lead to increased traffic and pressure for parking on Potters Lane
- The proposal would lead to increased creep into green spaces and impact on local wildlife
- The proposal would result in overlooking.
- The proposal is not in keeping with the area.
- The proposal would impact upon the character and appearance of the Conservation Area
- The proposal would impact on the amenities of the occupiers of the adjacent neighbouring properties
- The proposal would impact on the Thames Basin Heath Special Protection Area - Officer comment - The applicant has submitted a completed Unilateral Undertaking for mitigation on the ground nesting birds in accordance with the Council's adopted policies
- Has any contributions to Affordable Housing be secured for the development - The application does not meet the threshold for the provision of affordable

housing.

- Visibility to the access of the site is obscured by a protected tree
- The proposal would overlook the Towpath along the Wey Navigation
- The proposal does not overcome the previous reasons for refusal
- The proposed homes are not affordable and not needed
- The proposal would result in light pollution and lead to impact on wildlife in the area.
- The proposal would result in overlooking and loss of privacy to the occupiers of the properties in Potters Lane
- The style and character of the properties would not be in keeping with those in Potters Lane
- Access to the site would be dangerous for pedestrians
- The proposal is backland development and would set a dangerous precedent for future backland development in Send
- The proposal would result in additional strain onto village services and infrastructure
- The proposal would result in affect Sewage waste in the area.
- The previous reasons for refusal are still applicable.
- The site is not allocated for development under the local plan
- The increased use of the access road would lead to vibration issues from users to the road.

7 letters of support four from different properties have also been received outlining the following positive comments:

- The precedent for development has already been set with approvals for residential development along the road
- The proposal fits in with the character of the road having a rural design and spacious setting.
- the proposal would be in keeping with the rural setting
- The proposal is less than the previous refused 29 units with a heritage orchard
- traffic on the lane is often attributed to the Public House
- The access is similar to that which accesses No's 72 - 68

Following the receipt of amended plans 15 additional letters have been received reiterating the original comments and that the amendments do not overcome their original concerns.

## **Planning policies.**

### National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

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

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

### South East Plan 2009:NRM 6

### The Guildford Borough Local Plan: Strategy and Sites adopted 25 April 2019. (LPSS)

Policy S1: Presumption in favour of sustainable development

Policy H1: Homes for all

Policy P5: Thames Basin Heath Special Protection Area

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 Local Plan: Development Management Policies (LPDMP) 2023:

Policy P6 Protecting Important Habitats and Species

Policy P7 Biodiversity in new developments

Policy P11 – Sustainable Surface Water Management

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D8: Residential Infill Development

Policy D11: Noise Impacts

Policy D12: Light Impacts and Dark Skies

Policy D13: The corridor of the River Wey and Godalming Navigations

Policy D14: Sustainable and Low Impact Development

Policy D15: Climate Change Adaptation

Policy D16: Carbon Emissions from Buildings

Policy D20: Conservation Areas.



## Policy ID10: Parking Standards for New Development

### Neighbourhood Plans:

Send Neighbourhood Plan May 2021

Policy Send 1 Design

Policy Send 2 Housing

Policy Send 4 Green and Blue Infrastructure

Policy Send 7 Supporting Sustainable Transport

Policy Send 8 Car Parking Provision

### Supplementary planning documents:

Residential Extensions and Alterations SPD (2018)

Climate Change, Sustainable Design, Construction and Energy SPD (2020)

Parking Standards for New Development (2023)

Residential Design Guide SPG (2004)

### **Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- the impact on the character of the area
- the impact on the scale and character of the existing site
- the impact on neighbouring amenity
- highway/parking considerations
- the impact on the character of the conservation area
- landscaping
- Sustainability
- Flooding and drainage
- Ecology
- Service arrangements
- Thames Basin Heath Special Protection Area
- legal agreement requirements
- Previous reasons for refusal and appeal
- Conclusion

### Principle of development

The application site is located within Send Village and inset from the Green Belt with the Green Belt boundary positioned to the west and south of the site.

Policy S2 of the LPSS outlines where housing should be located within the Borough and this identifies that land proposed to be inset in villages should provide approximately 252 homes, this figure has been derived from site allocations and Land Availability Assessments. It is noted that the site has not been identified within the SHLAA, however, this does not preclude development coming forward. In addition, the NPPF states that it is the governments objective to significantly boost the supply of homes and decisions should promote an effective use of land in meeting the need for homes. The site is inset from the Green Belt and therefore the principle of development is considered to be acceptable subject other considerations.

### Character of the area

The surrounding area is characterised by detached properties in good sized plots. Along Potters Lane the properties are generally within a linear form. However, the grain of development is looser towards the North of the Lane, with a number of properties accessed off Potters Lane from several access drives from the Lane. Policy D1 of the LPSS states that all new development will be designed to reflect the distinct local character of the area and will respond and reinforce locally distinct patterns of development. Policy D4 of the LPDMP echoes this and advises that development proposals are expected to demonstrate high quality design in relation to layout, form and scale of the buildings, appearances landscaping, materials, and detailing. They are required to reflect appropriate residential densities. Policy Send 2 from the Neighbourhood plan requires development that reflects the character and settlement pattern.

In the previous planning appeal 20/P/00482 the Inspector commented that the area has a semi rural character and an informal appearance. The proposal would be for five properties of varied design and in good sized plots with substantial gaps to the between each property.

The previous dismissed scheme was for 29 units and being a combination of terrace properties, semi detached and detached properties and would have a suburban character. In dismissing the appeal, the inspector noted that the density of development whilst is not dissimilar to that of the development further north, the

appeal proposal would significantly intensify the amount of development on the rural edge of the village. The revised scheme has significantly reduced the numbers of the proposal from 29 to five dwellings with the properties being detached and being in more spacious plots, being more reflective to that in the surrounding area. It is therefore considered that the proposal would be in keeping with the established character and pattern of development of the surrounding area and responds to the pattern of development in the area. Therefore it is considered that the proposal would comply with Policies D1 of the LPSS, D4 of the LPDMP and Send 2 of the Send Neighbourhood Plan.

Impact on character of the site.

The site is currently predominantly open with a detached bungalow which has accommodation in the roof and single storey outbuildings. The existing bungalow would be retained at the site, with off street parking being retained to the front of the site. The proposal would be for chalet style bungalows of varied design with off street parking to the front of the site and would retain good separation distances of at least 12 metres to the western boundary, N.B. this increases to over 20 metres around the site. It is considered that this would be in keeping with the established character of the site.

Impact on residential amenity on existing and future occupiers.

Policy D5 of the LPDMP required development proposals to avoid having an unacceptable impact on the living conditions of existing residential properties or result in unacceptable living conditions for new residential properties. The policy lists a number of considerations which need to be taken into account when considering the impact on the amenities of the occupiers of existing and future occupiers. These include, privacy and overlooking, visual dominance and overbearing effects, access to sunlight and daylight, artificial lighting, noise and vibration and odour, fumes and dust.

The proposed dwellings would have good separation distance to the boundaries and between properties with no windows facing either property. It is therefore considered that the proposed units would not materially harm the amenities of the occupiers of each unit. The proposed dwellings would not be any closer to neighbouring residential properties than the existing built form and as such would not result in overlooking or loss of privacy. The units would be accessed via an existing driveway which is located between two residential properties. The additional number of trips to and from the site as a result of this would affect the

amenities of the properties of the adjacent properties to some degree, through noise generated from vehicular movements. However, the submitted transport assessment notes that the number of trips would be limited during peak hours (3 each way trips). It is considered that given the limited number of units the additional traffic past the adjacent neighbouring properties would not materially harm the amenities of the occupiers of the adjacent neighbouring properties through any noise or vibration.

The proposed construction period may result in dust, noise and vibration, but dust suppression could be controlled by condition.

The site does not propose any lighting columns in the site layout, with the only lighting being lighting of private properties. It is considered that lighting on private properties would be unlikely that the proposal would result in light pollution which would be detrimental and harmful to the occupiers of the adjacent neighbouring properties. However, a condition is recommended to preserve the amenities of the area and the impact on wildlife in the area.

Furthermore, the layout of the proposal would be such that there would be no direct overlooking between properties. Therefore it is considered that the proposal would not result in any loss of privacy to the occupiers of the existing properties or the future occupiers of the dwelling.

It is therefore considered that the proposal would comply with Policy D5 within the Local Plan in this regard.

### Conservation Area

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

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions

mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 199 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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

The Wey Navigation is located approximately 133 metres to the west of the site. There is a tow path along eastern side of the navigation which links to footpath 55 which runs close to the southern boundary of the site. The Navigation is predominantly open with some mature planting on land adjacent to the site.

The site is currently screened by an earth bund with bamboo planted on top along the western boundary of the site and there is an existing large green agricultural barn located on land between the application site and the navigation.

The Planning Inspector for the previous appeal for 29 units stressed the importance of the Rural Landscape between the built up area along Potters Lane and the river to the setting of the Wey and Navigation, specifically stating that the application site made a positive contribution to the setting by virtue of its largely undeveloped character.

The Inspector commented that the proposal of 29 units resulted in a moderate level of less than substantial harm to the Wey Navigation Conservation Area. The

Council's Conservation Area Officer acknowledges that the number of units has been reduced, but considers that the proposal would still be visually significant and considers that there would still be a moderate less than substantial harm to the significance of the Wey Navigation Conservation Area.

Since the decision from the Inspector the planting along the western boundary of the site has become more established and views towards the site have been lessened.

The revised scheme has reduced the number of units from 29 to 5, gives the site a more spacious appearance in keeping with that of the adjacent area, it has moved development away from the boundary of the site, and included additional landscaping to soften the appearance. Furthermore the applicant has also reduced the heights of the proposed dwellings thereby further assisting to reduce the prominence of the properties when viewed from the Conservation Area.

It is considered that the by nature of the reduction in number of units, the reduction of height of the units and the additional landscaped planting, the proposed development would be in keeping with the spacious character of the area and not have a material visual impact on the character and appearance of the Conservation Area, especially when noting the agricultural use and large building adjacent to the site and other residential uses immediately adjacent to the Conservation Area to the north of the site. Furthermore, the site is inset from the Green Belt, where the NPPF states that the governments objective to significantly boost housing supply and that policies should promote an effective use of land in meeting the need for homes.

The proposal would result in less than substantial harm to the significance of the designated heritage asset. In line with para 202 of the NPPF it is necessary to weigh this against any public benefit. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset.

No material harm to the designated heritage asset has been identified and having due regard to Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 and policies within the Local Plan and the Send Neighbourhood Plan

#### Highway and access

The site would be accessed via an existing accessway off Potters Lane. This currently serves one unit and the use of the accessway would be increased from one to six. The submitted Transport Statement identifies that the proposed development would provide 14 car parking spaces which would comply with the adopted car parking standards. EV charging points would be provided at each of the properties and there cycle storage would also be provided. The submitted Transport Statement outlines that the proposal would generate an additional three vehicle movements in both the morning and evening. Surrey County Highways raise no objection to the application subject to conditions regarding visibility zones as per the submitted plans, parking layout as per the submitted plans and EV charging points for vehicles. The proposal is therefore considered to comply with Policy ID3 of the LPSS and the adopted Car parking Supplementary Planning Document.

The proposed properties would each have their own private refuse area. The submitted Transport Statement and addendums to it show that the access track can accommodate the Council's refuse vehicles and turn around at the site. Therefore the Council's technical Support and Improvement Officer also raises no objection to the application and the proposal would comply with Policy D6 of the LPDMP and Policies 7 and 8 of the Send Neighbourhood Plan.

### Ecology

The applicant has submitted an Ecology Report which includes a walk over survey. This outlines that there are no records of any badger sets, on the site, although there is a badger run close to the boundary of the site and no evidence of bats are roosting on the site. The report concludes that there are no protected habitats on site that would be affected by development at the site. However, measures to minimise potential disturbance to wildlife should be incorporated in the development. In addition, measures to improve wildlife channels through the site and biodiversity at the site are recommended. The Surrey Wildlife Trust raise no objection to the application subject to conditions regarding sensitive lighting scheme and a Landscape Ecological Management Plan and that the measures outlined in the Precautionary Working Method Statement are followed. The proposal would therefore comply with Policy ID4 of the LPSS and P6 and P7 of the LPDMP

### Landscaping

The application site is bounded by an earth bund which has bamboo planted on top. This runs along the majority of the western boundary with the adjacent neighbouring site (Moorland Chase). NB. The earth bund and bamboo screen are outside of the application site. There are also mature planting on the Southern and northern boundaries. The submitted tree protection plan shows tree protection measures to be installed around the trees to be retained on the site and immediately outside of the site. The proposed landscaping plan shows landscaping to be enhanced on all boundaries being a mixture of native planting.

The site can be viewed from the public footpath to the south and from the Wey Navigation to the west of the site. However, the existing boundary screening and proposed additional landscaping would assist in screening this view and limiting any impact. The Council's Tree Officer raises no objection to the proposed application subject to condition regarding compliance with the submitted Arboricultural Method Statement. It is therefore considered that the proposal would comply with policies D5 and P6 of the LPDMP.

### Sustainability

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

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

Policies D14, D15 and D16 of the LPDMP carry full weight and build on policy D2. In the context of the Council declaring a climate emergency in July 2019 and the UK having a legally binding target of reducing all greenhouse gas emissions to net zero



by 2050 with an interim target of 78% reduction against 1990 levels by 2035.

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

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

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

The application includes a Climate Change, Energy and Sustainable Development Questionnaire This document set out the following sustainability measures to be incorporated in the proposed development:

- Any mineral waste will be stored separately from general waste and will be reused or recycled.
- where practical locally sourced materials will be specified
- all structural timber will be FSC or PEFC certified
- The development will be constructed using Structurally Insulated Panels (SIPS) which are energy efficient and improve air tightness and reduce thermal bridging
- all houses have good solar orientation
- the design of the houses includes passive cooling methods and provides for cross ventilation and large window openings
- rainwater harvesting will be provided for landscape maintenance
- there will be no rainwater runoff off site and any rainwater runoff will discharge to soakaways, which will allow it's slow release back into the ground.
- it is proposed to install air source heat pumps to all houses.
- minimum estimated carbon reduction from Target Emission rate of between 57 and 65% across the buildings. TER of 40%

From the information provided it has been demonstrated that a fabric first approach has been followed. Conditions are recommended to secure a waste minimisation strategy and the required water efficiency measures. The applicant has not submitted SAP ratings to demonstrate how the TER ratings will be

achieved, however, this can be secured by condition. Subject to conditions, it is considered that the proposal would comply with policies in the local plan.

#### Flooding and land drainage

The application site is within flood zone one and not at risk from fluvial flooding. The submitted Flood Risk Assessment (FRA) details that surface water drainage from roofs on each residential property would be managed on site using geocellular crates which will discharge into soakaways. The shared access road would have permeable paving with the existing track drain as per the existing situation. The FRA also refers to maintenance of the on site SuDS features and therefore this is considered to comply with Policy P4 of the LPSS.

#### Service arrangements

The site would be serviced using the existing accessway. The applicant has submitted plans tracking refuse vehicles at the site. Each property would have their own refuse areas and the Council's Technical Support and Improvement Officer raises no objection to the application.

#### Thames Basin Heath Special Protection Area

The application site is located within 400m to 5km buffer zone of the Thames Basin Heaths SPA. Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the Thames Basin Heath through increased dog walking and an increase in recreational use. The application proposes a net increase of 5 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England (NE) has advised that it will not object to an Appropriate Assessment (AA) undertaken which concludes no adverse effects on the integrity of the TBHSPA due to measures being secured and required to be put in place through

a legal agreement and accord with the provisions of the Development Plan and the adopted Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017.

The applicant has submitted a draft Unilateral Undertaking to secure the necessary contributions. As such, it is concluded that the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy 2017 and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

#### Legal agreement requirements

The three tests as set out in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) require S.106 agreements to be:

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

As the application proposes the provision of additional residential units, in order for the development to be acceptable in planning terms, a S.106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 61 of the Habitats Regulations, a S.106 agreement is required to ensure that the 3 additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which relate to the number of residential units and number of bedrooms proposed. As such, the requirement for the S.106 agreement meets the three tests set out above.

#### Previous reasons for refusal and dismissal

in January 2022, the Planning Inspector dismissed an appeal for 29 dwellings following the demolition of Nos 92 and 94 Potters Lane. Concerns were raised

regarding the character of the area and the impact on the River Wey Navigation Conservation Area.

In dismissing the appeal the Inspector noted that the rural landscape between the built up area along Potters Lane and the River Wey Navigation form an important part of its setting and the appeal site because of its undeveloped character. The Inspector considered that the proposal would significantly harm the character and appearance of the area.

The revised scheme has increased the separation distance of the built form to the Conservation Area and has reduced the height of the units from approximately 8 metres to 7.4 metres. In addition, additional landscaping has been proposed along the boundaries of the site. In addition, the change to the layout of the site and reduction in numbers gives the proposal a more spacious form of development which is keeping with the established character of the area.

The Inspector commented that the proposal would have views to and from the Wey Navigation Conservation Area and notes the change in character of the Conservation the closer you get to Send Bridge to the North of the site. The Inspector commented that the proposal would have a moderate less than substantial harm to the Conservation Area. As previously identified the number of units has decreased, heights of the buildings lowered, separation distances to the Conservation Area has increased and additional landscaping is proposed. It is therefore considered that there are significant differences between the dismissed scheme and the proposed scheme and these overcome the previous concerns.

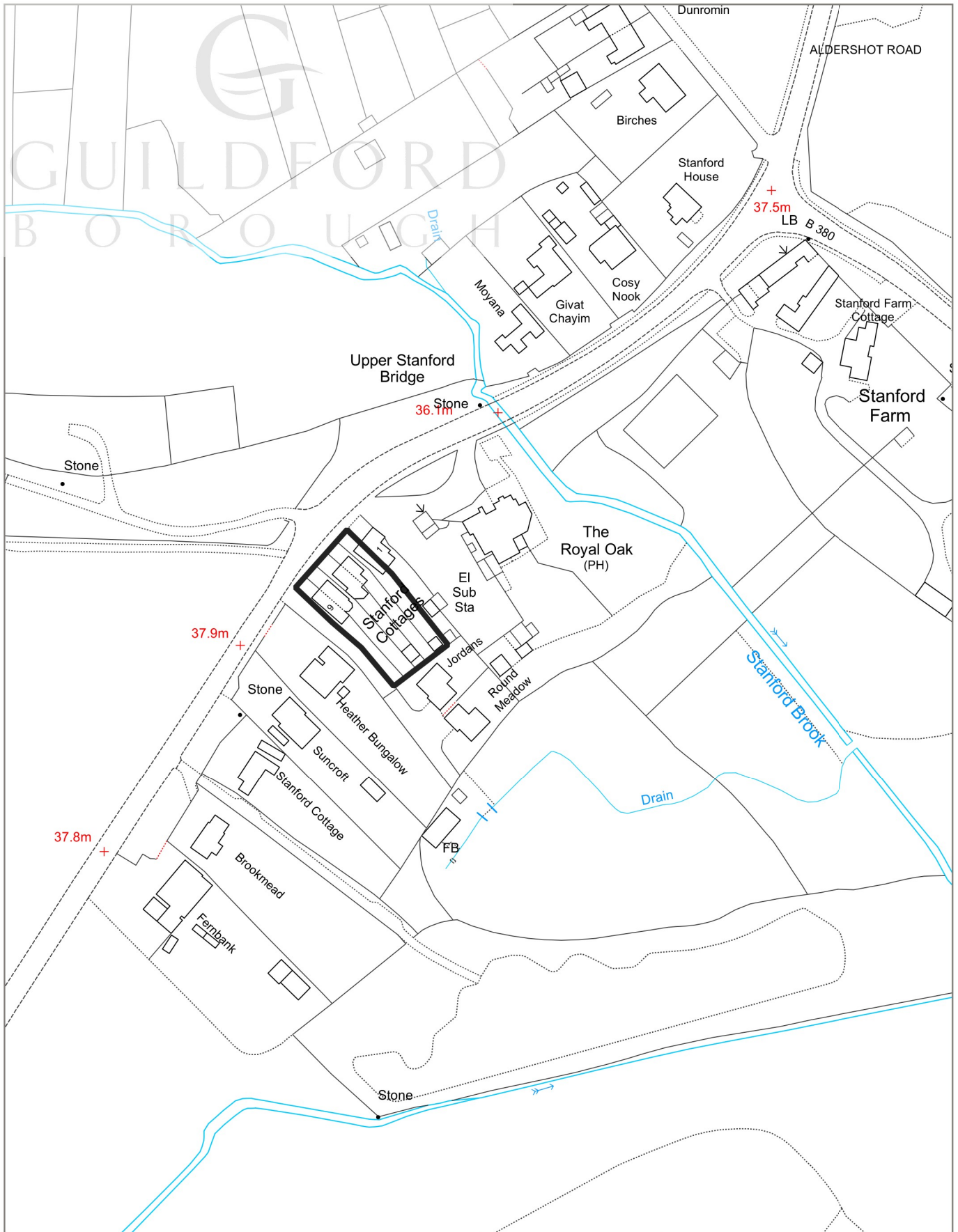
### Conclusion

The site is inset from the Green Belt and would provide additional homes in the borough with the layout being respectful to the established spacious character of the area. The proposal would not materially result affect the character and appearance of the Conservation Area, nor would it materially harm the residential amenities of the occupiers of the adjacent neighbouring properties. No concerns are raised the County Highways Authority on highway safety or the Surrey Wildlife Trust on ecology or biodiversity matters Trust subject to conditions. Therefore, it is considered that the proposal would comply with policies within the Local Plan and the application is therefore recommended for approval.



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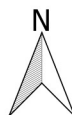
# 23/P/00392 - Stanford Cottages, Aldershot Road, Pirbright, Woking



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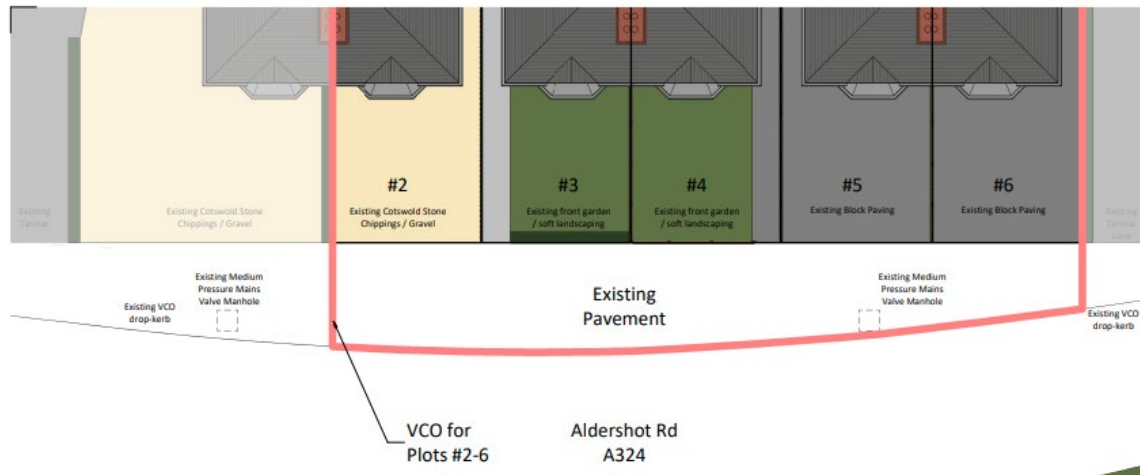


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GUILDFORD  
BOROUGH

**23/P/00392 – Stanford Cottages, Aldershot Road, Pirbright, Woking**



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**App No:** 23/P/00392

**8 Wk 12/12/2023**

**Deadline:**

**Appn Type:** Full Application

**Case Officer:** Sakina Khanbhai

**Parish:** Pirbright

**Agent :**

**Ward:**

**Applicant:** Mr Marshall  
6 Stanford Cottages  
Aldershot Road  
Pirbright  
Surrey  
GU24 0DQ

**Location:** Stanford Cottages, Aldershot Road, Pirbright, Woking, GU24 0DQ

**Proposal:** Vehicle Crossover (Dropped Kerbs) to Plots #2-6, Stanford Cottages.

### **Executive Summary**

#### **Reason for referral**

This application has been called in to the Planning Committee by Councillor Witham who disagrees with Officers recommendation to refuse the application. The reasons for the referral are summarised as follows:

- The required visibility splays do exist in practice and several of the driveways have had parking spaces for a number of years and have used them safely.
- The alternative is to park on the road outside the houses which would worsen the safety of the road for other road users.
- It is not realistic to enforce the closure of existing access points to drives which already exist (Officer note: The application is for a proposed vehicle cross over and the closure of existing access points is not what is being considered within the current application).

## **Key information**

The application seeks planning permission for the creation of a vehicle cross over/dropped kerb to the front of properties 2-6 Stanford Cottages. The proposed vehicle cross overs would be sited over land to the front of the properties on Aldershot Road and the highway. Following receipt of an amended plan Drawing 0052 Rev B, a 1m paved strip and a loose surface treatment on the driveways within the site is also proposed.

## **Summary of considerations and constraints**

The application fails to demonstrate that satisfactory access to the parking areas can be provided without having a detrimental impact on highways safety. This is because the full extent of the visibility splays have not been provided in accordance with the standards set out within the Manual for Streets. It appears that some of the visibility splays still cross land that is not within the control of the applicant. This being the pub's land to the north, and private land to the south of No.6 Stanford Cottages.

It is acknowledged that the driveways have been in place for a number of years, however, safe access and egress from the driveways has not been demonstrated in accordance with CHA's requirements and the standards set out within the Manual for Streets. Officers have previously advised the applicant on a few occasions during the application process of the information required to overcome the highway safety concerns but the applicant has been unable provide adequate information to show the required visibility splays at the proposed access points to enable safe access/egress to the parking areas.

Overall, the CHA deems that there is inadequate visibility at this location to enable safe access/egress to the parking areas and the CHA recommends that this proposal fails to comply with Policy ID3 of the LPSS, Policy D4 of the LPDMP and the National Planning Policy Framework 2023. Therefore the application is recommended for refusal.

**RECOMMENDATION:**

**Refuse - for the following reason(s) :-**

1. The application fails to demonstrate that satisfactory access to the parking areas can be provided. The proposed vehicle crossover would have a detrimental impact on highway safety. The proposals are therefore contrary to Surrey County Council's Local Transport Plan (LTP4), Policy ID3 of the Guildford Local Plan: Strategy and Sites 2015-2034, Policy D4 of the Local Plan Development Management Policies (LPDMP) March 2023, the guidance set out within the Residential Extensions and Alterations SPD 2018, the National Planning Policy Framework 2023 and National Design Guide (NDG).

**Informatives:**

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

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

In this case pre-application advice was not sought prior to submission. However, revisions to the scheme were requested and the Applicant has had opportunities to resolve the concerns raised. The amended plans provided did not overcome the issues raised by the Council and Surrey County Highway Authority.

2. This decision relates expressly to drawing(s) 0050 Rev A, 0051, 0053, 0054 and 0052\_B VCO and additional information received on 06/03/23, 28/03/23 and 21/08/23.

### **Officer's Report**

#### **Site description.**

The application site relates to a group of 5 semi-detached two storey cottages located on Aldershot Road in Pirbright. The site is located within the Green Belt.

#### **Proposal.**

Vehicle Crossover (Dropped Kerbs) to Plots #2-6, Stanford Cottages.

#### **Relevant planning history.**

None.

#### **Consultations.**

#### **Statutory consultees**

County Highway Authority: Objection.

'Following a site visit on 24/04/23, the applicants stated on-site that visibility could potentially be taken across the front garden of No.1 Stanford Cottages and part of the land within the control of The Royal Oak pub. Should the resident of No.1 and the owners of the pub be in agreement with this, written confirmation should be provided. The 'y' splays show the submitted visibility plan could then be extended to cross these areas of land (otherwise, typically, visibility should only be provided over land within the control of the applicant and/or highway land).

A revised visibility plan should be submitted to achieve maximum visibility splays. The plan should also state visibility splays will be kept permanently clear of any obstruction over 0.6m high, with any vegetation and/or boundary treatment cut

back/adjusted accordingly'.

In response, the Applicant submitted further details. SCC Highways Authority commented on 19 May 2023 that ' the required visibility is not achievable from the proposed access points. It was noted that given that the driveways have been in place for years, the CHA would need to consider the merits of having the access points opened/dropped kerbs or having these parking areas closed completely. Should these be closed, the CHA would need to give consideration to the resulting on-street parking that would occur.

Should the accesses be accepted, the land required for the visibility splays which fall under the control of the applicants would need to be dedicated as highway land to ensure visibility is maintained at all times and to prevent future occupiers erecting boundary treatments that could block the splays. The parking areas would need to be provided with a minimum 1m paved strip to contain any gravel/chippings/loose surface treatment on the driveways within the site. It will need to be demonstrated that all vehicles can park within the boundaries on the site. The CHA

would welcome a visibility plan showing an offset of 0.5m into the carriageway from the kerb edge in the trailing direction and an offset of 1m from the kerb edge in the leading direction. By seeking the applicant's agreement to the above does not mean that the CHA support the proposal but it will provide us with a more balanced judgement on the application'.

On 21 August 2023, a further revised plan was submitted by the Applicant-Drawing 0052 Rev B. CHA reviewed the revised plan and concluded that it has not been demonstrated that the proposed parking areas can be accessed/egressed safely without having a detrimental impact on highway safety. The CHA also deems that there is inadequate visibility at this location to enable safe access/egress to the parking areas.

Pirbright Parish Council

Supports the application subject to the views of SCC Highways Authority.

**Third party comments:**

One letter of representation have been received raising the following objections and concerns:

- The correct visibility for the driveways in both directions has not been provided.
- Impact on road safety.

Six letters of support have been received outlining the following positive comments:

- Dropped kerb would allow residents to park their cars on their driveways
- The proposal would allow for the possibility of investing in electrical wall charging points.
- There is no off street parking for the cottages.

### **Planning policies.**

#### National Planning Policy Framework (NPPF 2023):

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision Making

Chapter 11: Making effective use of land

Chapter 12: Achieving Well Designed Places

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

S1: Presumption in favour of sustainable development

D1: Place shaping

ID3: Sustainable transport for new development

ID10: Parking Standards

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

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy ID10: Parking Standards

#### Supplementary planning documents:

Residential Extensions and Alterations SPD (2018)

Parking Standards in New Developments SPD (March 2023)

## **Planning considerations.**

The main planning considerations in this case are:

- Impact on the Green Belt
- Impact on the scale and character of the dwelling and surrounding area
- Impact on neighbouring amenity
- Highway/parking considerations

### The Principle of Development- Impact on the Green Belt

The site is located within the Green Belt outside the settlement boundary. The site relates to a small cluster of residential properties.

The proposal is for works to facilitate off-street parking to Nos 2-6 Stanford Cottages by constructing a dropped kerb/ vehicle cross over to serve this group of neighbouring properties.

It is considered that the proposed works would constitute an engineering operation, as set out in paragraph 90 of the NPPF 2023. The proposed resurfacing of the driveways and construction of a dropped kerb is not an inappropriate form of development within the Green Belt provided that openness is maintained. It is not considered that the works would have a material impact on the openness of the Green Belt.

### The impact on the scale and character of the surrounding area

Planning permission is sought for a dropped kerb to the front of Nos 2-6 Stanford Cottages. The works would involve additional hardstanding and a 1m paved strip within the front gardens. The proposal would also include loose material surfacing to properties 2-4 Stanford Cottages.

It is not considered that the proposed development would be out of keeping visually or cause harm to the character and appearance of the surrounding area.

### The impact on neighbouring amenity

It is not expected that the proposed works to the driveways serving the cottages and the dropped kerb would give rise to any neighbouring amenity concerns in terms of reduction to light or privacy, overbearing development, or disruption by noise.

There are no significant impacts predicted with regards to neighbouring amenity as a result of the proposals and the proposals are in accordance with Policy D5 of the LPDMP.

### Highways / Parking considerations

The application seeks planning permission for the creation of a vehicle cross over/dropped kerb to the front of properties 2-6 Stanford Cottages. The proposed vehicle cross overs would be sited over land to the front of the properties on Aldershot Road and the highway. Following receipt of an amended plan Drawing 0052 Rev B, a 1m paved strip and a loose surface treatment on the driveways within the site is proposed.

In terms of parking provision, the hardstanding and surfacing proposed would provide sufficient space for vehicles to park within the front driveways of the individual cottages in accordance with ID10 of the LPDMP.

Notwithstanding the above, the County Highways Authority (CHA) considers the application fails to demonstrate that satisfactory access to the parking areas can be provided without having a detrimental impact on highways safety. This is because the full extent of the visibility splays have not been provided in accordance with the standards set out within the Manual for Streets. It appears that some of the visibility splays still cross land that is not within the control of the applicant. This being the pub's land to the north, and private land to the south of No.6 Stanford Cottages. Visibility should only be provided over land within the control of the applicant and/or on highway land. Officers have previously advised the Applicant that visibility could potentially be taken across the front garden of No.1 Stanford Cottages and part of the land within the control of The Royal Oak pub. It is noted that no such written agreement or further information regarding the visibility splays in accordance with CHA's advice has been submitted.

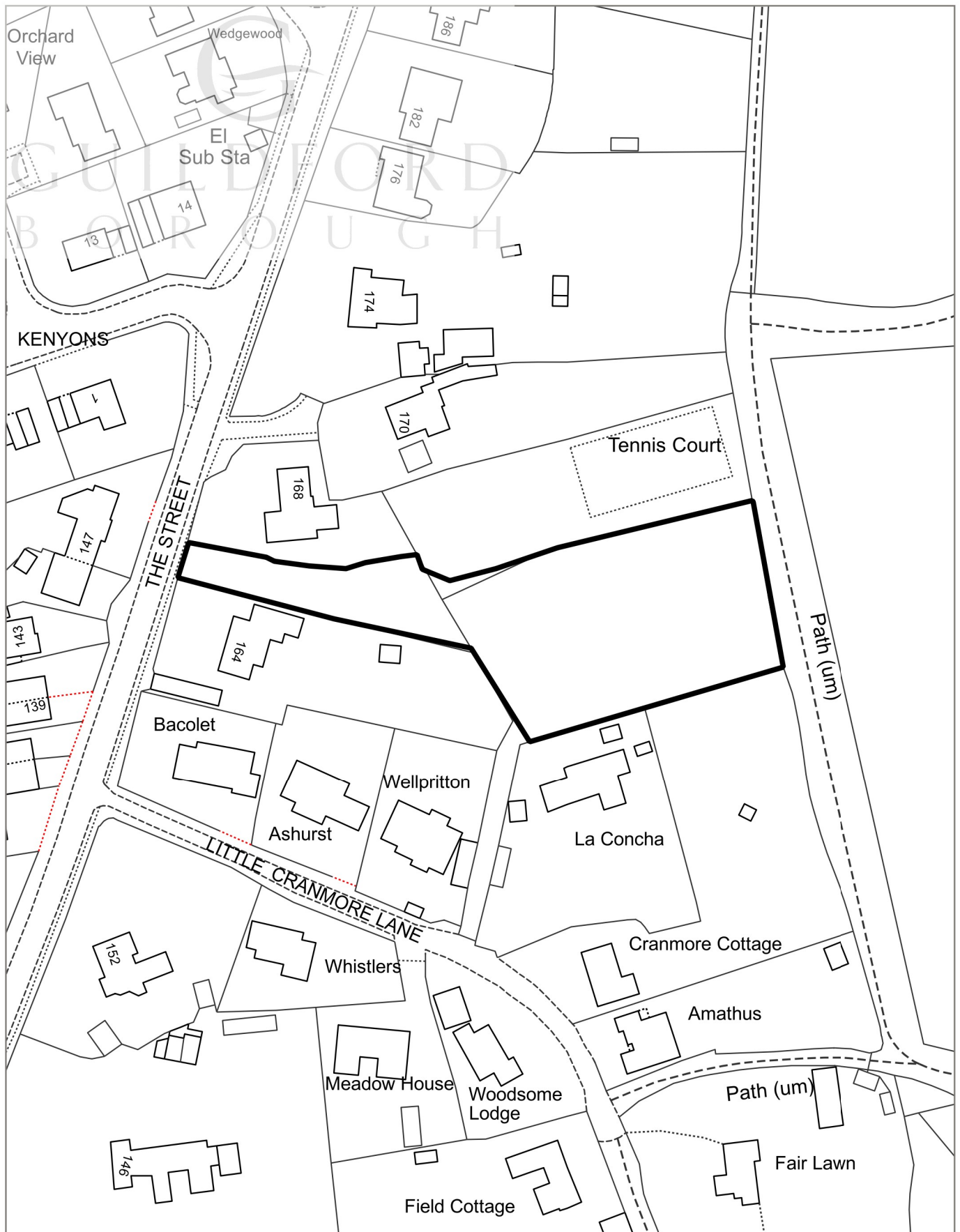


It is acknowledged that the driveways have been in place for a number of years, however, safe access and egress from the driveways has not been demonstrated in accordance with CHA's requirements and the standards set out within the Manual for Streets. Officers have previously advised the applicant on a few occasions during the application process of the information required to overcome the highway safety concerns but the applicant has been unable provide adequate information to show visibility at the proposed access points to enable safe access/egress to the parking areas.

Overall, the CHA deems that there is inadequate visibility at this location to enable safe access/egress to the parking areas. For these reasons, the CHA recommends that this proposal fails to comply with Policy ID3 of the LPSS, Policy D4 of the LPDMP and the National Planning Policy Framework 2023.

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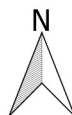
# 23/P/01291 - Land To The Rear Of 168, The Street, West Horsley



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Print Date: 21/11/2023

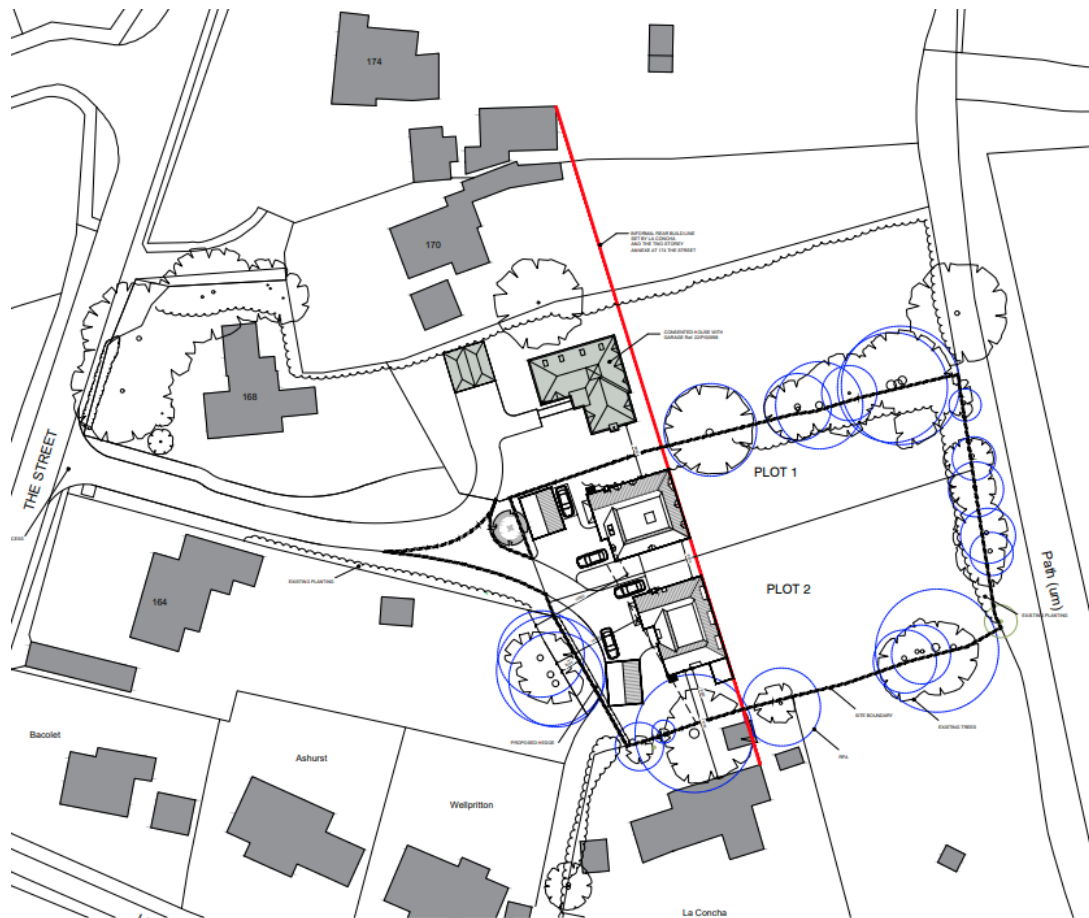


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GUILDFORD  
BOROUGH

**23/P/01291 – Land To The Rear Of 168, the Street, West Horsley**



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**App No:** 23/P/01291

**8 Wk 08/12/2023**

**Deadline:**

**Appn Type:** Full Application

**Case Officer:** Chris Gent

**Parish:** West Horsley

**Ward:** Clandon & Horsley

**Agent :** Mr W. Joseph

**Applicant:** Mr Everest

Ascot Design

C/O Agent

Ashurst Manor

Ashurst Park

Church Lane

Sunninghill, Ascot

SL5 7DD

**Location:** Land to the rear of 168, The Street, West Horsley, KT24 6HS

**Proposal:** Erection of 2 detached dwellings with associated garaging.

### **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 2 x two-storey detached dwellings behind No.s 164 & 168 The Street. The properties would each provide four bedrooms and a detached single storey garage in front (to the west) of the principal elevations of the dwellings. Access would be provided off The Street, with a driveway running between No.168 and No.164 The Street.

The application follows a previously approved application for the erection of one dwelling unit immediately to the north of the site under application 22/P/00998. This has yet to be implemented.

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

The proposed dwellings would be of an appropriate scale and would maintain significant rear gardens with a natural transition to the surrounding countryside. The design would be of an in-keeping nature and would provide adequate amenity space, with an appropriate approach to sustainability and bio-diversity. The development would not result in an adverse impact on neighbour amenity or to the surrounding highways.

For these reasons it is concluded that planning permission should be granted subject to conditions.

### **RECOMMENDATION:**

**Subject to a Section 106 Agreement securing appropriate SANG and SAMM mitigation payments, the decision is to:**

#### **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: 23-J4333-100, 23 - J4333- 101, 23 - J4333 - 102, 23-J4333-103, 22-J4143-LP01\_CP01, 23-J4333-LP01\_CP01 received on 15/08/2023.

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

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

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

4. The development hereby approved shall not be first occupied unless and until the vehicular access to The Street has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of policy ID3 of the Guildford Borough Local Plan: Strategy and sites 2015-2034 (LPSS) and the National Planning Policy Framework 2023.

5. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, Drawing No. 23-J4333-100, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of policy ID3 of the Guildford Borough Local Plan: Strategy and sites 2015-2034 (LPSS) and the National Planning Policy Framework 2023.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of policy ID3 of the Guildford Borough Local Plan: Strategy and sites 2015-2034 (LPSS) and the National Planning Policy Framework 2023.

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 a charging point with timer for e-bikes by said facilities have been provided for each dwelling within the development site in accordance with a scheme to be submitted prior to the occupation of the dwellings and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of policy ID3 of the Guildford Borough Local Plan: Strategy and sites 2015-2034 (LPSS) and the National Planning Policy Framework 2023.

8. 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.

9. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway
- (e) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2023. It is considered necessary for this to be a pre-commencement condition as protection for highway safety and avoiding inconvenience on other highway users should be established prior to the start of construction where issues could arise

10. The approved Arboricultural Report, which includes an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by Treetec Consultancy Limited, dated July 2023, must be adhered to in full, and may only be modified by written agreement from the LPA. No development shall commence until tree protection measures, and any other

pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees 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.

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

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

12. Prior to the commencement of any development above slab level works, a landscaping scheme which includes full details of bin storage access shall be submitted to and approved in writing by the Local Planning Authority, the subsequently approved scheme shall then be implemented in full prior to occupation.

Reason: To ensure the development retains the established local character.

13. Prior to the commencement of any development above slab level works, an appropriately detailed scheme for ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented, and maintained at all times.

Reason: To ensure the proposals demonstrate a biodiversity net gain.

14. The first floor windows in the side elevations of the dwellings hereby approved shall be glazed with obscure glass (Pilkington Glass Level four only) and permanently fixed shut, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

**Informatives:**

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

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

3. The applicant is expected to ensure the safe operation of all construction traffic 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. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm. 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 Highway Authority recommend that the developer and LPA liaise with their Building Control Teams and Local Fire Service to understand any additional requirements.
5. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and

existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

## **Officer's Report**

### **Site description**

The application site is within the West Horsley Settlement Boundary and inset from the Green Belt. It is also within the 400m to 5km buffer of the Thames Basin Heath SPA.

The site is a rectangular plot of paddock land located between large residential gardens to properties fronting both The Street and Little Cranmore Lane. The site's eastern boundary marks the edge of the defined settlement adjacent to which there is a public footpath and an open field beyond. These gardens and the site provide an area of transition between the built development and the open and undeveloped countryside on this side of the village. There are many trees and shrubs along this boundary which restrict views into the site. There are several mature trees on other boundaries.

The land adjacent to the north of the site is the subject of recent planning permission for one new dwelling, approved in 2023. The proposed access to the site is positioned between No.168 and No.164 The Street.

### **Proposal**

Erection of 2 detached dwellings with associated garaging

#### **Officer note:**

The proposed 2 x two-storey detached dwellings would be sited behind No.s 164 & 168 The Street which are located adjacent to The Street. The proposed dwellings would be 8m in overall height and of an Arts and Crafts style and using traditional materials. The properties would each provide four bedrooms and a detached single storey garage in front (to the west) of the principal elevations of the dwellings providing designated parking spaces. Access would be provided off The Street, with

a driveway running between No.168 and No.164 The Street.

This application follows the previously approved application for the erection of one dwelling unit immediately to the north of the site under application 22/P/00998. This has yet to be implemented.

(Following an initial review of the submitted plans, officer's noted that the site location plan originally showed the proposed access within the red line. However, this was subsequently changed to show it within the blue line. The applicant has since clarified that the access into the site in blue is already owned by London and Regional Developments Cobham Ltd, the applicant, as is the small strip of land in blue, also shown on the plan. The access land in blue is already consented under application 22/P/00998 and then 23/N/00022. The land in red is the application site).

### **Relevant planning history**

23/N/00022 - Non-material amendment to planning application 22/P/00998 approved 01/03/2023 to allow for alteration to the consented driveway layout. Land to the rear of 168, The Street, West Horsley. Approved - 25/05/2023

22/P/00998 - Erection of a detached dwelling with associated garaging and new access on land to the rear of Dytchleys, 168 The Street. Approved with conditions - 17/03/2023

21/P/00182 - Proposed erection of a pair of two storey semi-detached dwellings and one two storey detached dwelling, with associated garaging and new access. Land to the rear of 168 The Street, West Horsley. Refused - 22/11/2021. Appeal withdrawn - 27/09/2022

20/P/02026 - Proposed erection of five dwellings with associated garaging, landscaping and access from Little Cranmore Lane. Land to the east of 164 The Street, West Horsley. Refused - 07/05/2021. Appeal dismissed - 24/03/2022

### **Consultations**

The County Highway Authority - Given that the development would utilise the existing access to The Street consented under planning application 22/P/00998, Condition 1 has been worded accordingly, as the visibility plan was not submitted

as part of this planning application. Whilst the applicant has demonstrated in Drawing 23-J4333-103 that the proposed garages would be sufficiently sized to accommodate cycle storage, the applicant should demonstrate provision of a timed, three pin socket to provide charging facilities for e-bikes. It is not considered that the proposed development would result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal would not have a material impact on highway safety.

West Horsley Parish Council - objects to the proposal on the following grounds:

- need for housing does not outweigh the harms and impact to the transitional edge of the village
- no biodiversity net gain shown
- concerns regarding dark skies
- proposed houses would be visible from the adjacent public footpath with some loss of the semi-rural character along the edge of the village

Thames Water - have been consulted on the planning application. Having reviewed the details, Thames Water have no comments to make at this time.

Council's Tree Officer - no objection, subject to the Arboricultural Method Statement and Tree Protection Plan being adhered to (conditioned)

Environmental Health Officer - has no environmental health concerns

### **Third party comments:**

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

- scale and character not in keeping with neighbouring properties and surrounding area
- impact on habitats and biodiversity
- concerns regarding drainage/flooding
- proposed development is behind the established building line of The Street
- impact on village infrastructure
- traffic and access concerns
- noise disturbance/disruption during building works

- set a precedent for similar applications
- overdevelopment of the site
- loss of amenity and privacy
- proposed development is behind 164 with access through 168
- request that permitted development rights are not granted
- request for planning condition to replant with new trees in the event that bordering trees are felled
- loss of views

1 letter has been received supporting the proposal

### **Planning policies**

The following policies are relevant to the determination of this application

#### National Planning Policy Framework (NPPF): (September 2023)

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places.
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

#### South East Plan 2009:

NRM6Thames Basin Heath Special Protection Area

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

H1: Homes for all

P5: Thames Basin Heath Special Protection Area

D1: Place shaping

D2: Climate change, sustainable design, construction and energy

ID3: Sustainable transport for new development

ID4: Green and blue infrastructure



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

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

Policy P6: Protecting Important Habitats and Species

Policy P7: Biodiversity in New Developments

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy D8: Residential Infill Development

Policy D14: Sustainable and Low Impact Development

Policy D15: Climate Change Adaptation

Policy D16: Carbon Emissions from Buildings

Policy ID10: Parking Standards for New Development

Supplementary planning documents:

National:

National Design Guide 2021

Local:

Climate Change, Sustainable Design, Construction & Energy SPD 2020

Planning Contributions SPD 2017

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Residential Design SPG 2004

Parking Standards for New Development SPD (March 2023)

West Horsley Neighbourhood Plan 2016-2033

WH2. Design management in the village settlement

WH3. Design management within rural areas

WH4. Housing mix

WH14. Biodiversity

WH15. Dark skies

## **Planning considerations**

The main planning considerations in this case are:

- principle of development
- impact on the character and scale of the area
- impact on neighbouring amenity
- amenity and space standards
- highway and parking considerations
- impact on biodiversity and ecology
- impact on trees and vegetation
- impact on surface water flooding
- sustainability
- Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- legal agreement requirements

### Principle of development

The application site is within West Horsley. The NPPF identifies that only villages whose open character makes an important contribution to the openness of the Green Belt should be included within the Green Belt. As such, West Horsley has been assessed against this under the LPSS 2015 - 2034 and has been inset from the Green Belt. The application site also falls within the Identified Settlement Boundary. Therefore, given the established principle that West Horsley does not contribute to the openness of the Green Belt and as such, has been inset from it, it is not required to assess this application in regards to its impact on the Green Belt.

The SHMA 2015 and Addendum Report 2017 identifies a need for 20% four bedroom open market homes of which this development would contribute to. Further, the NPPF Part 5 requires the delivery of a sufficient supply of homes, of which this development would contribute to. Therefore, it is considered that the principle of development within the application site for the erection of two new dwellings is appropriate, subject to further planning considerations.

### Impact on the character and scale of the area

Para 130 of the NPPF stipulates that developments:

- a) “will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development”;
- b) “are visually attractive as a result of good architecture, layout and appropriate and effective landscaping”;
- c) “are sympathetic to local character and history, including the surrounding built environment and landscape setting”;
- d) “establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”;

Policy 4.5.12 (Policy D1 of the 2019 Local Plan) requires "assessment of the design of new development to ensure that it provides a positive benefit in terms of landscape and townscape character, and enhances local distinctiveness.... to protect, conserve and enhance the landscape character of the Borough”.

The site lies on the edge of the settlement of West Horsley, with countryside to the east. Policy WH2(i) of the West Horsley Neighbourhood Plan states: 'Where adjoining the boundaries of the built-up area of the village, the emphasis will be on the provision of housing types and built forms that help maintain an appropriate transitional edge to the village and maintain local character and countryside views;'

The proposal is for two detached two-storey dwellings each providing four bedrooms.

The existing dwellings surrounding the site consist of relatively modest two storey detached dwellings on spacious plots. There are existing mature trees and hedging on the site boundaries.

Properties along this part of The Street, on the eastern side of the road, predominantly comprise of detached dwellings on spacious plots in a line of ribbon development fronting the road, with the ends of their long rear gardens, largely free from development, backing onto the countryside edge. This provides an open and spacious character and a gentle transition between the edge of the village and the countryside beyond.

The proposed dwellings would sit comfortably within the plots, sited towards the western boundary and maintaining large rear gardens that bound the adjacent

countryside to the east. They would be positioned broadly centrally across the width of the plots, maintaining sufficient separation between each adjacent side boundary. The dwellings would not be dissimilar in overall built form to the surrounding buildings or be of an overly large scale. A single detached garage is proposed for each dwelling sited to the western elevations of the dwellings. Their scale would be in-keeping with existing detached garaging within the surrounding area.

The proposal would be sited behind 164 and 168 The Street's rear gardens. As mentioned, the pattern of development along The Street consists of dwellings in a ribbon pattern with frontages onto the highway. However, there are examples within the area (No.170 The Street, La Concha and the recently consented dwelling under 22/P/00998), of dwellings set further back behind the rear elevations of neighbouring properties. The proposed dwellings rear elevations would sit in line with La Concha to the south-east and approved dwelling 22/P/00998 to the north-west. Given the orientation of the proposed dwellings, the already approved dwelling, and La Concha, these would result in an informal building line being formed and as such, the proposed dwellings would sit within that so as to not appear incongruous within the surrounding context of dwellings.

Given that the development would only consist of two dwellings of an appropriate scale that would maintain significant rear gardens with a natural transition to the surrounding countryside, it is not considered that this development would be inappropriate. The development would not extend significantly behind the established pattern of development and as such, would maintain sufficient views of the natural landscape whilst not appearing overly dominant at the rear of the existing dwellings. In this regard, the development would provide an appropriate transitional edge to the village and therefore, would maintain local character and countryside views.

The proposed dwellings would utilise traditional styling and materials, incorporating pitched roofs and some modern architectural detailing. In this regard, the dwellings would not appear out-of-keeping with the character of the area and the design would be of a sympathetic nature that would not cause harm to the surrounding village or contrast too starkly to the established dwellings along The Street.

Primarily through the reduction in the number of dwellings and appropriate siting

of the proposed dwellings, this development has overcome the concerns raised within the previously refused application 21/P/00182 in regards to its impact on character and scale. As mentioned, the dwellings would maintain a transitional edge to the village, sited in an appropriate location as to not appear out of keeping with the surrounding residential development. As such, the case officer has visited the site and is satisfied that the scale of the development is in keeping with the surrounding area and the design would not detract from the character of the surrounding area and therefore accords with Part 12 of the NPPF (2023), Policy D1 of LPSS 2015 - 2034, Policy D4 of the Guildford Borough Council: Development Management Policies (LPDMP) March 2023, and WH2 of the West Horsley Neighbourhood Plan.

Policy D8 of the LPDMP states that residential infill development should integrate well with surrounding development and respond positively to the existing character and identity of the local area. As outlined above, the development would achieve this and as such, the proposal would comply with Policy D8 of the LPDMP.

#### Impact on neighbouring amenity

The units would maintain a minimum separation distance of 8.4m and 17.1m to the consented dwelling (ref 22/P/00998) and La Concha respectively. Given this significant separation and that the dwellings would not be of an overly large scale, there would not be an adverse loss of light, overshadowing or an unacceptable overbearing impact to either of the neighbouring dwellings.

A number of first floor windows are proposed on the side elevations of the new dwellings both facing towards the neighbouring buildings and each other; these would all serve either en-suites or bathrooms. To prevent any issues of loss of privacy/overlooking, a condition is recommended ensuring that these windows are obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the rooms in which the windows are installed.

Owing to the proposed dwellings positioning to the rear of No's.164 and 168, there would be first floor windows on the front elevations of the proposed dwellings that would face the rear gardens of both these properties. However, given the significant separation between the rear elevations of No's.164 and 168 and the front elevations of the proposed dwellings, it is not considered these would cause harmful overlooking that would negatively impact the amenity space of these dwellings.

The proposed driveway (already approved for the 22/P/00998 new dwelling) would run between No.168 and No.164. The proposed driveway would be bounded by hedging and vegetation on both boundaries. This would provide adequate protection from the potential noise impacts and light pollution from headlights with cars travelling between the two dwellings as to not cause harm to the neighbouring amenity of either adjacent dwelling. Further, given this development is limited to two dwellings, there would not be a significant generation of traffic that would cause concern given the positioning of the driveway.

#### Amenity and space standards

Policy H1(3) of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the creation of two four bedroom dwellings. The internal floor areas significantly exceed the minimum requirement for such dwellings set out in the nationally described space standards. The space standards set out further requirements in terms of bedroom sizes and dimensions and it is found that the dwellings also meet with these requirements.

The proposed garden areas would be adequate in terms of outdoor amenity space with rear gardens measuring at least 42m in length.

#### Highway and parking considerations

The Council's Maximum Parking Standards require dwellings of more than three bedrooms to provide two vehicle parking spaces. There would be sufficient space to the front of the dwellings and within the external garages to provide at least two off-street car parking spaces in line with the Council's requirements.

The CHA has no objection to the application, subject to recommended conditions

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

In order to promote sustainable transport and to reduce carbon emissions, if the application is approved, conditions will be added to ensure the provision of a suitable electric vehicle charging points and covered parking for bicycles with the provision of a charging point for e-bikes, as recommended by the County Highway Authority.

#### Impact on biodiversity and ecology

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

The site is a rectangular plot of paddock land. There are no existing buildings to be demolished as part of the proposals.

In regards to Biodiversity Gain, the submitted Design and Access Statement mentions that logs from felled trees have already been set aside to create log piles in various locations and where possible bird boxes and bat boxes would be mounted on trees. Biodiversity enhancement measures could be secured by condition. Subject to condition, it is considered that the proposal would not have an adverse impact on ecology and biodiversity.

Considering the above, the proposal would not have any significant adverse effects on biodiversity and does not conflict with LPSS policy ID4, subject to necessary conditions.

#### Impact on trees and vegetation

There are several mature trees on all boundaries of the site.

An Arboricultural Method Statement has been submitted with the application which includes details of the proposed measures for protecting the trees during the course of development.

The Council's Tree Officer has assessed the proposal and no objection is raised subject to a condition ensuring the development is carried out in accordance with the arboricultural method statement and tree protection plan.

#### Impact on surface water flooding

The site is located within Flood Zone 1 and is below the site area threshold for requiring a Flood Risk Assessment.

Although there have been concerns raised by third parties in respect to drainage/flooding, given the application site is not within Flood Zone 2 or 3 and is not in an identified area at risk of surface water flooding, it would not be reasonable to the impose requirements on surface water flooding.

#### Sustainability

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraphs 150 through climate change adaptation, provision of green infrastructure and reduction of greenhouse gas emissions. Paragraph 153 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:

- Timber pallets will be re-used on site and packaging will be returned to the supplier.



- materials will be sourced locally where appropriate. The design features clay roofs and tile hanging which can be sourced locally.
- Materials will be, as far as possible, environmentally friendly.
- A waste separation and disposal policy will be operational for the duration of the site construction
- All timber will be FSC certified.
- To minimise heat loss from the proposed dwellings and to maximise the efficiency, the proposal will incorporate the following: Insulated roofs, walls and floors, double glazed windows, ventilation incorporated into the design to avoid condensation, energy efficient lighting, natural daylight to all habitable rooms
- The proposal has been designed to potentially accommodate any of the following: Air source heat pumps and/or solar thermal panels where appropriate, heat recovery system, under floor heating
- The development will include the use of rainwater harvesting via the provision of water butts and will also include internal restricting devices such as flow restrictors on taps and dual flush toilets to achieve water usage per person of 110 litres a day.
- Car Charging Infrastructure: Adequate infrastructure for electric vehicle (EV) charging will be provided within the development. This encourages the use of EVs, promoting cleaner modes of transportation and reducing the carbon footprint associated with conventional vehicles
- Building orientation, window placements, and materials will be selected to maintain comfortable indoor temperatures even during heatwaves. This includes the incorporation of natural ventilation strategies and shading elements to prevent overheating.

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

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

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and a Strategic Access Management and Monitoring (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution of £19,423.08 and a SAMM contribution of £2587.18 to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document.

### Legal agreement requirements

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

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

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

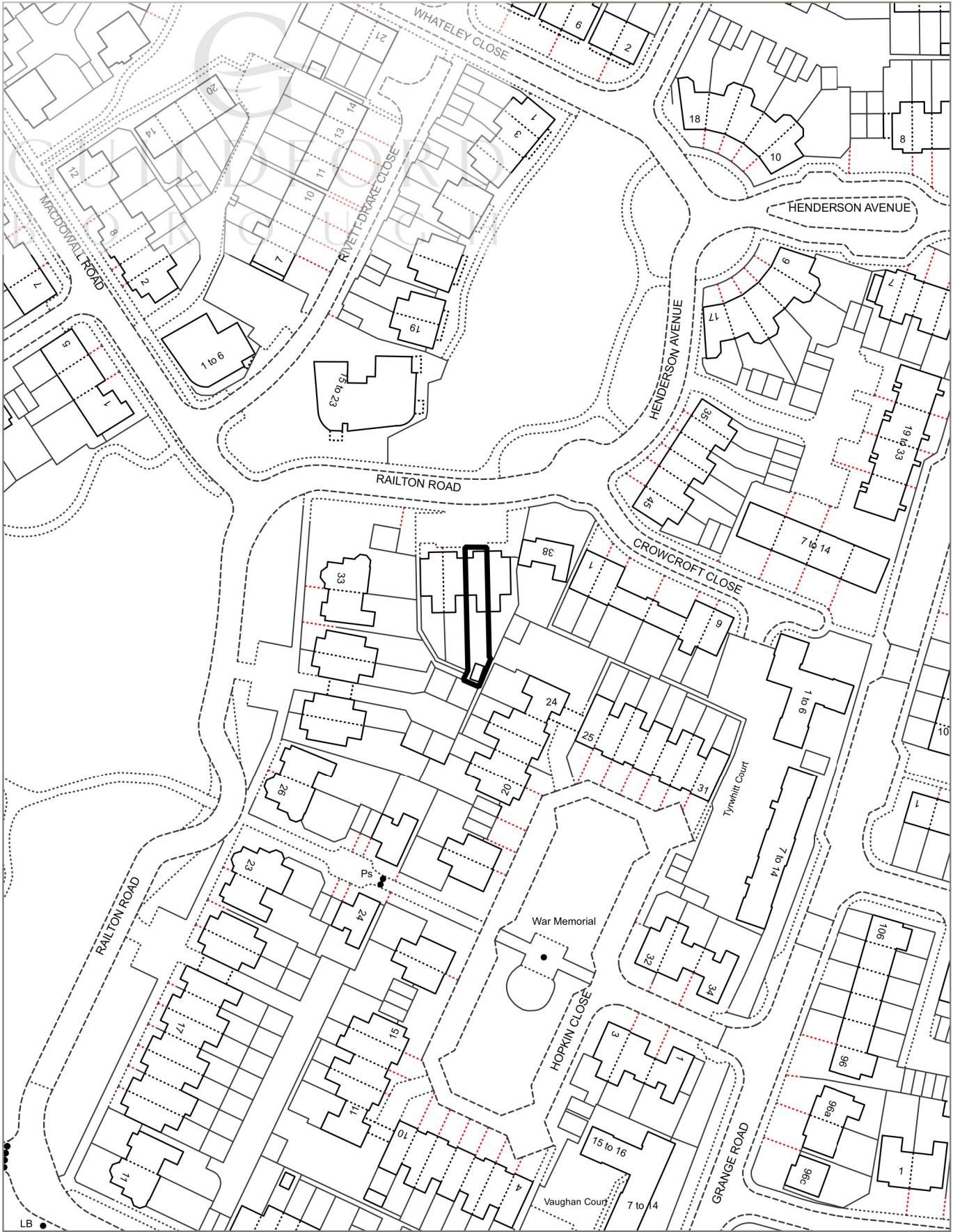
### Conclusion

The Council has conducted a full assessment of all the relevant material

considerations against local and national planning policy and has concluded that full planning permission should be granted. The application would be within a sustainable location where the principle of housing is appropriate. Whilst it would be sited to the rear of existing dwellings, considering the siting and location of other surrounding existing dwellings, it would not represent harmful backland development. The design and scale would be of an in-keeping nature and it would provide adequate amenity and domestic facilities, with an appropriate approach to sustainability, bio-diversity and flooding. The development would not result in an adverse impact to the surrounding highways safety. Mitigation could be secured for the impact on the SPA via S106. As such, this application is recommended for approval.

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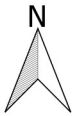
23/P/01424 - 36 Railton Road, Guildford



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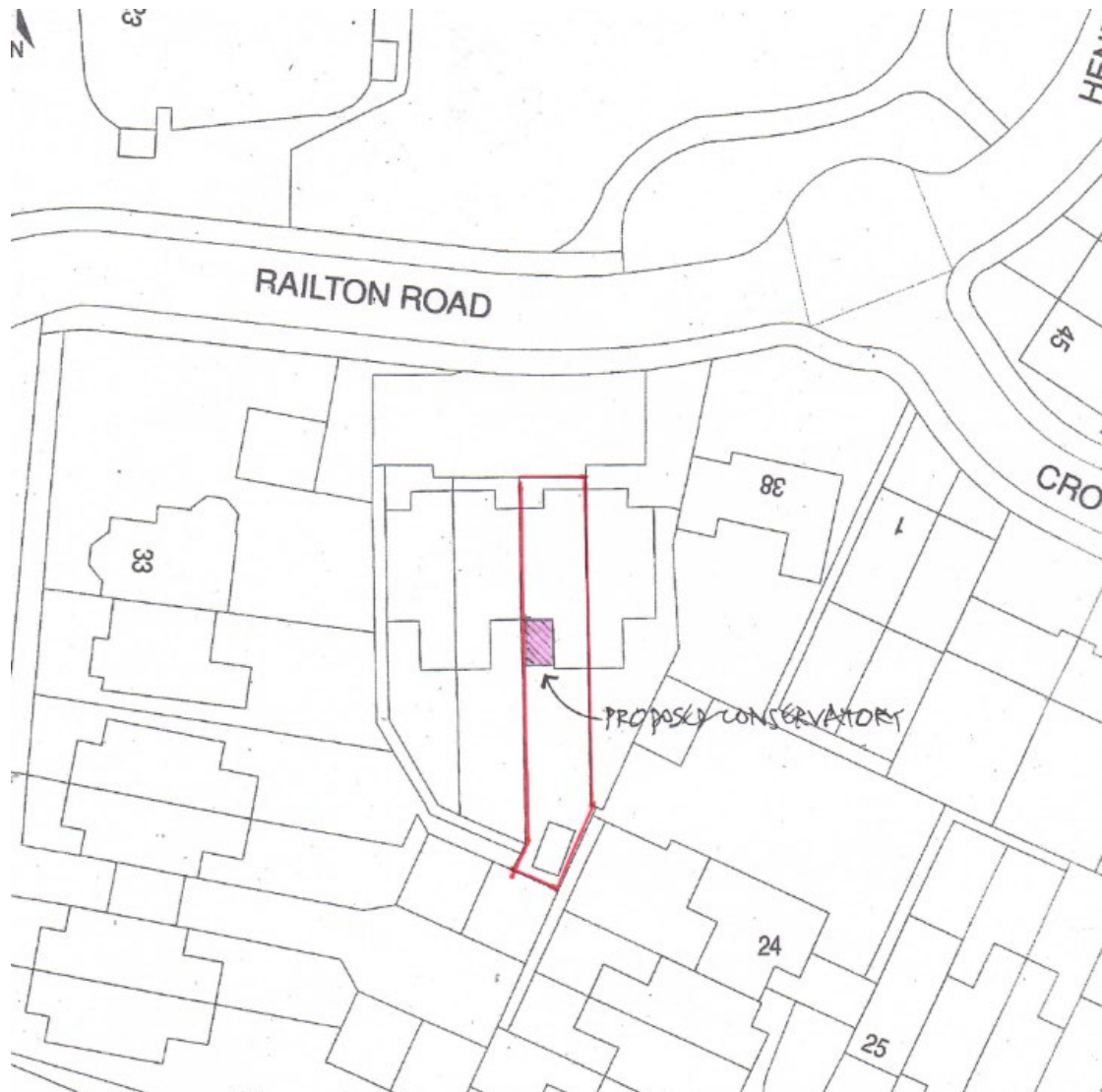
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Print Date: 17/11/2023



GUILDFORD  
BOROUGH

**23/P/01424 – 36 Railton Road, Guildford**



**Not to scale**

**App No:** 23/P/01424 **8 Wk 12/12/2023**  
**Deadline:**

**Appn Type:** Full Application

**Case Officer:** Sakina Khanbhai

**Parish:** Stoughton North

**Ward:** Stoughton North

**Agent :** Mr A. Clare

**Applicant:** Ms V. Potts

Clare and Company Ltd

**t:** 36 Railton Road

85 High Path Road

Guildford

Guildford

Surrey

GU1 2QL

GU2 9LX

**Location:** 36 Railton Road, Guildford, GU2 9LX

**Proposal:** Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

### **Executive Summary**

#### **Reason for referral**

This item has been referred to Planning Committee by the Council's Joint Executive Head of Planning Development because the application has been submitted on behalf of a member of staff.

#### **Key information**

Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

The minor material changes proposed are as follows:

- Removal of high level obscure glazed windows on the side elevation of the approved extension.
- 0.5m increase in the amount of brick courses on the side elevation of the

approved extension.

- Amendment to the glazed roof structure so that the pitch roof directly adjoins the rear elevation of the dwelling.

No material increases in the approved external dimensions of the scheme are being sought.

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

The proposal would be small scale and subservient design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The proposed is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.

Therefore, the proposed development is recommended for approval.

### **RECOMMENDATION:**

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

1. The development hereby permitted shall be begun before 11/08/2024 being the expiration of three years from the date of the original 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: 264/04 Rev G, 264/02 Rev E, 264/06 Rev C, 264/08 Rev D and 264/07 Rev B and additional information received on 18/08/23.

Reason: To ensure that the development is carried out in



accordance with the approved plans and in the interests of proper planning.

**Informatives:**

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

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

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

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or [buildingcontrol@guildford.gov.uk](mailto:buildingcontrol@guildford.gov.uk)

## **Officer's Report**

### **Site description.**

The application relates to a mid terrace three storey property located within the Urban Area of Guildford.

### **Proposal.**

Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

### **Relevant planning history.**

- 23/N/00038 - Non Material Amendment to planning permission 21/P/00812 approved 11/08/21 to omit glazing to side wall of conservatory, change arrangement of roof glazing- Refused 24/07/23
- 21/P/00812 - Single storey rear conservatory extension and enlargement of 2nd floor rear dormer.- Approved 11/08/21

### **Consultations.**

#### Internal consultees

Head of Environmental Health and Licensing: No objection.

### **Third party comments:**

No letters of representation have been received.

### **Planning policies.**

#### National Planning Policy Framework (NPPF), 2023:

- Ch 4: Decision-making.
- Ch 12: Achieving well-designed spaces.

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

- D1 Place Shaping
- D2 Climate Change, Sustainable design, construction and energy

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

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

Policy H4: Housing Extensions and Alterations including Annexes

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Supplementary planning documents:

Residential Extensions and Alterations SPD 2018

**Planning considerations.**

This application is submitted under Section 73 of the Town and Country Planning Act (as amended). The provisions of Section 73 relate to the variation or removal of planning conditions attached to a grant of planning permission. The intention is that such matters would represent a minor material change to the original grant of planning permission.

The application must be determined on the basis of the effect of varying/removing the specified conditions. No other matters can be taken into account for example the principle of the original permission cannot be re-visited. Additionally, it is not appropriate to dismiss a proposal simply on the grounds that conditions were originally proposed and therefore by default should be retained. The local planning authority must consider whether any planning harm would result from the variation.

Section 73, gives two options when considering such applications:

- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Under Section 73(a) officers should not limit themselves to assessing just the specific variation or removal suggested by the applicant. If an alternative change to the conditions would be acceptable then permission should be granted to that effect.

Part of the assessment under Section 73(b) should also be whether this would cause more than a minor material change to the change to the original permission. In such cases permission should also be refused.

In this instance, the application seeks planning permission of the variation of condition 2 (approved drawings) to remove glazing to the side wall of the approved single storey extension and minor adjustments to the roof shape of the approved extension.

The primary considerations resulting from this change would be:

- impact on the scale and character of the existing dwelling and the surrounding area
- impact on neighbouring amenity

impact on the scale and character of the existing dwelling and the surrounding area

The application site lies within the urban residential area.

The approved conservatory extension measures approximately 3.6m in depth, 2.3m in width and 2.8m in height. The approved extension has a brick finish built up to 1.7m above the finished floor level on the side elevation with glazing to eaves level and a glazed roof.

There would be no material change to the approved dimensions of the extension.

The main material change is the increase in the amount of brick courses on the side elevation of the extension due to the removal of high level obscure glazing from the approved scheme. The proposed height of the brick wall would be 2.2m and therefore there would be a difference of 0.5m in the amount of brickwork on the side wall of the approved extension. This material change would increase the amount of solid brick wall when viewed from the neighbouring property.

The proposal would also involve a small enlargement to the roof in terms of volume of the extension by removing the approved flat roof section of the roof and extending the length of the pitched glazed roof so that it would directly adjoin on to the rear elevation of the dwelling. The glazed roof structure would directly adjoin the rear elevation and this would result in a more simplified roof structure.

The scale and overall design would be in keeping with the character and appearance of the existing dwelling. Given the siting of the extension to the rear, the minor material changes to the approved scheme would not have a significant material impact on the street scene nor would it detract from the character of the area.

#### The impact on neighbouring amenity

The neighbouring property most affected is No.35 Railton Road.

The proposal would result in the removal of high level obscure glazing positioned 1.7m above the finished floor level of the approved extension and replace with additional brick work to raise the overall height of the brickwall to 2.2m. The increase in the amount of brickwork by 0.5m would not be so different to the glazing on the side elevation approved under the original permission in terms of impact on No.35's amenity.

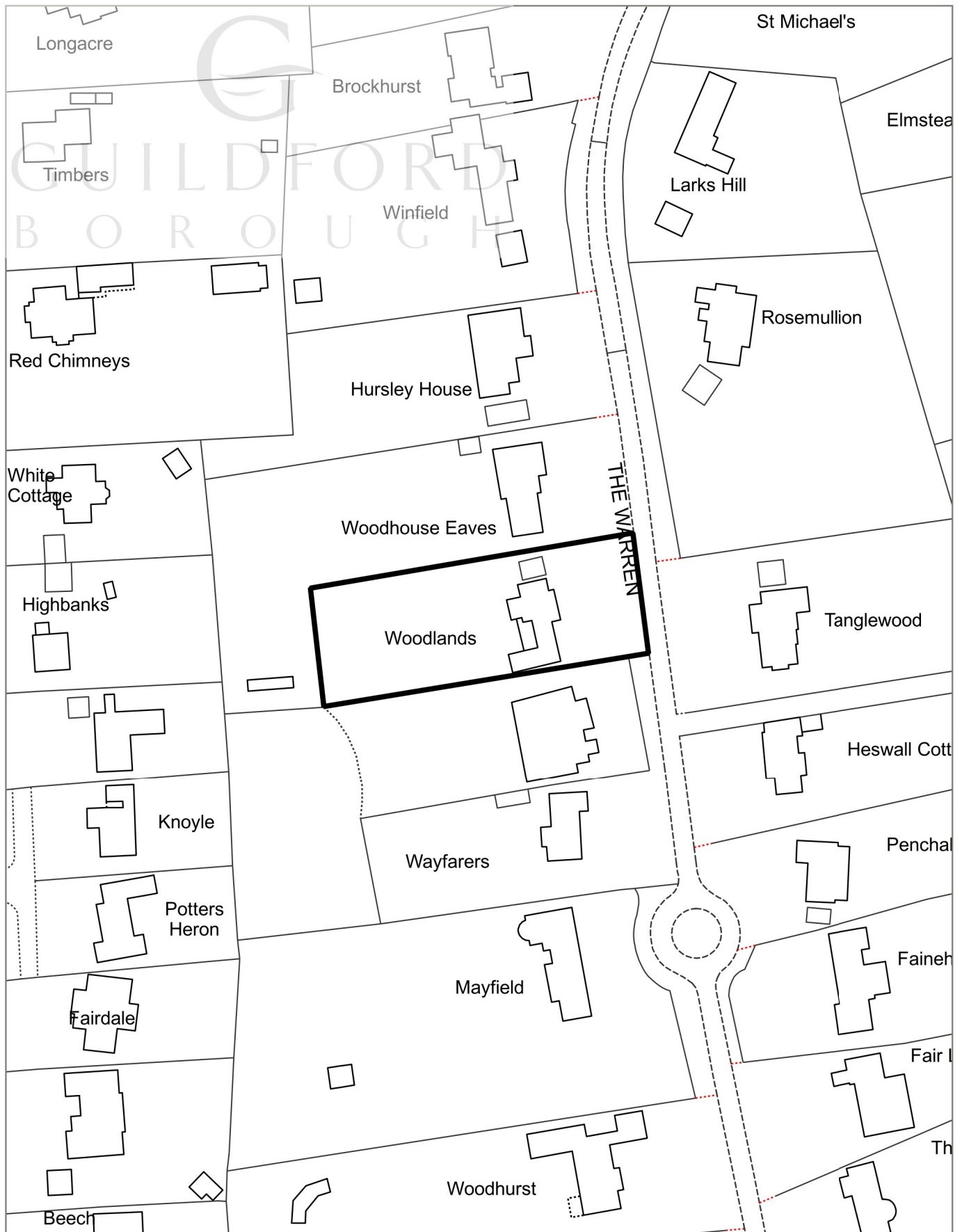
It is considered that the removal of the side facing glazing would reduce light pollution to No.35 and limit noise emitted from the extension approved.

The proposed material changes to the approved scheme would not have an unacceptable impact on the amenities enjoyed by the occupants of this neighbouring property and surrounding neighbours.

**Conclusion.**

The proposed minor material changes to the approved scheme would be acceptable in scale and design and would not result in a detrimental impact on residential amenities of the neighbouring properties. For these reasons, the application is acceptable and is therefore recommended for approval.

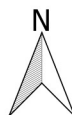
# 23/P/01774 - Woodlands, The Warren, East Horsley, Leatherhead



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Print Date: 24/11/2023



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**Not to scale**



**App No:** 23/P/01774

**8 Wk 20/12/2023**

**Deadline:**

**Appn Type:** Full Application

**Case Officer:** Becky Souter

**Parish:** East Horsley

**Ward:** Clandon & Horsley

**Agent :** Mrs Janet Long  
Planit Consulting  
3 Innovation Place  
Douglas Drive  
Godalming  
Surrey  
GU7 1JX

**Applicant:** Mr Gary Lonie  
Woodlands  
The Warren  
East Horsley  
Leatherhead  
KT24 5RH

**Location:** Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH

**Proposal:** Proposed erection of a two storey replacement dwelling with retention of existing garage together with alterations to parking and vehicular access arrangements to provide for an in/out access way

### **Executive Summary**

#### **Reason for referral**

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

#### **Key information**

The proposed development is for a four bedroom detached property following the demolition of the existing dwelling in the Green Belt.

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

The proposal represents inappropriate development in the Green Belt, there are no very special circumstances and the proposed development is contrary to Policy P2 of the Guildford Borough Local Plan : Strategy and Sites (2015-2034) and the requirements of Chapter 13.

The proposed dwelling would be materially larger than the dwelling it would replace.

The recommendation is for refusal.

### **RECOMMENDATION:**

#### **Refuse - for the following reason(s) :-**

1. The proposed replacement dwelling would, due to its scale, mass and three dimensional form, notably the significant first floor accommodation and overall floor area and volumetric increases, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances exist to outweigh this harm. The proposal is contrary to policy P2 of the LPSS, 2015-2034, and Chapter 13 of the National Planning Policy Framework, 2023.

#### **Informatives:**

1. This decision relates expressly to drawings: 1502-108C; 1502-110A; 1502-111A; 1502-112A and 1502-113A received on 23/10/2023.
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.

Pre-application advice was not sought prior to submission and there are significant objections to the application that minor alterations would not overcome, it was not considered appropriate to seek amendments through the course of this application.

### **Officer's Report**

#### **Site description.**

The site is a large detached two storey property located on The Warren, a private residential road. The site is located in the Green Belt and outside of an identified settlement boundary. The property is set in a large, elongated plot. The surrounding area is residential in character and comprises of two storey detached properties of individual styles and design.

#### **Proposal.**

Proposed erection of a two storey replacement dwelling with retention of existing garage together with alterations to parking and vehicular access arrangements to provide for an in/out access way.

#### **Relevant planning history.**

<b>Reference</b>	<b>Description:</b>	<b>Decision Summary:</b>	<b>Appeal:</b>
:			
22/P/0161 4	Erection of a replacement dwelling together with alterations to parking and vehicular access arrangements	Refuse 30/03/2023	N/A

(revision of 21/P/00646).

21/P/0064 6	Erection of a replacement Refuse dwelling together with alterations to parking and vehicular access arrangements (revision of 20/P/00952).	DISM 23/12/2022
20/P/0095 2	Proposed erection of a Refuse two-storey replacement dwelling together with alterations to parking and vehicular access arrangements.	N/A
20/W/000 23	Prior notification for a single Prior storey side and rear 8.00 metre Approval extension, 2.4 metres in height Not with an eaves height of 2.5 Required metres and a single storey rear 12/03/2020 8.0 metre extension, 2.4 metres in height with an eaves height of 2.5 metres.	N/A
19/W/001 13	Prior notification for a single Refuse storey 8.0 metre side and rear 24/01/2020 extension, 2.40 metres in height and with an eaves height of 2.40 metres.	N/A
19/W/001 11	Prior notification for a single Refuse storey 8 metre rear extension, 24/01/2020 2.4metre in height and with an eaves height of 2.4metre	N/A
18/P/0171 8	Erection of a replacement four Refuse bedroom dwelling together with alterations to parking and vehicular access arrangements.	DISM 09/08/2019

18/P/0103 Certificate of Lawfulness for a Approve N/A  
3 proposed development to 31/07/2018  
establish whether a garden shed  
would be lawful.

05/P/0233 New enlarged rear conservatory Approve N/A  
8 following demolition of existing 29/12/2005  
conservatory.

## **Consultations.**

### Statutory consultees

County Highway Authority: The application site is accessed via a private road and does not form part of the public highway, therefore, it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway. However, in order to promote sustainable transport and to reduce carbon emissions the County Highway Authority recommends the following conditions and informatives be imposed regarding electric vehicle charging points and provision for cycle storage facilities and charging point.

### Internal consultees

Environmental Health: Redevelopment of a large house on a substantial plot, no environmental health reason to comment.

### Non-statutory consultees

Thames Water: No comments to make following a review of the application.

### Parish Council

East Horsley Parish Council: No objection.

### **Third party comments:**

22 letters of support have been received outlining the following positive comments:

[Officer note: A further 3 letters of support have been received, however, these were submitted from the children of the applicant, who live at this address, and therefore these have been discounted.]

- Proposal is in keeping with the size and style of the other houses in the road.
  - The dwelling would be smaller than some other houses in the road and is suitable for the size of the plot.
  - The dwelling would not be overbearing on neighbours nor affect the amenity of neighbouring properties.
  - No impact on access or highway safety.
  - Adequate parking and servicing.
  - No impact or loss of ecological habitats.
  - Unclear why previous applications have been refused.
  - The application would make adequate provision for a local family.
- 
- Decision making at this address has been inconsistent with a new reason every time. [Officer note: The main reason for refusal in all previous applications has been the impact on the green belt, there has not been any inconsistency in this regard.]
  - Design would enhance the road.

### **Planning policies.**

#### National Planning Policy Framework (NPPF), 2023:

- Chapter 2: Achieving sustainable development.
- Chapter 4: Decision-making.
- Chapter 8: Promoting healthy and safe communities.

- Chapter 9: Promoting sustainable transport.
- Chapter 12: Achieving well-designed places.
- Chapter 13: Protecting Green Belt land.
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change.
- Chapter 15: Conserving and enhancing the historic environment.

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

- Policy P2: Green Belt
- Policy D1: Place shaping.
- Policy D2: Sustainable design, construction and energy.
- Policy ID4: Green and blue infrastructure.

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

- Policy P6: Protecting Important Habitats and Species
- 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 D12: Light Impacts and Dark Skies
- Policy D20: Conservation Areas
- Policy ID10: Parking Standards

East Horsley Neighbourhood Plan (EHNP), 2017-2033:

- Policy EH-EN4 - Biodiversity
- Policy EH-H7 - East Horsley Design Code

Supplementary planning documents:

- Residential Design Guide, 2004.
- Climate change, sustainable design, construction and energy, 2020.
- Parking Standards for New Development Supplementary Planning Document March 2023

## **Planning considerations.**

The main planning considerations in this case are:

- background
- the principle of development and the impact on the green belt
- the impact on the character of the area
- living environment
- the impact on neighbouring amenity
- highway/parking considerations
- the impact on trees and vegetation
- biodiversity and the impact on protected species
- sustainability

### Background

#### *Previous applications*

This application site has a recent history relevant to this specific proposal which stretches back to 2018. There have been 4 planning applications in that time which sought permission for a replacement dwelling which have all been refused.

### **18/P/01718**

Reason for refusal:

- The proposed replacement dwelling would, due to its footprint, scale, and mass, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances exist to outweigh this harm. The proposal is contrary to policy RE2 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated 24/09/2007), policy P2 of the emerging local plan and the National Planning Policy Framework, 2018.

Dismissed on appeal.



**20/P/00952**

Reasons for refusal:

- The proposed replacement dwelling would, due to its scale, mass and three dimensional form, notably the significantly volumetric increase, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances exist to outweigh this harm. The proposal is contrary to policy P2 of the LPSS, 2015-2034, and Chapter 13 of the National Planning Policy Framework, 2019.
- The Bat Survey report submitted with the application is out of date and as such the Local Planning Authority is unable to determine that the development would not cause harm to protected bats and therefore the proposal fails to comply with policy ID4 of the LPSS, 2015-2034, NE4 of the saved Local Plan, 2003, EH-EN4 of the East Horsley Neighbourhood Plan, 2017-2033, and the requirements of the NPPF, 2019.
- The proposal would not achieve any net gain in biodiversity contrary to the requirements of policies ID4 of the LPSS, 2015-2034, EH-ENV4 of the East Horsley Neighbourhood Plan, 2017-2033, and the NPPF, 2019.

**21/P/00646**

Reason for refusal:

- The proposed replacement dwelling would, due to its scale, mass and three dimensional form, notably the significantly volumetric increase, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances exist to outweigh this harm. The proposal is contrary to policy P2 of the LPSS, 2015-2034, and Chapter 13 of the National Planning Policy Framework, 2021.

Dismissed on appeal.

## **22/P/01614**

### Reason for refusal:

- The proposed replacement dwelling would, due to its scale, mass and three dimensional form, notably the significant volumetric increase, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances have been identified that would clearly outweigh this harm. The proposal is therefore contrary to policy P2 of the LPSS, 2015-2034, and Chapter 13 of the National Planning Policy Framework, 2021.

During this time the applicant sought prior approval for extensions to the dwelling and in 2020 constructed two large open sided wooden frame structures. These are not comparable to brick built form and it has been established through the refused applications and on appeal that these structures should not be considered in the materially larger calculations and as such are not a relevant fallback position upon which the applicant has sought to rely.

### *Neighbouring plot*

The situation on the neighbouring plot, to the south of the application has changed since the first application for a replacement dwelling. A large detached dwelling has been constructed, now known as Brycedale House, this has been referred to by the applicant, however, this was granted on appeal as a limited infill. As the Planning Inspector stated, at paragraph 15, in the dismissal of application 21/P/00646 "Although this neighbouring dwelling may be larger than the proposed dwelling, as an infill dwelling, it was not inappropriate development in the Green Belt. Therefore, this development is not comparable to the appeal proposal and is given limited weight." It is important to note that the assessment of this current planning application is to look at the proposal for a replacement building which is a different test to that for a limited infill. As such, for the purposes of the Green Belt assessment it is key to note the distinction.

### The principle of development and the impact on the green belt

The site is located within the Green Belt. The NPPF identifies that new buildings will be deemed inappropriate unless for specific purposes as set out in paragraph 149.

The replacement of an existing building for another building in the same use is identified as one such purpose, provided that the building is not materially larger than that it replaces. The test of whether a replacement building is materially larger is not an openness test nor does it relate to the visual impact of the development. Neither is it a relative assessment to the size of other buildings in the surrounding area. Instead it requires a quantitative assessment, factors can include the floor space uplift and three dimensional factors such as footprint, increases in height, width, depth and building shape. Where more than one building exists on site i.e. domestic outbuildings, the starting point should be to NOT include outbuildings in the materially larger assessment. Whether other buildings on the site would be removed as part of the application can be a material consideration but this should come after the materially larger assessment, essentially whether there is an overall reduction in built form or improvement to the character of the site that could contribute to very special circumstances in the balancing exercise.

Policy P2 of the adopted Local Plan confirms that Green Belt policy will be applied in line with the NPPF and for replacement buildings further confirms that replacement buildings should overlap with the existing structure, unless it can be clearly demonstrated that the replacement building would not harm the openness of the Green Belt. The replacement building is to be located on land previously occupied by the former dwelling, albeit with a larger footprint.

The table below sets out the key factors which need to be considered in any materially larger assessment. It should be noted that these figures do not take into account the open sided wooden structures which were added to the property through prior approval applications in 2020. Following the history of the site and the two appeal decisions the applicant has now considered not to include these in their assessment. It has been established from the many refused applications and appeal decision that these cannot be taken to be comparable to brick built form and were constructed to artificially increase the scale of the building for the purposes of gaining permission for a larger replacement dwelling.

	Existing	Proposed	Difference
Height (Max)	7.55 metres	8.2 metres	+ 0.65 metres <b>8.6% increase</b>
Width (Max)	16.0 metres	15.8 metres	- 0.2 metre 1.25% reduction
Depth (Max)	10.4 metres	10 metres	- 0.6 metres 5.8% reduction
Floor area (sq m)	227.2 sq m	299 sq m	+ 71.8 sq m <b>32% increase</b>
Ground floor area	137 sq m	167 sq m	+ 30 sq m <b>22.2% increase</b>
First floor area	89.4 sq m	131.5 sqm	+ 42.1 sq m <b>46.1% increase</b>
Volume (cu m)	844.6 sq m	1112.8 cu m	+ 268.2 cu m <b>32% increase</b>

The figures set out above are significant in terms of both floor area uplift and volume. Whilst it is noted that the maximum width and depth of the replacement dwelling would be less than the existing, these are minimal reductions, and the height would represent a greater increase than both the width and depth reductions together. Further, the footprint of the dwelling would still be larger than the existing, by 30 square metres, therefore, demonstrating that using only the maximum width and depth figures in the comparison table is not truly representative of the impact. One of the most notable factors in this case is that there is a substantial increase in floor area at first floor level, which when combined with the increased height of the dwelling, represents a significant increase in bulk. Whilst we do not have the specific figures for the volumetric increase at first and roof level this is anticipated to be of large scale. In previous applications it has been stated that a 19.9% increase in volume was significant and would likely represent a materially larger dwelling, a position the Planning Inspector supported in their appeal decision. The NPFF and Policy P2 do not specifically define the term 'materially larger', however, size is the primary test and the new building should be similar in scale to that which it replaces. In this case, the

floor area and volume of built form are almost one-third greater than that it replaces and this is a clear indicator of materiality. Therefore, it is found that the proposal would by reason of the increase in footprint, height, first floor accommodation and overall floor area and volumetric increases, represent a building which is materially larger than the one it replaces. Further, this would result in the creation of a significant amount of additional bulk on the site and an encroachment of the Green Belt which means that the land would no longer serve the five purposes of the Green Belt in paragraph 138 of the NPPF. As such, the proposal represents inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt.

Paragraph 147 to the Framework states, "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 148 affirms that substantial weight is given to any harm to the Green Belt and comments, "Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations". No very special circumstances have been identified.

The proposal is contrary to policy P2 of the LPSS, 2015-2034, paragraph 147 and Chapter 13 of the NPPF, 2023.

#### The impact on the character of the area

The existing property is a detached dwelling, of limited architectural merit, set within a spacious plot. The proposed replacement dwelling would be sited to overlap with the existing footprint of the dwelling. The surrounding area is characterised by significant detached dwellings of varying styles and designs. The proposed design approach of the replacement dwelling would respect the character of the area and as such no objection is raised in this regard. The material palette would include:

The supporting Design and Access Statement sets out that the external materials will be selected to match and reflect other houses within The Warren. As such, the design will utilise multi-stock brick walls with contrast brick plinths, string and features courses, Portland stone lintels and sill banding, plain clay tiles with bonnet hips, traditional barge boards on one gable to match neighbours, traditional brick chimneys with corbels, oak front door and windows in either powdercoated

aluminium or painted timber. The full details of materials would be secured by condition but the indication from those set out above is that the material palette would compliment the surroundings and as such is considered to be appropriate.

The site features modest vegetation to the front of the plot which softens the appearance of the dwelling. The appropriate design would not result in the replacement dwelling appearing unduly prominent within its surroundings and as such the character and appearance of the locality would not be harmed by the proposal.

The proposal is found to be compliant with policies D1 of the LPSS, 2015-2034, D4 of the LPDMP, 2023, EH-H7 of the East Horsley Neighbourhood Plan, 2017-2033 and the requirements of Chapter 12 of the NPPF, 2021.

#### Living environment

Policy D1 of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the creation of a four bedroom, eight person, two storey dwelling, the Technical Standards require 124 square metres of floor area for a dwelling of this size. The floor space to be provided within the proposed dwelling would exceed this requirement and as such the proposal would be acceptable in this regard. The standard also sets out dimensional requirements in respect of bedroom sizes, double bedrooms must be at least 11.5 square metres in area and one double must be at least 2.75 metres wide with every other double at least 2.55 metres wide. Single bedrooms must be at least 7.5 square metres in floor area and at least 2.15 metres wide. The proposed dwelling complies with these dimensional requirements. The floor plans show appropriate room sizes for their intended use and adequate outlook.

The proposed garden area would be adequate in terms of outdoor amenity space.

Therefore, the proposal would comply with policy D1 of the LPSS, 2015-2034, and the requirements of the NPPF, 2023.

#### The impact on neighbouring amenity

The closest neighbouring properties are Woodhouse Eaves, to the north of the

application site, and Brycedale House, to the south of the application site.

#### Woodhouse Eaves

The proposed dwelling would be set 6.15 metres from the boundary, with the existing garage retained immediately adjacent to the boundary, and 11.45 metres from the side elevation of this neighbouring property. Owing to the positioning of the proposed dwelling and the location of the neighbouring dwelling, the proposal would not cause any material harm to light levels received or present any overbearing impact. One small ground floor side window is proposed on this elevation, no first floor side windows are included on the proposed plans.

#### Brycedale House

The proposed dwelling would be set 3 metres from the boundary and 6.8 metres from the side elevation of this neighbouring property. Only rooflights are proposed on the single storey element of the southern elevation and as a result of their positioning and the boundary treatment, it is not considered that there would be any adverse impacts in terms of overlooking. Owing to the positioning of the proposed dwelling and the location and size of the neighbouring dwelling, the proposal would not cause any material harm to light levels received or present any overbearing impact.

Therefore, the proposal is found to be compliant with policy D5 of the LPDMP, 2023 and the requirements of the NPPF, 2023.

#### Highway/parking considerations

The existing access will be retained with an additional access created, the proposed site plan demonstrates parking space for two vehicles on the driveway, although it is acknowledged that the driveway could accommodate further additional vehicles and the existing garage would also be retained. The County Highway Authority raised no objections to the proposals subject to the imposition of conditions relating to electric vehicle charging, bike storage and e bike charging points. The latter conditions could have been secured had the application been recommended for approval. Therefore, the proposal is found to be acceptable in this regard.

### The impact on trees and vegetation

The proposal includes the removal of two existing trees to the front of the site, these are not of significant quality to warrant retention. The proposed replacement dwelling would not be situated within the root protection area of the existing trees.

Therefore, the proposal would comply with policies D1 of the LPSS 2015- 2034, P6 of the LPDMP, 2023, and the requirements of Chapter 15 of the NPPF, 2023.

### Biodiversity and the impact on protected species

#### *Protected species*

The application has been accompanied by a Bat Survey Report which is an update to the former survey reports carried out in 2016 and 2020.

In 2016, dusk emergence and dawn re-entry surveys were conducted which recorded bat passes but no bats emerging from the dwelling.

In 2020, dusk emergence and dawn re-entry surveys were conducted which recorded bat activity in the area and a single soprano pipistrelle emerged from a gap under tiles and it was concluded at the time that Woodlands hosted a common pipistrelle bat roost at that time.

In 2023, dusk emergence and dawn re-entry surveys identified numerous bat passes but no bat emergence was noted. No bats were seen entering the property to roost. Therefore, it is concluded from the most recent surveys that the house does not currently host a bat roost.

The proposal is found to be acceptable in respect of the impact on protected species and as such is compliant with policies ID4 of the LPSS, 2015-2034, policies P6 and P7 of the LPDMP, 2023, and the requirements of Chapter 15 of the NPPF, 2023.

#### *Biodiversity*

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



The dwelling would replace an existing building on the site and be built over their footprint. As such, the erection of the dwelling would not result in a significant loss of biodiversity.

However, further measures would be required to allow for an overall net gain and as such a condition is recommended to be included, should the application be approved, for the addition of bird and bat boxes at the site. This amount of net gain is considered appropriate for a development of this scale and would ensure conformity with Policy ID4 of the LPSS 2015-2034 and Policy P7 of the LPDMP, 2023.

### Sustainability

Policy D2 of the LPSS requires proposals to include information that sets out how sustainable design and construction practice would be incorporated. Policy D2 requires that minor developments should submit information proportionate to the size of the development in the planning application.

The application has been supported by the GBC Climate Change, Energy and Sustainable Development questionnaire, which outlines how the proposed development will meet sustainability requirements, as well as information contained within the Planning Statement.

The proposal relates to the demolition of an existing building and replacement with a new build dwelling, the proposal therefore has an impact in terms of embodied carbon. The Planning Statement has included a section to show consideration was given to the retention and refurbishment of the existing building and why this was discounted. The response given to this is quite limited but identifies that many elements of the existing dwelling would need to be addressed as they are not up to modern day building regulation standards, including ventilation, insulation and windows. There is no discussion about why a refurbishment could not achieve better energy efficiency particularly in the case of an extended building. In this instance, it is therefore considered that, the reuse of materials from the existing building is important in order to limit the amount of embodied carbon lost.

The Planning Statement includes a discussion of waste management and sets out

the site waste management plan for the demolition of the existing building, it is stated that the site will seek to achieve a 'zero to landfill' policy. There is a commitment to make the best use of recycling the main components from the demolition of Woodlands which applies to the bricks, any concrete and green waste. The table shows that green waste will be re-worked into soft landscaping, the bricks and concrete will be crushed and used as hardcore, timber, plasterboard, metals and other waste will be recycled with a local recycling firm. During the construction phase the site is to have segregated skips for all recyclable waste materials and a general waste skip. Further, materials would be UK sourced and any timber used would be FSC certified.

In terms of energy, the application has employed the fabric first approach in the design of the new dwelling. The replacement dwelling will need to meet part L building regulations with respect to carbon reduction which achieves a 31% reduction in carbon emissions. The proposal will include the use of solar panels to generate renewable energy.

In relation to water efficiency (Policy D2 1d), the applicant has committed to meet the water efficiency calculation of 110 litres of potable water per person with measures including water butts.

Limited information has been provided in relation to sustainable lifestyles apart from to highlight that the application site is within walking/cycling distance of bus stops, shops and railway station.

The level of information provided is considered to be appropriate to the scale of the proposal and the information shows that consideration has been given to sustainability during the design of the dwelling and as such the proposal would comply with policies D2 of the LPSS, 2015-2034, D14 and D15 of the LPDMP, 2023, and the requirements of the NPPF, 2023.

## **Conclusion.**

The application has been found to represent inappropriate development in the Green Belt. No very special circumstances have been identified. Therefore, the proposal has been found contrary to both local and national planning policy and is recommended for refusal.



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## PLANNING COMMITTEE

6 DECEMBER 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](mailto:sophie.butcher@guildford.gov.uk))

1.	<p><b>Mr &amp; Mrs P Lawton</b>  <b>37 Fairway, Guildford, Surrey, GU1 2XN</b></p> <p><b>23/P/00158</b> – The development proposed is the construction of a detached garage.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b>  The main issue in this appeal is the effect of the proposal on the character and appearance of the surrounding area.</p> <p>Please view the decision letter online via the planning portal.</p>	<b>*ALLOWED</b>
2.	<p><b>Mr Nick Howe</b>  <b>Chalk Barton, Shere Road, West Horsley, Surrey, KT24 6EW</b></p> <p><b>22/P/01770</b> – The development proposed is for the demolition of existing front walling and front flue, erection of ground floor infill porch, finished with open oak structure, replacement flue and alterations.</p> <p>Officer Recommendation: To Refuse  Planning Committee: 29 March 2023  Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b>  Whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt) having regard to the Framework and relevant development plan</p>	<b>*ALLOWED</b>

	<p>policies.</p> <p>Please view the decision letter online via the planning portal.</p>	
3.	<p><b>Mr Matthew Mansfield</b>  <b>Fairholme, Flexford Road, Normandy, Surrey, GU3 2EF</b></p> <p><b>22/P/01972</b> – The development proposed is the erection of single storey front and rear extension, conversion of loft space to habitable accommodation, roof alterations to include raised ridge height, rear dormer, and front chalet style extensions, demolition of conservatory and changes to fenestration.</p> <p>Delegated Decision: non-determination</p> <p><b>Inspector's Main Issues:</b></p> <ul style="list-style-type: none"> <li>• the effect of the proposal on the character and appearance of the property and surroundings; and</li> <li>• the effect of the proposal on the living conditions of the occupants of Claymore, with respect to outlook and light.</li> </ul> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*ALLOWED</b></p>
4.	<p><b>Mr Matthew Mansfield</b>  <b>Fairholme, Flexford Road, Normandy, Surrey, GU3 2EF</b></p> <p><b>23/P/00632</b> – The development proposed is the erection of single storey front and rear extension, conversion of loft space to habitable accommodation, roof alterations to include raised ridge height, rear dormer and front chalet style extensions, demolition of conservatory and changes to fenestration.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b></p> <p>The effect of the proposal on the character and appearance of the property; and  the effect of the proposal on the living conditions of the occupants of Claymore, with respect to light.</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*ALLOWED</b></p>

<p><b>5.</b></p>	<p><b>Taylor Commercial Repairs</b>  <b>Morris &amp; Stevens Nursery, The Street, Compton GU3 1EJ</b></p> <p><b>20/P/01712</b> – The development proposed is described as “retention of the hard surfacing and use for parking/maintenance of vehicles.”</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector’s Main Issues:</b>          (i) whether or not the proposal is 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 character and appearance of the area; and          (iii) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>*ALLOWED</b></p>
<p><b>6.</b></p>	<p><b>Mr Alexander Stewart Clark of Lasch Ltd</b>          Land known as Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE</p> <p><b>EN/19/00016</b> – The breach of planning control as alleged in the notice is (i) Without a planning permission, an engineering operation consisting of the construction of a bund/raised earth platform. Without planning permission, an engineering operation comprising changes to the levels of the ground, construction of a wall and fence and the laying of materials to create a hard surfaced raised area, (iii) Without planning permission, operational development consisting of the installation of two structures, (iv) Without planning permission an engineering operation comprising construction of a track.</p> <p>Delegated Decision: To Refuse</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>ENFORCEMENT          NOTICE UPHELD          AND PLANNING          PERMISSION          REFUSED</b></p>

7.	<p><b>Ms Monica Malfa</b>  <b>71A Poyle Road, Tongham, Farnham, Surrey GU10 1DX</b></p> <p><b>22/P/01145</b> – The works proposed are a two storey side extension.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b>  The main issue is the effect of the proposed works on the special interest of the Grade II listed building 'The Old Farmhouse' (Ref: 1029609) and any of the features of special architectural or historic interest that it possesses.</p> <p>Please view the decision letter online via the planning portal.</p>	<b>DISMISSED</b>
8.	<p><b>Mr M Reid</b>  High Ryde, Old Lane, Mays Green, Cobham, Surrey, KT11 1NJ</p> <p><b>22/P/01537</b> – The development proposed is for a retrospective application to incorporate as-built amendments to lawful development certificate 16/P/01670, approved on 04/10/2016 and planning permission 16/P/02587, approved on 14/02/2017, proposed two storey side extension and loft conversion to habitable accommodation.</p> <p>Delegated Decision: To Refuse</p> <p><b>Inspector's Main Issues:</b>  The main issue in this appeal is:  whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt), having regard to the Framework and relevant development plan policies.</p> <p>Please view the decision letter online via the planning portal.</p>	<b>DISMISSED</b>
9.	<p><b>Appeal A</b>  <b>Ms Clare Dyer</b>  <b>Cheynes Cottage, Brook Lane, Albury, Surrey, GU5 9DH</b></p> <p><b>22/P/00941</b> – The development proposed is 2 x single storey side extensions, single/part two storey rear extension, changes to rear fenestration, and landscaping works following</p>	<b>DISMISSED</b>



<p>demolition of side and rear extensions.</p> <p>Delegated Decision: Non-determination</p> <p><b>Appeal B</b> Ms Clare Dyer</p> <p><b>22/P/00554</b> – The development proposed is the erection of a car port.</p> <p>Delegated Decision: Non-determination</p> <p><b>Inspector's Main Issues:</b> The main issues in both appeals are whether the proposed developments would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy; The effect of the proposals on the openness of the Green Belt; if the developments would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify them.</p> <p>Please view the decision letter online via the planning portal.</p>	<p><b>DISMISSED</b></p>
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