



GUILDFORD
BOROUGH

www.guildford.gov.uk

Pedro Wrobel
Joint Chief Executive
of Guildford and Waverley
Borough Councils

Contact Officer:

Sophie Butcher,
Democratic Services Officer

19 March 2024

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 27 MARCH 2024 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: 881 262 625#.

Members of the public may watch the live webcast here:

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

Yours faithfully

Pedro Wrobel

Joint Chief Executive



MEMBERS OF THE COMMITTEE

Chairman: Councillor Vanessa King
Vice-Chairman: Councillor Dominique Williams

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 Gillian Harwood
Councillor Joss Bigmore	Councillor Bob Hughes
Councillor James Brooker	Councillor Sandy Lowry
Councillor Philip Brooker	Councillor Jane Tyson
Councillor Ruth Brothwell	Councillor James Walsh
Councillor Amanda Creese	Councillor Keith Witham
Councillor Jason Fenwick	Councillor Catherine Young

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

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

Our Mission:

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

Our Values:

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

Our strategic priorities:

Homes and Jobs

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

Environment

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

Community

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

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

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

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

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

3 MINUTES (Pages 19 - 28)

To confirm the minutes of the meeting of the Committee held on 28 February 2024 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 29 - 30)

All current applications between numbers 22/P/01757 and 24/T/00018 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

- 5.1 **22/P/01757 - Gravetts Lane, Tangle Lane, Worplesdon, Guildford, GU3 3JY**
(Pages 31 - 70)
- 5.2 **22/P/01846 - Westfield, Ockham Road North, East Horsley, Leatherhead, KT24 6NU**
(Pages 71 - 106)
- 5.3 **23/P/02048 - Talland, 13 Beech Lane, Guildford, GU2 4ES**
(Pages 107 - 120)
- 5.4 **24/T/00018 - Pembroke House, 54 Potters Lane, Send, Woking, GU23 7AL**
(Pages 121 - 130)

6 PLANNING APPEAL DECISIONS (Pages 131 - 136)

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

WEBCASTING NOTICE

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

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

NOTES:

Procedure for determining planning and related applications:

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

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

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

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

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

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

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

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

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

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

GUIDANCE NOTE For Planning Committee Members

Probity in Planning – Role of Councillors

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

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

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

Reason for Refusal

How a reason for refusal is constructed.

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

When formulating reasons for refusal Members will need to:

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

Example

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

Reason for Approval

How a reason for approval is constructed.

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

Example:

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

Reason for Deferral

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

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

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

NOTES:

Officer's Report

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

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

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

Written Representations

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

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

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

Background Papers

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

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

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

Human Rights Act 1998

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

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

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

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

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

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

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

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

3 Article 14: prohibition from discrimination

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

4 Article 1 Protocol 1: protection of property;

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

5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

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

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

Costs

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

However, where:

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

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

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

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PLANNING COMMITTEE

- * Councillor Vanessa King (Chairperson)
- * Councillor Dominique Williams (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 OBE | |

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Stephen Hives and Councillor Jane Tyson attended as a substitute. An apology was also received from Councillor Sue Wyeth-Price with no substitute in attendance.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Applications 23/P/02076 and 23/P/02077 – 13 The Court, Bury Fields, Guildford, GU2 4BA

Councillor Vanessa King declared a non-pecuniary interest in the above applications owing to knowing the applicant who was a member of the Planning Committee and of her political party. Councillor King confirmed that this would not affect her objectivity in the consideration of these applications.

Councillor Cait Taylor declared a non-pecuniary interest in the above applications owing to the applicant being a fellow ward councillor. Councillor Taylor confirmed that this would not affect her objectivity in the consideration of these applications.

Councillors Dominique Williams and James Jones also declared non-pecuniary interests in the above applications owing to knowing the applicant who was a member of the Planning Committee and of her political party. Councillor

Williams and Jones confirmed that this would not affect their objectivity in the consideration of these applications.

PL3 MINUTES

The minutes of the Planning Committee held on 31 January 2024 were agreed and signed by the Chairperson as a true and accurate record.

PL4 ANNOUNCEMENTS

The Committee noted the Chairperson's announcements.

PL5 23/P/02046 - 15 ST OMER ROAD, GUILDFORD, GU1 2DA

The Committee considered the above-mentioned full application under Section 73 of the Town and Country Planning Act 1990 (as amended) for the Variation of Condition 2 (approved plans) to create habitable accommodation in the roofspace with dormer and gable windows as well as rooflights to planning permission 23/P/00694 approved 14/11/23 for the demolition of existing dwelling and outbuildings and erection of two detached dwellings.

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

- Professor Emily Ellwood (to object);
- Ms Helen Treharne (to object) and;
- Mr James Deverill (Agent) (in support)

The Committee received a presentation from the Senior Planning Officer, Justin Williams. No changes were proposed to the layout of the properties from the approved scheme. The changes proposed were just alterations to the roof area and would not increase the size of the approved dwellings. Concerns had been raised regarding the potential for overlooking from the dormer windows, particularly towards the rear. However, condition 17 restricted the openings of the rear dormer window to be obscurely glazed. The proposal would also increase the occupation of the site and as a result there would be an effect upon the Thames Basin Heath Special Protection Area (TBHSPA). However, officers were satisfied that the proposal would not materially affect or harm the appearance of the approved dwellings in the streetscene nor impact the residential amenities any more than the approved extant permission. The

application was therefore recommended for approval subject to the conditions and reasons as detailed in the report.

The Committee discussed the application and wished to receive clarification on whether the proposed additional rooms could be allowed under permitted development. The Senior Planning Officer confirmed that there was condition on the original permission regarding restricting the windows which was why they had to submit an application in this regard. However, ordinarily such windows could be granted by permitted development. The obscured glazing could only be removed by way of application.

The Committee noted concerns raised that the application represented planning creep. The Committee also noted clarification from planning officers that if permitted development rights were removed it did not mean that a development proposal was unacceptable. It just meant that an application had to be submitted. Disregarding the fact that a second application had been submitted in close succession, the application still had to be considered according to its own merits.

The Committee noted further comments that the proposal fitted in relatively well in comparison to the emerging trend for this style of development in Omer Road.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Bilal Akhtar	X		
2	Vanessa King	X		
3	David Bilbe	X		
4	Yves de Contades	X		
5	Cait Taylor	X		
6	Jane Tyson	X		
7	Lizzie Griffiths	X		
8	Joanne Shaw	X		
9	Amanda Creese	X		
10	Patrick Oven	X		
11	James Jones	X		
12	Maddy Redpath	X		
13	Dominique Williams	X		
14	Richard Mills	X		
	TOTALS	14		

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

RESOLVED to approve application 23/P/02046 subject to a Section 106 Agreement securing the appropriate additional financial contributions to mitigate the impact of the proposals on the Thames Basin Heaths SPA and conditions and reasons as detailed in the report.

PL6 23/P/00313 - HERTFORD PARK, BURDENSOTT ROAD, WORPLESDON, GUILDFORD, GU3 3RN

The Committee considered the above-mentioned full application for conversion of agricultural buildings to six residential dwellings.

The Committee received a presentation from the Senior Planning Officer, Sakina Khanbhai. The Committee noted that the site was located in the Green Belt and lies within 400 metres to 5 kms of the Thames Basin Heath Special Protection Area (TBHSPA). Immediately to the south of the agricultural buildings was the exclusion zone of the TBHSPA. The site was also in close proximity to the boundary with Woking Borough Council but was within Guildford Borough.

The site was part of a wider complex of residential and agricultural buildings and paddocks accessed by a track road and existing vehicle access from Burdenshott Road to the north-east.

The application site was comprised of a cluster of three agricultural buildings with approved consent schemes for the change of use of some of the buildings under class Q of the General Permitted Development Order. Each proposed residential unit would have its own individual amenity space and parking facilities.

The proposal would result in the conversion of three buildings which were structurally sound to create 6 dwellings which complied with the objectives of the NPPF and local planning policies. The proposal also fell within the exceptions list within paragraph 155D of the NPPF and would have no greater impact upon the openness of the Green Belt. The buildings would retain the character and be in keeping with the small cluster of residential dwellings within the immediate vicinity. The application had therefore been recommended for approval subject to a S106 Agreement to secure mitigation measures for the Special Protection Area.

The Committee discussed the application and wished to receive clarification on the agricultural buildings, which looked run down overall and whether they had ceased being used for the homing of livestock. The Planning officer confirmed that this was the case and that a statement from the owners of the site was not a requirement, to confirm that the buildings would no longer be used for agricultural purposes. In addition, it was confirmed that both Woking and Guildford Borough Councils would be working together in making decisions that were consistent with the NPPF and local planning policies. Whilst local planning policies might be worded slightly differently between boroughs, the NPPF was clear around the re-use of rural buildings. The policy promoted their re-use however it was acknowledged, that by their nature the buildings were often not located in sustainable locations.

The Committee considered that given there was no increase to the scale of the buildings overall the cluster of residential dwellings would not be out of keeping with the surrounding area.

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

RECORDED VOTE LIST				
		FOR	AGAINST	ABSTAIN
1	Richard Mills			X
2	Vanessa King	X		
3	Bilal Akhtar		X	
4	Jane Tyson	X		
5	Amanda Creese	X		
6	David Bilbe	X		
7	Cait Taylor	X		
8	James Jones	X		
9	Dominique Williams	X		
10	Lizzie Griffiths	X		
11	Yves de Contades	X		
12	Patrick Oven	X		
13	Maddy Redpath	X		
14	Joanne Shaw	X		
	TOTALS	12	1	1

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

RESOLVED to approve application 23/P/00313 subject to a Section 106 Agreement securing an appropriate financial contribution to secure mitigation against the impact of the proposals on the Thames Basin Heath SPA and subject to the conditions and reasons as detailed in the report.

PL7 23/P/02076 - 13 THE COURT, BURY FIELDS, GUILDFORD, GU2 4BA

The Committee considered the above-mentioned full application for removal of two ground floor windows and brickwork between and insertion of a pair of doors.

The application had been referred to the Planning Committee because the applicant is a member of the Council.

The Committee received a presentation from the Senior Planning Officer, Justin Williams. The Committee noted that the proposal would not increase the size of the floor area of the property and was just seeking to change the appearance on the rear elevation. The works were not considered by planning officers to materially affect the appearance of the property nor would it significantly harm

the character or appearance of the Conservation Area or the setting of the listed buildings.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Vanessa King	X		
2	Dominique Williams	X		
3	Lizzie Griffiths	X		
4	Richard Mills	X		
5	Patrick Oven	X		
6	Joanne Shaw	X		
7	David Bilbe	X		
8	Yves de Contades	X		
9	Jane Tyson	X		
10	James Jones	X		
11	Amanda Creese	X		
12	Maddy Redpath	X		
13	Bilal Akhtar	X		
14	Cait Taylor	X		
	TOTALS	14	0	0

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

RESOLVED to approve application 23/P/02076 subject to the conditions and reasons as detailed in the report.

PL8 23/P/02077 - 13 THE COURT, BURY FIELDS, GUILDFORD, GU2 4BA

The Committee considered the above-mentioned Listed Building Consent application for removal of two ground floor windows and brickwork between and insertion of a pair of doors.

The application had been referred to the Planning Committee because the applicant is a member of the Council.

The Committee received a presentation from the Senior Planning Officer, Justin Williams. The Committee noted that the proposal would not increase the size of the floor area of the property and was just seeking to change the appearance on

the rear elevation. The works were not considered by planning officers to materially affect the appearance of the property nor would it significantly harm the character or appearance of the Conservation Area or the setting of the listed buildings.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Joanne Shaw	X		
2	David Bilbe	X		
3	Dominique Williams	X		
4	Yves de Contades	X		
5	Richard Mills	X		
6	Amanda Creese	X		
7	Lizzie Griffiths	X		
8	Cait Taylor	X		
9	Patrick Oven	X		
10	Jane Tyson	X		
11	Maddy Redpath	X		
12	Bilal Akhtar	X		
13	Vanessa King	X		
14	James Jones	X		
	TOTALS	14	0	0

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

RESOLVED to approve application 23/P/02077 subject to the conditions and reasons as detailed in the report.

PL9 PLANNING APPEAL DECISIONS

The Committee discussed and noted the appeal decisions.

The meeting finished at 8.05 pm

Signed

Date

Chairman

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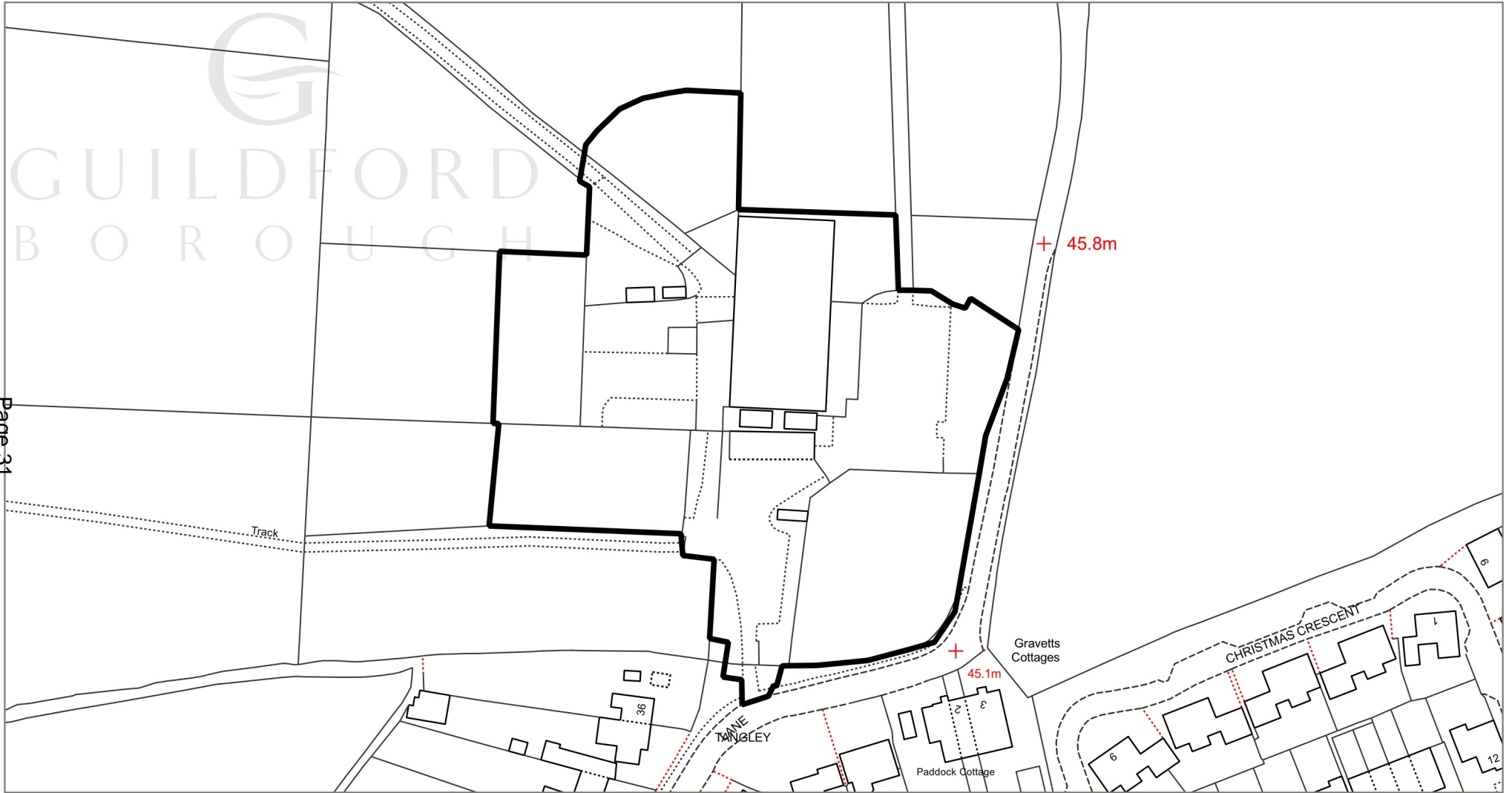
GUILDFORD BOROUGH COUNCIL**PLANNING COMMITTEE INDEX****27/03/2024**

Item No.	Ward	Applicant	Location	App.No.	Rec.	Page
5.1	Worplesdon	Chris Evans Consultancy Ltd & Sustainable Land Products Ltd, 4 Riverview	Gravetts Lane Stables, Tangle Lane, Worplesdon, Guildford, GU3 3JY	22/P/01757	S106	31.
5.2	Clandon and Horsley	Pende Fields Ltd, C/o Agent	Westfield, Ockham Road North, East Horsley, Leatherhead, KT24 6NU	22/P/01846	S106	71.
5.3	St. Nicolas	Mrs Blackmore, 13 Talland Beech Lane	Talland, 13 Beech Lane, Guildford, GU2 4ES	23/P/02048	APPC	107.
5.4	Send and Lovelace	Madgewick Developments Ltd	Pembroke House, 54 Potters Lane, Send, Woking, GU23 7AL	24/T/00018	APPC	121.

Total Applications for Committee**4**

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22/P/01757 - Gravetts Lane Stables, Tangley Lane, Worplesdon, Guildford



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Print Date: 11/03/2024



Not to Scale



Agenda item number: 5(1)

**22/P/01757 – Gravetts Lane Stables, Tangley Lane, Worplesdon
Guildford, GU3 3JY**



Plot 3: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 4: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 5: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 6: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 7: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 8: 4 bed unit - (10.6m wide x 7.6m deep x 7.54m high)

Plot 9: 4 bed unit - (12.0m wide x 8.0m deep x 8.3m high)

Open bay garage: 11.95m wide x 6.35m deep x 5.8m high

Summary of considerations and constraints

The site is located within the Green Belt, is covered by an Article 4 Direction and is located 400m-5km from the Thames Basin Heaths Special Protection Area which is located just a little further to the north of the application site.

The Article 4 Direction restricts the following development which would otherwise be able to be carried out under permitted development:

- the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- the use of any land for any purpose for not more than 28 days in total in any calendar year, or which not more than 14 days in total may be for the holding of a market or motor car and motorcycle racing including trials of speed, and practicing for these activities, and
- the provision on the land of any moveable structure for the purpose of the permitted use being development comprised within Class A of Part 2 of Schedule 2 and Class B of Part 4 of Schedule 2 to the said Order and not being development comprised within any other class

The site lies outside the Urban area of Guildford as defined in the Adopted Local Plan.

The proposal represents inappropriate development in the Green Belt due to the height of the proposed dwellings and the location of Plots 1-3, however, it is

considered that very special circumstances that exist that clearly outweigh the identified harm. In this instance the proposal would bring:

- an environmental and visual benefit from the removal of outdated buildings and the provision of new sensitively designed dwellings, and the removal of three buildings (101 sq m) located in an isolated position to the west of the site which would improve the openness in this part of the Green Belt
- an environmental benefit of reducing the overall footprint and volume of built form and hardsurfacing on site
- A social benefit as a result of bringing a vacant site back into use and the provision of nine residential units which would go towards meeting the housing need in the Borough
- short-term economic benefit from the demolition on site and construction of the proposed dwellings
- long-term economic benefit from the economic activities of the future occupiers of the site
- environmental benefit from the enhancing biodiversity on site
- The proposed dwellings would not extend out into more open parts of the countryside
- The site is almost adjacent to the urban area of Guildford and so is not located in an isolated location and as such is considered to be located in a fairly sustainable location

No harm is identified to the character of the area as it is considered that the proposed development would have an appropriately rural character in a location which transitions between the urban area of Guildford and the Green Belt. The dwellings are considered to be well designed and would provide a mix of property types to reflect the identified need in the borough.

No harm to neighbouring amenity would occur due to the separation distances to neighbouring dwellings.

The existing vehicle access to the site would be utilised and upgraded and sufficient parking would be provided on site for any future occupants of the site as well as any visitors.

No objection is raised to the proposed development in terms of the impact on trees.

With regard to biodiversity, an Ecological Appraisal has been submitted and assessed. A number of recommendations have been made within the report, these, together with biodiversity enhancements are recommended to be secured by condition.

Sustainability measures have been taken into consideration as part of the proposed development and conditions are recommended to secure these.

A Unilateral Agreement will be sought to secure the necessary financial contributions in order to mitigate the impact of the development on the integrity of the Thames Basin Heaths Special Protection Area.

RECOMMENDATION:

That delegated powers are granted to the Executive Head of Planning Development to grant planning permission, subject to a Unilateral Agreement securing a contribution to the Suitable Alternative Natural Green Space and its Strategic Access Management and Monitoring and:

subject to the following condition(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: LP2 received 03/11/22, 208A, 200 A, 201A received 02/02/24, 202, 203, 204, 205, 206 207 received 19/01/24 and 2023/7519/004 revision P2 received 05/02/24 and 210, 211, 212, 213 received 08/03/24.

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

proper planning.

3. No development shall commence other than demolition until the existing buildings and their foundations identified on the demolition site plan drawing number 214 received 04/03/24 are demolished and all of the resultant demolition materials and debris that are not to be reused in the construction of the development hereby permitted shall be removed from the site.

Reason: In the interests of the character and appearance of the area, the openness of the Green Belt and to accord with the approved plans.

4. No development shall take place until a detailed Phase One survey, including historic investigation and details of ground conditions has been submitted to the Local Planning Authority to ascertain whether the site supports any soil or water contamination. If the Local Planning Authority considers that further investigation of the site is necessary, a detailed site investigation must be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. The investigation shall include relevant subsurface, soil gas and groundwater sampling together with the results of analysis and a risk assessment of the impact to receptors. Any remediation required shall be fully detailed to restore the site to a standard suitable for its approved use, including works to address any unsuspected contamination.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This pre-commencement condition is required to ensure that any risk is identified at an appropriate stage of the development.

5. Any remediation scheme submitted in accordance with the above condition shall be carried out as detailed in the submitted investigation. Documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the first occupation of the houses hereby permitted.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to ensure the height of the development is appropriate to the character of the area.

7. The approved Arboricultural Report, which included an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by Marky Welby Ltd dated 28th 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.

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

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

9. No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water. It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: In order that the effects to the environment and to the

amenities of nearby residential properties during construction are minimised. This pre-commencement condition is required in order to ensure that consideration is given to the impacts of the construction of the development at an appropriate time.

10. Prior to the commencement of development above slab level, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used). The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

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

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

12. The development hereby approved shall not be first commenced unless and until the proposed vehicular access to Tangle 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. This pre-commencement condition is required to ensure highway safety is secured from the outset.

13. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority 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.

14. 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 within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order to promote sustainable forms of transport.

15. 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.

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

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

17. No development shall take place until a written Site Waste Management Plan is 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 includes the re-use of limited resources and to ensure that the amount of waste to landfill is reduced. This pre-commencement condition is required to ensure that waste is considered at an early stage of the development prior to demolition activities on site.

18. No development shall take place until a Non-licenced Methods Statement for great crested newts, written by a suitably experienced ecologist has been submitted to and approved in writing, by the Local Planning Authority.

Reason: In order to minimise the impacts of development on biodiversity. This pre-commencement condition is required to ensure that the construction of the Development does not impact Great Crested Newts, their breeding sites or resting places and as such these details needs to be secured prior to any works taking place on site.

19. No development shall take place above slab level until full details, of both hard and soft landscape proposals, including a landscape management plan and schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. This should include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The development shall be carried out in accordance with the approved details and 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 and to ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal or nature conservation significance.

20. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In the interests of visual amenity and to ensure the lighting does not adversely affect the behaviours of bats.

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.

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

2. The applicant is advised that there will be a fee for each separate submission of information and details required to discharge the conditions.
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) 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 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

5. The 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>

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.

6. 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 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 (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.
7. The development should be carried out in accordance with the Sustainable Design and Construction Supplementary Planning Document (March 2011) in order to ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.
8. Works related to the construction of the development, including works of demolition or preparation prior to building operations, shall not take

place other than between the hours of 08:00 and 18:00 Mondays to Fridays and between 08:00 and 13:30 Saturdays and at no time of Sundays or Bank or National Holidays.

Officer's Report

Site description.

The application site comprises the main part of the site which is accessed off Tangley Lane and extends northwards and comprises a number of detached outbuildings and large areas of hardsurfacing as well as sand schools; the application site also includes three small outbuildings further to the west which are accessed via the main part of the site.

The site is located within the Green Belt, is covered by an Article 4 Direction and is located 400m-5km from the Thames Basin Heaths Special Protection Area which is located just a little further to the north of the application site. The urban area of Guildford runs just to the south of the application site following the site allocation and now development of A22 at land north of Keens Lane.

Proposal.

This application proposed the demolition and replacement of Gravetts Lane Stables with nine residential units with associated parking and amenity space.

The initial application sought to provide 10 residential units on site, however, following concerns raised the proposed development was reduced to nine residential units and the design of the properties and layout has also been significantly amended during the course of the application.

The proposed development now comprises two detached dwellings, and two rows of terraces.

Plot 1: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 2: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 3: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 4: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 5: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 6: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 7: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 8: 4 bed unit - (10.6m wide x 7.6m deep x 7.54m high)

Plot 9: 4 bed unit - (12.0m wide x 8.0m deep x 8.3m high)

Open bay garage: 11.95m wide x 6.35m deep x 5.8m high

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
00/P/0102 1	Erection of a two bedroomed bungalow	Refused	N/A
99/P/0036 9	Relaxation of condition (ii) of planning permission 90/P/1439 allowed on appeal 29/08/91 for permanent retention of 14 stables to be used in connection with existing riding school and livery.	Approved with conditions	N/A
93/P/0006 4	Retention of menage	Refused	Appeal allowed without conditions
93/P/0006 3	Continued use of barn for agricultural and equestrian purposes (housing 12 horses).	Refused	Appeal allowed without conditions
90/P/0143 9	Erection of fourteen timber stables in two blocks with concrete base and yard	Refused	Appeal allowed

Consultations.

County Highway Authority: No objection on safety, capacity or policy grounds subject to conditions relating to visibility zones, layout, provision of covered bicycle stores and charging points for bicycles. (Officer note: an additional condition is recommended to secure fast charge electric vehicle points, however this is now a building regulations requirement).

Natural England: In accordance with an agreed position with Natural England, Natural England (NE) 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. An individual consultation with NE will therefore not be required in these cases.

Operational and technical services: No objection as the vehicle can enter an exit the site safely in a forward gear and collect all waste and recycling on site.

Aboricultural Officer: No objection to the propose re-development of the site subject to a condition relating to tree protection being in place

Head of Environmental Health and Licensing: No objection subject to the imposition of conditions relating to contaminated land.

Thames Water: regarding foul and surface water - a condition is recommended prior to development on site requiring confirmation that foul waste surface water capacity exists off site to serve the development or an infrastructure phasing plan has been agreed or all foul water and surface water network upgrades required to accommodate the additional flows from the development have been implemented.

Surrey Police The development should achieve a Secure By Design Accreditation. (Officer note: An informative is recommended to advise the applicant of this.

Surrey Wildlife Trust: No objection subject to a condition securing a non-licensed

method statement prior to commencement of development.

Lead Local Flood Authority: The drainage scheme meets the requirements, subject to the imposition of conditions

Worplesdon Parish Council: Object for the following reasons:

- Inappropriate development within the green belt - no very special circumstances have been demonstrated
- No affordable housing is proposed (Officer note: the proposal is for less than 10 units and is not located in a Designated Rural Area where affordable homes would be required on sites providing more than 5 dwellings).
- Unrestricted urban sprawl detracting from the openness of the countryside in this location and undermining the separation between the urban and rural areas
- The development would be visually prominent from the A322 having an adverse impact on the rural character of the area
- Only a small area of land preventing the coalescence of the town with the conservation area of Worplesdon
- The site is agricultural rather than previously developed land (Officer note: the site was formerly in equestrian use before becoming vacant)
- The site is not on a designated brownfield site
- The application lacks essential environmental provisions (insufficient electric vehicle charging points, wildflower meadow and a local equipped area for play (LEAP)). Officer note: electric vehicle charging points are now secured at building regulations stage, the proposal would not meet the criteria for a LEAP and as such cannot be required, however a communal area is proposed to the west and in the east of the site. With regard to biodiversity a condition is recommended to ensure biodiversity enhancements on site).
- Development at this location would erode the newly created urban boundary which would have an adverse impact on this locality
- The site is located on article 4 land (Officer note: Article 4 land restricts certain development that would otherwise benefit from permitted development rights without express planning permission which enables the proposal to be assessed, in this instance the Article 4 was imposed for reasons of amenity)
- Flooding near the site entrance - assurances are required to ensure that proposed and existing dwellings would be protected (Officer note: a drainage strategy has been submitted dealing with the impact of the proposed development and no objections have been raised by the Local Lead Flood

Authority. The applicant is not required to mitigate against existing issues that may exist.)

- Poor sightlines and a narrow access to the site poses a safety risk particularly when vegetation grows rapidly during the growing season
- The allocation of the parking spaces are remote from the properties
- Concern that visitor parking would be abused and there is no alternative for parking in Tangley Lane
- Potential impact on the Thames Basin Heaths Special Protection Area (TBHSPA) (Officer note: a legal agreement will be secured to ensure a financial contribution to mitigate against the impact of the development on the TBHSPA.

Guildford Society: Objects for the following reasons:

- The site should not be considered as infilling as Gravetts Lane is a natural boundary for the Guildford Urban Area
- Any consent would set a precedent for future incursions into the Green Belt devaluing its value
- The site should be considered a source of employment

Third party comments:

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

- Inappropriate development within the Green Belt with no very special circumstances to clearly outweigh the harm to the Green Belt
- Intrusion into Green Belt land
- The site is not identified within the Local Plan for development
- Increase in traffic and carbon gases
- The site is covered by an Article 4 Direction (Officer note: this Direction simply limits certain development on the site that would otherwise be allowed under permitted development)
- The houses will be more spread out than the existing stable buildings resulting in a reduction in the openness of the Green Belt
- The existing stables have a rural appearance and are more in harmony with the landscape than the proposed houses (Officer: this comment was submitted before the scheme was amended changing the design of the proposed dwellings to having a more rural appearance)

- More boundaries are proposed that will disrupt and endanger wildlife living on the site or passing through it
- Safety concern using the vehicle access
- Brownfield land should be used
- Concerns regarding flooding (Officer note: a drainage strategy is proposed to deal with the impact of the proposed development, the applicant is not expected to deal with any existing issues that currently exist)
- Insufficient school places are available
- Insufficient infrastructure in place
- Impact on trees
- The area has been subject to a lot of development over the 15 years and neighbours deserve some peace (Officer note: an informative is recommended advising the applicant of the House of Construction under the Control of Pollution Act 1974 to reduce the impact on neighbouring residents)
- Overlooking and loss of privacy
- No need for further properties in the local area (Officer note: whilst the Council can demonstrate meeting its housing need over the plan period, this would not prevent windfall sites coming forward. Ultimately, market forces and demand will determine whether there is a need)
- The council has failed to consult with local residents (Officer note: Letters of notification were sent out to adjacent properties, a site notice was displayed at the site and the application was advertised in the Local Press Therefore, the statutory requirements have been met)
- Query whether the site is all under the ownership of the applicant (Officer note: The applicant has submitted Certificate B and served notice on the other owners of the site.)
- No visitor parking is proposed (Officer note: the scheme proposes visitor parking at the site)
- No net biodiversity gain is proposed (Officer note: a condition is recommended to secure an enhancement on the site)
- Artificial lighting will disrupt nocturnal wildlife and affect their behaviour (Officer note: a condition is recommended to control external lighting)
- Loss of an employment site (Officer note: Policy E5 seeks to promote a rural economy and to retain local services and community facilities, following consultation with the Council's policy team, it was confirmed that this policy is applicable to facilities meeting day-to day needs in rural areas where there is usually a public benefit, as such it was not considered that this policy would be applicable to this proposal)

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

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:

NRM6: Thames Basin Heaths Special Protection Areas

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2002). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

H1 Homes for All

P2 Green Belt

P4 Flooding, flood risk and groundwater protection zones

P5 Thames Basin Heaths Special Protection Area

D1 Place Shaping

D2 Climate Change, Sustainable Design, Construction and Energy

D3 Historic Environment

Guildford Borough Local Plan: Development Management Policies 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 D12: Light Impacts and Dark Skies
Policy D14: Sustainable and Low Impact Development
Policy D15: Climate Change Adaptation
Policy D16: Carbon Emissions from Buildings
Policy D18: Designated Heritage Assets
Policy D19: Listed Buildings
Policy D20: Conservation Areas
Policy ID6: Open Space in New Developments
Policy ID10: Parking Standards for New Development

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Parking Standards for New Development SPD
Planning Contributions Supplementary Planning Document SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Green Belt SPD

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the Green Belt
- Very special circumstances
- Impact on character
- Technical Housing standards
- Impact on neighbouring amenity

- Compliance with the Strategic Housing Market Assessment
- Highway / parking considerations
- Impact on trees
- Biodiversity
- Waste and recycling
- Sustainability
- Contaminated Land
- Surface Water Drainage
- Thames Basin Heaths Special Protection Area and Appropriate Assessment
- Legal agreement requirements

Principle of development and impact on the Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

The NPPF identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In line with paragraph 154 of the NPPF, the construction of new buildings within the Green Belt should be regarded as inappropriate development. However, there are exceptions, including:

- 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development'.

The proposed development would result in a complete redevelopment of previously developed land. The site was formerly in equestrian use and as such was not in agricultural use, which would otherwise fall outside of the definition of previously developed land.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential

characteristic of the Green Belt. There is no definition of 'openness in the Framework although it is commonly taken to mean the absence of built or otherwise urbanising development. Caselaw has confirmed that there can be a visual dimension to openness but that is a matter of planning judgment. In this case, an assessment of openness requires a consideration of the scale of the development, its locational context and both its spatial and visual implications. In this case, the site is located in an otherwise open landscape with the land levels rising up from the south to the north with the barn being the most visually prominent building on the site. Trees along Tangley Lane visually provides a level of separation from the existing development along Tangley Lane itself. On the application site there are a limited number of trees which also provide a low level of screening of parts of the site from long distance views.

The application site comprises of a number of buildings on the main part of the site with the largest buildings being:

- Building F: 916 sq m with a maximum height of 6.44m
- Building G: 27.23 sq m with a maximum height of 2.87m
- Building H: 119 sq m with a maximum height of 6.38m

Various other smaller buildings are also located on the main part of the site, but these are significantly smaller than those mentioned above.

Three larger buildings are also located further to the west of the main part of the site and are proposed to be demolished with no replacement buildings being proposed in that location.

Western end buildings:

- Building L: 33.36 sq m with a maximum height of 3m
- Building M: 36.31 sq m with a maximum height of 3.5m
- Building N: 29.76 sq with a maximum height of 3.3m

The proposal seeks to demolish all of the buildings on the main part of the site as well as the three buildings further to the west of the site.

The proposal would result in:

- the existing level of hardsurfacing on the site being reduced by 1,017.3 sq m from 2,587.7sq m to 1,570.4 sq m
- a reduction in footprint by 369.2 sq m from 1,028.2 sq m to 668.0 sq m
- a reduction in the volume of built form on the site by 1,611.87 cubic metres from 5,6457.87 cubic m to 4,036 cubic metres

The proposed development would result in a significant reduction in terms of both footprint and in particular volume and would result in breaking down the massing of the existing built form on site, dominated by the large barn which extends from roughly centrally within the site up to the northern extent of the site. When viewed in isolation, the proposed built form would ensure that the development would not result in any greater impact on the openness than the existing development on site and in fact have a reduced impact. Similarly, the level of hardstanding present on site would be significantly reduced thereby reducing the existing impact on the Green Belt.

However, whilst there are a number of buildings across the main part of the site, the majority of the existing footprint and volume is contained within the largest building on site, the barn. Whilst ideally any new development should be sited on top of the existing footprint of built form on site, due to the nature of the barn and the desire to build family homes with private gardens, which is considered to be more appropriate in this rural location, (rather than a singular building of comparable scale), only plot 9 would be sited entirely within the footprint of the barn. However, plots 4-8 do overlap the footprint of the barn slightly with units 4-9 being positioned as closely as possible whilst allowing for vehicle movements within the proposed courtyard area, and maintains an existing vehicle access through the application site to the fields beyond which needs to be maintained. Plots 4-7 would be sited on existing hardsurfaced areas whilst their gardens would also extend into an area already covered in hardsurfacing, which, had until recently also housed four buildings which had been prematurely demolished prior to the submission of the application. For the purposes of clarity, these recently demolished buildings have not been considered as existing buildings when comparing the existing and proposed development on site.

The proposed garage block adjacent to Plot 8 would be sited on predominantly over of an existing area of hardsurfacing and where there is and has been used for

storage. The proposed garden area and shared amenity area to the rear of the garden of plot 8 is currently comprised of hardsurfacing and a fenced menage, and as such these elements of the proposal would not extend out into previously undeveloped parts of the site.

Plots 1-3 are located further to the south of the site in an area which is currently undeveloped and as such would spread development across the site.

It is important to note that whilst the proposed dwellings have all been carefully designed to avoid a suburban appearance, they remain two-storeys in height and as such would introduce built form across the site, all with a greater ridge height than the existing single-storey modest buildings on site and the barn by up to 2.5m and as such a greater volume of development is proposed at two-storey height in comparison with the existing built form.

In terms of the visual aspects of the Green Belt, the proposed development site is currently vacant with some buildings in need of some maintenance. Open, long distance views of the site could be achieved from the north and to the west of the site which is characterised by open fields; however there are no footpaths or roads to the north or west of the site, with the nearest footpath being 0.77km to the west of the existing barn. In any event, the demolition of the existing barn on the site would increase the visual aspect of the Green Belt through a reduction in the scale and bulk of development on site which would allow views through the buildings. Furthermore, views from the footpath of the site would be interrupted by existing trees; as such there are no long distance views that would be interrupted impacted upon as a result of the proposed development within the northern part of the site.

Whilst Plots 1-3 would decrease openness, this area of the site is less prominent due to its position on lower ground level and is largely screened by the existing trees along the boundary of the site with Tangle Lane. As such it is considered that these buildings would not impact on long distance views and are orientated with the narrowest elevation facing onto Tangle Lane enabling views into the site.

It is considered that the reduction in the footprint of development, overall volume and hardsurfacing would be a benefit of the proposal and would outweigh the harm from the slight spread of built form beyond the boundaries of the existing built form on site, which is also mitigated to some extent by the removal of three buildings located in an isolated position to the west. However, by virtue of the

proposed increase in height of the proposed dwellings across the site (between 1.1m and 2.5m higher than the existing barn) and the position of Plots 1-3 and their gardens, which would be situated on a previously undeveloped part of the site, it is considered that the proposal would have a greater harm to the openness of the Green Belt than the existing development. Therefore, and in accordance with the NPPF and Policy P2 of the Local Plan, the proposed development represents inappropriate development within the Green Belt and substantial weight is given to this identified harm to the openness to the Green Belt.

Very special circumstances

The NPPF goes on to state that 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.

In this instance the proposal would bring:

- an environmental and visual benefit from the removal of outdated buildings and the provision of new sensitively designed dwellings, and the removal of three buildings (totalling approximately 100 sq m) located in an isolated position to the west of the site which would improve the openness in this part of the Green Belt
- an environmental benefit of reducing the overall footprint and volume of built form and hardsurfacing on site
- a social benefit as a result of bringing a vacant site back into use and the provision of nine residential units which would go towards meeting the housing need in the Borough
- short-term economic benefit from the demolition on site and construction of the proposed dwellings
- long-term economic benefit from the economic activities of the future occupiers of the site
- an environmental benefit from the enhancing biodiversity on site

It is also notable that although Plots 1-3 would not be located on a previously developed part of the site, the dwellings would be located in between existing built form on the site and dwellings to the south of Tangley Lane on a lower ground level and screened in part by trees along the southern and eastern boundaries of the site and not encroach out into more open parts of the countryside.

It is also noteworthy that the site is not located within an isolated part of the Green Belt, with the urban area of Guildford located just to the south-east of Tangle Lane which borders a recently built out strategic housing site. As such, it is considered that the site is located within a fairly sustainable location.

Whilst harm to the Green Belt has been identified by virtue of its inappropriateness this needs to be weighed against the economic, social and environmental benefits outlined above.

When viewed as a whole, it is considered that the combination of benefits of the scheme outlined above would, on balance, outweigh the identified harm to the Green Belt.

Impact on character

The proposed development consists of nine residential units comprising of two detached dwellings and a car barn and two terraced rows. The scheme has been amended from the original submission to provide a less suburban and more appropriate rural design and layout with a mix of property designs to reflect what might be found within a Georgian farm complex, with a farmhouse, a threshing barn, a cart barn, a row of cottages and a small open barn.

The site is located at a transitional point between the urban area which borders the southern part of Tangle Lane and coincides with a recently built out residential development. A small number of dwellings just to the south of the application site remain within the Green Belt. The western side of Tangle Lane where two-storey residential dwellings front the road also remains within the Green Belt. To the north, east and west of the application site are predominantly open fields and as such the application site which lies just beyond the urban area.

The proposal would provide a low density development that would replace existing built form on the site. Whilst the existing barn and smaller outbuildings, menages and hardstanding associated with the vacant use of the site would not be features that would be out of character within a rural setting, neither would the proposed farmhouse and associated farm complex buildings proposed and as such would not be out of character in a rural setting. The buildings have been positioned in such a way as one might expect within a more historic farm complex with a courtyard

which has enabled the built form to be largely consolidated on or close to existing built form.

The land rises on the site from south to north and as such the buildings are proposed to be set further south to reduce their visual prominence from long distance views; however, the nearest footpath to the west is located 0.77km from the existing barn and trees would restrict views; as such the buildings would not be prominent in the landscape when viewed from the north, east or west of the site; but again such buildings would not be out of place in this setting in any event.

The buildings would be more visible from the entrance at Tangley Lane, with the trees along Tangley Lane providing screening for most of the site. The dwellings have been positioned within the site so that views into the site from Tangley Lane would not be abruptly ended but enable views through to the farmhouse and beyond so as to maintain its open character.

Each dwelling would have its own private garden with all boundaries to the residential curtilages of the dwellings comprising of vegetation, to again avoid a suburban appearance. The gardens have been largely contained within the existing developed parts of the site and as such would result in replacing large areas of hardsurfacing with soft landscaping.

The proposed parking for the dwellings has been carefully positioned to avoid any parking dominated frontages with parking set back from the frontages of the dwellings wherever possible or located within an open barn. Open space is also provided between plots 3 and 4 to maintain an open feel to the site. Landscaping also is proposed throughout the site to soften the appearance and provide a rural setting for the proposed development following the removal of hardsurfacing which covers most of the site.

The dwellings themselves have been designed with features that one would expect on the differing types of buildings proposed and the materials between the different buildings would also vary as a result which would add to the character of the proposed development. The dwellings themselves would all be two-storey in height ranging from 7.54m at Plot 8 to 8.9m, with the threshing barn being the tallest at 8.9m; however due to the nature of such buildings their proportions would be expected to be larger than domestic residences and to artificially limit the height of the building through the use of a crown roof would detract from the

design of the roof and the overall proportions of the dwelling.

The proposed dwellings and the farm house complex concept is considered to be an appropriate way to provide the necessary mix of dwelling types within a sensitive site on the transition between the urban and rural landscape. The dwellings are well designed with appropriate features which respect the rural setting of the site. The proposed development is therefore considered to be in keeping with the character of the area and no concern is raised in this regard.

Technical Housing standards

Each of the properties would meet the Technical Housing Standards in terms of overall floor area as well as bedroom sizes and minimum widths. Each property would have access to their own private garden which is considered to be of a sufficient size to be functional, with Plots 1-8 having an east to west orientation providing sunlight at throughout most the day. Plot 9 would have a north facing garden but extends to the east beyond the side wall of the dwelling which enable sunlight to hit the garden at all times of the day. Each garden would therefore be useable and each would have a pleasing outlook. It is also noteworthy that to the rear of Plot 8 would be a communal area which would provide a more functional area for supervised play for any children that would reside on the site. A further open space is also proposed to the north of Plot 4 which could be used by residents. As such no concern is raised in this regard as suitable living conditions would be provided for all future occupants of the site.

Impact on neighbouring amenity

The nearest neighbouring dwellings to the proposal are located on the southern side of Tangley Lane approximately 28m from the rear of Plot 1. Due to this separation distance, and the intervening trees it is not considered than any unreasonable loss of privacy, overbearing impact or overshadowing would occur to these neighbouring residents.

Similarly, a distance of 37m would be present between the front elevation of Plot 1 and the neighbouring dwelling, 35/36 Tangley Lane, again with intervening trees. This separation distance would ensure that no adverse impact on the residents of this neighbouring property would occur. The proposed development is therefore considered acceptable in this regard.

Compliance with the Strategic Housing Market Assessment

The Strategic Housing Market Assessment 2015 and addendum report 2017 identifies a need for a mix of 10% one bedroom, 30% two bedroom, 40% three bedroom and 20% four bedroom market homes.

The proposed development would provide a mix of just over 33% two bedrooms, 44% three bedrooms and 22% four bedrooms. Whilst no 1 bed units are proposed, the scheme would provide a mix of property sizes on the site with the majority of which would be three bed units, followed by two and four bed units in line with the need identified by the Housing Market Assessment. As such it is considered that the proposed mix across the site would adequately reflect the housing need, taking into consideration its transition between the urban area the rural landscape to the north of the site; and as such would comply with Policy H1 of the Local Plan.

Highway / parking considerations

A Transport Assessment was submitted with the application and identifies bus stops located 750m and 900m away from the site which provide services to the town centre, Guildford train Station, Woking and Aldershot, with Worplesdon and Guildford Stations located 4.7km and 5km away from the site providing regular services to London Waterloo, Portsmouth and Woking. The report details five collisions which have taken place within 5 years close to the site all of which has been attributed to human error and not to any deficiencies in the highway network and as such concludes that there are no existing road safety issues which are likely to be exacerbated by the proposed development. Whilst the proposed vehicle access to the site would be utilised, the arrangement would be revised to enable vehicles to safely enter and exit the site. Visibility splays of 33m have also been shown to be achieved. The report included a trip generation assessment and noted that the development would generate five, two-way trips in the AM peak and five two-way trips in the PM peak, with 48 two way trips likely between the hours of 07:00 and 19:00 and as such would be negligible and would not impact on the capacity of safety of the local highway network.

The County Highway Authority has confirmed that the proposal would not result in a significant increase in vehicular trips on the surrounding highway network when

compared to the existing extant use. They also confirmed that vehicles will also be able to enter and leave the site in forward gear, and that the visibility splays provided at the access will be provided in accordance with the results of the speed survey. A condition is recommended to ensure that visibility splays are achievable at all times.

The Council's Supplementary Planning Document for Parking Standards for New Development expects dwellings within rural areas to have 1.5 parking spaces per 2 bed units, 2.5 spaces for 3 bed units and 2.5 spaces per four bed units. The proposed 2 bed units would have two parking spaces each, whilst the 3 bed units would each have 2-3 spaces each whilst the 4 bed units would have three spaces. As such, the proposed parking provision would meet the expected parking standards. A single visitor space is provided just at the entrance to the site to serve Plots 1-3, whilst the courtyard area onto which the remaining units would face onto, would accommodate sufficient space for visitors to Plots 4-9.

The proposed development is therefore considered acceptable in this regard.

Impact on trees

An Arboricultural Assessment and Method Statement was submitted with the application and identifies two conifer groups, one group of ash seedlings, one dead oak and three small, low value hawthorn trees which would need to be removed to facilitate construction and provide a corridor for new services and utilities to enter the site.

The report states that all new buildings would be located outside of the root protection areas of retained trees, and as a result they can be adequately protected throughout construction. The upgrading of the site access will be carried out using a specialist no-dig type surface to minimise impact on the adjacent oaks. Tree protection is proposed.

The Council's arboriculturist has reviewed the submitted information and confirms that no objection is raised to the proposed development subject to the imposition of a conditions.

Whilst amended plans have been submitted during the course of the application, the proposed development would not extend into the tree protection areas and as

such the conclusions of this report remain valid.

Biodiversity

Policy P7 of the Local Plan states development proposals are required to seek maximum biodiversity gain on site balanced with delivering other planning priorities and to follow the mitigation hierarchy. Policy ID4 also states that new development should aim to deliver gains in biodiversity where appropriate.

An Ecological Appraisal has been submitted with the application which detailed that:

- the site had potential to support a number of protected species including badgers, bats, nesting birds, great crested newts and reptiles
- further surveys were recommended
- a Construction Environmental Management Plan should be submitted to include pollution prevention measures
- measures should be employed to allow mammals to escape from excavations
- a sensitive external lighting strategy should be implement to reduce impacts on bats
- enhancements to increase biodiversity could be made on site

A Protected Species Interim Report was submitted which looked at bat activity, eDNA surveys for great crested newts and reptile presence / absence surveys. Seven species of bat were recorded on site with the site being identified as being of local importance to commuting and foraging bats, where the off site boundary tree line is used for foraging and acts as a corridor. All samples for great crested newts were negative and no reptiles were recorded on site during the survey period. A number of recommendations were made regarding vegetation clearance on site and the submission of a precautionary working method statement to mitigate for the residual risk of harming reptiles during the construction phase of the proposal.

In order to help the planning system deliver long-term, meaningful conservation for great crested news, Naturespace Partnership launched the Naturespace District Licensing Scheme in partnership with national freshwater and amphibian non-governmental organisations as well as local planning authorities and now covers 60 local planning authorities (including Guildford). This scheme aims to speed up the delivery of development whilst providing the best outcome for newts.

Naturespace has reviewed the proposed development and has agreed that a non-licensed method statement would be appropriate in this instance. A condition is recommended to secure this information.

Surrey Wildlife Trust has reviewed the submission and also raise no objection subject to a condition securing a non-licensed method statement to ensure the construction of the development does not impact Great Crested Newts.

Waste and recycling

A turning head is proposed just opposite Plot 3 to enable the Council's refuse trucks to enter the site, turn and leave in forward gear. The Council's Operational Services team has reviewed the proposal and has raised no objection. A bin store is proposed just within the site on the western side of the access road where bins will be brought to be collected.

Sustainability

- the applicant has submitted a Sustainability Statement and an Energy Assessment. Both these statements relate to the originally submitted scheme for 10 dwellings. Following the submission of amended plans the scheme now proposed is for 9 units, however, the conclusions of these reports largely remains applicable. These reports detail that:
- materials will be locally sourced wherever possible to support the local economy, but also reduces the embodied carbon through lower associated transport emissions
- special attention will be given to maximising the use of recycled and secondary aggregates
- off-site and modular construction or prefabrication of complex building components will be explored to enhance the project material efficiency of the development
- the waste hierarchy as detailed in the Local Plan (eliminate waste, reuse waste materials, recycle / compost waste materials, recover energy and lastly disposal to landfill) will be followed with the opportunity to re-use and recycle materials from the site by manufacturing secondary aggregates from concrete crushed during demolition
- the appointed contractor will be required to develop and implement a Resource Management Plan to minimise waste through the implementation of smart

procurement processes such as selecting products and materials with reduces levels of packaging and durable construction materials and through the avoidance of stockpiling and over-supply

- SuDs drainage will be prioritized
- limiting all water-consuming products to a level that would enable betterment of Policy D2 1(d)'s quoted maximum consumption of 110 litres per occupant per day
- water meters will be fitted to the mains water supply to each dwelling, allowing any negative trends in consumption to be identified and mitigated
- the energy hierarchy will be implemented in relation to energy consumption (eliminate energy need, use energy efficiently, supply energy from renewable and low carbon sources and offset carbon emissions) with high levels of fabric insulation, energy efficient glazing, an efficient building services strategy and targeting low rates of air permeability being used
- use of air source heat pumps and roof-mounted photovoltaic panels
- the site has access to public transport networks via a footway to bus stops on Aldershot Road and Worplesdon Road with local amenities including a convenience store, dental practice, chemist and primary school reducing the need for travel by private motor vehicle
- each dwelling will be provided with an electric vehicle charging point and secure cycle store
- a diverse local community would result due to the range of property styles and varying dwelling sizes

A condition is recommended to secure the elements that are not covered by building regulations. A condition is also recommended to provide an electric bicycle charging point for each dwelling.

Contaminated Land

The Councils Environmental Health Officers noted that a historic map shows the presence of a pond until 1969 on the land adjoining east of Tangley Lane which is not present in subsequent maps, suggesting that the pond has been filled in. Due to its proximity of the proposed development a condition is recommended to carry out a Phase One survey to include a historic investigation and details of ground condition to ascertain whether the site supports any soil or water contamination and to ensure any necessary remediation is carried out.

Surface Water Drainage

A Drainage Strategy was submitted and notes that the redevelopment of the site will decrease the current level of impermeable areas. It goes on to state that following infiltration tests it was identified that soakaways would not be a suitable means for the disposal of surface water on the site and that the foul system can only be used to drain foul water from the development. Therefore it was concluded that a connection to the drainage ditch at the front of the site will be used for the disposal of surface water. The Lead Local Flood Authority has assessed the proposal and has raised no objection subject to the imposition of conditions which will ensure that a detailed surface water drainage system is provided and will ensure that the scheme is properly implemented and maintained throughout the lifetime of the development.

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. The application proposes a net increase of nine units on site and as such has the potential, in combination with other development, to have a significant adverse impact on the protected sites. The Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD in July 2017 which provides a framework by which applicants can provide or contribute to the delivery, maintenance and management of Suitable Alternative Natural Green Space (SANGS) within the borough and to Strategic Access Management and Monitoring (SAMM) which can mitigate the impact of development. In this instance the development requires a SANG and a SAMM contribution which should be secured by a Legal Agreement.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy 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.

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. In line with standing advice from Natural England, no objection is raised to an Appropriate Assessment undertaken which concludes that there would be no adverse impact on the integrity of the SPA 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 SPD 2017.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy 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.

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 has been consulted on the AA and they confirm they are happy with the conclusions of the AA.

Legal agreement requirements

The three tests set out in Regulation 122(2) and 123 of The Community Infrastructure Levy Regulations 2010 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.

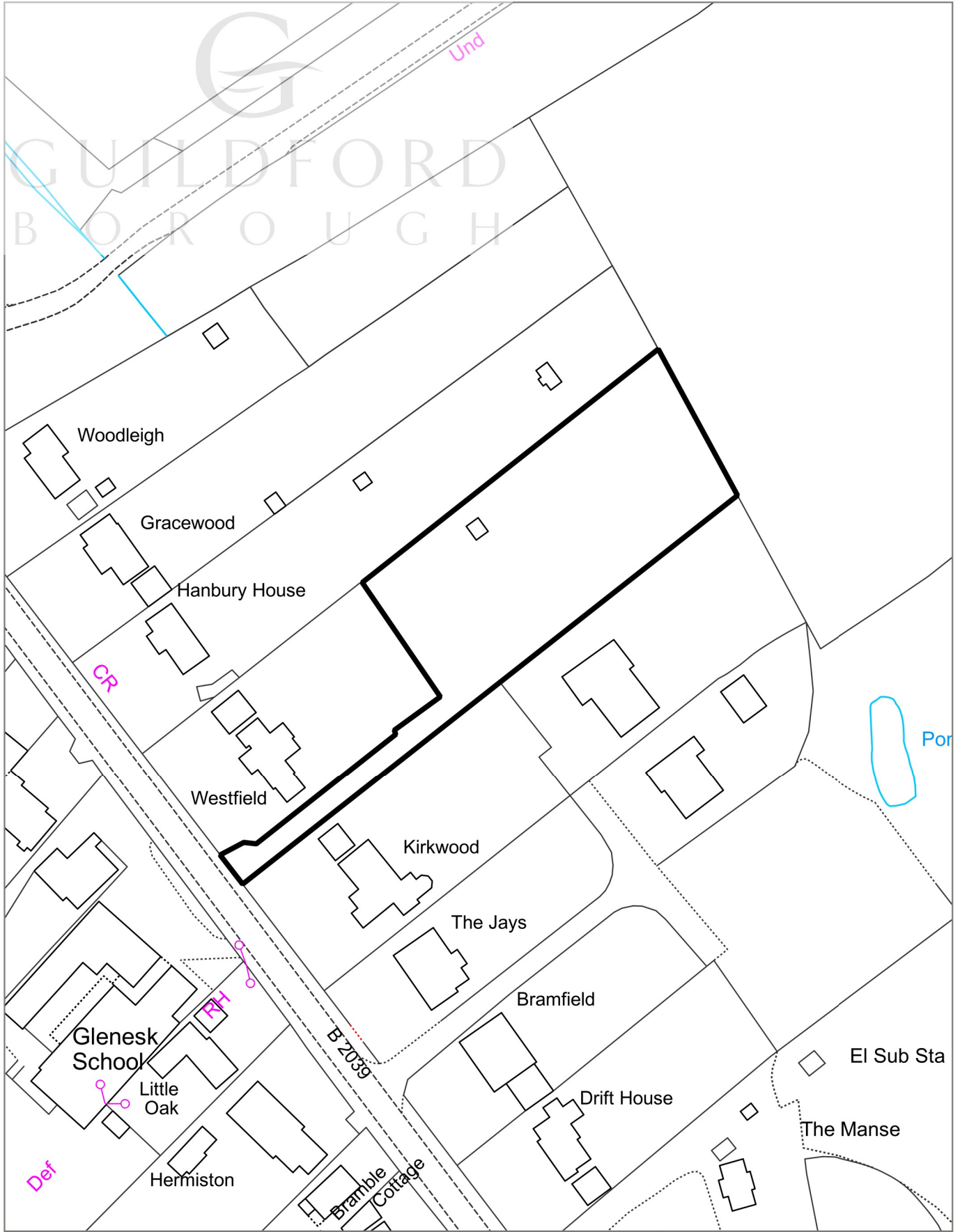
The development is required to mitigate its impact on the TBHSPA; this would be through a financial contribution to SANGS and SAMM. This would accord with the TBHSPA Avoidance Strategy and the Planning Contributions SPD. Without this contribution the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The contribution is necessary, directly related to the development and reasonable and therefore

meets the requirements of Regulation 122.

Conclusion.

The proposed development would represent inappropriate development within the Green Belt, however, it is considered that very special circumstances exist which would bring social, environmental and economic benefits that would when viewed as a whole clearly outweigh the identified harm to the Green Belt by reason of inappropriateness. The proposal would not result in any adverse harm to the character of the area. No adverse impact on neighbour amenity, biodiversity or highway safety has been identified. No objection is raised with regard to the impact of the proposal on trees. Therefore it is concluded that the proposal would comply with the Policies within the Local Plan and advice and Policies within the NPPF and PPF and is therefore recommended for approval subject to conditions and a legal agreement to secure the financial contribution to mitigate against the impact of the proposal on the Thames Basin Heaths Special Protection Area.

22/P/01846 - Westfield, Ockham Road North, East Horsley, Leatherhead



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**22/P/01846 – Westfield, Ockham Road North, East Horsley
Leatherhead, KT24 6NU**



App No: 22/P/01846 **8 Wk** 06/03/2024
Deadline:

Appn Type: Full Application

Case Officer: Morgan Laird

Parish: East Horsley

Ward: Clandon & Horsley

Agent : Mr Andy Wells
Union4Planning Ltd

Applicant: Pende Fields Ltd
C/o Agent
Union4Planning Ltd

Location: Westfield, Ockham Road North, East Horsley, Leatherhead,
KT24 6NU

Proposal: Erection of a pair of semi-detached dwellinghouses, new
access, landscaping and parking.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because the application was called in by a Ward Councillor under the historic 7-day notification process.

Key information

The proposal is for the construction of a pair of semi-detached two-storey, four bedroom dwellinghouses to the rear of the existing dwelling at Westfield.

The proposed dwellings would be situated centrally on the plots with car parking, turning area and proposed car barns at the front of the site. Access would be via the south-west side of Westfield from Ockham Road North.

The proposed dwellings would have the following dimensions:

- 9.54 metres in width.
- 15.97 metres in depth.
- 8.37 metres in height.

The dwellings would have hipped roofs with a small crown and pitched roof dormers at the front. Proposed materials would include bricks and tile hanging with a slate/tile roof.

The proposed car barns would measure:

- 6 metres in depth.
- 6.6 metres in width.
- 4.850 metres in height.

Total footprint of each proposed residential unit = 129 sqm

The application site is located within Flood Zones 1, 2 and 3. The proposed dwellings would be situated outside Flood Zones 2 and 3. The site adjoins an area of Ancient Woodland and Site of Nature Conservation Importance (SNCI).

The proposal is supported by the following information and technical reports:

- Design and Access Statement.
- Flood Risk Assessment.
- Climate change, energy and sustainable development questionnaire.
- SAP reports.
- Tree survey, Arboricultural Impact Assessment and Arboricultural Method Statement.
- Preliminary Roost Assessment.
- Preliminary Ecological Appraisal.
- Biodiversity Net Gain Report.
- Precautionary Working Method Statement.
- Proposed Plans.
- Emergency Flood Escape Route Plan.

Summary of considerations and constraints

The proposed development would result in the net gain of two residential units in a sustainable location. The proposed design of the dwellings would be of high quality

that positively responds to the character and context of the locality and would not result in an unacceptable impact on neighbouring amenity.

The proposed development would not give rise to unacceptable impacts on highway safety and would provide for acceptable living conditions to occupants.

The dwellings would be situated outside of Flood Zones 2 and 3 and a safe means of escape would be provided as demonstrated by the provided Emergency Flood Escape Route Plan. This, as well as the flood risk assessment demonstrate that the proposal would comply with the NPPF, Policy P4 of the LPSS and with the Environment Agency standing advice.

Subject to the imposition of conditions, the proposal would not result in harm to the SNCI, ancient woodland or on priority and protected species and habitats. Biodiversity net gain would be assured, subject to the submission of an enhancement scheme.

Subject to a s106 agreement to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

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

RECOMMENDATION:

That delegated authority be granted to the Executive Head of Planning Development to approve planning permission subject to a Unilateral Undertaking securing SANG and SAMM for Thames Basin Heath Special Protection Area and the following conditions:

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: HA/2111/1 received on 31 October 2022, HA/2111/3 Rev 2C, HA/2111/4 Rev 2C and HA/2111/5 Rev 2C received on 18 January 2023, HA/2111/6 Rev 2C and HA/2111/2 Rev 2c received on 19 May 2023 and the Emergency Flood Escape Route Plan entitled "Westfield Development Emergency Flood Escape Route Plan", drawing no. Westfield FRA Plan 001 received on 15 February 2024.

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 any work commencing on site, a 'Construction Environmental Management Plan' (CEMP) shall be both submitted and approved in writing by the Local Planning Authority. The CEMP shall include all the following details:

- Development contacts, roles, and responsibilities.
- Public communication strategy, including a complaints' procedure.
- Dust suppression, mitigation, and avoidance measures.
- Noise reduction measures, including the use of both acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of both fences and barriers to protect adjacent land, properties, footpaths, and highways.
- Details of both parking and traffic management measures.
- Avoidance of both light spill and glare from any floodlighting and security lighting installed.
- Pest control.
- Amphibian and stage beetle mitigation strategies.

The development shall proceed in accordance with the approved CEMP.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties, and businesses.

4. 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.

5. Prior to commencement of any development above slab level works, hard and soft landscaping details shall be submitted to and approved in writing by the Local Planning Authority including full details of:
 - a) hardstanding surfaces;
 - b) boundary treatments;
 - c) Retention of existing plants and hedgerows, with reference to drawing no. HA/2111/3 Rev 2c; and
 - c) height, density and native species of new planting.

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

Any trees or plants whether new or retained which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in the same place.

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

6. A landscape management plan covering a period of no less than 10 years, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any completed phase of the development, whichever is the sooner.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

7. Prior to the commencement of any development above slab level, a biodiversity enhancement scheme for the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be in accordance with 'Scenario A' and the recommendations of the Biodiversity Net Gain Report prepared by Tetra Tech Ltd, dated May 2023 and include a stage beetle habitat enhancement strategy. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

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 Supplementary Planning Guidance "Climate Change, Sustainable Design, Construction and Energy SPD (2020)"

9. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Ockham Road North hereby approved has been constructed and provided with a passing space and visibility zones in accordance with the approved plans, HA / 211 / 4 Rev 2c, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

10. 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: This condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023.

11. The approved Arboricultural Report, which included an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by Challice Consulting Ltd dated 19th

August 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.

- 12. The development, hereby approved, shall be carried out in accordance with all the mitigation measures and recommendations as detailed within the following:
 - Preliminary Ecological Appraisal prepared by Thomson Environmental Consultants dated August 2023.
 - Preliminary Roost Assessment prepared by Thomson Environmental Consultants dated April 2023.
 - Precautionary Working Method Statement prepared by Thomson Environmental Consultants dated November 2023.

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

- 13. The first floor windows in the right side elevation of the dwelling on Plot 1 of the development hereby approved shall be glazed

with obscure glass and permanently fixed shut, unless the parts of the window/s 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.

14. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In the interest of the protection of priority and protected species.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, D and E shall be carried out within the 15 metres buffer zone as indicated on approved plan HA/2111/3 Rev 2C.

Reason: To maintain an adequate separation between development and the ancient woodland, to ensure its ongoing preservation and protection.

16. The mitigation measures detailed in the approved Flood Risk Assessment (FRA) prepared by TA Tompson LLP Consulting Engineers dated July 2022 shall be implemented and retained perpetuity.

Reason: In the interests of flood prevention and protection.

Informatives:

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

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

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

In this case pre-application advice was sought and provided which addressed potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

3. The 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 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 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 (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.

5. 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.
6. The Applicant shall be aware that the Building Regulations require the installation of EV car charging points for each new dwelling.
7. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging

Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

Officer's Report

Site description.

The application site is situated in the Ward of Clandon and Horsley, and within the East Horsley Neighbourhood Plan Area. The site consists of a detached two storey dwellinghouse located at the front of the site with access from Ockham Road North.

The application site consists of a spacious plot with a garden, rectangular garden. The site is bordered by a dense hedgerow along the north-western boundary, and along the south-eastern boundary. The rear of the property is bordered by mature trees, classified as ancient woodland.

The topography of the site varies with a shallow undulations present on the site. However, there is not a substantial change in elevation over the site.

The site is situated opposite the Glenesk School with residential development adjoining both side boundaries and in the immediate area. A recent development of four dwellings in the rear garden of Kirkwood has been completed.

The site is located within the 400 m - 5 km Thames Basin Heaths Special Protection Area buffer, and adjoins a Site of Nature Conservation Importance and Ancient Woodland to the rear.

The application site is partially located within Flood Zones 1, 2 and 3 with the

proposed dwelling located within Flood Zone 1.

Proposal.

The application proposes the erection of a pair of semi-detached dwellinghouses, new access, landscaping and parking.

The proposed dwellings would have the following dimensions:

- 9.54 metres in width.
- 15.97 metres in depth.
- 8.37 metres in height.

The dwellings would be situated to the rear of the plot with car parking, including the proposed car barns situated at the front of the site. Access would be via the south-west side of Westfield from Ockham Road North. The access would have two passing bays, one at the start and one at the end to allow two-way passing of vehicles.

The proposed car barns would measure:

- 6 metres in depth.
- 6.6 metres in width.
- 4.850 metres in height.

The proposal is supported by the following information and technical reports:

- Design and Access Statement.
- Flood Risk Assessment.
- Climate change, energy and sustainable development questionnaire.
- SAP reports.
- Tree survey, Arboricultural Impact Assessment and Arboricultural Method Statement.
- Preliminary Roost Assessment.
- Preliminary Ecological Appraisal.
- Biodiversity Net Gain Report.
- Precautionary Working Method Statement.
- Proposed Plans.
- Emergency Flood Escape Route Plan.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
06/P/0116 2	Single storey rear extension, replacement conservatory to the side and double detached car port following demolition of existing sheds. (Revision to 04/P/01698 dated 25/08/04 - Amendment to side conservatory)	Approve 07/07/2006	N/A
04/P/0169 8	Single storey rear extension, replacement conservatory to the side and double detached car port following demolition of existing sheds.	Approve 25/08/2004	N/A
21/A/0022 5	Erection of up to four dwelling houses on land to the rear of Westfield including new access	N/A	N/A

Consultations.

Statutory consultees

County Highway Authority: Initial concerns were raised by the Highway Authority about tracking for refuse vehicles and visibility along Ockham Road North. In response the Applicant's Agent submitted a site visibility plan and swept path analysis demonstrating refuse vehicle could turn on site and exit in forward gear. On review, the Highway Authority concluded these to be acceptable and no objection was raised subject to the imposition of conditions.

Thames Water: no comments to make.

Surrey Wildlife Trust: Initial concerns were raised around the roost assessment, great crested newts, reptile mitigation strategy, impact on the adjacent SNCI and biodiversity net gain. Over the duration of the application a number of reports were submitted and communication had with the Surrey Wildlife Trust. Upon

submission of the final preliminary roost assessment, preliminary ecological appraisal and reptile precautionary method statement no further information was deemed necessary prior to determination. Consequently, subject to the imposition of conditions, no objection was raised.

Internal consultees

Head of Environmental Health and Licensing: no comments to make.

Operational Services: it was advised that standard bin allocation would be required, although additional recycle bins may be necessary. Bins should be presented for collection at the edge of the development, where its accessway meets Ockham Road North. No objection was raised to the application.

East Horsley Parish Council: Objections are raised for the following reasons:

- Flood risk - flood waters would not follow precise lines shown on the plans.
- The need for an emergency flood escape route suggests dwellings should not be permitted.
- Biodiversity impact due to proximity to SNCI and Ancient Woodland.
- No biodiversity net gain proposed.
- Proposed fencing would restrict wildlife movements.
- Traffic safety and conflict with proximity to Glenesk Primary School.
- Cumulative build-up of traffic.
- Noise disturbance from vehicle movements and use of property.
- Loss of privacy from overlooking.
- Semi-detached properties would be out of character.

Third party comments:

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

- Overlooking and loss of privacy.
- Too near settlement boundary (The Forest).
- Not in line or consistent with other houses.
- Not in accordance with policy as the dwelling would be greater in size than surrounding properties.
- Semi-detached dwellings no in keeping with character.
- Positioning of the garages to the front of the house would be inconsistent with policy.
- Flood concerns.

- Traffic and access impact.
- Construction impacts.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5. Delivering a sufficient supply of homes

Chapter 9: Promoting sustainable transport

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

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

Policy H1: Homes for All

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 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 D12: Light Impacts and Dark Skies

Policy D14: Sustainable and Low Impact development

Policy D15: Climate Change Adaptation

Policy D16: Carbon Emissions from Buildings

Policy ID10: Parking Standards for New Development

East Horsley Neighbourhood Plan 2017 - 2033

Policy EH-S1:	Spatial development in East Horsley
Policy EH-EN2:	Trees & Hedges
Policy EH-EN4:	Biodiversity
Policy EH-EN5:	Flooding
Policy EH-H7:	East Horsley Design Code
Policy EH-H8:	Residential Infilling

Supplementary planning documents:

Parking Standards for New Development SPD 2022

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Guidance on the storage and collection of household waste for new developments 2017

Residential Design Guide SPG July 2004

Green Belt SPD November 2023

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- design and appearance
- living conditions
- impact on neighbouring amenity
- highway / parking considerations
- sustainability
- impact on biodiversity and ecology
- Thames Basin Heaths Special Protection Area
- legal agreement requirements

The principle of development

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

the restrictive Green Belt policies.

The site is located within the identified settlement boundary of East Horsley and within an established residential setting. As such, the principle of residential development on the site would be acceptable.

Design and appearance

Policy D1 of the LPSS requires all new development to achieve high quality design that responds to distinctive local character (including landscape character) of the area. Policy D4 of the LPDMP requires development to respond to the surrounding urban grain, plot sizes, building patterns, the scale, detailing and design buildings and spaces. Development proposals are expected to make efficient use of land where increased densities can be appropriate where there would not be a detrimental impact on an area's prevailing character and setting.

Policy D8 of the LPDMP requires residential infill development to integrate well with surrounding development and to respond positively to the existing character and identity of the local area. Backland development are requires to create a positive 'street' entrance, provide safe pedestrian and cycle access and suitable access for emergency and refuse vehicles, and to avoid long, narrow and isolated access points. The proposal is required to demonstrate that relationships with both existing neighbouring development and buildings/gardens within the site are acceptable, taking into account back to back or back to front distances.

With respect to the East Horsley Design Code (Policy EH-H7(a) of the East Horsley Neighbourhood Plan), which requires development to be in keeping with the established character of East Horsley and with the style of properties surrounding the development and to enhance the 'leafy' character of East Horsley. Dwellings should be no more than two stories in height, with adequate boundary clearances to the side of properties to allow wheelchair access, adequate refuse and recycle storage with minimum visual impact with garages positioning to the side of dwellings. Policy EH-H8 of the East Horsley Neighbourhood Plan supports residential infilling development where the site is substantially surrounded by existing development and the size and massing of new residential development is no greater than that of surrounding property.

Westfield is a spacious property situated within the village of East Horsley. The rear

boundary adjoins 'The Forest' which is a Site of Nature Conservation Importance and Ancient Woodland. The site adjoins residential development on both side boundaries and to the front, including Kirkwood to the south-east which was recently developed with four detached dwellinghouses. Plot sizes vary, with those along the eastern side of Ockham Road North larger with typically large detached dwellinghouses. Development to the west and south along Ockham Road North is denser with smaller plot sizes with predominantly detached dwellinghouses. Along Weston Lea to the west and Nightingale Avenue to the north-west there are a number of semi-detached dwellinghouses, being approximately 105 - 120 metres from the application site. The nearest semi-detached property would be Cheriton approximately 100 metres to the north-west, on the corner of East Lane and Ockham Road North.

The proposed semi-detached dwellings would be situated centrally on the plot, with open carports/car barns situated at the front of the plots. Access would be via a new access track to the side of Westfield. The dwellings would be two storeys with four bedrooms, measuring 8.37 metres in height, 19.08 metres in width (9.54 metres per dwelling) and 15.97 metres in depth. The dwellings would feature a north-west - south-east orientated hipped roof at the front, with a south-west - north-east facing crown roof to the rear with two single storey elements at the rear. Both dwellings would have a hipped roof porch on the front elevation with clear pathway connecting the dwellings to the parking area at the front of the plot.

The proposed car barns would measure 6 metres in depth, 6.6 metres in width and 4.850 metres in height with hipped roofs. Each car barn would include parking for two vehicles.

Both dwellings would have spacious privacy gardens to the rear, with adequate open space to the sides and towards the front. A permeable surface driveway and car parking area would be located to the front, with enclose bin stores for each plot. The proposed plans include a preliminary landscape design with hedge planting proposed between the plots, new tree/shrub planting along the proposed access and around the car parking area. A 2 metre close boarded fence would be erected along the emergency flood escape route.

The proposal has demonstrated that emergency vehicles would be able to access the site and enter and leave in forward gear.

The proposed development is considered to respond appropriately to the prevailing character of the area and would retain a spacious plot with ample open space around the dwellings. While semi-detached dwellings are not the predominant built form, it is clear that dwellings of this typology are present in the area. Both proposed plots, and the existing plot around Westfield would be in keeping with densities in the surrounding area, most notably the recently developed Kirkwood to the south-east. While the plots would be long and narrow, the width of the plots would not appear discernibly greater than those of the adjoining Hanbury House noting that the existing site has a wider plot to begin with.

It is accepted that the proposal would have a long access way, which would not be directly in accordance with Policy D8 of the LPDMP. However, the design of the access is such that it would be wider at the entrance to allow vehicles to pass each other, with further passing place to the rear of the access. The boundaries of the access would be planted with hedging and the existing hedging to the south-east boundary would be retained. The length of the access would be similar to that constructed to access the four detached dwellings to the rear of Kirkwood. In this case, the proposed access would appropriately integrate with the street scene and would be in keeping with the character of the area.

The proposed dwellings would be greater in height than 1 Woods End which is situated to the rear of Kirkwood. However, the height difference would be negligible given the separation between properties. With respect to 1 Woods End, the difference would be approximately 0.2 metres, which would not be discernible as evidence in the proposed site sections. The dwellings would be two stories in height only, which would be in accordance with the East Horsley Design Code. The width of the proposed dwellings at 19.08 metres, would be less than the adjoining dwelling at 1 Woods End, despite this being a detached dwelling. While the depth of the dwellings would be greater than the directly adjoining properties, it would not be significantly greater in overall scale, given the varied scale of development in the surrounding area.

The use of hipped and pitched roofs would be in keeping with the character of the area. While the proposal would include a small crown roof, this is limited and would not be visible from the street scene. The use of bricks and tiles would be in keeping with the materiality of buildings in the surrounding area.

The proposed dwellings would be situated centrally on the plot, but towards the rear. While the dwellings would not be in line with other backland development adjoining the site, the positioning was determined to avoid locating vulnerable land uses within flood zones 2 or 3. It is also not a policy requirement for buildings to maintain this linear line where development is situated to the rear, noting that the development would have no impact on the front building line of development along the street scene.

The proposed development, including the plot size, building design and scale and site layout would respond positively to the character and context of the surrounding locality and would be in keeping with the character and design of surrounding development. The proposed landscaping measures would ensure the 'leafy' character of East Horsley would be maintained. The development would provide for safe and secure access for emergency vehicles and refuse and recycling storage. Subject to the imposition of conditions requiring a detailed landscape plan and the materiality of the dwellings, the proposed development would comply with Policy D1 of the LPSS, Policies D4 and D8 of the LPDMP and Policies EH-H7(a) and Policy EH-H8 of the East Horsley Neighbourhood Plan.

Living conditions

Paragraph 130(f) of the NPPF 2021 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

The proposed development includes the construction of two, four bedroom semi-detached dwellinghouses with an occupancy of seven persons. Each dwelling would have a gross internal floor area of 216 sqm, which exceeds the minimum required under the NDSS.

Three bedrooms in each dwelling would be double occupancy with one single bedroom per dwelling. All bedrooms would comply with the minimum area and

width standards. Adequate storage would be provided within the dwellings with all bedrooms provided with wardrobes and additional storage included throughout the dwellings.

Both proposed dwellings would have private gardens located to the rear with boundary treatments proposed to ensure privacy is maintained. The gardens would be regular in shape and would facilitate their effective and practical use.

All habitable rooms would be include adequate windows to provide natural light and sunlight. In the case of bedrooms 2, 3 and 4, this would include one large window and in the case of bedroom 1, three windows. The dining and living areas on the ground floor would be open place with large spacious windows and bi-fold doors.

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

Impact no neighbouring amenity

The adjoining properties most impacted by the proposed development would be 1 Woods End, Kirkwood, Hanbury House and Westfield.

1 Woods End

1 Woods End adjoins the proposed plots on the south-eastern boundary. The dwelling on this property was recently constructed as development in the rear garden of Kirkwood. It is a two storey detached dwellinghouse separated approximately 8.7 metres from the shared boundary and a further 10.9 metres from the proposed dwelling on Plot 1. Due to the positioning of the proposed dwellings to the rear of the plot and separation distance, there would not be an unacceptable loss of light, or overshadowing. The proposed boundary treatments and retention of the existing hedging would ensure that the gardens of both Woods End and the proposed dwellings would be private. The boundary treatments would also screen the ground floor of the proposed dwelling, which would reduce the potential overlooking from ground floor windows and break up the bulk of the buildings. It is therefore considered that the proposed dwellings would not appear

as an overbearing feature to the occupants of Woods End.

The proposed dwelling on Plot 2 would have no impact on the amenity of Woods End due to its positioning. The Plot 1 dwelling would include two first floor windows which would serve bedroom 1 of this dwelling. These windows would look towards the garden of Woods End, and not towards the dwelling. The windows would be large with the potential to create an adverse impact at least from perceived overlooking. It would therefore be considered necessary for these to be obscurely glazed and non-opening below 1.7 metres in height from floor level. Given the bedroom is also served by two other windows facing the garden, obscured glazing would not result in unacceptable living conditions to the occupants of this bedroom.

Subject to the imposition of a condition requiring the side facing windows serving bedroom 1 of the dwelling on Plot 2 to be obscurely glazed and fixed shut below 1.7 metres in height, the proposal would not result in an unacceptable impact on the amenity of the occupants of 1 Woods End.

Kirkwood

Kirkwood is situated adjacent to Westfield. The proposed driveway would separate these buildings, with limited visibility of the proposed dwellings. The main change for the occupants of this property would be an increase in vehicle movements and the potential disruption associated with this. Given the separation distance and likely limited increase in vehicle movements, it is unlikely that there would be a discernible increase in noise from vehicles accessing the proposed dwellings. Additionally, the existing boundary vegetation would be retained to maintain the visual amenity from Kirkwood. It is therefore considered that there would not be an unacceptable impact on the amenity of the occupants of Kirkwood.

Hanbury House

Hanbury House is situated adjacent to Westfield to the north-west. The garden of Hanbury House extends along the entire plot of Westfield, and of proposed Plot 1. Due to the separation distance from the proposed dwellings and Hanbury House, there would not be an overbearing impact, nor would there be an unacceptable loss of light or overshadowing. While the dwelling on proposed Plot 2 would have two side facing windows that would serve bedroom 1, the windows would only

overlook the rear portion of the garden, leaving a large area of the garden un-impacted. This combined with the distance from the shared boundary and garden would mean there would not be an unacceptable impact from overlooking. It would therefore not be reasonable to impose a condition for these windows to be obscure glazed and fixed shut.

Boundary treatments would mitigate any overlooking or impact on privacy from ground floor windows.

The proposed development would therefore not result in an unacceptable impact on the amenity of the occupants of 1 Hanbury House.

Westfield

Westfield would be situated to the front of the proposed dwellings with the garden separating the dwelling from the proposed dwellings. The car barns on Plots 1 and 2 would be situated against the shared boundary with an approximate separation of 1 metre. New hedge and tree planting is proposed between the shared boundaries, which would at least partially screen the car barns from Westfield and provide privacy to occupants. Similarly, new hedge planting would be proposed along the proposed access to mitigate the noise from vehicles accessing the proposed dwellings, and to improve visual amenity. While the proposed dwellings would include a number of first floor windows facing Westfield, due to the distance and intervening built form and vegetation, there would not be an unacceptable impact from overlooking. Subject to a condition requiring the submission of a detailed landscaping plan for the approval of LPA, there would not be acceptable impact on the occupants of Westfield.

Highway/parking considerations

The application site is accessed from Ockham Road North. The proposal would include a new driveway to access the proposed dwellings, which includes two passing bays. The passing bays would be located at the start and end of the driveway, which given the straight approach would allow adequate visibility for vehicles along the access.

The County Highway Authority reviewed the proposal and initially requested information on tracking for refuse vehicles and visibility along Ockham Road North.

Through the submission of amended plans and visibility zones, the concerns of the Highway Authority were satisfied. Subject to the imposition of conditions, the Highway Authority did not raise an objection and concluded that the proposed development would not have a material impact on highway safety.

The proposed development would include two internal parking spaces in each car barn with the ability for two cars to be parked to the front of the car barns. The Parking Standards for New Development SPD sets out that for a four bedroom dwelling in a village, 2.5 spaces would be expected. Given the proposed development could provide up to four car parking spaces per dwelling, the proposal would comply with these standards. The East Horsley Neighbourhood Plan does not set out specific car parking standards, only that sufficient off-street parking should be provided for all dwellings, dependent upon the size and type of housing. In this case, compliance with the Parking SPD concluded that adequate car parking would be provided for the development. The proposed development would therefore comply with Policy ID10 of the LPDMP and Policy EH-H7(a) of the East Horsley Neighbourhood Plan.

The proposed plans include bin and cycle storage in an enclosed building towards the front of the site. The floor plan of this structure indicates that space for four cycles would be provided per dwelling. This would be compliant with the Parking SPD which requires one space per bedroom. This storage would be enclosed, secure and lockable, in compliance with Policy ID10 and the Parking SPD.

While the County Highway Authority have requested that a condition be imposed requiring EV vehicle charging points be provided for each dwelling, these would be required under Building Regulations. It would therefore not be reasonable or necessary to impose a condition requiring these. However, an informative will be added to make the Applicant aware of this requirement.

Subject to the imposition of conditions, the proposed development would comply with Policy ID3 of the LPSS, Policy ID10 of the LPDMP and the Parking SPD.

Sustainability

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraph 154 through climate change adaptation, provision of green infrastructure and reduction of

greenhouse gas emissions. Paragraph 157 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

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

- Recycled materials to be used where available/appropriate.
- Excess material will be recycled by waste carrier.
- Materials will be sourced via local manufacturers/suppliers and builders merchants.
- Compliance with Building Regulations Part L.
- Low energy lighting and appliances incorporated.
- Design of the scheme optimises solar gain and natural light.
- Passive stack ventilation/cooling via central stairwell venting through Velux's over landing.
- Water efficiency of 110 litres per person per day.
- Low volume taps and showers.
- SUDS drainage design.
- Proposed scheme to be constructed from highly efficient pre-insulated timber frame panels, to exceed Building Regulation requirements.
- SAP calculations to exceed baseline specification.
- Air source heat pump linked to solar panels.
- Solar thermal panels.
- LED light fittings.

The climate change questionnaire outlines a number of measures that would positively contribute to greater sustainability of the development. In order to

achieve the purpose of Policies D2 of the LPSS and Policies D14 - D16, conditions would be imposed (should permission be granted) requiring a minimum water efficiency standard of 110 litres per occupant per day and the installation of an EV charging point. It is considered acceptable to not impose a condition requiring a minimum TER reduction as the Building Regulations are currently more onerous than Local Plan standards. Imposing a condition requiring this would therefore not be efficient or necessary. While the proposal does include details of the proposed materiality of the buildings, no details have been provided on their carbon efficiency. To ensure materials are locally sourced, a condition would be imposed requiring the embodied carbon details of the proposed materials. Subject to the imposition of these conditions, the proposal would comply with Policy D2 of the LPSS and Policies D14 - D16 of the LPDMP.

Flood Risk

The application site is located with Flood Zones 1, 2 and 3. The proposed dwellings would be located in Flood Zone 1, while the access and car barns would be located within Flood Zones 2 and 3. The application is supported by a full flood risk assessment, which is a requirement under the NPPF and under Policy P4 of the LPSS. Policy P4 notes that development in areas at medium or high risk of flooding will be permitted provided that:

- The vulnerability of the proposed use is appropriate for the level of flood risk on the site.
- The proposal passes the sequential and exception test (where required) as outlined in the NPPF and Government guidance.
- 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.
- 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.
- When relevant, appropriate flood warning and evacuation plans are in place and approved.
- 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.

The proposed drainage design would be in accordance with the Surrey County Council Sustainable Drainage System Guidance.

Given the proposed dwellings would be located inside Flood Zone 1, the vulnerability of the proposed use would be appropriate for the level of flood risk. The proposed floor levels for the dwelling would be set at 54.80 AoD which would be 300 mm above 1:100 year event with a 35% climate change allowance. The proposed drainage design would be in accordance with the Surrey County Council Sustainable Drainage System Guidance. This accords with the Environment Agency's standing advice.

While the proposed car barns would be situated within Flood Zone 3, these would be open sided and would not be considered to be vulnerable development. Similarly, the proposed bin and cycle storage would not be considered vulnerable development.

As the dwelling would be situated in Flood Zone 1, and the proposed car barns and bin/cycle storage structures would be considered 'minor development' and not vulnerable development, it was not considered necessary to consult the Environment Agency, which is in accordance with the standing advice.

Sequential and Exception Tests

As the proposed dwellings would be located within Flood Zone 1 and the car barns and cycle/bin storage structures would be minor development, it is not considered necessary to apply the sequential or exception tests.

Safe means of escape

The vehicular access to the site is located within Flood Zones 2 and 3 and would not be considered a safe means of escape for occupants of the proposed dwellinghouse. Accordingly, the proposal includes an emergency flood escape route which extends from the southern side boundary of Plot 1 towards the Ancient Woodland to the rear. A suitable surface would be provided, which would make it clear to occupants of the dwelling where to go in the event of a flood. There is an existing gate at the rear of the property to access the woodland, which would be relocated to be in line with the flood escape route. The path connects to

a well worn sign posted footpath link within the North Wood. The path would be followed to The Highlands road eastwards to connect to the highway network. The footpath and link are located within Flood Zone 1 and would provide connection to the highway network to ensure occupants can be met by emergency services if required.

In addition, future occupants would be provided with the information necessary to sign up to the Environment Agency Floodline which would enable them to receive flood warnings. Occupants would also complete and submit to the Environment Agency a personal flood plan.

It is therefore considered that the proposed development would comply with the Environment Agency Standing Advice, Policy P4 of the LPSS and the NPPF.

Impact on ancient woodland, biodiversity and ecology

The application site is located adjacent to the Drift Golf Club and The Forest which is identified as a Site of Nature Conservation Importance (SNCI) and therefore has County Importance for nature conservation. Policy ID4 of the LPSS, requires the LPA to maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation. Policy ID4 further states that permission will not be granted for proposals that are likely to materially harm the nature conservation interests of local sites unless clear justification is provided that the need for development clearly outweighs the impact on biodiversity. Where this test is met, every effort must be made to reduce the harm to the site through avoidance and mitigation measures.

Policy P6 of the LPDMP requires development proposals for sites that contain or are adjacent to irreplaceable habitats, priority habitats, habitats hosting priority species, sites designated for their biodiversity value and all aquatic habitats are required to preserve the relevant ecological features through the application of the mitigation hierarchy, and to deliver enhancements to the ecological features in line with Policy P7. Where a development would result in the loss, damage or deterioration of irreplaceable habitats, the application will be refused unless there are wholly exceptional reasons and the exceptional benefits of the development proposal outweigh the loss of the habitats.

The documents identified the following with respect to protected and priority

species:

- Likely absence of active badger sets within and adjacent to the development sites.
- Likely presence of bats within buildings to be demolished.
- Likely absence of hazel dormouse.
- Likely presence of great crested newts.
- Presence of reptiles.

Throughout the application a number of iterations of the Preliminary Ecological Appraisal, Preliminary Roost Assessment and Precautionary Reptile Method Statement were submitted in response to concerns raised by Surrey Wildlife Trust. Upon review of the final versions of these, the documents were considered acceptable by Surrey Wildlife Trust and subject to the imposition of the recommended conditions, no other concerns were raised. The requested conditions included:

- Sensitive Light Management Plan.
- Retention of 15m buffer of semi-natural habitat between the ancient woodland and the development.
- Protection measures for the on-site native Habitat of Principal Importance (HPI) hedgerow should be included within the Arboricultural Impact Assessment, Method Statement, and Tree Protection Plan, and included within a CEMP.
- Ecological enhancement scheme to follow the recommendations in 'Scenario A' of the Biodiversity Net Gain Assessment.
- Construction Environmental Management Plan.

It is therefore considered that the proposed development would not result in harm to the SNCI, or to priority and protected species and habitats, subject to the imposition of conditions.

The application site adjoins an area of ancient woodland. Policy P6 of the LPDMP requires the submission of a tree survey, an appropriate buffer between new development and the ancient woodland, with a minimum of 15m, a clear separation between the woodland and the rest of the development and delineated by a physical feature such as a wildlife permeable barrier, cycle lane, path or lightly trafficked road. The proposal includes a 15m buffer at the rear of the development site. The Council's Tree Officer has reviewed the proposal and noted that the provided buffer will form part of the garden of the two properties but was always

part of the garden of the original dwelling and therefore the use is not changing. No objection was raised but the Tree Officer did request that permitted development rights be removed to ensure that no structures are constructed within the 15m buffer. It was also requested that a condition be imposed requiring the development to proceed in accordance with the approved Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). In addition to the Tree Officer's comments, Surrey Wildlife Trust also recommended the 15m buffer be retained. They also noted that the AMS and TPP should include protection measures for the on-site native hedgerow. Subject to appropriate conditions, the proposed development would comply with Policy P6 with respect to the ancient woodland.

Policy ID4 of the LPSS and Policy P7 of the LPDMP require a net gain in biodiversity to be achieved in connection with any new development. The proposed development is supported by a Biodiversity Net Gain Report. Through the implementation of 'Scenario A' as set out in this report, the proposed development would result in a biodiversity net gain of 5.91%. A condition would be required to ensure that a biodiversity enhancement scheme is submitted to the LPA for approval, which should be in accordance with 'Scenario A', as noted by Surrey Wildlife Trust. Subject to this condition, the proposal would comply with Policy ID4 of the LPSS and Policy P7 of the LPDMP.

Overall, it is considered that the proposed development would, subject to the imposition of conditions, comply with Policy ID4 of the LPSS, Policies P6 and P7 of the LPDMP and the NPPF.

Thames Basin Heaths Special Protection Area

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

In line with standing advice from Natural England, as part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or

in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy.

legal agreement requirements

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

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

As the application would result in the net gain of 2 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. The Applicant has agreed to enter into this agreement, and will be secured should the application be approved.

Conclusion.

The proposed development would result in the net gain of two residential units in a sustainable location. The proposed design of the dwellings would be of high quality that positively responds to the character and context of the locality, and would not result in an unacceptable impact on neighbouring amenity.

The proposed development would not give rise to unacceptable impacts on highway safety and would provide for acceptable living conditions to occupants.

A flood risk assessment has been submitted with the application that demonstrates the proposal would comply with the NPPF, Policy P4 of the LPSS and with the Environment Agency standing advice.

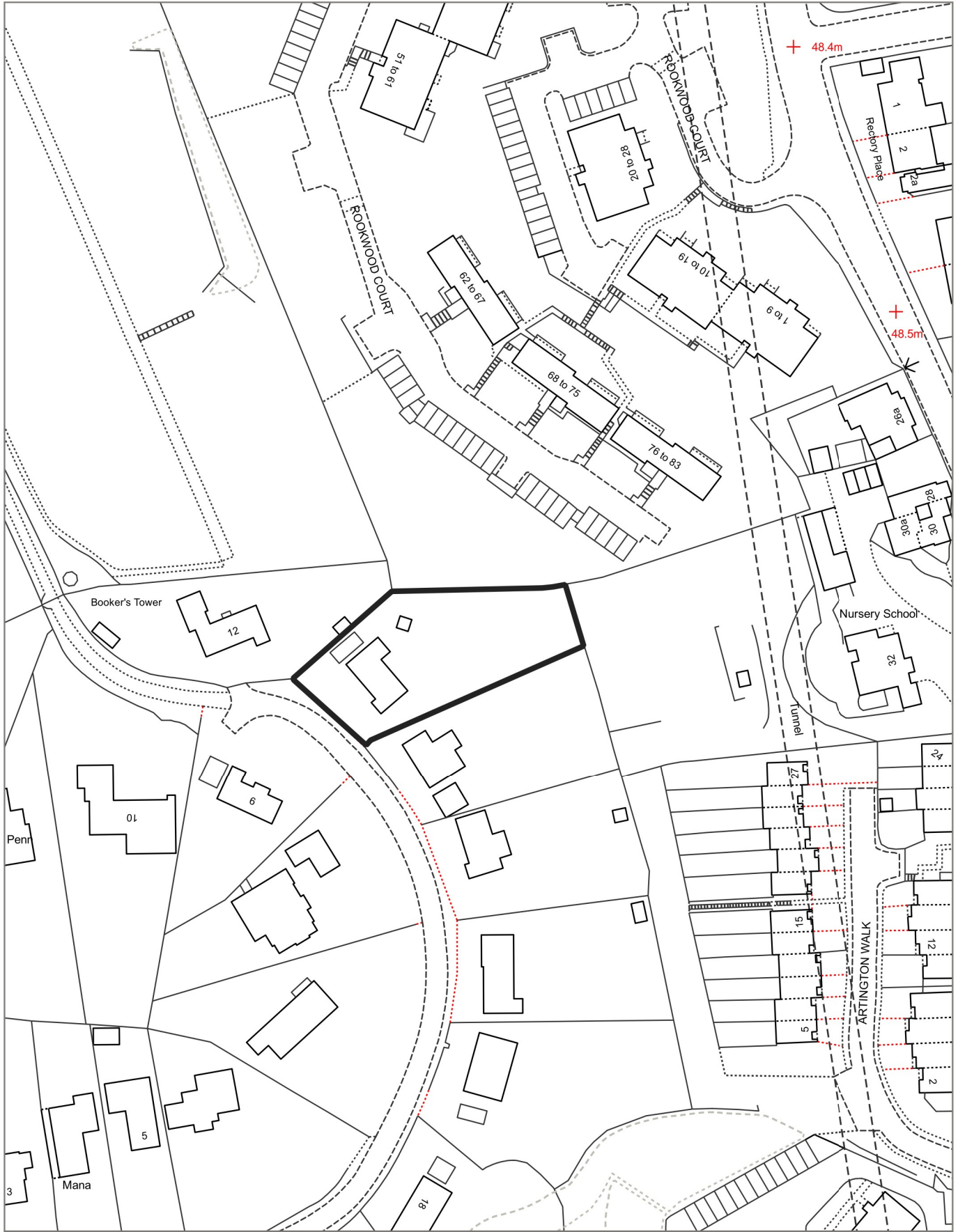
Subject to the imposition of conditions, the proposal would not result in harm to the SNCI, ancient woodland or on priority and protected species and habitats. Biodiversity net gain would be assured, subject to the submission of an enhancement scheme.

Subject to a s106 agreement to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

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

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23/P/02048 - Talland, 13 Beech Lane, Guildford



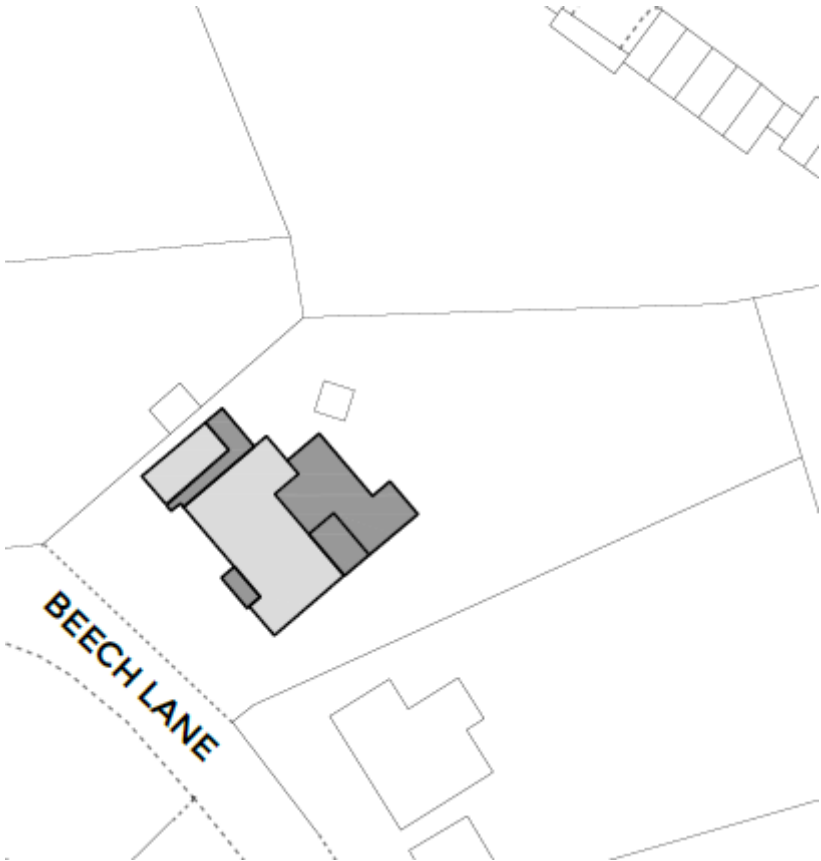
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Print Date: 07/03/2024



23/P/02048 – Talland, 13 Beech Lane, Guildford, GU2 4ES



App No: 23/P/02048 **8 Wk** 03/04/2024
Deadline:

Appn Type: Full Application

Case Officer: Holly Craig

Parish: Friary & St. Nicolas

Ward: St Nicolas

Agent : Miss Patel
Whiteman Architects
7C West Street
Ewell
Epsom
KT17 1UZ

Applicant: Mrs Blackmore
13 Talland Beech Lane
Guildford
Surrey
GU2 4ES

Location: Talland, 13 Beech Lane, Guildford, GU2 4ES

Proposal: Proposed single storey front side and rear extensions, roof enlargement incorporating 2 rear dormer windows, changes to fenestration, recladding of entire enlarged dwelling in timber, conversion of garage to car port, and formation of raised patio and steps at rear (description amended 23/01/2024).

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because the applicant is the spouse of a member of the Council.

Key information

The application seeks planning permission for the erection of single storey front, side and rear extensions, a roof enlargement incorporating two dormer windows, changes to fenestration, the recladding of the entire dwelling in timber, the conversion of an existing garage to a car port, and the formation of a raised patio and steps at the rear.

Summary of considerations and constraints

The proposed front extension, comprising a porch, would project beyond the dwelling's front elevation and would appear partly inset. It would extend into the slope of the roof, sitting below the dwelling's ridge and the cill level of the three proposed rooflights. The proposed side elevation would extend beyond the dwelling's north west side elevation, infilling the gap between the dwelling and the existing garage which would be converted into a carport and extended further to the rear. The ground floor would also be extended at the rear and the existing raised patio would also be extended to create a larger seating area. The proposed roof enlargement would result in the addition of a small crown roof and two dormer windows which would extend beyond the dwelling's rear roofslope. Amendments were received to overcome concerns regarding the scale of the proposed dormer on the left side of the east facing roofslope. The proposed extensions would moderately increase the ground floor footprint of the dwelling and would respect the scale and form of neighbouring properties.

The recladding of the entire dwelling in charred timber with silver birch composite cladding detailing would give the dwelling a contemporary and modern appearance and cumulatively, the proposed extensions and alterations would result in a remodel of the existing dwelling. Although the overall design is markedly different from that of the existing dwelling, the contemporary design would provide visual interest and individuality to the host dwelling. With the presence of other contemporary designed dwellings within the surrounding area, the proposal would not result in harm to the overall character of the area.

The impact of the proposal on neighbouring properties has been carefully considered, including the proposed extension to the existing raised patio, and it is not considered that the proposed development would result in any adverse loss of amenity to neighbouring properties. The proposal would result in no additional bedrooms and there would be no net loss of parking as a result of the proposed development. Located to the frontage of the property are mature Beech trees subject to a Tree Protection Order. Subject to conditions, there would be no harm to these trees.

Taking the above into consideration, it is recommended that planning permission be granted, subject to conditions.

RECOMMENDATION:

Approve - subject to the following conditions :-

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

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

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

- 001 received on 19 December 2023.
- 100 REV A, 101 REV A, 102 REV A, 103 REV A, 200 REV A, 201 REV A, 202 REV A, 203 REV A, 300 REV A received on 9 February 2024.
- 002 A received on 4 March 2024.

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 approved shall be constructed in accordance with the materials schedule received on 06/03/24.

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

4. No development shall take place until:

a) A Tree Protection Plan in accordance with the recommendations within the British Standard BS5837:2012 'Trees in relation to design, demolition and

construction-Recommendations' is submitted to and approved in writing by the Local Planning Authority.

b) A site meeting has taken place where a representative from the Local Planning Authority has inspected and approved the tree protection measures as per the Tree Protection Plan or alternatively if appropriate, photographic evidence is submitted to the Local Planning Authority Tree Officer.

Reason: To retain and protect the existing trees which form part of the amenity of the locality.

Officer's Report

Site description.

The site comprises a detached split-level dwellinghouse, single storey at the front and two storeys at the rear, featuring an additional basement level. The dwelling is constructed of red-facing brickwork and features a dual pitched gable ended roof with a rear hipped protrusion and a rear facing crown roofed dormer. A detached existing garage/store is situated to the north west of the dwelling and off street parking is provided to the front. It is noted that a row of beech trees to the front of the site are subject to a tree protection order.

The application site is located on the east side of Beech Lane, within the St Nicolas Ward and the Guildford Urban Area. The site slopes steeply downwards from the highway to the rear of the site.

The east side of Beech Lane features mostly split-level detached dwellinghouses of a similar scale. Most are constructed of red brick, painted brickwork or white/cream render. The western side of Beech Lane features a variety of two storey detached dwellings of a significant scale and varying design. Flat roofs and flat roof dormer windows are present within the surrounding area.

Proposal.

Proposed single storey front side and rear extensions, roof enlargement incorporating 2 rear dormer windows, changes to fenestration, recladding of entire enlarged dwelling in timber, conversion of garage to car port, and formation of raised patio and steps at rear (description amended 23/01/2024).

The proposed porch would project beyond the dwelling's front elevation and would appear partly inset. It would extend into the slope of the roof, sitting below cill level of the three proposed rooflights. The proposed side elevation would extend beyond the dwelling's north west side elevation, infilling the gap between the dwelling and the existing garage which would be converted into a carport and extended. The ground floor would also be extended at the rear and the existing raised patio would also be extended to create a larger seating area. The proposed roof enlargement would result in the addition of a small crown and two dormer windows which would protrude beyond the extended dwelling's rear roofslope.

Relevant planning history.

Reference	Description:	Decision Summary:	Appeal:
85/P//007 88	Reconstruction of rear single storey extension, conversion of loft space to provide 2 bedrooms & internal alterations	Approve 06/08/1985	N/A
GUI/2488 B/14240	Development of land in Beech Lane to permit the erection of six dwellinghouses	Approve 30/03/1955	N/A

Consultations.

Internal consultees

Tree Officer: No objection subject to the imposition of a condition to retain and protect the existing trees which form an important part of the amenity of the locality.

Third party comments:

None received.

Planning policies.

National Planning Policy Framework (NPPF) 2023

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034

- S1. Presumption in favour of sustainable development
- D1. Place shaping

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.

- D4. Achieving High Quality Design and Respecting Local Distinctiveness
- D5. Protection of Amenity and Provision of Amenity Space
- H4. Housing Extensions and Alterations including Annexes

Supplementary planning documents (SPD)

- Residential Extensions and Alterations SPD 2018
- Parking Standards for New Development SPD 2023

Planning considerations.

The main planning considerations in this case are:

- The Principle of Development
- Scale and Character
- Impact on Neighbour Amenity
- Parking Considerations

- Impact on Trees

The Principle of Development

The application site is located within the Guildford Urban Area where household extensions and alterations are not uncommon. The proposed development to facilitate additional and improved living space is therefore considered to be acceptable, providing it provides high quality standards of internal accommodation, a design appropriate in the context of its surroundings and constitutes neighbourly development.

Scale and Character

Policy D1 of the LPSS requires all new developments to achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set. The policy also requires all new development to be designed to reflect the distinct local character of the area and respond and reinforce locally distinct patterns of development, including landscape setting. Policy H4 and D4 of the LPDMP reinforce this, but D4 also promotes the use of innovative design approaches, including the use of materials and construction techniques where this presents an opportunity to create new or complementary identities that contributes to and enhances local character.

The Residential Extensions and Alterations Guide SPD guides that development should consider not only how it affects the character of the host property, but also the impact on the scale and character on neighbouring houses and the street generally, taking the following into account: the group value, character and established form of development along the street; the prominent building line within the street; the angle and position of the host dwelling; changes in level; separation between housing; roofscape; and design, style and materials.

Planning permission is sought for the erection of front, side and rear extensions, a roof enlargement incorporating 2 rear dormer windows, changes to fenestration, the recladding of the entire dwelling in timber, the conversion of an existing garage into a car port and the formation of a raised patio and steps at the rear. Together, the proposed front, side and rear extensions would moderately increase the footprint of the dwelling. The proposed side extension would extend beyond the dwelling's north west side elevation, infilling the gap between the dwelling and the

existing garage which would be converted and extended. Cumulatively, these proposals would result in a remodel of the existing dwelling and alteration to its character, giving the dwelling a modern and contemporary appearance. Therefore, rather than assessing each individual component's impact on the character of the *existing* dwelling, the suitability of the proposal's scale and design as a whole will be assessed, as well as its impact upon the character of the surrounding area.

Front façade

The resultant dwelling would continue to read as a bungalow from the front. The front porch would extend 1.6 metres in depth, however, it would only extend 0.5 metres beyond the dwelling's front building line. Whilst the porch would be enclosed at both sides, it would feature an open front and therefore, it would appear partly inset. The proposed porch would feature a gable ended roof and would be appropriately set down from the dwelling's main ridgeline. The porch, by virtue of its design and contrasting materiality, would add visual interest to the dwelling's front elevation and enhance its legibility within the streetscene.

Rear façade

The proposed roof enlargement would result in the addition of a crown to the roof of the dwelling, as well as two rear facing dormer windows. Amended plans were received on 09/02/24, inseting the dormer on the left side of the east facing roofslope by 1 metre from the southern edge of the roofslope. It is acknowledged that the proposed roof enlargement would add additional bulk to the dwelling, however, as amended, the dormer windows would not be overly visible from the streetscene and therefore, the roof enlargement would not have a harmful impact on the scale and appearance of the dwelling. Whilst the dormer windows would be of differing widths, this would not work to unbalance the dwelling as they would be proportionate to the width of the ground floor.

The proposed dormer windows would feature flat roofs which would contrast the dwelling's gable ended roof. However, the proposal would result in a remodel of the existing dwelling and the crown and flat roofed dormers would complement the resultant dwelling's overall contemporary design. Further, flat roofs and flat roofed dormers are not uncommon within the surrounding area, notably evident at nos. 6, 8, 10 and 17 Beech Lane. Therefore, the proposed roof enlargement would not be out-of-keeping.

Materials

It is proposed to reclad the entire dwelling in charred timber with silver birch composite cladding detailing. Although predominantly, dwellings within the immediate surrounding area are of a more traditional design, constructed of brickwork or render, there are several contemporary buildings that feature timber or similar along Upper Guildown Road, notably, Rosemullion, Mount Witten and Summerhill. Therefore, the resultant dwelling would complement and add to the mix of dwellings within the surroundings.

Overall, the proposed changes would respect the scale and mass of the existing dwelling and the contemporary design would provide visual interest and some individuality to the host dwelling. With the presence of other contemporary designed dwellings within the surrounding area, it is considered that the resultant dwelling would have a complementary identity that would contribute positively to the local character of the surrounding area.

Therefore, on balance, it is considered that the proposed development would comply with policies D1 of the LPSS, D4 and H4 of the LPDMP, and the relevant parts of the NPPF. It would also not be contrary to the intent of the Residential Extensions and Alterations SPD, 2018.

Impact on neighbour amenity

Policy D5 of the LPDMP seeks to protect the amenities of the occupiers of adjoining properties. Policy H4 of the LPDMP reinforces this, requiring development proposals for residential extensions to have regard to the impact on neighbouring properties such that they have no unacceptable impact on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to sunlight and daylight.

The neighbouring properties most affected by the proposed development would be Tower View (no. 12 Beech Lane) and no.14 Beech Lane.

Tower View

Tower View is located to the north west of the application site, sitting uphill and at

an oblique angle to the host dwelling.

Due to the separation distance, topography of the surrounding area, and Tower View's angled orientation, the proposed development would not cause a detrimental loss of light to the occupiers of Tower View, lead to overshadowing, or appear an overbearing feature. The proposal would not allow for direct views into Tower View. Therefore, no overlooking concerns result from the proposed development in terms of its relationship with Tower View.

No. 14 Beech Lane

No. 14 Beech Lane is situated to the south east of the application site. Although no. 14 Beech Lane is sits downhill from the host dwelling, it is of a similar height. At the rear, no. 14 Beech Lane has three storeys: a lower ground floor, ground floor and upper floor with accommodation in its roof.

The proposed development would include the extension of an existing raised patio and construction of a new external staircase. It is not clear whether no. 14 Beech Lane's ground floor window within its north west side elevation and most northern rear facing ground floor window serve a habitable room, however, the raised patio would be set below cil level and therefore, it is not considered that it would result in a harmful loss of amenity. Due to the separation distance between the proposed patio extension and no. 14 Beech Lane, and the patio's angled orientation in comparison to No. 14 Beech Lane, it would also not appear an overbearing feature.

As the host dwelling already features a raised patio, its extension would not result in any discernibly greater levels of noise than already existing. Views from the existing patio into no. 14 Beech Lane are screened by existing vegetation. Although the proposed patio extension would extend beyond this vegetation, the patio would be orientated at an oblique angle to no. 14 Beech Lane and as such, views would be directed to the north east rather than into no. 14 Beech Lane. Therefore, it is not considered that the patio extension would result in a loss of privacy to the occupiers of no. 14 and thus, it is not necessary to request further screening.

A new side facing window is proposed within the host dwelling's south eastern gable end. This window would serve an ensuite bathroom and would look out onto no. 14's north western gable end. No. 14 Beech Lane features no windows at upper floor level within its north western gable end. Therefore, the proposed ensuite

window would not allow for direct views into no. 14 Beech Lane and would not lead to a loss of privacy to the occupiers of no. 14.

Accordingly, it is not considered that the proposal would result in a significant loss of amenity to neighbouring occupiers and therefore, it would comply with the relevant provisions of policy D5 and H4 of the LPDMP.

Parking considerations

The Parking Standards for New Development SPD 2023 states that where a development proposal involves an extension, the parking standards are advisory and should be viewed as a guide to an appropriate level of parking.

The proposed development would include the conversion of an existing garage into a carport. The converted carport would extend approximately 3.59 metres in width and 5.29 metres in depth and would therefore, not meet the minimum internal dimensions to be counted as a parking space. However, it is noted that the existing garage does not meet the minimum standards. Therefore, its conversion would not result in a change to the current parking provision on site.

The proposed extensions and alterations would not result in the addition of a bedroom and there would be sufficient space to the front of the dwelling to comply with the maximum car parking provision guidance set out within the Parking Standards for New Development SPD.

Impact on trees

Located on the frontage of the property are mature Beech trees, subject to a tree protection order (TPO). The Council's Tree Officer notes that these trees should not be impacted by the actual development but it is important that the grassed area where the trees are located is excluded from the storage of materials and mixing of concrete etc. Therefore, the Tree Officer has requested that if approved, the permission is conditioned to ensure a Tree Protection Plan is submitted to and approved in writing by the Local Planning Authority (LPA) prior to the commencement of development on site. This condition will ensure that the appropriate protection for the trees is provided.

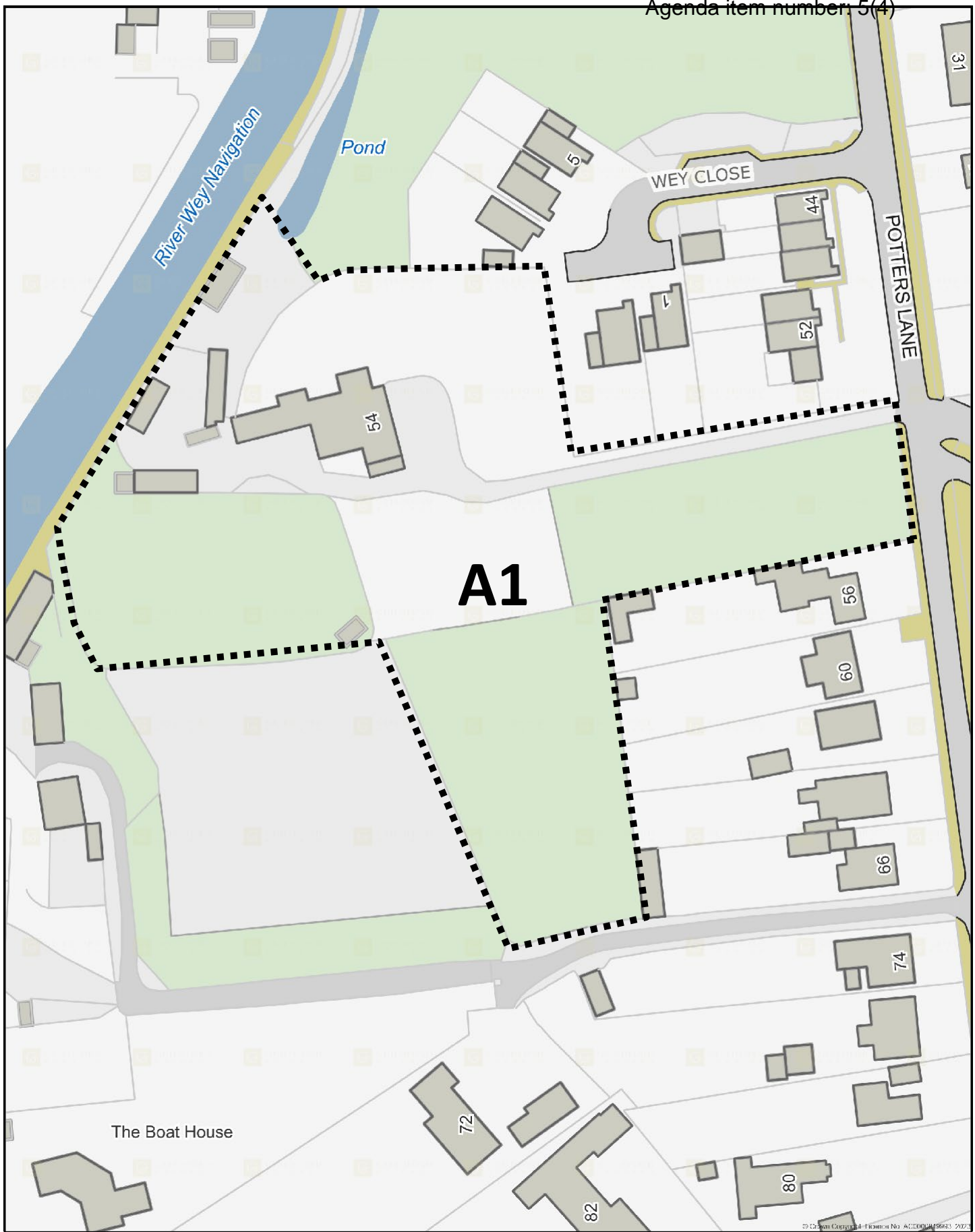
Conclusion

The site is located within the urban area where the principle of development is considered acceptable. The proposed extensions and alterations would respect the proportions of the existing dwelling and whilst of a distinctive contemporary appearance, would be acceptable and would not be out-of-keeping with the local character of the surrounding area.

The proposed development would not result in any adverse loss of amenity to neighbouring occupiers.

There would be no net loss of parking.

Subject to conditions, there would be no harm to the trees subject to a TPO located on the frontage of the property.



TPO 9 of 2023 54 Potters Lane, Send

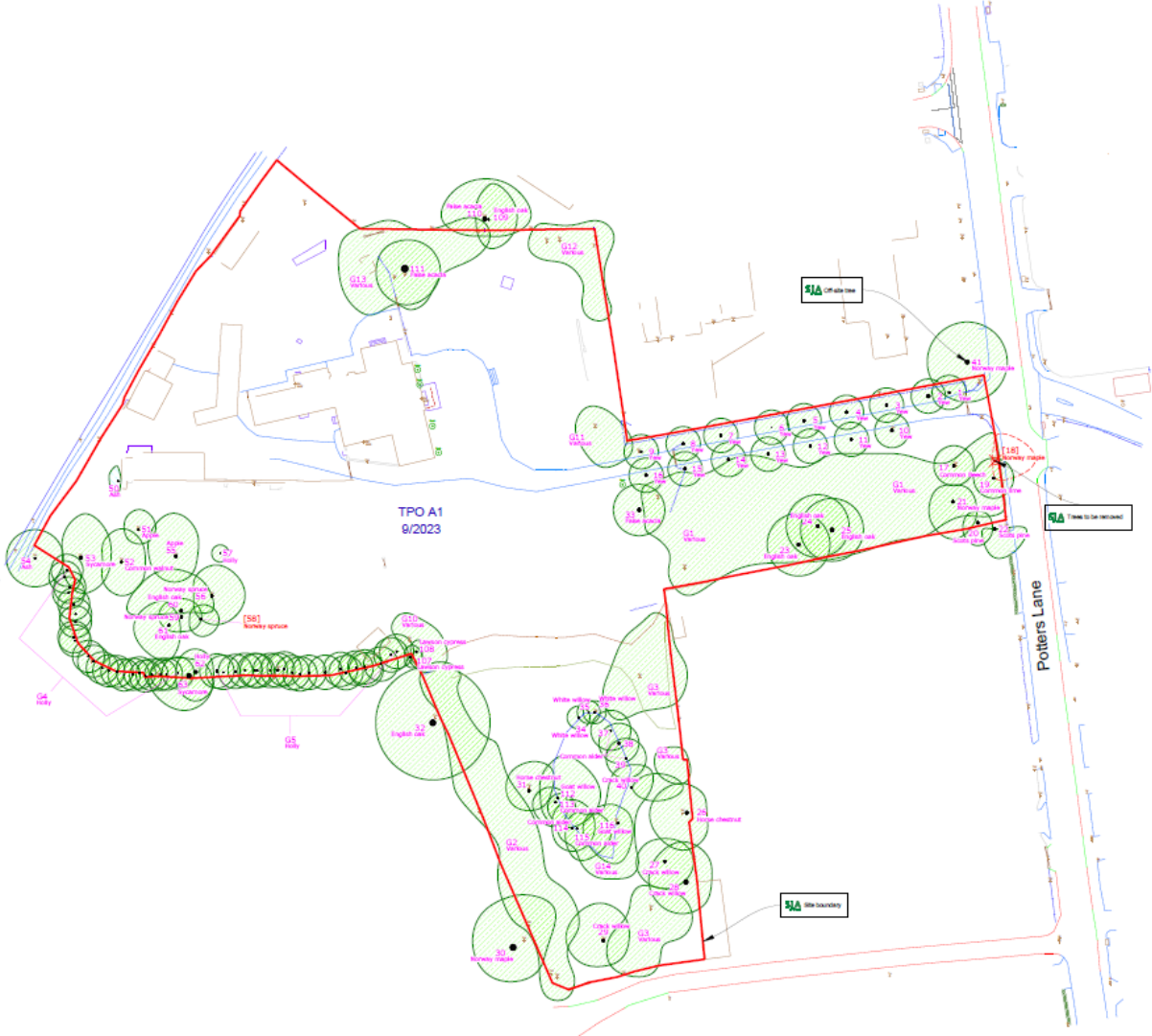


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Scale: 1:1000

**24/T/00018 – Pembroke House, 54 Potters Lane, Send,
Woking, GU23 7AL**



Not to scale

App No: 24/T/00018

8 Wk 22/03/2024

Deadline:

Appn Type: Tree Preservation Order

Case Officer: Tim Holman

Ward: Send & Lovelace

Parish: Send

Applicant: Madgwick Developments Ltd.
Madgewick Developments
Ltd

Agent : Mr Jones
Simon Jones Associates
Ltd
The Old Post Office
Dorking Road
Tadworth
KT20 5SA

Location: Pembroke House, 54 Potters Lane, Send, Woking, GU23 7AL

Proposal: T18 (Norway maple) - Fell to ground level. TPO No. 9 of 2023.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

The application relates to 1No. Norway Maple located on the frontage of the property, 54 Pembroke House, Send Hill. The tree is afforded protection by way of the provisional TPO 9 of 2023.

Summary of considerations and constraints

The Norway Maple is not a good example of the species. It has an asymmetric crown and leans over the public highway. The tree has been 'ring-barked' approximately 30cm above ground level which will impact the tree's vascular system and will ultimately lead to the decline and death of the tree, rendering it a health and safety concern.

RECOMMENDATION:

Tree Works Approved With Conditions - subject to the following conditions:-

1. The tree works hereby consented must be completed within two years of the date of this permission and shall be carried out in accordance with the approved details.

Reason: To ensure the tree works are carried out within a reasonable timescale, taking into account the current health and condition of the tree(s) and their circumstances.

2. The tree works shall be carried out in accordance with the British Standard 3998:2010 Tree Work - Recommendations.

Reason: To ensure the tree works are carried out to an appropriate standard.

3. Details of replacement tree planting (including quantity, species, position, size and a time frame for completion) must be submitted and approved prior to commencement of tree works. Tree planting must take place as soon as possible after the tree removal and no later than the start of the following planting season (October - April). Planting must be in accordance with BS: 8545 Trees: from nursery to independence in the landscape.

Reason: To conserve the character of the locality.

4. For a period of no less than 10 years after planting, replacement trees which are removed, die or become seriously damaged shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved.

Reason: To conserve the character of the locality.

Informatives:

1. All works hereby approved should be carried out by a suitably qualified and insured tree surgeon. A copy of the decision notice should be given to the Tree Surgeon.
2. Deadwood may be removed at any time without an application.
3. Please be advised that the Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and The Conservation of Habitats and Species Regulations 2017 protect ALL wild birds, their nests (whether in use or being built) and eggs and other wild animals including bats and their roosts in or adjacent to trees.

Officer's Report

Site description.

The tree which is subject to this application is a semi-mature Norway Maple (T18), located on the frontage of the property, 54 Pembroke House, Potters Lane, Send Hill.

The tree is approximately 17 metres in height with a trunk diameter of 345mm, with and a crown spread to the North of 4m, East 7m, South 3m and West 0.5m

The canopy of the tree is asymmetric and offset from the base of the tree and leans

over the public highway.

Approximately 30cm above ground level the main stem of the tree has been mechanically 'ring-barked'. This is a deep cut around the full circumference of the tree that penetrates through the outer protective bark layer and into the cambium layer below. Significant, further bark stripping has also occurred and is likely to be attributed to rabbits and deer.

Proposal.

T18 (Norway maple) - Fell to ground level. The tree is currently afforded Tree Preservation Order protection by way of the provisional TPO No. 9 of 2023.

Relevant planning history.

The Area TPO designation protects all tree species (both conifer and broadleaf) that were present within the curtilage of 54 Pembroke House when the Order was made and served on 15th November 2023. The Provisional Order will expire after 15th May 2024. Prior to this date the Local Planning Authority (LPA) will decide whether to confirm with or without modification of this Order.

The TPO was made following concern raised by both local residents and ward members to tree felling activities that were taking place within the extensive grounds of the property.

Consultations.

Parish Council - No comments received from Send Parish Council.

Third party comments:

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

- No need to fell tree until it poses a threat. The Schedule of Works states 'damage on the tree may not be sufficient to completely sever its phloem.'
- Limited hazard - no pavement, cars parked under tree
- Disagree that removal will have limited effect on character of the area - a

number of trees overhanging road.

- Removal of T18 will facilitate access to the site as other trees were felled in the locality.
- If felling is approved it will encourage developers to apply for further tree removal.
- Deliberate damage to tree.
- Climate concerns with tree felling.
- Loss of habitat.
- A number of trees previously removed.

One letter of support for the application was received.

Planning considerations.

When deciding an application for works under a TPO, local authorities are advised to:

- assess the amenity value of the tree(s) or woodland and the likely impact of the proposal on the amenity of the area;
- consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
- consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
- consider whether any requirements apply in regard to protected species.

In general terms, it follows that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed to justify consent being granted. However, if the amenity value of the tree/s is low and the impact is likely to be negligible, it may be appropriate to grant consent even if there is no particular arboricultural need for the work.

The Norway Maple (T18), is a semi-mature specimen, visible from the public realm. It is afforded TPO protection by virtue of the Area Order protecting all species

present at the time the Order was made and served on the landowner.

Individually, the tree would not be a suitable candidate for protection. It is a poor example of the species, with poor crown structure, poor form, and a limited retention span.

Prior to the serving of the TPO, the landowner had a team of tree surgeons engaged in tree felling across the site. It is understood that T18 was proposed to be removed, but removal was halted due to it overhanging the highway, and following the serving of the TPO, never completed.

There is both mechanical damage and animal damage around the base of the tree. As described in the site description, the tree has been 'ring-barked' and subsequent animal damage has occurred with considerable bark stripping. Although the tree may not die immediately, particularly if the phloem transport tissue has not been completely severed by the 'ring-barking', its long-term retention is now highly limited and it presents is a health and safety concern adjacent to the public highway. Damage to the vascular system of a tree, interrupts and stop both the internal transportation of water and nutrients, and will result in the eventual death of the tree.

The wounding at the base will also leave the tree more susceptible to wood decay fungal attack. Norway Maple are prone to fail due to trunk decay and branch failure.

There is no evidence that the mechanical damage occurred after the TPO was served.

If consent was not granted for the removal of the tree it would be highly likely that an inspection of trees adjacent to the public highway by Surrey County Council Highways, would identify this tree as a significant hazard and serve a Section 154 Notice on the landowner requiring immediate remedial action.

The removal of this one tree will not significantly impact the overall sylvan character of the locality. No loss or damage is likely to be incurred as a result of the works being granted consent.

It is important that the relevant wildlife protection is observed and informatives to this effect can be attached to the consent.

Conclusion.

It is recommended that consent to the felling of the Norway Maple, for the reasons stated above, be granted subject to conditions. The removal will ensure the health and safety of users of the public highway. This recommendation is subject to conditions which will include the planting of a replacement specimen.

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	<p>Please view the decision letter online via the planning portal.</p>	
<p>2.</p>	<p>Mr & Mrs Cullingham Hillside Farm, Salmons Road, Effingham, Surrey, KT24 5QJ</p> <p>23/P/00033 – The development proposed is single storey side extension following the demolition of existing single garage and substandard side extension. Proposed front extension (previously approved under reference 19/P/01365).</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issues are</p> <ul style="list-style-type: none"> • whether or not the proposed development would be inappropriate development in the Green Belt; • the effect of the proposed development upon the openness of the Green Belt; and, • if the proposed development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, and if so, would this amount to the very special circumstances required to justify the proposal. <p>Please view the decision letter online via the planning portal.</p>	<p>*ALLOWED</p>
<p>3.</p>	<p>Mr and Mrs P Risdale 47 Kingston Avenue, East Horsley, Surrey, KT24 6QT</p> <p>23/P/00269 – The development proposed is a first-floor side extension.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues:</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposal on the character and appearance of the host property and the street scene. <p>Please view the decision letter online via the planning portal.</p>	<p>*ALLOWED</p>

<p>4.</p>	<p>Mr Andrew Kamm, Bourne Homes Ltd Streamside, Harpers Road, Ash, Guildford, GU12 6DB</p> <p>22/P/00977 – The development proposed is demolition of existing house and outbuildings and erection of 22 new houses with associated parking and creation of new vehicular access.</p> <p>Planning Committee 21 June 2023 Planning Committee Decision: To Refuse Officer Recommendation: To Approve</p> <p>Inspector’s Main Issues</p> <ul style="list-style-type: none"> • the effect of the proposal on pedestrian and highway safety; • the effect of the proposal on the living conditions of the occupiers of Oakside Cottage with particular regard to privacy; and • the effect of the proposal on the integrity of European Sites. <p>COSTS AGAINST GUILDFORD BOROUGH COUNCIL I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Consequently, the application for a full award of costs is refused.</p> <p>Please view the decision letter online via the planning portal.</p>	<p>*ALLOWED</p> <p>REFUSED</p>
<p>5.</p>	<p>Claremont Vinesse Group Orchard Walls, Beech Avenue, Effingham, Surrey, KT24 5PG</p> <p>22/P/02045 – The development proposed is development of 1 no. single storey 2-bed dwelling house with access from The Crossroads.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: Based on the statement submitted by the Council, and my observations on site, the main issues are whether the proposal would:</p> <ul style="list-style-type: none"> • provide suitable measures for Page 13 sustainability; 	<p>DISMISSED</p>

	<ul style="list-style-type: none"> • make suitable provision towards affordable housing; and the effect of the proposal on: • the character and appearance of the area, with particular regard to the effect that it would have on the wider allocated Orchard Walls development which is currently under construction; • the character and appearance of the local area with particular regard to the extent to which it would preserve or enhance the character or appearance of the Effingham Conservation Area (the CA) and the effect on a non-designated heritage asset (NDHA); and • the living conditions of the future occupiers of Plot 8 of the Orchard Walls development, with particular reference to outlook. <p>Please view the decision letter online via the planning portal.</p>	
<p>6.</p>	<p>Mr Gareth Voss Perham, Old Lane Gardens, Cobham, Surrey KT11 1NN</p> <p>23/P/00279 – The development proposed is an extension to front side and rear with accommodation within a redesigned roof form including front and rear gables and dormers.</p> <p>Delegated Decision: To Refuse</p> <p>Inspector’s Main Issues: The main issues are i) the effect of the proposal on the character and appearance of the host property, street scene and the surrounding area and ii) the living conditions of No 5 Old Lane Gardens with specific regard to loss of light and outlook.</p> <p>Please view the decision letter online via the planning portal.</p>	<p>DISMISSED</p>
<p>7.</p>	<p>Mrs Ling Chen 1 Madrid Road, Guildford, GU2 7NT</p> <p>23/P/00493 – The development proposed is described as the re-submission of previous planning application 22/P/01864 with proposal of subdivision of land into two separate plots; and the creation of new 2-storey semi-detached 2 to 3-bedroom dwelling house with car parking in front court and bike store in rear gardens.</p>	<p>DISMISSED</p>

Agenda item number: 6