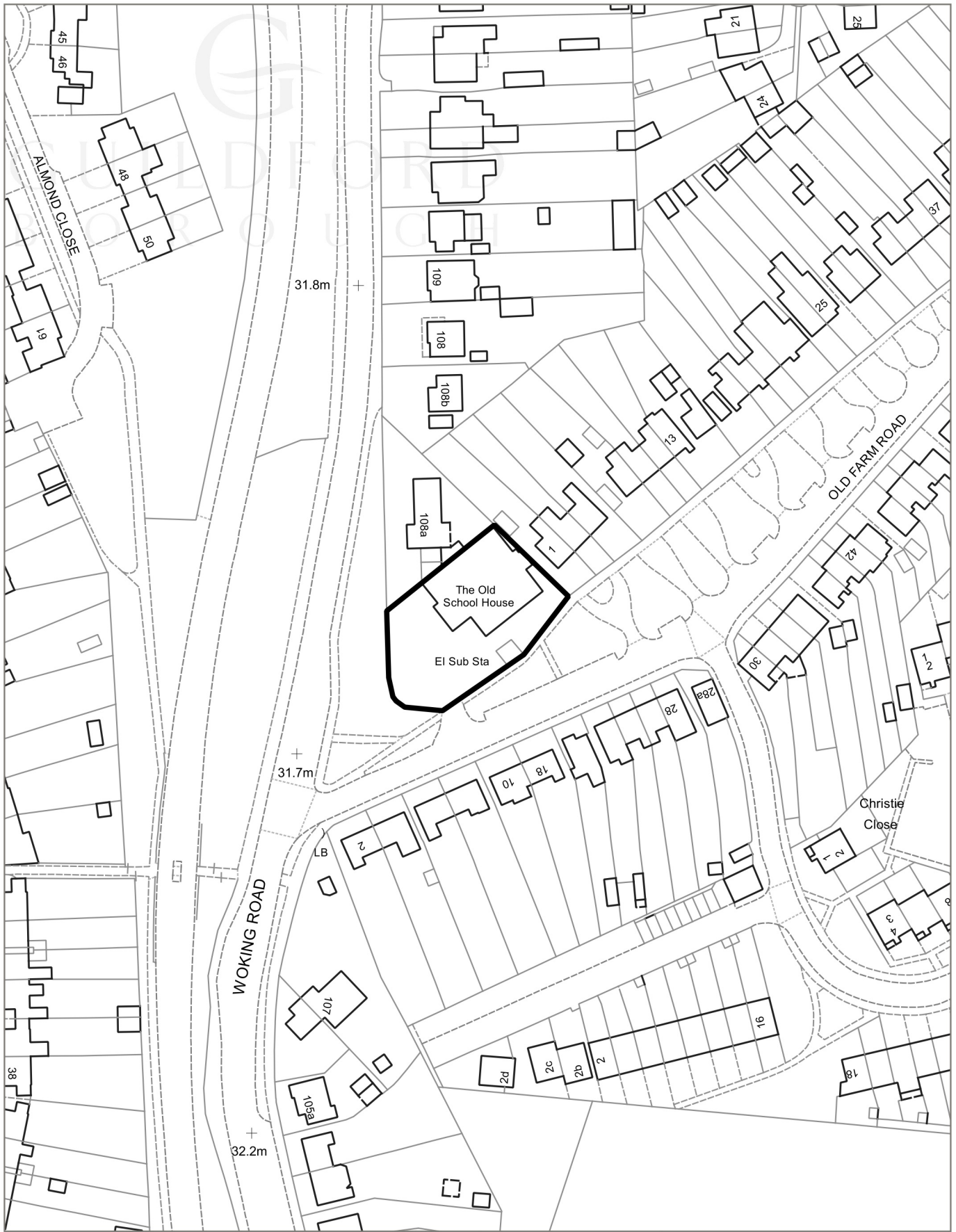


# 19/P/01297 - The Old School House, Old Farm Road, Guildford



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Print Date: 12/02/2020



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**App No:** 19/P/01297 **8 Wk Deadline:** 07/02/2020  
**Appn Type:** Full Application  
**Case Officer:** Charlotte McSharry  
**Parish:** Stoke **Ward:** Stoke  
**Agent :** Mr Conoley **Applicant:** Mr Siderfin  
Michael Conoley Associates Boundstone Developments  
The Old Forge Ltd.  
The Green c/o agent  
Elstead  
GU8 6DD

**Location:** The Old School House, Old Farm Road, Guildford, GU1 1QN  
**Proposal:** Erection of 9 residential flats (2 x one bedroom and 7 x two bedroom), communal areas, car parking, cycle parking, landscaping and associated works following demolition of existing 'B8 use' building (amended plans received on 15/11/2019 and 13/01/2020).

## **Executive Summary**

### **Reason for referral**

This application has been brought before the planning committee at the request of Councillor Gunning who considers that the proposed design and size of the development is out of keeping with the surrounding area contrary to policy D1 of LPSS and paragraph 127 of the NPPF 2019.

### **Key information**

The application concerns the construction of 9 residential flats (2 x one bedroom and 7 x two bedroom), communal areas, 11 car parking spaces, cycle parking, landscaping and associated works following the demolition of the existing 'B8 use' building.

The site is in the urban area of Guildford and occupies a corner plot facing Woking Road to the west and Old Farm Road to the south.

The site is flat and measures approximately 0.1ha. The flatted block will have the following dimensions:

Height: 8.3m

Width: 23.9m

Depth: 7.9m

To the north and east of the site are residential properties. To the immediate south is an electricity substation and tree planting followed by Old Farm Road and houses beyond.

The site is within 400m - 5km of the Thames Basin Heaths Special Protection Area.

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

The principle of the change of the use from B8 use to a residential use is considered acceptable and the proposal would deliver a net increase of nine residential units which adds weight in favour of the application.

The amended proposal for a modern design of the building would not have a detrimental impact on the character and appearance of the area and the character and the development would integrate well into the surrounding area, which also adds weight in favour of the application.

Concerns have been raised with regards to the loss of the existing building. It is noted that the existing building is an attractive Victorian building. However, the existing building is not listed and the site is not located within a conservation area, therefore, the loss of the existing building cannot be resisted on legitimate planning grounds, and a reason for refusal based on the loss of the existing building could not be substantiated.

The development would not cause a harmful impact to neighbouring amenity, parking or highway safety issues. The proposal is also considered to be acceptable in terms of sustainability and impact on trees and ecology.

The applicant has agreed to sign a legal agreement which secures contributions for the protection of the Thames Basin Heaths Special Protection Area.

The application is therefore recommended for approval.

**RECOMMENDATION:**

**i) That a Section 106 agreement be entered into to:**

- **SANG and SAMM contributions**

**If the terms of the S106 or wording of the planning conditions or significantly amended as part of on going S106 or planning conditions negotiations any changes shall be agreed in consultation with the chairman of the planning committee and lead ward member.**

**ii) That upon completion of the above, the application be determined by the Planning Development Manager. The preliminary view is that the application should be granted subject to conditions**

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

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

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

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

Existing Site (Block) Plan Drawing No.1352/S-08, Existing Elevations Drawing No.1352/S-1, Existing Plans Drawing No.1352/S-10 received on 22/07/2019; Site Location and Proposed Site (Block) Plan Drawing No.1352/P-201, Proposed Plans Drawing No.1352/P-202 received on 15/11/2019; Proposed Elevations Drawing No.1352/P-203.B received on 22/01/2020.

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

3. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 and 1330 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

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

Reason: To ensure that the external appearance of the building is satisfactory. This condition is required as a pre-commencement condition in the interest of the visual amenity and to ensure a satisfactory appearance on completion of the development.

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highways
- (e) provision of boundary hoarding behind any visibility zones
- (f) on-site turning for construction vehicles

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. This is required as a pre-commencement condition as highway safety goes to the heart of the planning permission.

6. 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, Drawing No.1352/P-201, for vehicles/cycles 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.

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

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

8. The development hereby approved shall not be first occupied until details of secure cycle parking facilities and details of refuse storage buildings have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for user prior to the occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and in the interests of the visual amenities of the locality.

9. No development related works shall take place on site until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction, are submitted to and approved in writing by the LPA. The approved Arboricultural Method Statement must be adhered to in full, and may only be modified subject to written agreement from the LPA.

No development shall commence until tree protection measures, as set out in the AMS and TPP, have been installed and a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.

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

10. Prior to first occupation of the development hereby approved full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

11. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner.

Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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

12. The development hereby approved shall not be occupied until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall be maintained in perpetuity.

Reason: To safeguard the visual amenities of neighbouring residents and the locality.

13. The windows in the north west elevation at first and second floor level of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

14. The windows marked with an asterisk (\*) on the north east elevation at first and second floor level as shown on drawing number 1352/P-203.A 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.

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 Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

16. No development above slab level shall take place until 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)

and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage shall be achieved. 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 Policy D2 of Guildford Borough Local Plan: Strategy and Sites (adopted 25 April 2019)'.

17. The development hereby approved shall be implemented in accordance with the 'Recommendations' of the submitted Phase 1 Habitat & Protected Species Survey.

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

18. The development hereby approved shall not be first occupied until a scheme to enhance the biodiversity of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

#### **Informatives:**

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or [buildingcontrol@guildford.gov.uk](mailto:buildingcontrol@guildford.gov.uk)
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - 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 significant alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.



3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs).
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.  
  
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
5. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
6. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents in the locality. This may involve the use of dust screens and importing a water supply to wet areas of the site to inhibit dust.
7. Due to the proximity of residential accommodation there should be no burning of waste material onsite.

## **Officer's Report**

### **Site description.**

The site is in the urban area of Guildford and occupies a corner plot facing Woking Road to the west and Old Farm Road to the south.

The site is flat and measures approximately 0.1ha. The south west side of the plot comprise of access and hardstanding and the north east side is occupied by a large Victorian brick built building. The existing building is used for storage and distribution (B8 use).

To the north and east of the site are residential properties. To the immediate south is an electricity substation and tree planting followed by Old Farm Road and houses beyond.

The site is within 400m - 5km of the Thames Basin Heaths Special Protection Area.

### **Proposal.**

Erection of 9 residential flats (2 x one bedroom and 7 x two bedroom), communal areas, car parking, cycle parking, landscaping and associated works following demolition of existing 'B8 use' building (amended plans received on 15/11/2019 and 13/01/2020).

Height: 8.3m

Width: 23.9m

Depth: 7.9m

Parking spaces: 11

[Officer note: The original scheme was considered unacceptable due to its overly bulky design, excessive scale and impact on neighbouring amenity. Officers have worked with the applicant to secure an amended scheme comprising of a modern building which provides a better layout and design for the overall site. A further amended plan for proposed elevations was secured to illustrate the proposed materials.]

### **Relevant planning history.**

18/P/01126 - Replacement of the existing "B8 Use" building with a residential development comprising 8no. 2 bedroom and 2no. 1 bedroom apartments. Refused 15/11/2018

90/P/01068 - Erection of single storey pitched roof extension, re-structuring part of existing roof and construction of boundary wall - Approved

90/P/01147 - Application under section 64 to determine whether planning permission is required to use premises for office use within class B1 of the town and country planning (use classes) order 1987 - Permitted development. Not implemented.

GUI/8245/22740 - Part reconstruction & extensions to provide a two storey building containing 4400sq.ft of storage space, 250sq.ft of office space & 1340sq.ft of garage - Approved

### **Consultations.**

#### Statutory consultees

County Highway Authority: The proposed development will result in a decrease in vehicular trips compared with the existing use. Sufficient parking is being provided within the site. The site is located within close proximity to public transport options. The area to the west of the access has clearly been used for parking, this should be resurfaced and the kerbs raised to deter parking here. The County Highway Authority raise no objection to the proposal subject to suggested conditions.

Natural England: Natural England has no objection to the application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured and that as long the applicant is complying with the requirements of Guildford's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)).

Thames Water: No response received.

Surrey County Council Sustainable Drainage and Consenting Team: No comments to make.

Internal consultees

Head of Environmental Health and Licensing: No objection.

**Third party comments:**

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

- the original building must be retained as it is a landmark
- insufficient parking for the development
- increased parking pressure in the area
- impact on pedestrian safety
- noise disruption
- loss of privacy to the neighbouring property
- negative precedent
- inadequate provision for refuse bins
- loss of employment

Following the receipt of amended plans 6 additional letters have been received reiterating the original comments and making the further points:

- the new design is not in keeping with the character of the surrounding area
- the existing building should be retained

**Planning policies.**

National Planning Policy Framework 2019 (NPPF):

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

MHCLG National Design Guide 2019

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Guildford borough Local Plan: strategy and sites 2019 (LPSS):

- |    |   |
|----|---|
| S1 | Presumption in favour of sustainable development                    |
| S3 | Delivery of development and regeneration with Guildford Town Centre |
| H1 | Homes for all   |
| P5 | Thames Basin Heaths Special Protection Area                         |
| E3 | Maintaining employment capacity and improving employment floorspace |

D1	Place shaping
D2	Climate change, sustainable design, construction and energy
ID1	Infrastructure and delivery
ID3	Sustainable transport for new developments
ID4	Green and blue infrastructure

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

G1 (3) (8)	General Standards of Development (12)
G5 (2) (3)	Design Code (4) (5) (7) (8) (9)
NE1	Potential Special Protection Areas
NE5	Dev. Affecting Trees, Hedges & Woodlands

Supplementary planning documents:

SPD - Residential Design Guide 2004  
 SPD - Vehicle Parking Standards 2006  
 SPD - Sustainable Design and Construction 2011  
 SPD - Planning Contributions 2017  
 Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

**Planning considerations.**

The main planning considerations in this case are:

- principle of development
- the impact on the character of the site and surrounding area
- the impact on neighbouring amenity
- living environment
- highway/parking considerations
- trees and landscaping
- impact on ecology
- sustainable design
- contamination
- thames basin heaths special protection area and appropriate assessment
- legal agreement requirements

Principle of development

Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

Policy H1 of the Local Plan 2019 states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location. The proposed development provides a mixture of one and two bedroom flats, for which there is an identified need within the borough.

Policy E3 (12) of the Local Plan requires that outside the designated employment sites, employment floorspace will be protected in line with the latest needs assessment and the loss will be resisted unless the site is allocated for an alternative use within the Local Plan. Redevelopment or change of use to housing will be accepted if evidence is provided of active and comprehensive marketing of the site for its current use for a continuous period of at least 12 months prior to submission of a planning application. If the site is allocated for an alternative use within the Local Plan, the marketing period will not be required.

The proposed development would replace the existing B8/ancillary office use to a non employment use. The submitted Design and Access statement outlines that a significant marketing exercise had been carried out for a period of up to two years between 2011 and 2013 by Owen Shipp Commercials and advise that there was no interest in the acquisition of the site during the course of the marketing exercise. It is further outlined that the building has become inappropriate for the applicant's use and therefore the business has been relocated to a more appropriate premises. As a consequence, the current use has diminished substantially, and now is used for modest storage of building materials on a limited basis and there are no full-time employees located at the site for the current use.

Policy E3 (14) states that redevelopment or change of use to a non-employment use will only be acceptable where the land or premises are unsuitably located in terms of its impact on the environment, level of traffic movement, its accessibility to public transport and its link with the infrastructure, and its impact on the amenity of the area or adjoining occupiers.

Following refusal of the previous application, the applicant has provided further justification to demonstrate that the existing use is unsuitably located. The applicant contends that should the existing B8 use be intensified, it could result in increased level of noise, disruption and vehicle movements which would negatively affect the amenity of the area and the occupants of the neighbouring properties.

It should be noted that an intensively used builder's merchant could require designated storage area in the yard and extensive vehicle movements from medium to large vehicles. Such an operation could also generate dust, noise and disturbance during the hours of operations. Therefore, it is acknowledged that if the existing B8 use were to be used more intensively by the applicant or by another occupier, it would result in increased noise and disturbance to the residential amenities of the neighbouring properties and would have a negative impact on the safe operation of the highway network from increased traffic generation.

The application site is located in a residential area with no other similar uses within close proximity of the site. As such, officers consider that the existing B8 use is unsuitably located in terms of its impact on the environment, impact on adjoining occupiers and the level of traffic movement. Furthermore, it is important to note that currently there are no employees working on the site, therefore, the change of use would not result in direct loss of employment on this site.

On this basis, it is considered that although no current marketing evidence has been provided, due to its unsuitable location, the change of use to a non-employment use will be acceptable, in compliance with policy E3 of the Local Plan 2019.

#### Impact on the character of the site and surrounding area

The area is characterised by a mix of detached, semi-detached and terraced two storey properties. The residential development surrounding the site comprise of relatively modest buildings with simple uncluttered roof slopes. The existing building is an attractive two storey building and sits comfortably within the plot and wider streetscene.

Planning application ref 18/P/01126 was refused on the basis that the proposed development by reason of an excessive scale, height and bulk of the proposed building and cluttered front parking, bike and bin storage layout would appear out of keeping with the character of the site and immediate surrounding area.

Under this application, initially the submission included a similar design as the previous refusal. Officers considered that the scheme remained excessive in scale, height and bulk. Following extensive discussions, officers have worked with the applicant to revise the scheme and a modern design is secured.

The proposed building would have a modern design with three levels. The building would have elements of set backs and set downs, green flat roofs, and balconies fronting the road. The footprint of the proposed building would be smaller than the existing building, which facilitates larger areas of soft landscaping and a better parking layout. The difference in height levels adds interest to the building and reduces its bulk. The proposed materials would comprise of timber cladding, render and reusing the existing brown brick where possible. The development would utilise the existing access and hardstanding area for parking, cycle parking and refuse storage.

The modern design would contrast with the surrounding buildings, however, it is important to note that the application site is a corner plot and provides an opportunity for a different design without detracting from the streetscene. Due to its location at a corner the proposed building would act as a landmark in this location and act as a point of reference, similar to the existing building. In addition, the proposed materials would integrate well into the streetscene, by reason of the re-use of the existing brown brick. As such, it is considered that the although the proposed development would have a modern design, it would be legible for this corner plot and would not have a harmful impact on the character of the surrounding area and would integrate well within the streetscene.

Concerns have been raised with regards to the loss of the existing building. It is noted that the existing building is an attractive Victorian building. However, the existing building is not listed, or locally listed, and the site is not located within a conservation area, therefore, the loss of the existing building cannot be resisted on planning grounds, and a reason for refusal based on the loss of the existing building could not be substantiated.

To ensure appropriate finish to the proposed building, a condition has been recommended for samples to materials to be submitted prior to commencement of the development. The applicant was given notice under Regulation 2 of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and the applicant has agreed to the suggested pre-commencement condition.

Overall, officers consider that the development would represent an acceptable design and layout and would not result in a harmful impact to the character and appearance of the surroundings, in compliance with saved policy G5 of the Guildford Borough Local Plan 2003, policy D1 of the Local Plan 2003 and the NPPF in this regard.

#### Impact on neighbouring amenity

The closest neighbouring properties to the site are 108A Woking Road and 1 Old Farm Road.

108A Woking Road is a single storey dwelling which is attached to the site on north west side and includes a small rear courtyard. The existing building runs along the side of this property and currently has an overbearing impact on this property.

Officers have worked with the applicant to improve the relationship of the proposed development with this neighbouring property, and as such, the amended building has been set away from the neighbouring boundary by approximately 2m at its narrowest point. The proposed building would have elements of set down and set back and due to its modern design would be less bulky compared to the original scheme. As such the proposed development would improve the relationship with this neighbouring property and would not result in loss of light and overbearing impact. In terms of privacy, no habitable room windows are proposed on first and second floor and no loss of privacy would occur in this location.

1 Old Farm Road is situated to the north east site of the site. The proposed building would be set back from the boundary and would maintain a separation gap of approximately 2m at its closest point and approximately 6m at its widest point. The proposed building would have elements of set backs from this boundary and as such would not result in loss of light and overbearing impact on this property.

The previous application was refused due to overlooking to the neighbouring property. The revised scheme has resulted in greater levels of separation from the neighbouring boundary and has reduced the fenestration on the north east elevation. The windows at first floor level closest to the neighbouring property are proposed to be obscured glazed and fixed shut. As such, given the separation distance from the first and second floor level, no loss of privacy would occur in this location.

It is considered that the proposed building would be far enough away from the properties to the south east and south west of the site to ensure that there would not be a material impact on the amenities of the occupants in terms of overbearing impact and loss of light.

It is accepted that there would be some disruption to nearby residents during construction. Conditions have been attached to restrict the construction hours and to request a construction transport management plan. Matters such as noise and dust from construction would be controlled by Environmental Health Legislation.

The proposed development would not have an adverse impact on the amenities enjoyed by the occupants of the neighbouring properties and would comply with save policy G1(3) of the Guildford Borough Local Plan 2003.

#### Living environment

Externally the units would have access to some communal outdoor space. The site is also within walking distance of local parks and other leisure facilities.

Internally Policy H1 and D1 of the Local Plan requires new development to meet the nationally described space standards. A space standards compliance matrix has been submitted with the application which demonstrates that the internal floor area of all units would comply with the nationally described space standards. All bedrooms would have windows and would have adequate outlook from the future occupants.

It is therefore considered that the development would have acceptable living conditions for the future occupants of these units.

#### Highway/parking considerations

The proposal includes one access point from Old Farm Road. No concerns have been raised by the County Highway Authority and the proposed access is deemed to be acceptable.

A transport statement has been submitted which concludes that the site benefits from access to a sustainable transport network that provides alternatives to the private car; safe and suitable provision can be made for access, parking and servicing in accordance with relevant guidance and standards, and that the proposal will not result in a significant increase in vehicular movements compared to the existing use. As such, the proposal is deemed to be acceptable in terms of highway safety and capacity.

The Council's Vehicle Parking Standards SPD 2006 requires 1 parking space per 1 bedroom dwelling and 1.5 parking spaces per 2 bedroom dwelling, which translates into 12 parking spaces for the proposal. The proposal includes a total of 11 on-site parking spaces. Although the proposal would be short of one parking space as per the required standards, the proposal provides one parking space for each unit; and it is important to note that the site is located in a sustainable location with good links to public transport. It is located approximately 2.4km from London Road Station, 2.9km from main railway station and a bus stop located opposite the site, which provides a service into Guildford every 20 minutes. Therefore, the proposed development will have access to public transport which provides alternatives to private car use. In addition, the development includes an area of bike storage.

It is considered that the site is well located close to local amenities and public transport routes and therefore an under provision for the parking spaces on site is not considered to have a detrimental impact on parking situation of the surrounding area to a level that would justify a reason for refusal on these grounds.

The proposal has been assessed by the County Highway Authority who has raised no objection in terms of highway safety or parking provision. The Highway Authority has requested submission of a Construction Transport Management Plan prior to commencement of the development. The proposal involves works in close proximity of the highway and therefore it is reasonable to secure these details prior to commencement of the development. The applicant was given notice under Regulation 2 of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and the applicant has agreed to the suggested pre-commencement condition.

Subject to the suggested conditions, the proposal is therefore considered acceptable on highway and parking grounds.

#### Trees and landscaping

An arboricultural implications study and tree protection strategy has been submitted with the application including a tree survey schedule, which concludes that all trees on or adjacent the site are of moderate amenity value graded B and B/C including the established youthful Norway Maple T1, T2, T7 and T8, which are located outside of the plot and T6 within the south-west corner of the plot, and demolition and construction will have no impact upon these trees.

The tree officer has reviewed the submitted details and raises no objection to the development subject to submission of a Arboricultural Method Statement prior to commencement of the development. The proposal involves works within close proximity of trees and therefore it is reasonable to secure these details prior to commencement of the development. The applicant was given notice under Regulation 2 of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and the applicant has agreed to the suggested pre-commencement condition.

The application documents outline some form of landscaping scheme to ensure that the trees/vegetation that is lost are replaced with adequate planting. A condition is recommended to secure details of a landscaping scheme.



### Impact on ecology

A Phase 1 Habitat and Protected Species Survey has been submitted with the application. The submitted survey found no evidence of bat roosts within the building and no evidence of other protected species on the site. Based on the survey results, the works are not likely to injure or kill bats or damage or destroy resting place or its access. A recommendation is made for control of lighting in relation to bats, and this can be secured by a condition.

A condition is recommended to secure biodiversity enhancement measures.

### Sustainable design

Under the adopted Local Plan 2019, buildings would need to achieve a 20% reduction in carbon emissions over and above building regulation standards and also provide water efficiency measures.

Detailed information can be secured as a condition to ensure the proposal fully complies with policy D2 and the Council's SPD.

### Contamination

The Council's Environmental Health Team has assessed the application and has not raised any concerns in relation to contamination. Therefore no condition or further exploration works are considered necessary.

### Thames Basin Heaths Special Protection Area (TBHSPA) and appropriate assessment

The site is within the 400m to 5km buffer zone of the Thames Basin Heath SPA.

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

The applicant has agreed to enter into a legal agreement to secure the necessary contributions.

An Appropriate Assessment has been undertaken by the LPA and Natural England has been consulted in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. Natural England has confirmed it has no objection as long as the relevant avoidance measures are secured.

As such, subject to the s106 agreement to secure the necessary contributions, it is concluded that the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy 2017 and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

### Legal agreement requirements

The three tests as set out in Regulation 122(2) require S106 agreements to be:

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

As the application would result in the net gain of nine new residential unit, in order for the development to be acceptable in planning terms, a s.106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG 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 s.106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. In this instance the applicant has agreed to enter into a s.106 agreement to secure the financial contributions.

## **Conclusion**

The principle of the change of the use from B8 use to a residential use is considered acceptable and the proposal would deliver a net increase of nine residential units which adds significant weight in favour of the application.

The amended proposal for a modern design of the building would not have a detrimental impact on the character and appearance of the area and the character and the development would integrate well into the surrounding area, which also adds weight in favour of the application.

It would not cause a harmful impact to neighbouring amenity, parking or highway safety issues. The proposal is also considered to be acceptable in terms of sustainability and impact on trees and ecology.

The applicant has agreed to sign a legal agreement which secures contributions for the protection of the Thames Basin Heaths Special Protection Area.

The application is therefore recommended for approval.