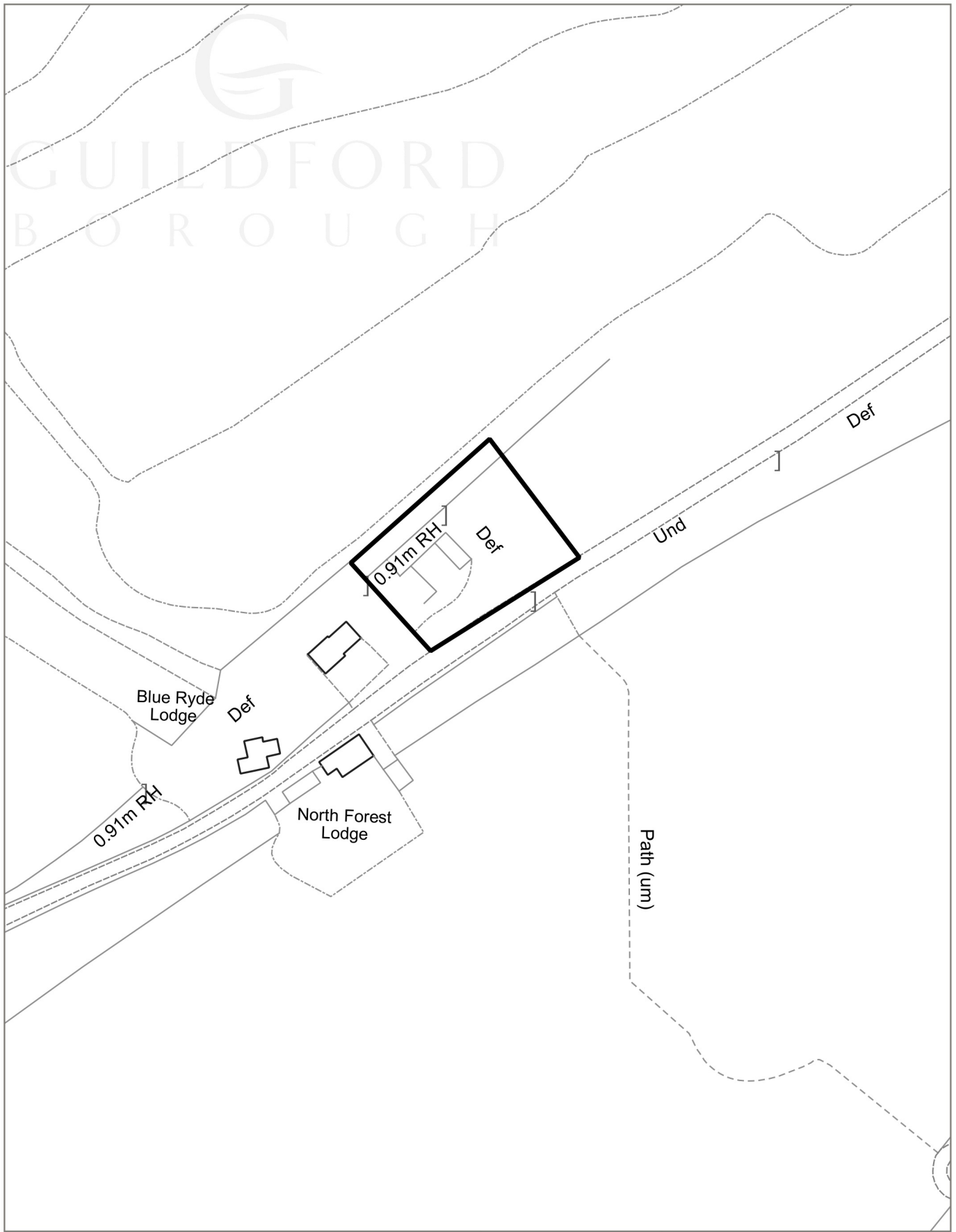


19/P/01913 - Drift Barn, The Drift, East Horsley



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Print Date: 07/05/2020

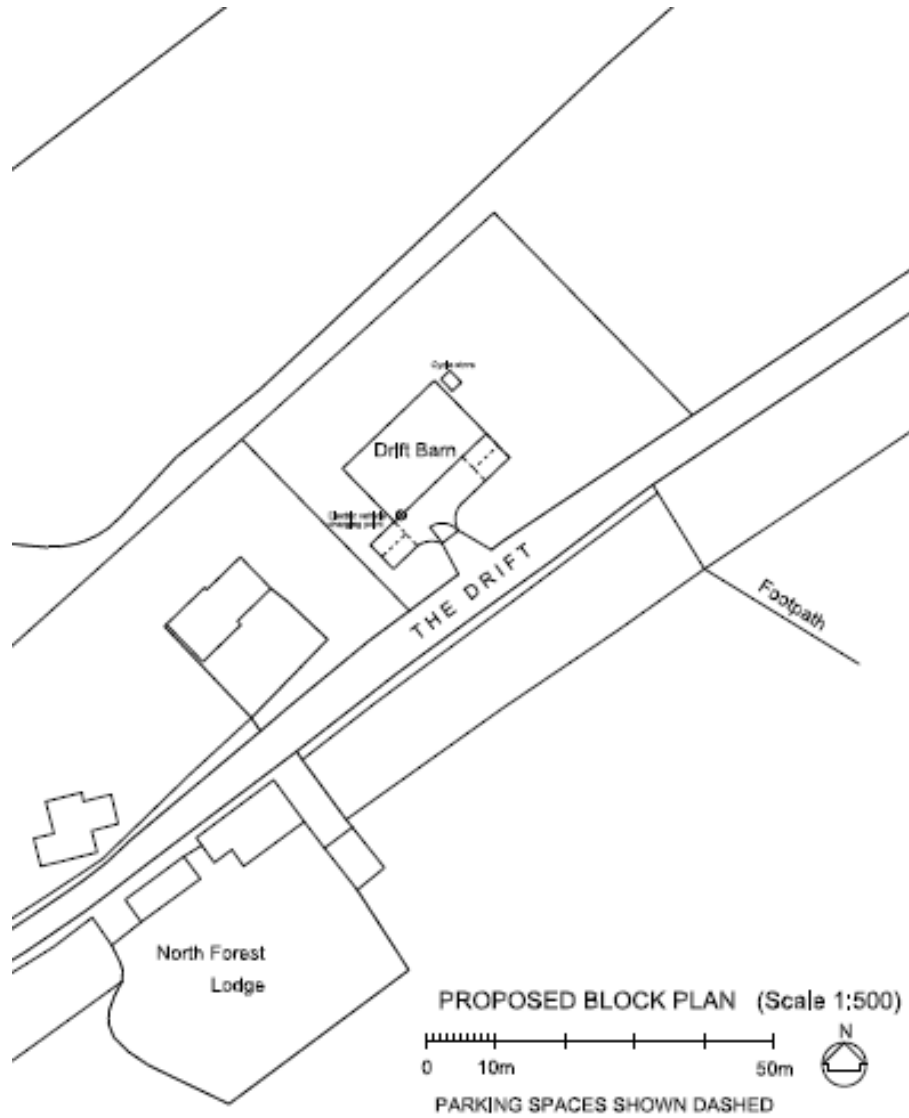


Not to Scale



GUILDFORD
BOROUGH

19/P/01913 – Drift Barn, The Drift, East Horsley



Not to scale

App No: 19/P/01913 **8 Wk Deadline:** 22/05/2020
Appn Type: Full Application
Case Officer: Charlotte McSharry
Parish: East Horsley **Ward:** Clandon & Horsley
Agent : Mr Kiely **Applicant:** J Rogerson Construction
Kiely Planning Limited Limited
208 High Street
Guildford
GU1 3JB c/o Agen

Location: Drift Barn, The Drift, East Horsley, KT24 6NU
Proposal: Change of use of the existing vacant building to provide a 4 bedroom dwelling and creation of cycle store.

Executive Summary

Reason for referral

This application has been brought before the planning committee at the request of Councillor Catherine-Anne Young who considers that the proposed development may not respect the scale, height, proportions and materials of the surrounding environment. This could be in conflict with saved Local Plan (2003) policies G5 (2) and G5 (4). The proposal may not reflect the distinct local character and may not reinforce the locally distinct pattern of development in conflict with LPSS policy D1: Place Shaping.

Additionally Councillor Young considers that the proposed design may not be in keeping with the character and style of the few cottages in the area, including two Grade II Listed Buildings, Blue Ryde Lodge and North Forest Lodge, potentially in conflict with EH- H7 East Horsley Neighbourhood Plan. The proposal could also result in substantial harm to the aforementioned listed buildings in conflict with paragraph 195 of the NPPF. The proposal is unlikely to make a positive contribution to the local character which is in conflict with D3: Historic Environment.

Key information

The site is located within the Green Belt outside of any defined settlement boundary. The site is surrounded by an Ancient Woodland, with part of the site falling within this designation. The site is also within a Site of Nature Conservation Importance (SNCI) and 400m – 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA).

To the north of the site is the Drift Golf Course and to the west are residential properties, which includes two Grade II listed buildings (Blue Ryde Lodge and North Forest Lodge).

The site currently contains a large storage building which was granted permission to be used as a storage facility for the Drift Golf Course. The existing building is vacant.

There are very limited changes to the existing building through the proposed conversion, with no increase in overall built form.

Summary of considerations and constraints

The proposed development is the re-use of an existing building and therefore appropriate development in the Green Belt. The principle of the proposed development is found to be acceptable. The proposal would deliver a net increase of one residential unit which adds weight in favour of the application.

The proposal would not have a detrimental impact on the character and appearance of the area or the nearby listed buildings, which also adds weight in favour of the application.

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

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 S106 agreement be entered into to secure:

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

(ii) That upon completion of (i) above, the application be determined by the 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 1925.01 'Location Plan', 1925.01 'Proposed Block Plan, Floor Plan, Roof Plan & Elevations', 1925.03 'Existing Plans' and 1925.04 'Existing Elevations' received on 05 November 2019.

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

3. No development shall take place until 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.

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

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

5. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, Drawing No. 1925.01, 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.

6. Prior to the first occupation of development, 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)'.

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

Reason: To improve water efficiency in accordance with the Council's Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

8. The development hereby approved shall not be first 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: In order to safeguard the character of the area.

9. No demolition, site clearance or building operations shall start on site until the protective fencing and other protection measures shown in the Arboricultural Method Statement dated 04 March 2020 and accompanying Tree Protection Plan Arbtech TPP 01 have been adhered to. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

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

10. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in the Preliminary Ecological Appraisal and Bat Roost Assessment Report prepared by Arbtech dated 17th January 2020 prior to the first occupation of the development and in accordance with the approved timetable detailed in the ecological assessment.

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

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

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

Officer's Report

Site description.

The site is located within the Green Belt outside of any defined settlement boundary. The site is surrounded by an Ancient Woodland, with part of the site falling within this designation. The site is also within a Site of Nature Conservation Importance (SNCI) and 400m – 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA).

To the north of the site is the Drift Golf Course and to the west are residential properties, which includes two Grade II listed buildings (Blue Ryde Lodge and North Forest Lodge).

The site currently contains a large storage building which was granted permission to be used as a storage facility for the Drift Golf Course. The existing building is vacant.

Proposal.

Change of use of the existing vacant building to provide a 4 bedroom dwelling and creation of cycle store.

Relevant planning history.

08/P/00375 - Variation of condition 2 of planning permission GUR 38/1/74 approved 21/02/1974 to allow use of building for workshop / storage uses unconnected with the golf club. Refuse 16/04/2008.

07/P/01850 - Certificate of Lawfulness for an existing use, to establish whether the erection of a single storey building to provide a workshop for green machinery, mess room, store, W.C and tractor park was commenced within the five years of planning permission GU/R38/1/74/OCK & E.H dated 21 February 1974 and can therefore be lawfully completed - Approved - 17/10/2007

GU/R38/1/74/OCK & E.H - Erection of a single storey building - Approved with Conditions - 21/02/1974

Consultations.

Statutory consultees

County Highway Authority: No objection, subject to suggested conditions. Vegetation should be regularly maintained to ensure maximum visibility splays are achievable at all times. The Highway Authority considers that the proposal is unlikely to have a material impact on highway safety issues.

Natural England: Natural England have been consulted on an Appropriate Assessment for the application in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. Natural England have no comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

Forestry Commission: No response received.

Internal consultees

Head of Environmental Health and Licensing: No response received.

Parish Council

East Horsley Parish Council - objects to the proposal on the following grounds:

- detrimental impact on the character of the locality contrary to the Design Code policy EH-H7(a).i of the East Horsley Neighbourhood Plan

Ockham Parish Council - objects to the proposal on the following grounds:

- inappropriate development within the green belt
- it does not fulfil affordable housing need within the borough. *[Officer note: There is no policy requirement for affordable housing on a one unit scheme].*
- the site falls within the 400m - 5km of the Thames Basin Heath SPA.
- a further dwelling on The Drift will increase traffic levels on a particularly narrow rural road

Third party comments:

None received.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 13: Protecting Green Belt land

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

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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

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

The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

H1	Homes for all
P2	Green Belt
P5	Thames Basin Heaths Special Protection Area
D1	Place shaping
D2	Climate change, sustainable design, construction and energy
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) General Standards of Development

G5 (2) (3) (4) (5) Design Code

(7) (8) (9)

Neighbourhood Plans:

East Horsley Neighbourhood Plan 2018:

EHEN2 - Trees and Hedgerows
EHEN4 - Biodiversity
EHH7 - East Horsely Design Code
EHS1 - Spatial Development in East Horsley

Supplementary planning documents:

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 principle of development and the impact on the Green Belt
- Impact on the character of the site
- Impact on residential amenity
- living environment
- highway/parking considerations
- impact on trees
- impact on ecology
- sustainable design
- Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- legal agreement requirements

The principle of development and the impact on the Green Belt

The application site is located within the Green Belt outside of a settlement boundary. The National Planning Policy Framework (NPPF) identifies that new development within the Green Belt will be inappropriate unless for specific purposes set out exclusively within paragraphs 145 and 146.

Policy P2 of the New Local Plan 2019 is consistent with the NPPF and echoes the principles of the NPPF.

The proposed development comprises change of use to an existing vacant building into a residential dwelling. The change of use relates to the conversion of the existing building, with associated development to provide a cycle store and parking area.

Paragraph 146(d) of the NPPF allows the re-use of buildings provided that the buildings are of permanent and substantial construction and that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The key test is whether the proposal constitutes the re-use of the existing building and whether the building is of a permanent and substantial construction and the development would preserve the openness of the Green Belt.

Construction of the existing building began in 1975 to provide a storage facility for the Golf course. Planning history indicates that the building was not completed until after 2008. The building is currently vacant.

During the site visit officers witnessed that the existing building is of substantial and permanent construction, capable of conversion with internal works and changes to fenestration. It is therefore considered that the proposal falls under the definition of a re-use of a building of permanent and substantial construction.

There are very limited changes to the extent of the existing building through the proposed conversion, with no increase in overall built form. The proposed development would result in an intensification of the site due to the creation of an additional residential unit. There will be some impact on the Green Belt from the creation of a domestic curtilage. However, it is noted that the site is surrounded by an ancient woodland and the curtilage of the dwelling would be limited and screened by the existing trees. In addition, it is noted that the level of intensification would be similar to what could be expected from a storage facility. As such, it is considered that the proposed development would not result in an unacceptable harm to the openness of the Green Belt.

The proposal is therefore considered acceptable in principle in accordance with policy P2 of the Local Plan and the NPPF.

Impact on the character of the site

The existing building has a utilitarian design with rendered elevations and roller shutter entrances. The existing building is of limited architectural merit. The proposed development comprises conversion of an existing building, which includes installation of cedar timber cladding and grey window frames for the elevations. The proposed development respects the simple rural form of the existing building, giving it a more contemporary twist. The removal of roller shutters and white upvc windows with smaller grey window frames would improve the appearance of the existing building. In addition, use of timber cladding would help the building blend into the wooded surroundings and would not be harmful to the character of the rural area.

The application site is situated at some distance from the neighbouring listed buildings, and due to the separation distance and use of sensitive materials, the proposed development would not have a harmful impact on the setting of the listed building.

Overall, the proposed conversion is considered to have a positive impact on the site, providing an improved overall finish. To ensure a suitable finish, materials will be conditioned to be submitted to the Local Planning Authority.

Furthermore, to ensure that the site's boundary fences are in keeping with the character of the surrounding area, a condition is recommended for submission of details of boundary treatment to be approved by the Local Planning Authority.

The proposed development is not considered to have a harmful impact on the character of the surrounding area, in compliance policy EHH7 of the East Horsely Neighbourhood Plan 2018, policy G5 of the Local Plan 2003, policy D1 of the Local Plan 2019 and the NPPF.

Impact on residential amenity

The nearest neighbour is located approximately 20 metres away from the nearest part of the proposed dwelling towards the west of the site. The proposed dwelling does not propose any enlargement to the existing structure. At this distance, there will be no impact in relation to loss of light or overbearing impact from the building itself, or any loss of privacy by way of overlooking or intensification in the residential use of the site.

None of the other neighbours will experience any detrimental impacts due to the distance from the proposed building.

The application therefore complies with policies G1(3) of saved Local Plan 2003 in this regard.

Living environment

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

Policies H1 and D1 of the Local Plan 2019 requires that all new developments are 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 as set out by the Ministry of Housing, Communities and Local Government (MHCLG).

The proposed dwelling would have an internal floor area of 177.11 sqm which would be in accordance with the requirements of the nationally described space standards. All habitable room windows would have adequate access to daylight and outlook.

Externally the proposed dwelling would have access to outdoor space. As such it is considered that the proposed dwelling would comply with the requirement of policies H1 and D1 of the Local Plan 2019, which require new developments to comply with the nationally described space standards.

Highway/parking considerations

The Council's Vehicle Parking Standards SPD 2006 requires 2 parking spaces per 3 or more bedroom dwelling. The application identifies four off street parking spaces, which is considered to be in accordance with the Council's requirements.

There are no proposed changes to the access route onto the public highway and it is not considered that the proposed development would increase the level of traffic generation to an extent which would prejudice highway safety.

The Highways Authority has assessed the proposal and raise no objection in terms of the safety and operation of the adjoining highway and have recommended conditions to be attached to any approval.

The proposed development would therefore comply with policy ID3 of the Local Plan 2019 and the NPPF in this regard.

Impact on trees

An Arboricultural Method Statement and accompanying Tree Protection Plan has been prepared by Arbtech and submitted with the application. This has been assessed by the LPA's Arboricultural Officer who raises no objection to the proposal.

In line with policy EH-EN2 of the East Horsley Neighbourhood Plan 2018 the proposed development would ensure the retention of all mature trees of arboreal significance. The impact on the Ancient Woodland designation, including the buffer zone, has been addressed in the AMS and the impact is considered acceptable have regard to existing development.

Impact on ecology

The applicant has provided a Preliminary Ecological Appraisal and Bat Roost Assessment Report prepared by Arbtech dated 17th January 2020. This has allowed the Local Authority to assess the potential status of protected and important species on the application site and the likely effect the proposed development would have on them. A comprehensive list of required actions is provided in the 'Recommendations' table in the 'Executive Summary' and in section 4.2 (Table 7) of the report, including the biodiversity enhancements detailed in section 4.2. These mitigation measures would help prevent any adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development in line with policy EH-EN4 of the East Horsely Neighbourhood Plan 2018.

Sustainable design

In order for the development to comply with the Council's Sustainable Design and Construction SPD 2011, the new building would need to include water efficiency measures.

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

No details have been provided in this regard. Notwithstanding, it is considered that such measures can be secured by a condition.

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

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

As such, the proposed development comprising one new dwelling may adversely impact the TBHSPA. The Council's adopted TBHSPA Avoidance Strategy 2017 (February 2010) requires SANG and SAMM contributions to avoid any adverse impact.

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 proposes the provision of one additional 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, 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, a S.106 agreement is required to ensure that the additional residential units proposed by this development will not have any likely significant effect on the TBHSPA. In this instance, the applicant has agreed to enter into a section 106 agreement.

Conclusion.

The proposed development is appropriate development in the Green Belt and the principle of the proposed development is found to be acceptable. The proposal would deliver a net increase of one residential unit which adds weight in favour of the application.

The proposal would not have a detrimental impact on the character and appearance of the area, which also adds weight in favour of the application.

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

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.