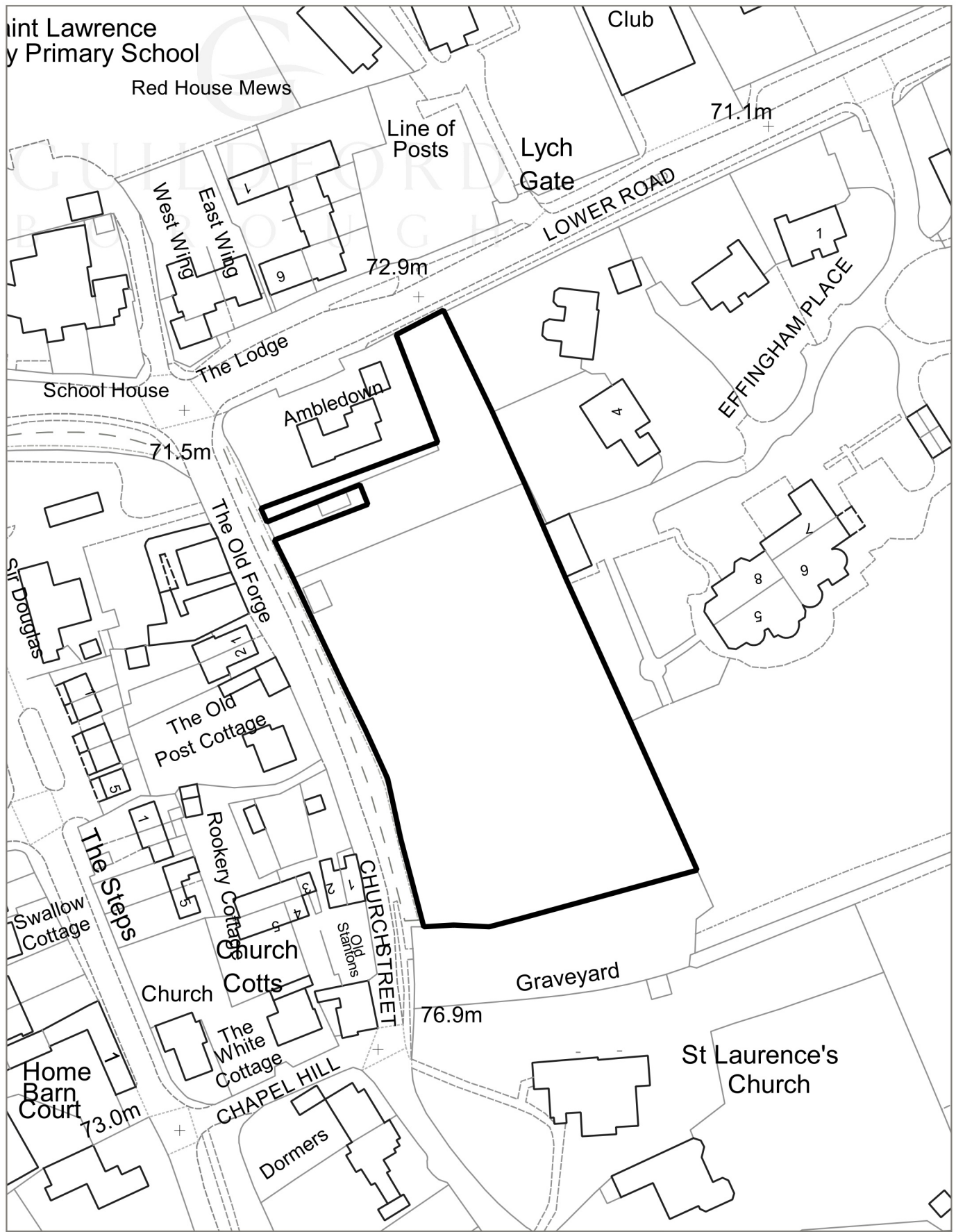


19/P/01726 - Land At, Church Street, Effingham



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Print Date: 18/01/2021



Not to Scale



GUILD FORD
BOROUGH

19/P/01726 – Land at, Church Street, Effingham



Not to scale

App No: 19/P/01726
Appn Type: Full Application
Case Officer: Kelly Jethwa
Parish: Effingham
Agent :

8 Wk Deadline: 10/03/2021

Ward: Effingham
Applicant: Mr. E. Smith
Millgate Developments Ltd
Millgate House
Ruscombe Lane
Ruscombe
Twyford
RG10 9JT

Location: Land at, Church Street, Effingham, KT24
Proposal: Proposed erection of 17 dwellings including access, parking and landscaping (amended plans received 08.12.2020 with changes to housing mix, appearance, burial ground extension and visitor parking).

Executive Summary

Reason for referral

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

Key information

The application site is a broadly rectangular field situated on the east side of Church Street, Effingham. The mature boundary trees and vegetation currently result in limited views into or out of the field.

The site has been inset from the Green Belt and is in the Effingham Conservation area, is in relatively close proximity of statutory listed buildings and is within the 5km to 7km buffer of the Thames Basin Heaths Special Protection Area.

Vehicular access would be provided from Lower Road and the existing access on Church Street would be retained as a pedestrian access with a further pedestrian access to the south.

Proposed Mix					
	1-bed	2-bed	3-bed	4+-bed	Total
T o t a l dwellings	3	8	4	2	17
Of which...					
Houses		6	4	2	12
Apartments	3	2			5
Affordable	3	2	2		7

The applicant is providing 7 affordable homes and a policy compliant scheme.

A total of 33 car parking spaces would be provided. Informal and formal open space including a local area of play (LAP) would be provided on the site, as well as an extension to the existing burial ground.

Summary of considerations and constraints

The site is allocated in the Effingham Neighbourhood Plan for residential development; this was up to 9 homes as this was prior to the adoption of the Local Plan: Strategy and Sites which inset this site from the Green Belt. The character and appearance of the site would change as well as the openness of this site and its impact on the heritage assets. However, the allocation does support the principle of housing on this site.

This is a sensitive location due to the setting of the listed buildings including the Grade II* St Lawrence Church and the contribution of the open space to the conservation area.

The proposal would retain the majority of the trees along the site boundaries and the layout would have green edges, gaps between buildings and would be of a scale and mass that would be comparable with existing development.

The proposals would include a burial ground extension as required by the Effingham Neighbourhood Plan.

The number of units has been reduced from 20 to 17 and the number of smaller units on the site have increased to meet the identified housing demand.

RECOMMENDATION:

Subject to a Section 106 Agreement securing:

- **7 affordable housing units (70% (5) are to be affordable rented and 30% (2) are to be shared ownership);**
- **a contribution of £11,442 towards early years education;**
- **a contribution of £40,223 towards primary education;**
- **a contribution of £42,818 towards secondary education;**
- **burial ground extension transfer to Effingham Parish Council**

the decision is to:

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

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

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

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

<u>Date received</u>	<u>Drawing no.</u>	<u>Plan</u>
11 Oct 2019	18.2017/BS001 REV B	Bin store
04 Aug 2020	18.2017/CS001	Cycle shed
04 Aug 2020	18.2017/HT-GA01 REV G	Garage (plots 9 & 10) floor plans
09 Dec 2020	18.2017/HT-GA02	Car port (plots 5, 6, 7 & 8) floor plans
09 Dec 2020	18.2017/SL001 REV AT	Site layout
09 Dec 2020	18.2017/SL002 REV AF	Site layout - colour
04 Oct 2019	18.2017/SP001	Site location plan
09 Dec 2020	18.2017/SS001 REV B	Site sections a-a
04 Oct 2019	916191	Land survey
04 Aug 2020	DWG 00	Lias note & luminaire schedule
09 Dec 2020	EFF-902 REV P2	Combined services
09 Dec 2020	HT-202.01	Housetype 202 & 301 (plots 6 & 7) Floor plans
09 Dec 2020	HT-202.02	Housetype 202 & 301 (plots 6 & 7) elevations
09 Dec 2020	HT-202.03	Housetype 202 (plots 11 & 12) floor plans
09 Dec 2020	HT-202.04 REV C	Housetype 202 (plots 11 & 12) elevations
09 Dec 2020	HT-322.01 REV B	Housetype H322 & H305 (plots 4 & 5) floor plans
09 Dec 2020	HT-322.02 REV A	Housetype H322 & H305 (plots 4 & 5) elevations
09 Dec 2020	HT-4008.01 REV A	Housetype 4008 (plot 8) floor plans
09 Dec 2020	HT-4008.02 REV B	Housetype 4008 (plot 8) elevations
09 Dec 2020	HT-4008.03	Housetype 4008 (plots 9) floor plans
09 Dec 2020	HT-4008.04 REV B	Housetype 4008 (plots 9) elevations

09 Dec 2020	HT-404.01	Housetype H404 (plots 3) floor plans
09 Dec 2020	HT-404.02 REV C	Housetype H404 (plots 3) elevations
09 Dec 2020	HT-405.01	Housetype 405 (plots 10) floor plans
09 Dec 2020	HT-405.02 REV B	Housetype 405 (plots 10) elevations
09 Dec 2020	HT-APT.01 REV N	Apartment (plots 13-17) ground floor plan
09 Dec 2020	HT-APT.02 REV L	Apartment (plots 13-17) first floor plan
09 Dec 2020	HT-APT.03 REV T	Apartment (plots 13-17) elevations
09 Dec 2020	HT-APT.04 REV N	Apartment (plots 13-17) elevations
19 Jan 2021	HT-C1.01 REV B	Housetype C1 (plots 1 & 2) floor plans
09 Dec 2020	HT-C1.02 REV B	Housetype C1 (plots 1 & 2) elevations
05 Aug 2020	PL100 REV P4	Planning drainage scheme
04 Oct 2019	PL101 REV P2	Planning drainage scheme exceedance event
04 Aug 2020	PL102 REV P3	Planning tracking - refuse vehicle
09 Dec 2020	TMC-16008-L REV C	Tree protection plan-aia3
04 Aug 2020	TMC-16008-S REV C	Tree survey & constraints plan
09 Dec 2020	TP001 REV B	Main tenure plan
09 Dec 2020	TP002	Tenure plan affordable rent
09 Dec 2020	TP003	Tenure plan share ownership
09 Dec 2020	TP004	Tenure plan open market

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 above ground level shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings including a datum point and heights of adjoining land and buildings has 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. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

4. No development related works shall take place on site until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction (and including details of a site meeting process with the retained consulting arboriculturalist and the LPA Tree Officer), are submitted to and approved in writing by the Local Planning Authority. 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, 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.

5. No development shall commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.4 l/s.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed

before the drainage system is operational.

The development shall be built in accordance with the approved details and thereafter maintained.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site. It is considered necessary for this to be a pre-commencement condition because the drainage design has to be determined prior to works commencing on site and this goes to the heart of the planning permission.

6. No development shall commence until a Construction Transport Management Plan (CTMP), to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) measures to prevent the deposit of materials on the highway
 - e) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in The Street and Effingham Common Road, during these times
 - (f) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the details have to be determined prior to works commencing on site and this goes to the heart of the planning permission.

7. No development shall commence until the programme of archaeological work takes place in accordance with the Written Scheme of Investigation produced by Thames Valley Archaeological Services and dated 12.12.2018. The findings report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve and document the non-designated heritage assets.

8. No development shall commence (excluding ground works and construction up to damp proof course (dpc)) until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) Site Waste Management Plan (SWMP) including details of minerals and waste management;
 - b) water efficiency statement to achieve a maximum water usage of 110 litres per person per day;
 - c) assessment of the overheating risk with supporting information on climate change and heatwaves;

The details shall accord with the principle of the waste and energy hierarchy. The development shall be built in accordance with the approved details and thereafter maintained.

Reason: To respond to climate change and achieve sustainable design and construction.

9. Prior to commencement of development (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) details of all:
- a) porches;
 - b) eaves and verges;
 - c) recess depths; and
 - d) headers and cills.

including sections, plans and elevations on drawings at a scale of at least 1:20, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

10. Prior to the commencement of development (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) written schedule including source/ manufacturer, texture, colour and finish, and/or samples of materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority, including:
- a) timber casement windows;
 - b) bricks, stone, plain clay tiles and natural slate; and
 - c) fascia, soffits and gutters

The development shall only be carried out in accordance with the approved details and samples.

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

11. Following the approval of the external materials and above and before ground works take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) a sample panel (not less than one metre square, showing materials, face bond and pointing) of the external stonework elevations, shall be constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall remain on site until the completion of the plots with this elevational finish. The works shall thereafter be carried out in accordance with the approved sample panel.

Reason: To ensure that the appearance of the development is satisfactory.

12. Prior to first occupation, hard and soft landscaping details shall be submitted to and approved in writing by the Local Planning Authority including full details of:
- a) hardstanding surfaces;
 - b) measures to protect green edges from informal parking;
 - c) plans and elevations of boundary treatments including dark staining;
 - d) height, density and native species of new hedge planting; and
 - e) structural semi-mature replanting on the site boundaries.

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 10 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.

13. Prior to first occupation, the proposed modified access to Lower Road shall be constructed in accordance with the approved plans, Drawing No. 18.2017/SL001 rev AF, and thereafter shall be permanently maintained.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

14. Prior to first occupation, details of fast charge sockets (current minimum requirements - 7kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) shall be submitted to and approved in writing by the Local Planning Authority. This shall thereafter be retained and maintained.

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

15. Prior to first occupation, the vehicle parking spaces, turning areas and secure and covered cycle storage shown on the drawing no.s 18.2017/SL002 Rev AT, shall be provided for the use of the occupiers of, and visitors to the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking /storage space. Those areas shall thereafter be so retained and maintained.

Reason: To ensure parking provision is maintained, prevent any obstructive parking and to encourage alternative and green transport.

16. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls). The development shall be built in accordance with the approved details and thereafter maintained.

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

17. Prior to first occupation, details shall be submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with drawing no. at the same time as other services during the construction process and be available for use on the first occupation of each building where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP.

Reason: To ensure that the new development in Guildford is provided with high quality broadband services and digital connectivity.

18. Prior to first occupation, details of the proposed Local Area for Play (LAP), shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include layout, surfacing, fencing and details of any equipment. The details shall be carried out in accordance with the approved details prior to the occupation of the 17th dwelling and thereafter maintained.

Reason: To ensure satisfactory provision of play space.

19. The development shall be constructed in accordance with the measures in the Energy and Sustainability Strategy Statement prepared by Briary Energy dated January 2021 and achieve or improve upon the standards set out in those documents. The development shall be built in accordance with the approved details and thereafter maintained.

Reason: To reduce the carbon emissions from new development.

20. Prior to first occupation, all the recommended actions as described in Table 2 'Summary of pre and post construction ecology measures to be implemented' in the Updated ecology walkover survey prepared by Artemis Ecological Consulting dated 27.08.2020 including the biodiversity enhancements as detailed.

- a) Flowering lawn seed mix and locations
- b) Fruit tree planting
- c) Badger gates
- d) Bat and bird boxes
- e) Dead wood piles
- f) Native planting

Shall be implemented and maintained thereafter.

Reason: To preserve and enhance the biodiversity value of the site and its locality.

21. From the date of this decision notice until 01 April 2021, 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 2100 Mondays to Saturday and at no time on Sundays or Bank or National Holidays. After the 01 April 2021, works shall be limited to the hours of 0800 and 1800 Mondays to Fridays and between 0800 and 1330 Saturday 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.

22. The development hereby approved shall be based upon the principles of Secured by Design (physical security) or the Building Regulations equivalent, and the scheme shall be implemented in accordance with those principles.

Reason: To ensure that the development is acceptable in terms of crime and safety.

23. Any external lighting shall comply with the recommendations of the Bat Conservation Trusts' document entitled 'Bats and Lighting in the UK - Bats and The Built Environment Series' Guidance Note 08/18 and shall thereafter be maintained.

Reason: To reduce any impact on protected species and minimise obtrusive light pollution.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no development shall be carried out within Classes A and E of Part 1 of Schedule 2 of that Order.

Reason: To safeguard retention of the trees and planting along the site boundaries.

Informatives:

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

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

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

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

Officer's Report

Site description.

The application site is a broadly rectangular field situated on the east side of Church Street, Effingham. The site area is 0.7 ha with maximum dimensions of about 143 m length (113 m excluding the site access) x 60 m width. The field is generally open to the middle with dense trees and vegetation around the boundaries so that it is well contained with limited views into or out of the field. It is difficult and even impossible in some places, to see into the site due to the mature tree coverage. Nevertheless, it is a substantial undeveloped plot of land, in the historic core of the village, next to the church, the oldest part of the village. From the historical maps whilst boundaries within the site and to the Lodge have changed, the southern and west boundary to Church Street have been consistent as part of the former field boundaries to the roads.

The site was originally part of the curtilage of The Lodge, the listed building standing to its east. It has never been built upon, save for buildings ancillary to the gardens of The Lodge. It is largely surrounded by vegetation, including numerous mature trees. The field is in the historic core of the village, next to the church.

The site is within the Effingham Conservation Area and in proximity of statutory and non-statutory listed buildings these are largely in residential use other than St Lawrence Church and the tombs in its grounds.

The site is inset from the Green Belt and is within the 5km to 7km buffer of the Thames Basin Heaths Special Protection Area.

Effingham is a rural settlement which has developed over the centuries and yet retains many historic buildings. The buildings are generally set in clearly defined plots and the village scene is enhanced by the presence of many mature trees.

Proposal.

The dwelling mix

Market	Proposed	SHMA % req	Eff NP % req
1 bed flat/house	0%	10% (1)	20% (2)
2 bed house*	60% (6)	30% (3)	60% (6)
3 bed house**	20% (2)	40% (4)	20% (2)
4+ bed house	20% (2)		
TOTAL	10		

* & ** plots 3, 4, 5, 7 and 10 have a 'study' this room is below 7.5sqm which does not comply with the requirement in the NDSS for a single room, therefore, has been excluded as a bedroom.

Affordable	Proposed	SHMA % req	Eff NP % req
1 bed flat	43.0% (3)	40% (3)	40% (3)
2 bed flat	28.5% (2)	30% (2)	30% (2)
3 bed house	28.5% (2)	25% (2)	30% (2)
TOTAL	7		

Breakdown:

Market: 59%

Affordable: 41% (70% (5) are to be affordable rented and 30% (2) are to be shared ownership)

Flats: 29.4%

Houses: 70.6%

Details

Density: 24 dwellings per hectare (including burial grounds, access roads and landscape buffers)

Parking spaces: 33 of which 1 marked as accessible and 30 are allocated (exclusive of 3 garages)

Visitor parking spaces: 3 of which 1 marked as accessible

Separate secure cycle storage provided for dwellings without garages.

The application proposes a number of predominantly two storey dwellings and the one block of flats two storeys in height. The application proposes a Local Area of Play (LAP) for children's play space, burial ground extension and pedestrian accesses to Church Street, with the main vehicular access from Lower Road.

Amendments

Through the process of the application, amended plans were sought to address issues that were raised in relation to the number of homes, housing mix, layout and design, proximity to trees, boundary treatments, impact on heritage assets, sustainability and vehicular access.

The applicant states that the amended plans received have resulted in the following:

- Reduction from 20 homes to 17 homes
- Greater number of smaller house types
- Increased gaps to the site boundaries, to allow for tree retention
- Vehicular access amended to pedestrian only access to Church Street
- Plain clay tiles on greater number of buildings
- Additional chimneys and use of creasing tiles
- 1x accessible car parking spaces
- Additional side by side car parking

- Details of all cycle stores
- Enlargement and alteration of burial ground extension
- Details of energy strategy

These amendments were subject of a full public re-notification and consultees were re-consulted.

Relevant planning history.

18/P/01924 - Erection of 23 dwellings plus parking, access, and landscaping. Withdrawn 23/04/2019

13/P/00019 - Erection of a part 2 storey, part 3 storey 60 bedroom residential care home with nursing (Use Class C2) with associated car parking, landscaping and ancillary works following demolition of two small outbuildings. Refused 09/04/2013. Appeal dismissed 09/01/2014.

The overall conclusions of the Inspector were:

- inappropriate development in the Green Belt which would harm the openness of the Green belt
- very large building contrary to policy G5 of the saved Local Plan on scale, proportion and form
- as substantially larger than any other building in the vicinity, would fail to preserve or enhance the character and appearance of the Effingham Conservation Area
- noise and disturbance and overlooking to adjacent properties
- the overall harm weighed against the need for the development

Consultations.

The first consultation period commenced in October 2019, when the scheme was amended the revised plans were consulted upon in August 2020 and December 2020. The responses below are those provided from the December 2020 consultation and where this was not provided the previous response shall be provided.

Statutory consultees

Environment Agency: no comment

Historic England: no comment

Natural England: no comments, potential adverse effect on site integrity (Wealden Heaths SPA) [officer comment: the site is in the 5km-7km buffer of the Thames Basin Heaths SPA, so no mitigation is required)

Surrey County Council Highway Authority (CHA): no objection on safety, capacity and policy grounds. Recommends conditions in relation to the access, parking, with a construction transport management plan and electric vehicle charging.

Surrey County Council Lead Local Flood Authority (LLFA): no objection, the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to conditions

Non-statutory consultees

Surrey County Council, Education Infrastructure: no objection subject to contributions to mitigate the impact on local education provision.

Surrey County Council Archaeological Officer: no objection, subject to condition for archaeological work.

Surrey Wildlife Trust: has made the following comments:

- should be required to undertake all the recommended actions as described in Table 2 'Summary of pre and post construction ecology measures to be implemented', including the biodiversity enhancements as detailed'

Thames Water: no objection:

- satisfactory capacity for waste water network and sewage treatment works
- follow sequential approach to the disposal of surface water
- minimise risk of damage to public sewers
- minimise groundwater discharges into the public sewer

Surrey Police: no objection and suggests a condition that this development achieves a Secure By Design Accreditation.

NHS Surrey Heartlands Clinical Commissioning Group (CCG): no response

Internal consultees

Head of Environmental Health and Licensing: no objection regarding contamination, is not located in an area with air quality concerns and request for a condition for electric vehicle charging points

Recycling and Waste Projects Officer: has no objection and makes the following comments:

- capacity for flats acceptable and a hidden, purpose built bin store
- flats bins would be emptied from the main access road, this pathway should be at least 1.5m wide, free from kerbs and steps and no steeper than 1:12;
- risk a freighter may not be able to pass a parked car or vehicle travelling in the opposite direction
- parking bays should be used on refuse collection days

Housing Strategy and Enabling Manager: has the following comments:

- a policy-compliant affordable housing contribution at 40% has been offered and should be secured, along with the appropriate split between affordable rented (5 units) and other affordable intermediate homes (2 units)
- provide social rent homes in the affordable provision

Parks and Countryside: no objections and suggests a financial contribution to the King George V Playing Fields rather than an onsite LAP.

Tree Officer: no objection and suggests a condition for a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) to be submitted.

Parish Council

Effingham Parish Council: objects and have raised the following matters:

- parish have exceeded housing delivery for plan period
- contrary to site allocation for 9 homes in neighbourhood plan policy ENP-SA1
- housing mix contrary to neighbourhood plan policy ENP-H2 – lack of smaller homes
- overdevelopment – use of tandem parking
[Officer comment: amended plans have led to loss of one tandem parking arrangement]
- risk to highway safety – vehicular access to Lower Road
- light pollution – streetlights
- inadequate car parking – more visitor parking
- tree/hedge retention condition

Amenity groups/Residents' associations

Effingham Residents Association: objects and have raised the following matters in their letters dated 18.12.2020 and 31.08.2020:

- conflict with Neighbourhood Plan
- parish have exceeded housing delivery for plan period
- harm to heritage assets
- traffic congestion
- trees should be retained
- poor design – standard appearance
- harm to the character of the area
- overlooking
- overbearing impact – height
- noise and disturbance
- light pollution – streetlights, rooflights
- inadequate parking – overspill car parking
- risk to highway safety – vehicular access to Lower Road
- support letters from site owners
[officer comment: the Council take into all representations from third parties regardless of the interest of that individual in the application]

Guildford Society: comments in their letter dated 05.11.2019:

- open aspect across the amenity space
- frontage of the amenity space to the apartments should be open to the street
- tree/hedge retention – condition to restrict permitted development rights

Third party comments:

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

- contrary to site allocation for 9 homes in neighbourhood plan policy ENP-SA1
- no need for development – have 5 year housing land supply
- harm to heritage assets
- out of character – height, density, mass, bulk, grain
- overdevelopment
- overlooking – to burial ground and Ambledown
- housing mix – too many large homes, not enough small homes
- inadequate car parking – overspill car parking, contrary to NP policy ENP-R1
- light pollution – streetlights, rooflights
- risk to highway safety – vehicular access to Lower Road, pedestrians
- harm to archaeological remains

- poor design – not locally distinctive
- cumulative impact of development – Douglas Haig PH, Howard of Effingham and Wisley Airfield
- structural damage from new planting
- location of bin store
- overbearing impact
- harm to wildlife
- flooding risk
- inappropriate hard boundary treatments
- subsidence
[officer comment: this is not a material consideration and there is no evidence of land instability]
- damage to wall at Ambledown
- traffic congestion
- HGV movement during construction
[officer comments: a construction transport management plan could be required by condition]
- Harm to the Green Belt
[officer comment: the site is inset from the Green Belt]
- Noise and disturbance – access road, occupation

This includes comments from the following:

- Parish Rector, on behalf of themselves and congregation at St Lawrence Church: objects and have raised the following matters in their letters dated 25.08.2020, 08.08.2020 and 24.10.2019
- Residents of Effingham Place (as specified) and Ambledown: objects and have raised the following matters in their letters of 08.01.2020 and 26.08.2020.

Their comments have been included in the third party representations above.

32 letters of support have been received outlining the following positive comments:

- use of undeveloped land
- will provide family housing
- sustainable location
- provide affordable housing
- contribute to five year housing land supply
- additional customers for local services and facilities
- screened boundaries
- parking congestion and overspill car parking
- no harm to neighbour amenity
- principle of development accepted under neighbourhood plan policy ENP-SA1

Planning policies.

National Planning Policy Framework 2019 (NPPF):

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
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
16. Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

National Design Guide (NDG)

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

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

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

Evidence base:

West Surrey Strategic Housing Market Assessment (SHMA) 2015

West Surrey SHMA Guildford Addendum Report (SHMA Addendum) 2017

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

- | | |
|------|---|
| G1 | (3), (8), (11), General Standards of Development (12) |
| G5 | (2), (3), (4), (5), Design Code (7), (8), (9) |
| G6 | Planning Benefits |
| HE4 | The Setting of Listed Buildings |
| HE6 | Locally Listed Buildings |
| HE7 | New Development in Conservation Areas |
| HE10 | Setting of Conservation Area |
| NE4 | Species Protection |
| NE5 | Development Affecting Trees, Hedges and Woodlands |
| R3 | Recreational Open Space Provision in Relation to New Small Residential Developments |

Effingham Neighbourhood Plan (ENP) 2018:

G1	A Spatial Plan for Effingham
G2	Landscape, Heritage, Character and Design
G3	Archaeology and the Historic Environment
G4	Flooding
G5	Assessing Suitability of Sites for Residential Development
H1	New Homes in Effingham
H2	Mix of Housing
ENV4	Dark Skies
ENV5	Air Quality
C4	Community Burial Facilities
R1	Car Parking
SA1	Land at Church Street known as the 'Church Street Field'

Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020
Planning Contributions SPD 2017
Guildford Landscape Character Assessment 2007
Vehicle Parking Standards SPD 2006
Residential Design SPG 2004
Surrey Design 2002

Draft Effingham Conservation Area Appraisal

Other guidance

Surrey County Council Vehicular and Cycle Parking Guidance 2018
Guidance on the storage and collection of household waste for new developments 2017

Planning considerations.

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 6.42 years based on most recent evidence as reflected in the GBC LAA (2020). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2020 measurement is 90%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

The main planning considerations in this case are:

- the principle of development
- the layout of the development and the scale and appearance of the buildings
- house types and tenure mix
- the impact on heritage assets
- the layout of the informal, formal open space and burial ground
- the impact on residential amenity
- the quantum and layout of the parking
- highway matters
- landscaping and trees
- ecology and biodiversity
- surface water drainage
- sustainable design and construction
- utilities
- legal agreement requirements

The principle of development

With the adoption of the LPSS, this site is no longer designated as Green Belt. Policy RE2 of the 2003 GLP has now been superseded by policy P2 of the LPSS and the land is inset from the Green Belt therefore, policy P2 is not applicable. The site has not been allocated in the LPSS for residential development and is not protected as private open space.

The Effingham Neighbourhood Plan (ENP) is part of the Development Plan following adoption on 10.04.2018. This application site is allocated for residential development under policy ENP-SA1 of the Effingham Neighbourhood Plan. The allocation sets out a number of criteria which any proposal must be considered against. The main criteria being that the site is allocated for up to 9 homes and a Parish Council Burial Ground Extension delivered under policy ENP-C4.

Policy SA1 was significantly modified by the independent examination of the ENP, in the Examiner's Report (dated September 2017). At the time, the proposed site allocation was washed over with Green Belt as the LPSS had not been adopted. Therefore, to comply with the NPPF any allocation would have to be both 'in the village' and be capable of being 'limited infilling'. The Examiner was satisfied that the site was substantially surrounded by development due to its location, so was 'in the village'.

Effingham Parish Council were of the view that the site had capacity for 'up to 20 dwelling' and the LPA had discretion to accept a development of a smaller number of homes (see page 40, para 6.31 10 of the Effingham Neighbourhood Plan - Examiner's Report September 2017). The Examiner was of the view that this would still enable a greater number of homes which would be contrary to GLP policy RE2 (which was the development plan policy at the time of examination of the neighbourhood plan) and was not persuaded by arguments made by the Parish Council that larger developments could be considered as limited infilling given the local context and need for a burial ground extension. Therefore, the Examiner deemed that for development to amount to 'limited infilling' the scale of the allocation should not exceed the definition of minor development set out in the General Development Procedures Order (2015) of 9 dwellings or less. This amendment was accepted by the Parish Council.

The layout of the development and the scale and appearance of the buildings

Policy background

Para. 124 of the NPPF states that, "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities." Para. 127-131 then go on to set out the considerations in decision-making. The PPG in its design guidance provides advice on the key points to take into account on design; well-designed new or changing, remodelling, infill or extension projects for existing places should:

- be functional;
- support mixed uses and tenures;
- include successful public spaces;
- be adaptable and resilient;
- have a distinctive character;
- be attractive; and
- encourage ease of movement.

(Paragraph: 015 Reference ID: 26-015-2014030)

The National Design Guide (NDG) illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. The 10 characteristics form the priorities of what is recognised to contribute to well-designed places. They all contribute towards the cross-cutting themes for good design set out in the NPPF.

In the introduction to LPSS policy D1: Place-making (para. 4.5.1) sets out the Borough's vision, which is consistent with the NPPF:

"The design of the built environment has a direct effect upon how places are used. The relationship between buildings, spaces and landscape as well as detailed design and materials are all relevant factors. Good design will influence how people move around our settlements, how they interact and how places make people feel. We place a high value on the importance of good design in the built environment and making places better for people. It is important and fundamentally affects people's lives on a day to day basis."

Policy D1 is a strategic design policy this details key aspects of urban design including the creation of distinctive local character, safe, connected and efficient streets, a network of green spaces and public places, and that foster crime prevention, access, inclusion, and other factors designed to support healthy communities. The Inspector in his Final Report on the Examination of the LPSS, in para. 161 was satisfied that, "by incorporating a requirement that the scheme should create unique places that combine the highest standards of good urban design with well-designed streets and spaces and incorporate high quality architecture that responds to the unique context of the site." These objectives have been recognised as required and the Council will work to apply these to achieve development that has a properly founded, locally distinctive sense of place and relates well to the surrounding built and natural environment.

The saved policies in G5 of the 2003 LP are a design code, those parts of the policy that have not been superseded by the LPSS remain relevant, until more detailed design policies are released. G5 also states that regard should be given to the Surrey Design Guide as a strategic document, which focuses on design principles.

Layout

The DAS (page 23) identifies development parameters in the constraint and opportunities plan:

- burial ground extension adjoining boundary with St Lawrence's Church graveyard
- setting of adjoining statutory listed buildings
- existing footway along Church Street
- aspects of adjacent buildings
- main vehicular access road
- embankment to site boundary with Church Street
- existing pedestrian access from Church Street
- substation
- existing tree within and along the site boundaries
- scale of adjacent buildings

The only suitable place for a vehicular access is from Lower Road, between Ambledown and homes fronting Effingham Place. So, there would be no street frontage and with the retained embankment and trees along Church Street would be an enclosed form of development with no street frontage.

The layout has largely been informed by the access road and turning area required, resulting in a standard 'T' shape, with the existing and an additional pedestrian access to Church Street. However, due to the site shape, the roadway does curve for some variety and would be a shared surface, with a change in hardstanding surface material in the midway section which would break up the appearance. The parking areas and footpaths to Church Street would be delineated by different surfacing materials which would create legibility.

All of the houses would be set back from the road to create space for a shallow front garden and create a private threshold to the front entrances, including the apartment block. The rear gardens would predominantly be adjoining the retained tree belts along the boundaries as all the houses would face the road and the apartment block would turn the corner to provide natural surveillance to the parking court to the west. This would follow the guidance in the Residential Design Guide SPG.

The local area of play (LAP) would be adjacent to the new pedestrian access to create permeability with the surrounding village and would have defensible boundaries created by the new planting and highway layout.

Housing design

All of the buildings would be two storeys in height with fully pitched, pitched roof designs and porches which are a feature of traditional development in the area.

The apartment building would be broadly 'L' shaped that would reduce to a single storey height for its rear projection and the hipped roof design would reduce the bulk of the building. Whilst the built form would be wider than the semi-detached homes, the front entrance and symmetrical design, that turns the corner and the location of the car parking to the site would enable this to give the impression this was a large building on the plot, and not a dominant feature at the gateway of the site.

The buildings would have varied porch designs, string courses, brickwork quoins, quarry tile cills, chimneys and brick header courses. The detailing would enhance the appearance of the buildings and large-scale plans would be required by condition to ensure that the detailing of the windows, eaves and porches are of a high standard in the conservation area.

The windows would be casement windows and the main external materials would comprise red brick, hanging tiles and clay roof tiles in brown / red colour; which are a features of the area. Plots 8 and 9 at the southern end of the site on the hammer head, would have a different palette of materials with slate on the roof and one building would have stone walls; adjacent to the church as feature buildings these would not appear incongruous. Given that this site is in the core of the village, timber windows, plain clay tiles and natural slate would be more suitable to ensure the buildings would preserve the character of the conservation area. Further details be required by way of a condition

There would be a rhythm to the proposed streetscene with some differentiation created by the architectural detailing. Whilst this would be a modern interpretation of traditional features, this would ensure that the buildings would have practical features such as porches and enlarged windows for natural light.

Garages and parking

A majority of homes include on plot car parking provided through tandem parking and a parking court for the apartments and car barn for three homes. The tandem parking has to be balanced against the space created for green strip planting and front gardens. Therefore, this would be acceptable in this instance, as one home and all of the flats would not have tandem parking.

Where parking spaces are not next to the front entrance, the spaces would be a short carry distances with level access, for occupants, which would benefit families and those with mobility issues.

There would be designated bays for street parking, to protect the landscaping from damage caused by informal parking, further details of landscaping shall be required. There would be two lay-by spaces which could be used by visitors and delivery vehicles to reduce informal parking and landscape damage.

Having regard to all of the above it is concluded that the design approach, layout and appearance would establish a sense of place and present a well-connected scheme in this part of Effingham. Therefore, the development would meet the objectives of policy D1 of the Guildford Borough Local Plan: strategy and sites (2019), policy G5(4), (5), (7), (9) of the Guildford Borough Local Plan (2003) (as saved by CLG Direction on 24/09/07) and the NDG and NPPF.

House types and tenure mix

The proposed residential units would comprise a range of house/flat types with some variation in the architectural detailing, they would appear as a cohesive group of buildings. The tenure split is set out in the tables in the proposals section and there would be a range of both market and affordable house types.

Policy H1 of the LPSS is not prescriptive and instead seeks a mix of tenure, types and sizes of dwelling, which shall be guided by the Strategic Housing Market Assessment (SHMA) and appropriate to the site size, characteristics and location.

Policy H2(1) states: "...the Council will work ... to increase the number of affordable homes in the borough to contribute to meeting identified needs." This site is in close proximity of 295 new homes that have approval under an outline permission (14/P/02109) and reserved matters (19/P/01760) at Lodge Farm and the existing Howard of Effingham school. The outline application was considered against a viability assessment which set out that due to the delivery of the replacement school (and the other infrastructure requirements), the proposal was only viable with a reduced affordable housing provision and on the basis of the housing mix which was set out in the appeal, this departure was accepted to ensure delivery. However, this development needs to respond to local needs in this location, taking into consideration development that will be delivered as well as the need identified in the West Surrey SHMA and ENP.

Further to this, it is noted that policy ENP-H2 of the Effingham Neighbourhood Plan requires new residential development of 10 units or above to provide the following mix of housing tenures, types and sizes to meet the needs of prospective households in Effingham and to deliver a wider choice of homes within the Neighbourhood Plan Area:

- at least 20% of market homes shall have only one bedroom, and at least 60% shall have only two bedrooms.
- no more than 40% of two-bedroom market homes shall be flats.
- the percentage of affordable homes shall be as set out in the Guildford Borough Local Plan.
- at least 30% of affordable homes shall have three bedrooms in accordance with the most recent evidence regarding housing mix needs.

The proposed affordable housing mix would meet the requirements set out in the SHMA, the only departure from the ENP is that under policy ENP-H2, bullet two. In this case, it would be 100%. Given that this is a smaller residential scheme and there would be 2, 2 bedroom flats and the apartment block would be handed over to and managed by a registered provider of social housing/housing association. It would not be practical to reallocate this 1 unit for ongoing governance, so in this instance the departure is acceptable.

The ENP has identified a gap in the housing offer in the Effingham Neighbourhood Area of one and two bedroom homes and a surplus of larger homes with three bedrooms or more. Policy ENP-H2 seeks to address the balance to increase the supply of smaller homes.

The table in the 'proposal' section above shows the proposed scheme alongside that required by the SHMA and ENP. The market housing mix would not strictly comply with either the SHMA or policy ENP-H2, largely due to the lower provision of one and two bedroom homes and the greater provision of three and four bedroom houses.

Given the smaller relative size of this development, it is not usually for the large variations, due to the lesser numbers involved (17). In this case, the site is in close proximity of the Howard of Effingham residential site which would increase the supply of one and two bedroom market homes in the village and the housing needs has to be considered spatially across the village rather than on every residential development site. Therefore, it would not be reasonable to require a viability assessment in this case.

In addition to this, this is a sensitive location due to the heritage assets. To deliver a scheme that would be compliant with the ENP, it is envisaged that there would need to be an increase in the number of units on the site. A scheme for 23 units was withdrawn (18/P/01924) and the originally submitted scheme under this application was for 20 units. These schemes were amended in response to officer concerns about the level of development, which would lead to greater areas of hardstanding for parking, narrower gaps between buildings, site boundaries and root protection areas (RPAs) of retained trees and affect the delivery of the burial ground extension. This would result in a form and grain of development that would not be incongruous in this sensitive location. Therefore, a lower density scheme, with larger homes would be suitable to the characteristics of the location.

The proposal would meet a range of accommodation needs identified and so would create a sustainable, mixed and balanced community in this sensitive location that responds to the characteristics.

The impact on heritage assets

Statutory and development plan requirements and guidance.

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

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

One of the planning objectives of the NPPF is the conservation of the built and historic environment as part of delivering sustainable development. The planning system should play an active role in guiding development to sustainable solutions (para. 9) that achieve economic, social and environmental gains in an interdependent and mutually supportive way. For the historic environment this means that a decision-maker should identify and assess the particular significance of the heritage assets that are affected by a proposal. They should take account of this assessment to avoid or minimise conflict between the heritage assets' conservation and any aspect of the proposal (para. 190).

It is recognised that the setting of a heritage asset may change over time, but even where the setting of a heritage asset has in the past been compromised to some degree by unsympathetic development, to accord with NPPF policies consideration still needs to be given to whether additional change would further detract from, or can enhance, the significance of the asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraphs 193 and 194).

Government policy is that heritage assets should be conserved in a manner appropriate to their significance. Great weight should be given to the conservation of designated heritage assets, where conservation (for heritage policy) is defined as "the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance." (NPPF Glossary Annex 2 page 65).

Policy D3 is consistent with the NPPF and requires "Development of the highest design quality that would sustain and, where appropriate, enhance the special interest, character and significance of the borough's heritage assets and their settings and make a positive contribution to local character and distinctiveness would be supported". Paragraph 4.5.54 also states that "New development must conserve heritage assets in a manner appropriate to their significance."

Saved policies HE4 and HE10 have regard to the statutory duty to preserve the setting and preserve or enhance the character or appearance of that area under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The development proposed represents an intervention into a sensitive historic context and visual intrusion into the setting of several designated heritage assets is reduced due to the retention of the boundary trees and the location of the vehicular access.

These are the heritage assets affected by the proposals and their grade:

- Effingham Conservation Area
- St Lawrence Church (II*)
- The Old Post Cottage (II)
- Vaults and Apreece Tomb north of Tower of church of St Lawrence (II)
- The Lodge, Lower Road (II)
- 3, 4, 5 & 6 Church Cottages (II)
- 1 & 2 Church Cottages (locally listed)
- Area of High Archaeological Potential (AHAP)

Conservation area

The draft conservation appraisal has been through public consultation which closed on 24.02.2020. Therefore carries significant weight whilst it has not been fully adopted. This describes how the current Conservation Area boundary encompasses the original historic core of the village and historic 12th century manor houses, notable buildings including those affected by the proposed development, and woodland and recreational land to the east. The settlement pattern of Effingham derives from its medieval street layout of Lower Road, Church Street and The Street all lying on a north south axis. Traditionally Effingham was an agricultural community with manor houses, today it is a rural settlement.

The Churchyard of St Lawrence and the adjacent Effingham Parish Council Burial Ground adjoining the site is identified as an important open space. It is on higher ground with elevated views. Views along Church Street are also identified among the important views and vistas.

The site was originally part of the curtilage of The Lodge, the listed building to the east. It has never been built upon, other than the ancillary buildings to the gardens of The Lodge. It is surrounded by trees and vegetation along its site boundaries. From some places it is impossible, to see into the site. Yet, it is still possible to discern it as a substantial open plot of land; it is also in the historic core of the village, next to the church. Its association with the Lodge and the core of the village as well as the mature boundary trees and planting have historical and evidential aesthetic value to the character and development of the village. The openness of the site particularly adjoining the churchyard contributes to the conservation area.

Therefore, any built form on the site would change the perceived undeveloped nature of this site and should respect the scale and design of existing development in the village. All of the buildings would be single storey and two storey in height and would be arranged as detached buildings or as semi-detached buildings with gaps to maintain spaciousness and whilst the buildings would be up 8.7m in height, this would be to achieve the traditional 45 degree roof pitch and the bulk would be reduced by the hipped ends. Individually and cumulatively the built form would be comparable to existing built form in the village and the character and appearance of the conservation area would be preserved.

The change in the built form would cause less than substantial harm, at the lower end of that scale, to the conservation area due to the loss of this important open space which contributes to the significance of the conservation area historical development of the core of the historic part of the village

Setting of listed buildings

St Lawrence Church (II*)

The church, which is of 12th Century origin, is on high ground and is purposefully visually prominent due to this location and its staggered square western tower. It sits relatively centrally within its plot and forming its immediate setting to all sides is its churchyard, which is typical in character (presence of headstones, funerary monuments & structures and managed landscaping). An extended burial ground adjoins the churchyard to the north and lies between the church and the application site. It is at a lower level than the original churchyard and separated from it by a fairly high flint wall; however, it has similar characteristics to the churchyard and forms part of the setting to the church. The asset forms a focal point within the village and is important to the historic hierarchy of the original settlement pattern within the village. With the tower forming the highest feature within the village, there are a number of opportunities for glimpsed views, especially in winter months, cementing and reinforcing its importance within the village.

Within the churchyard it should be noted that there are three statutory listed tombs/vaults. These are all situated to the north of the church, within the shadows of the high flint wall that separates the churchyard from the adjoining burial ground. The statutory listing descriptions identify them as Bogle Vault (grade II), Apreece Tomb (grade II) and Vault, 30 yards northwest of Tower of Church of St Lawrence. All three assets are read in the context of the churchyard and extended burial ground, rather than the wider setting of the conservation area. Thus, by virtue of their diminutive scale, and the screening afforded by the high flint wall there would be no harm to these particular heritage assets.

The proposed development is on lower ground from the church and the burial ground, however the trees along the shared boundary sever association and therefore, the setting of these assets from the site. The nearest buildings would be on plots 8 and 9 the rear of the single storey garages would be 7.9m from the shared boundary and the two storey elevation would be at least 15.0m away. There would also be a 1.8m high close boarded fence set in from the shared boundary. Given the height and form of these two buildings and glimpses of the domestic boundary treatment; this would cause less than substantial harm to the setting of these heritage assets at the lower end of the scale, caused by the change in relationship and experience of the church yard due to the built form and loss of open space for residential use. However, the hierarchy and visual prominence of the church would not be harmed.

The Lodge (II)

A mid-Victorian house, once had substantial grounds that included agricultural fields and allotments to the west, and the expansive King George V Playing Fields to the east. The building has been sub-divided into two dwellings within a much-reduced curtilage. The application site has been separated from it for a number of years and does not have the impression of a close association with The Lodge grounds. Land to the east, was used to develop a large school (outside the Conservation Area). Also, land abutting Lower Road was developed in the 1990s with four large detached houses (Effingham Place), thus further reducing the curtilage of the listed building. The gardens are locally listed but, more in recognition of their history than their appearance.

Land levels reduce from west to east towards The Lodge. The buildings on the eastern boundary would be largely obscured by the mature trees and the two storey built form would be at least 17.0m away and the car barn 7.8m from the shared boundary. This gap would ensure that there would not be an overbearing impact to The Lodge, which is at a lower level. Due to the separation distance and existing relationship between the site and The Lodge there would be no harm to its setting.

The Old Post Cottage (II) and Church Cottages (II and locally listed)

These are to the west on the opposite side of Church Street. These have aesthetic value from their architectural features, plan form and boundary treatments to the cottage gardens and as part of a group of buildings in the historic core. The setting of these buildings is confined to that side of the road, given the interrelationship between them, their gardens and other buildings and gardens. The trees along the embankment of the application site are part of their setting although the openness of the site beyond them is not a significant contributor to their significance.

As the boundary trees would be retained and whilst glimpses of these buildings would be possible including from the new pedestrian access there would no harm to the significance of these heritage assets and the locally listed building under policy HE6.

There would be a 1.8m high hit and miss fence set in from the tree line for the rear gardens facing west. Given that this would be more visible in winter months the fencing should be dark stained so that this would be less prominent.

Area of High Archaeological Potential (AHAP)

The desk based archaeological assessment submitted confirms that the site has a high potential for medieval and later archaeological deposits and contains the results of a previous archaeological field evaluation carried out by SLR Consulting in 2012. This evaluation revealed evidence of Saxo-Norman features and pottery on the site, therefore, further archaeological work is required to due to the ground disturbance posed by the development on the buried remains.

Further archaeological excavation to record the remains has been set out in the submitted documents and shall be required by conditions.

Less than substantial harm has been identified to the heritage assets listed below and the degree of this has been attributed:

- Effingham Conservation Area – less than substantial (at lower end of that scale)
- St Lawrence Church (II*) – less than substantial (at lower end of that scale)

Having reached the view that the proposal results in less than substantial harm to surrounding heritage assets, it is re-emphasised that paragraph 193 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This accords with the duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 194 goes on to note that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. It is noted that the harm identified includes a Grade II* listed church and the harm to this should be given greater weight again.

In a situation where less than substantial harm is identified, the NPPF at paragraph 196 states that 'this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use' and Planning (Listed Building and Conservation Area) Act 1990 which required special regard is given to preserving the heritage asset. The applicant has set out public benefits, these include delivering housing including affordable housing provision, a burial ground extension and communal open space. Whether these claimed public benefits outweigh the heritage harm, and the considerable weight and importance that must be afforded to it, shall be assessed in the final section of this report.

In terms of the optimum viable use, housing allocations sites were assessed through the development of the neighbourhood plan process, and the site allocation would be suitable for development subject to the policy requirement in policy ENP-SA1.

Whether the proposal would comply with policies HE4 and HE7 of the saved Guildford Local Plan 2003, policy D3 of the LPSS and the relevant policies objectives of paragraphs section 16 of the NPPF. As well as regard has been given to the provisions of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Shall be assessed in the planning balance.

The layout of the informal, formal open space and burial ground

The NPPF recognises the open spaces form part of the social objective of delivering sustainable development. Chapter 8 of the NPPF states how this enhances the sustainability of communities and residential environments.

Policy D1 includes (6) safe, connected and efficient streets and (7) network of green spaces and public spaces.

Saved policy G5(9) describes how a high standard of landscape design ensures integration of development into existing town and landscapes.

Policy ENP-C1 identifies St Lawrence Church, burial ground and Hall as a local building and space as one of the “sites of community importance.” This adjoins the site and church and under policy ENP-C4 it is proposed to extend and improve burial facilities, including an extension of the existing Parish Council Burial Ground in Church Street using part of the Church Street Field site allocated for development in ENP-SA1.

The site would provide for 0.07 hectares of burial ground space which would adjoin the existing burial ground on the north eastern corner. This would be enclosed with hedging and 1.8m high hit and miss fencing along the shared boundaries with the residential gardens and the roadway. The space would be partially covered in trees and their roots; however, there would be sufficient space to prove a satisfactory provision. Therefore, the proximity, location and size of the burial extension would be suitable.

The layout proposed includes green edges, open space to the south eastern corner and the LAP. These are linked by footpaths and a shared surface within the site and from Church Street. In addition to the tree belts and hedges being retained along the site boundaries and enhanced with new tree planting.

The DAS states that “This open space extends towards the centre of the site and includes a potential local area of play (LAP) and the retained existing trees along the boundaries which will be supplemented with additional native planting.” (page 33).

Informal open space

This area would provide opportunities for native planting and have connections to the internal shared surface roads and to Church Street. Whilst this would be a small area on the margins on the site, it would create a buffer to the retained trees and enable greater gaps between buildings along the eastern site boundary.

Formal open space

The footpath to Church Street would be between the LPA and the informal open space this would allow for direct access to the LAP. This would be accessible by foot from both within and outside the site. Its location near the frontage with the footpath would allow for access, on foot, cycle and scooters.

The play equipment would be considered in more detail under a discharge of condition.

The proposal is compliant with policy R3 of the saved Guildford Local Plan 2003, policies D1(6) and (7) of the LPSS and the NPPF.

The impact on residential amenity

Neighbour amenity

Ambledown

The rear aspect of the main building would face the application site with a minimum gap of 22m, Whilst this part of the application site is approximately 1.0m lower the separation distance and intervening tree screen, which would be retained would ensure that there would be no harmful overlooking and overbearing impact.

The access road would adjoin Ambledown to the east from Lower Road, the shared boundary has a brick wall. The vehicular access would not involve any substantial ground works and change to levels that would compromise land stability.

The garage would be 9.4m and the main house would be 17.5m from the roadway. It is acknowledged that as the site is at a higher level than Lower Road; there may be some reeving engines and given the number of movements there would be some noise and disturbance. However, given the separation distances, opportunities for structural planting along the shared boundary in addition to the retained trees; whilst there would be an intensification this would not be so adverse that this would warrant refusal.

Properties fronting Effingham Place

The access road would adjoin the shared boundary with no. 3, this would be set further away than Ambledown, therefore, this relationship would not be materially harmful.

The flank elevation of plot 1 would be separated from the rear of no.4 by 31m. The juxtaposition would be at an angle to shared boundary, the two storey height of the proposed house, hipped roof and separation distance would preserve their neighbour amenity.

The Lodge

The site is adjoined to the east by the formal grounds of The Lodge, the building has been subdivided into four apartments.

There would be a gap of at least 27m from The Lodge to the shared boundary and due to their scale, separation distance and retained boundary trees there would be not material loss of amenity to the adjoining apartment building.

St Lawrence Church

Plots 8 and 9 would share their boundary with the existing church yard, the proposed buildings would be set back from the church and at a lower level. So, there would be no material impact on the amenity of the church and its grounds.

Given the proximity of adjoining residential buildings it would be appropriate to manage hours of construction in line with guidance to extend construction site working hours introduced in the Business and Planning Act 2020 to enable working Monday to Saturday until 2100. If there is any noise nuisance there are safeguards under the Environmental Protection Act 1990 and the Control of Pollution Act 1974.

Concerns have been made regarding light pollution from external lighting. The application is supported by details of five lampposts and plan showing the resulting lux levels. The use of LED bulbs and the number of lights would not have a harmful impact in terms of light pollution whilst giving light for pedestrians and deterring crime in accordance with ENP-ENV4. The impact on wildlife shall be assessed below.

Occupier amenity

All of the houses include an area of private amenity space and the apartment block has a communal garden area to its side/rear. The size and shape of rear gardens vary across the site; however, they meet the passive recreational requirements of the future occupants of the development for play and drying clothes. The layout of the buildings has also been carefully designed to ensure that none of the garden areas suffer unacceptable levels of overlooking or overshadowing from the adjoining buildings.

Two ground floor flats (13 and 14) would adjoin the communal outdoor area, there is potential for overlooking into living area windows. The proposed hedging would provide a degree of privacy to safeguard occupier amenity.

The ground floor windows facing the parking court would not abut any car parking spaces, therefore, there would be no harmful loss of amenity from headlights and engine noise.

The bin and cycle storage would be in gardens or garages. The flats would have separate buildings, the bin store would be near the entrance and have some passive surveillance. The cycle store would be located at the edge of the building furthest away from the entrance. The location and lack of natural surveillance may discourage use. However, it is by the footway to Church Street so would be on a desire line so occupants would not have to use the Lower Road access, so this is suitable.

Policy H1(3) of the LPSS requires all new development to conform to the nationally described space standards (NDSS). The applicant has provided a matrix showing the requirements and how their units compare. All affordable units in the development either meet or exceed the standards. All the market units would either meet or exceed the total NDSS gross internal area (GIA) requirement. So overall, there would be satisfactory space for storage furniture and circulation space.

Having regard to all of the above it is concluded that the development proposed would not give rise to unacceptable impacts on the adjoining residential properties and would provide a good level of amenity for the future occupants of the development. For these reasons the development complies with the objectives of policy G1(3) of the Guildford Local Plan 2003 (as saved), policy H1 of the LPSS and the relevant policies objectives in the NPPF.

The quantum and layout of the parking

The layout provides for a total of 33 parking spaces to serve the proposed residential units.

The parking requirement in the Vehicle Parking Standards SPD, ENP-R1 and guidance are as follows against the on-site provision:

	GBC parking standard	ENP-R1	Surrey CC guidance	Provided
1 bed unit	1x 3 = 3	1x 3 = 3	1x 3 = 3	30
2 bed unit	1.5x 8 = 12	2x 8 = 16	1x 8 = 8	
3 bed unit	2x 4 = 8	2x 4 = 8	2x 4 = 8	
4+ bed unit	2x 2 = 4	2x 2 = 4	2x 2 = 4	
Visitor spaces				3
TOTAL	27	31	23	33

In terms of parking provision, the proposed development requires 27 parking spaces to comply with Council parking standards, and 31 to comply with the Effingham Neighbourhood Plan parking standard. A total of 33 parking spaces are to be provided, including 3 visitor spaces including one accessible space. As such the provision would be acceptable and the County Highway Authority (CHA) has advised that the parking provision is satisfactory. It is noted that a significant number of the parking spaces are provided within tandem spaces. This would allow for a layout that is not parking dominated, so this would be acceptable in this instance.

The car barn serving plots 5-7 would be the second space. As such as the application is recommended for approval, a condition is recommended to ensure that the garages are retained for that purpose.

Whilst lay-by parking has been provided for visitors there is a risk of informal parking which has the potential to damage the landscaping and cause obstructive parking. Therefore, further details of street design could be required by condition.

The application site is located within settlement area and is in a generally sustainable location within walking distance of schools, shops, local services and opposite a bus stop. The site also has reasonable accessibility to public transport. It is however likely that the future occupants of the development would seek to use private cars for a number of journeys. Given the location of the site, the level of parking is appropriate, and provision of parking would be suitable, whilst it would be greater than the Council's parking standards

Cycle storage

The cycle parking requirement in the SPD is 1 cycle space per unit and in the guidance from Surrey County Council, it is 1 space for 1 and 2 bedroom units and 2 spaces for 3 or more bedroom unit. There would be two garages, and these could be used for cycle storage, and there is a cycle store building for remaining houses and flats. Therefore, these dwellings would have suitable, covered and secure cycle storage.

Highway matters

Access

The access to the site would be from Lower Road, to the north of the site. The County Highway Authority (CHA) has assessed the proposed access and has raised no objection in terms of highway safety.

The CHA is also satisfied that, whilst the development would see an increase in traffic movements in the area, the increase would be slight and would not result in a significant impact to highway capacity in addition to other committed development in the area including the housing around the Howard of Effingham School. The Highway Authority has also advised that there is no concern regarding construction traffic subject to a condition to secure a construction transport management plan.

There would be two pedestrian accesses on to Church Street as required by policy ENP-SA1.

Refuse provision

A swept path analysis to demonstrate that the refuse vehicle would be able to safely enter and exit the site to collect the refuse, has been provided. The Council's recycling and waste team has advised that this would be acceptable as long as there was no informal parking.

There would be designated refuse collection points which would ensure that kerbside collection would be possible.

The occupiers would have satisfactory servicing.

Landscaping and trees

The site is within the Effingham Conservation Area, and therefore all trees over 7.5cm in diameter are afforded protection.

The trees along the site boundaries are an important feature within the conservation area and has a high amenity group value due to its enclosing effect. However, from a purely arboricultural point of view the tree officer has advised that the proposed 26 trees, (two of these are moderate B category, sycamore trees, given their location and condition their removal would be acceptable) the remaining 24 trees are low C category trees and are not of particular individual merit and the retained trees could be protected during construction.

The tree officer is also concerned regarding the potential further tree works if the development goes ahead because where development is approved in close proximity to trees. There can often be a perceived threat or apprehension to the new occupiers that can result in repeated tree work applications to the Council where the trees are afforded protection either Conservation Area or TPO protection. Shading of properties will also be a considerable concern, particularly on the southern and eastern edges of the site.

The proximity of the trees within the proposed rear gardens are likely to cause anxiety for future occupiers from leaf litter, sap and detritus which could cause conflict with new occupiers. Furthermore, the root protection area could be affected by foundation design. Therefore, classes A and E permitted development rights for enlargements and outbuildings should be withdrawn, to reduce the potential conflict in these smaller gardens.

No detailed landscaping proposals have been put forward at this stage. A condition is recommended to secure further soft landscape details to ensure that these would be suitable and have ecological gains.

Ecology and biodiversity

An extended phase 1 habitat survey has been undertaken and followed up with a walk over survey in August 2020. The majority of the site is semi-improved neutral grassland and recorded species are common and widespread. No habitats of principal importance were recorded and the habitats are considered of local value only. This is a summary of the findings:

- active badger sett in close proximity to the site and crossing badgers
- two derelict buildings to be removed have negligible potential for roosting bats
- boundary trees offer roosting opportunities for bats
- dormice presence unlikely

Mitigation measures include inspections of the trees to be felled for bats and further badger surveys as well. This would be acceptable to protect these species and their habitats.

Enhancement measures such as fruit tree planting, bat and bird boxes, dead wood habitat creation and the use of native species in planting schemes are recommended to provide ecological enhancement, in the Landscape and Ecological Management Plan (LEMP).

There would be five streetlights, details of light spill and the proposed lighting layout have been submitted (drawing no. DRG 01) this shows that light spill would be concentrated around the lamppost and road. However, a condition to require compliance with the 'Bats and artificial lighting in the UK' from the Bat Conservation Trusts' shall be required to ensure all external lighting complies with this and to protect the dark skies in accordance with policy ENP-ENV4.

There would be four rooflights and this would be on sloping roof reducing any harmful light spill.

Therefore, subject to condition to secure the mitigation measures and to ensure the submission of more detailed enhancement measures, the biodiversity interest of the site and the area would be protected and enhanced.

Surface water drainage

Surrey County Council as the Lead Local Flood Authority (LLFA) has reviewed the surface water drainage submitted and is satisfied that the proposed drainage strategy would manage surface water from the increase in permeable surfaces including the road and roof. Through the use of water butts, rain gardens, permeable surfaces and cellular storage the surface water would be attenuated. Any discharge to the foul sewer would be regulated by a Hydrobrake.

This would comply with the requirements of the paragraph 165 of the NPPF and policy P4 of the LPSS.

Sustainable design and construction

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraphs 150 through climate change adaption, provision of green infrastructure and reduction of greenhouse gas emissions. Paragraph 153 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS is the Council's policy to require new development to take sustainable design and construction principles into account, including adapting to climate change, and reducing carbon emissions and is supported by the Climate Change, Sustainable Design, Construction and Energy SPD 2020.

The updated statement provides SAP figures for each unit. This demonstrates that every unit gets a 20% carbon reduction minimum. The breakdown by fabric/energy shows that on most units this would predominantly be achieved through fabric measures and an overall 10% would be achieved through fabric measures.

There would also be a temperature zones in the homes and electric vehicle charging points which can be secured by condition.

The updated document does not include details of the following which are required by policy D2. So, a Site Waste Management Plan (SWMP) shall be required to be submitted to understand how they will be managing minerals and waste, details on water efficiency and climate change adaptation to deal with overheating.

Utilities

Policy D1(11) of the LPSS and policy ENP-C5 seeks to achieve high quality digital connectivity, enabling Fibre To The Premises (FTTP) where practical. Therefore, it is appropriate that new development supports innovation for digital technology and increase connectivity speeds. Routing details of new utility services and connections have been provided. However, a condition to require further details of FTTP broadband connection shall be required by condition.

Legal Agreement Requirements

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

Regulation 122 of CIL Regulations states that a planning obligation may not constitute a reason for granting planning permission where the obligation provides for the funding or provision of an infrastructure project or type of infrastructure and five or more separate planning obligations for the funding or provision of that project or type of infrastructure have been entered into.

Affordable Housing

Policy H2 of the Local Plan 2019 requires at least 40% of homes to be affordable. The tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute, to the Council's satisfaction, towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment 2015, or subsequent affordable housing needs evidence.

The supply of affordable housing is a key priority for the Council and at present, there is an acute need for such housing in the borough.

The proposal will provide 7 affordable units as part of the development, full details of the mix and tenure has been secured through consultation with the Housing and Enabling Manager.

Education

The development is likely to place additional pressure on school places in the area. Surrey County Council have requested contributions towards early years, primary and secondary school provision. The development should mitigate these impacts.

Surrey County Council as the education authority has provided a list of projects which contributions would be allocated to for all three areas, and these are considered to be reasonable and directly related to the development.

Burial ground extension

To secure the land transfer to the Parish Council, to comply with policy EMP-C4.

Conclusion and balancing exercise:

The proposed development would deliver housing on an allocated site and the burial ground extension as set out in the Effingham Neighbourhood Plan. The scale, layout and appearance would complement the character of the area.

The report has concluded that the development and its associated works would result in less than substantial harm to a number of heritage assets, including those of the higher significance. This includes the harm caused to the setting and significance of Effingham Conservation Area and St Lawrence Church.

Guidance in the form of the Historic Environment PPG does seek to explain the concept of 'public benefit' stating that 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.' It is acknowledged that the proposal does result in a number of public benefits and these have been set out and assessed below:

Housing delivery

The proposal would deliver 17 new homes in a village, this would make a contribution to housing need and the five year housing land supply of deliverable sites on an allocated site. The site would also deliver 7 new affordable homes in a village location.

This would provide social benefits delivering a housing mix and tenured for small and family households, that is suitable for the village given the wider delivery of housing. This is given **moderate** weight .

Burial ground extension

The Parish Council owned burial ground to the south is immediately adjacent to the St Lawrence Church burial ground which is now closed, so the Parish Council Burial Ground.

The existing facilities provide a community provision where they live and the site allocation under ENP-SA1 requires a burial ground extension. The benefits would an enlargement in capacity of a community facility and the preservation of the site as open space would have environmental benefits for biodiversity and lack of development. This is given **lesser** weight as it is a policy requirement.

Open space

The site would include local area of play (LAP) and an area of more naturalistic open space. These areas would provide important opportunities for community integration as they would be publicly accessible and the open space, this would be a social benefit. The open space would have the planting and wildflowers sown which would support biodiversity enhancements so would be a **moderate** benefit delivered by the scheme.

Environmental

The biodiversity enhancements would support new and existing habitats through designated areas and the use of native species. The site would have facilities for cycle storage, this would encourage cycling for journeys rather than the use of the car to support a modal shift and include electric vehicle car charging to provide the infrastructure for electric car use and ownership. The energy needs of the buildings would also deliver carbon reductions.

These measures would provide environmental gains immediately on the site as wildlife would be enhanced and more widely through measures to support improved air quality, sustainable travel and energy reduction. These are policy requirements and are therefore, given **lesser** weight as benefits.

Economic

The construction of the proposal would also result in the creation of jobs both directly through the construction process on site and indirectly in the supply of materials and services etc. There would also be increase in council tax revenue and the New Homes Bonus and the new people living the area would use local services and spend in the local economy.

This would be indirect and there is no information to quantify the monetary benefits to the local economy especially given the moderate size of the development. So, this is given **lesser** weight as a benefit.

Social

Social benefits have been identified resulting from the new homes, burial ground extension and open space. There would also be mitigation to local infrastructure through additional funding for education.

The increase in capacity would enhance local educational facilities and again as a policy requirement is given **lesser** weight as a benefit.

Flood risk reduction

Although some harm arises increase in surface water run-off, flooding from the development and the scheme would deliver mitigation measures to manage this ensure that this would be no greater impact than the existing situation. As there would be no change, this would be a public benefit of the scheme, as it is a requirement is given **lesser** weight.

Heritage harm v public benefits balance:

Overall, the public benefits of the proposal would make a particular contribution to housing delivery, the burial ground extension, the open space and environmental measures which would be delivered, mitigated, supported and enhanced by the proposed scheme on an allocated site.

The impacts on the heritage assets, and in particular the Effingham Conservation Area and St Lawrence Church are recognised. Taking into account the requirements of paragraph 193 of the NPPF to give great weight and considerable importance should be afforded to the heritage harm. In accordance with paragraph 196 the cumulative effect of the public benefits which have considerable importance and weight that would be gained from the proposal in this instance would outweigh the identified heritage harm which is at the lower end of the scale.

The mature trees would be largely maintained on the site and there would be no materially harmful impact on neighbour amenity.

The proposals would provide a suitable mix of homes and tenures to meet local requirements in this sensitive location.

The application is therefore recommended for approval subject to a S106.