

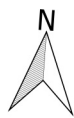
# 21/P/00293 - Lot 4, Westwood Lane, Wanborough, Guildford



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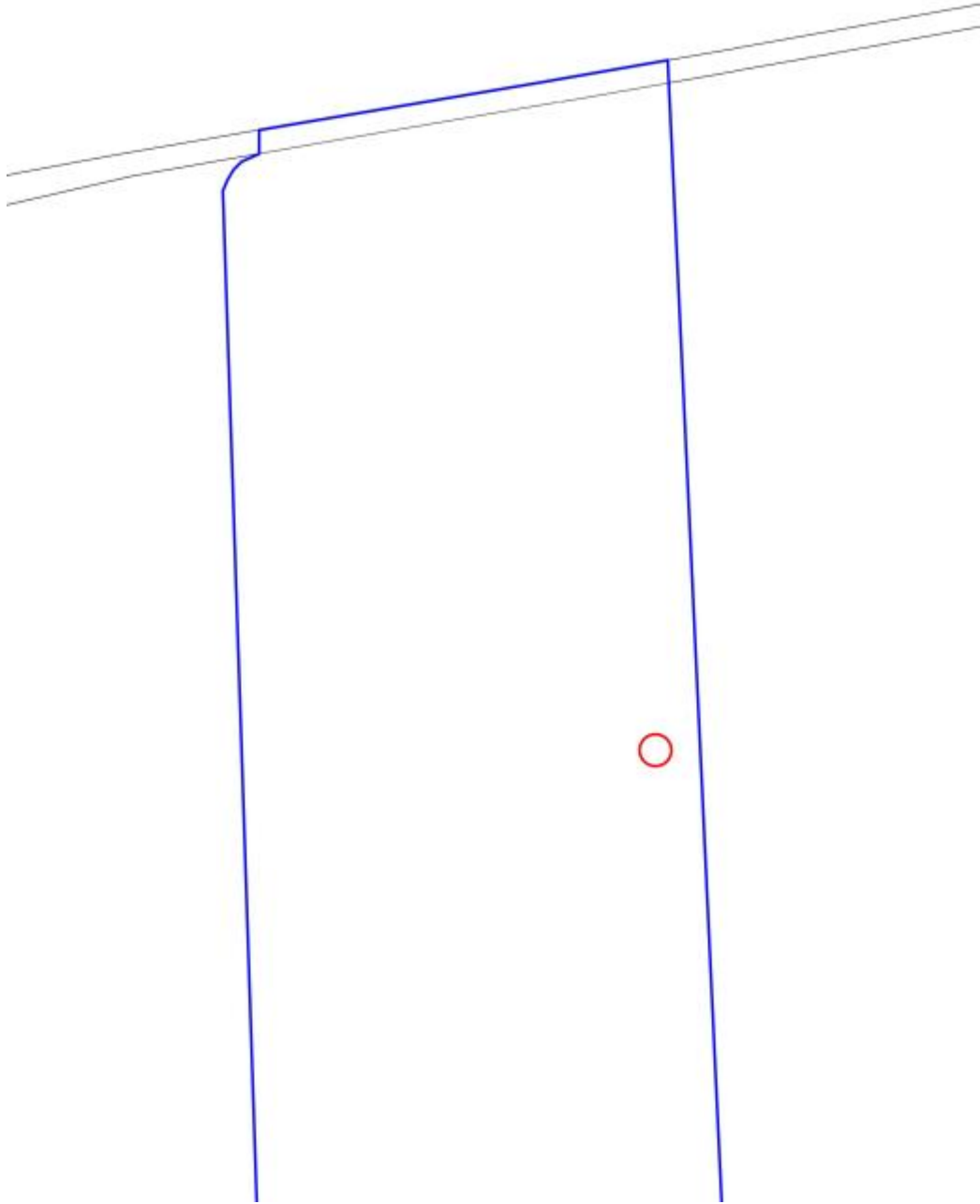


Not to Scale



GUILDFORD  
BOROUGH

21/P/00293 - Lot 4, Westwood Lane, Wanborough, Guildford



Not to scale

**App No:** 21/P/00293  
**Appn Type:** Full Application  
**Case Officer:** Katie Williams

**8 Wk Deadline:** 09/04/2021

**Parish:** Wanborough  
**Agent :** Miss Gascoigne  
Pike Smith and Kemp Rural  
Hyde Farm  
Marlow Road  
Maidenhead  
SL6 6PQ

**Ward:** The Pilgrims  
**Applicant:** Mrs Javaherizadeh  
C/O Pike Smith and Kemp  
Rural  
Hyde Farm  
Marlow Road  
Maidenhead  
SL6 6PQ

**Location:** Lot 4, Westwood Lane, Wanborough, Guildford, GU3 2JR  
**Proposal:** Provision of a water tap to facilitate water for the purposes of agriculture and a manhole to gain access to the metre and stop tap.

### **Executive Summary**

#### **Reason for referral**

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

#### **Key information**

The proposal is for the provision of a water tap to facilitate water for the purposes of agriculture and a manhole to gain access to the metre and stop tap.

The proposal consists of a standalone water tap on a wooden post which will be no more than 1m above ground level and the manhole will have a cover measuring 600mm by 450mm which will be flush to the ground, positioned centrally along the eastern boundary of the plot.

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

There is no in-principle objection to the proposed development which would be in keeping with the character of the area and would conserve and enhance the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity. The proposal is therefore recommended for approval.

### **RECOMMENDATION:**

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'site plan' and 'location plan' received on 12 February 2021.

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

### **Informatives:**

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - 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 pre-application advice was not sought prior to submission and the application was acceptable as submitted.

### **Officer's Report**

#### **Site description.**

The site comprises part of an agricultural field located to the west of Westwood Lane. The land is within the Green Belt and part of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). There is an Article 4 Direction covering the site.

The area is rural in nature and is defined by a small cluster of dwellings further to the east, open fields immediately to the east, west and north. The site itself is a narrow strip of land accessed via a track running to the north of the application site towards Westwood Lane to the east. The land is currently a field and remains undeveloped, sloping up southwards to the Hogs Back.

#### **Proposal.**

Provision of a water tap to facilitate water for the purposes of agriculture and a manhole to gain access to the meter and stop tap in order to facilitate the supply of water for the purposes of agriculture.

The application states that the land did have 100 walnut trees on site, however these dried up. The applicant's supplier informed the applicant that they had not been watered enough and needed irrigation. The applicant therefore intends to replant English walnut, hazelnut and almond trees. The application states that while the trees are self-sufficient in the long run, they require to be watered every once or twice a week for the first two growing seasons to ensure that they survive and as advised by the supplier, an irrigation system is required to do this. The provision of a water tap will ensure that the new trees can be watered regularly. In the future, the applicant intends to graze sheep alongside the growing of the trees, of which the sheep need a water trough to drink from and this is another reason as to why a water supply is required.

### **Relevant planning history.**

19/P/02128 - Proposed erection of fencing around site and gate (retrospective). Refused (19/02/2020); Appeal Dismissed (07/01/2021)

### **Consultations.**

#### Non-statutory consultees

Surrey Hills Area of Outstanding Natural Beauty Officer:

- would enable a parcel of land to be used for a purpose that conflicts with the wide open agricultural nationally protected landscape.
- the various nut trees intended to be planted here and requiring irrigation are not considered to be native to this landscape and would contrast with the open surroundings of this plot.
- two other applications at Wanborough Fields for water taps (20/P/01445 and 20/P/02015) having been permitted. However, they are in the AGLV and not the AONB as is this site which enjoys a higher status of protection.
- concern regarding the growing damage to the character of this landscape from the sale of many plots of sub-divided fields

*[Officer note: We can only consider the application in front of us which is for the tap and manhole only, not potential future uses.]*

#### Wanborough Parish Council:

##### Objects

- The installation of a water tap would be detrimental to the landscape as it would be visible from the A31, the B3000 and the public footpath a few metres away.
- It would neither conserve nor enhance the landscape and scenic beauty of the AONB.
- Applications 20/P/01448 and 20/P/02015 are both for land in the AGLV, and therefore of lesser value, and so should not be considered as relevant precedents.
- Following a refused Appeal, there is an Enforcement Order on this plot for the removal of a fence which has yet to be complied with. This planning application should remain undecided until the Enforcement Order is fully complied with. *[Officer note: The application must be determined on its own merits, we cannot hold pending action on a separate development]*

### Third party comments:

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

- proposal is unnecessary [*Officer note: There is no requirement for the applicant to demonstrate that it is 'necessary'*]
- would damage the AONB & AGLV
- previous appeal dismissed on same plot
- the proposed use of the site for cultivation of trees with mains irrigation goes against the open AONB / AGLV landscape
- the proposal is trying to establish grounds for further development
- will set a precedent for a proliferation of similar inappropriate developments
- will allow small piecemeal developments to occur
- do not understand how livestock can be kept on land where fencing is not permitted
- no parking proposed
- no specialist tree report provided to show that trees can be grown / survive here
- clearly visible from road and public footpath

*[Officer note: This application is for a water tap and manhole only. Planning permission is not being sought for the use of the land which is currently in agricultural use and would remain so should this application be approved.]*

### Planning policies.

#### National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 13: Protecting Green Belt land

Chapter 15: Conserving and enhancing the natural environment

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

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

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S1	Presumption in favour of sustainable development
P1	Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value
P2	Green Belt
D1	Place Shaping

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

- G1(12) Safeguarding and enhancement of the landscape and existing natural features
- G1(3) Protection of amenities enjoyed by occupants of buildings

## **Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- impact on character, AGLV and AONB
- impact on neighbouring amenity

### Principle of development

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In accordance with paragraph 145 of the NPPF, certain forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One such exception is engineering operations. This policy stance is echoed by Policy P2 of the Local Plan. The proposal is for a minor engineering operation and there will be no detrimental impact on the openness of the Green Belt.

The application states that the land would be used initially for the planting of trees and then to keep sheep alongside the growing of the trees. The applicant states that the trees will need to be watered once or twice a week for the first two growing seasons to ensure their survival and the proposed livestock will also require access to water. Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including: 'horticulture, fruit growing, seed growing, dairy farming; the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land. As such the proposed use of the land would fall within the definition of agriculture and no change of use of the land is sought.

Policy RE13 of the saved Local Plan relates to proposals for new agricultural buildings within the Green Belt. However, this is not considered relevant in this case as the proposal is for an engineering operation and not a new agricultural building. There is therefore no requirement to establish whether the proposed works are 'reasonably necessary' for the purposes of agriculture.

The principle of the development is therefore considered acceptable.

### Impact on character, AGLV and AONB

The proposal consists of a standalone water tap on a wooden post which will be no more than 1m above ground level and the manhole will have a cover measuring 600mm by 450mm which will be flush to the ground. The proposed development would therefore be minimal in terms of its scale and would therefore not be a prominent feature in the landscape. Furthermore, the provision of taps within the countryside to meet the water needs of livestock would not be out of character in this rural landscape. It is considered that the proposed development would continue to conserve and enhance the AONB and would not result in any harm to the distinctive character of the AGLV. The proposed development is therefore considered to be acceptable in this regard.

### Impact on neighbouring amenity

The proposed development would be located at a distance of over 100m to the nearest residential dwelling. Taking into consideration the nature of the proposal and the significant distance between the development and the neighbouring property, no concern is raised with regard to any adverse impact on neighbouring amenity.

### **Conclusion.**

There is no in-principle objection to the proposed development which does not cause any change of use of the land away from an agricultural use. Furthermore, it would be in keeping with the character of the area and would conserve and enhance the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity. The proposal is therefore recommended for approval.

There is no in-principle objection to the proposed development which would be in keeping with the character of the area and would conserve and enhance the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity. The proposal is therefore recommended for approval.