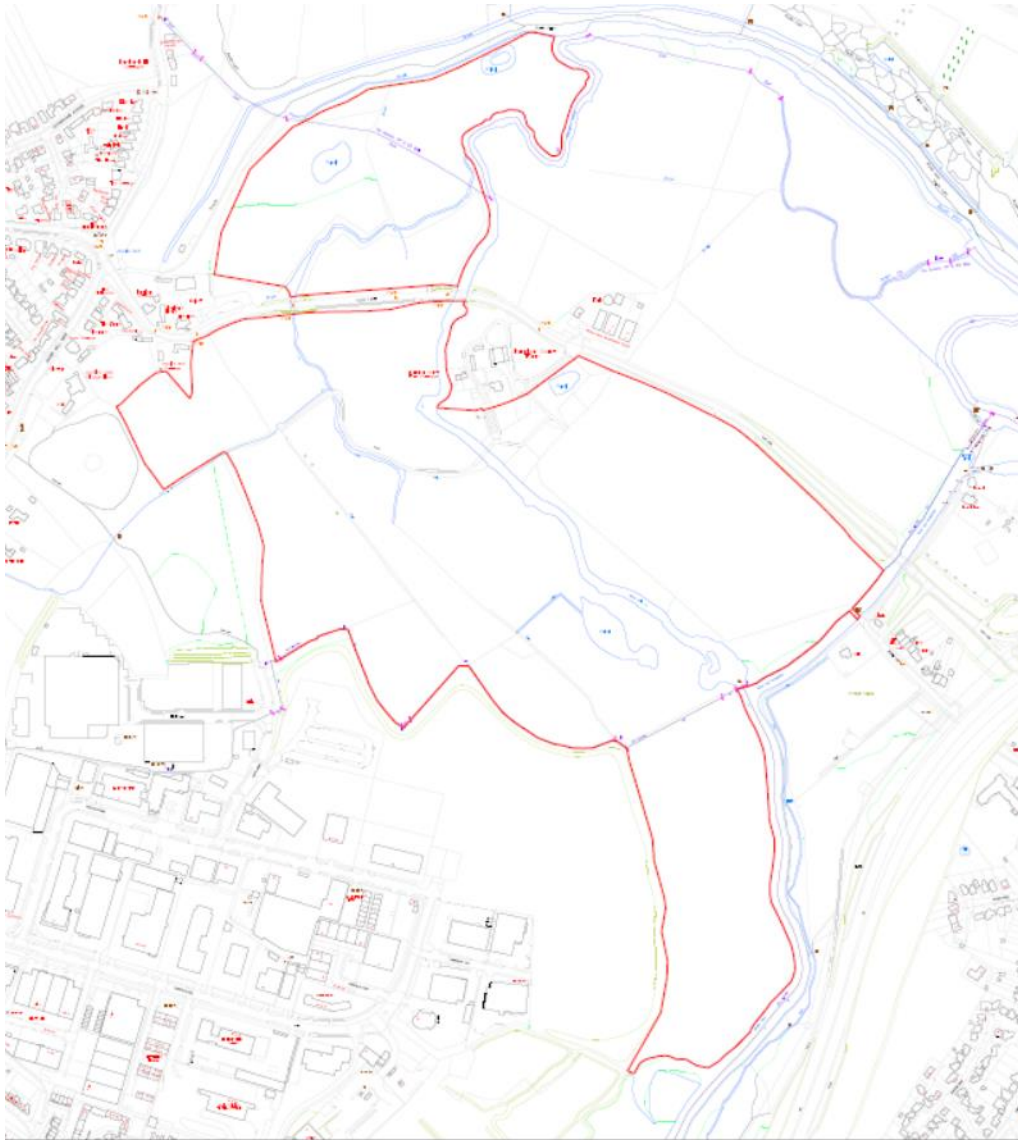
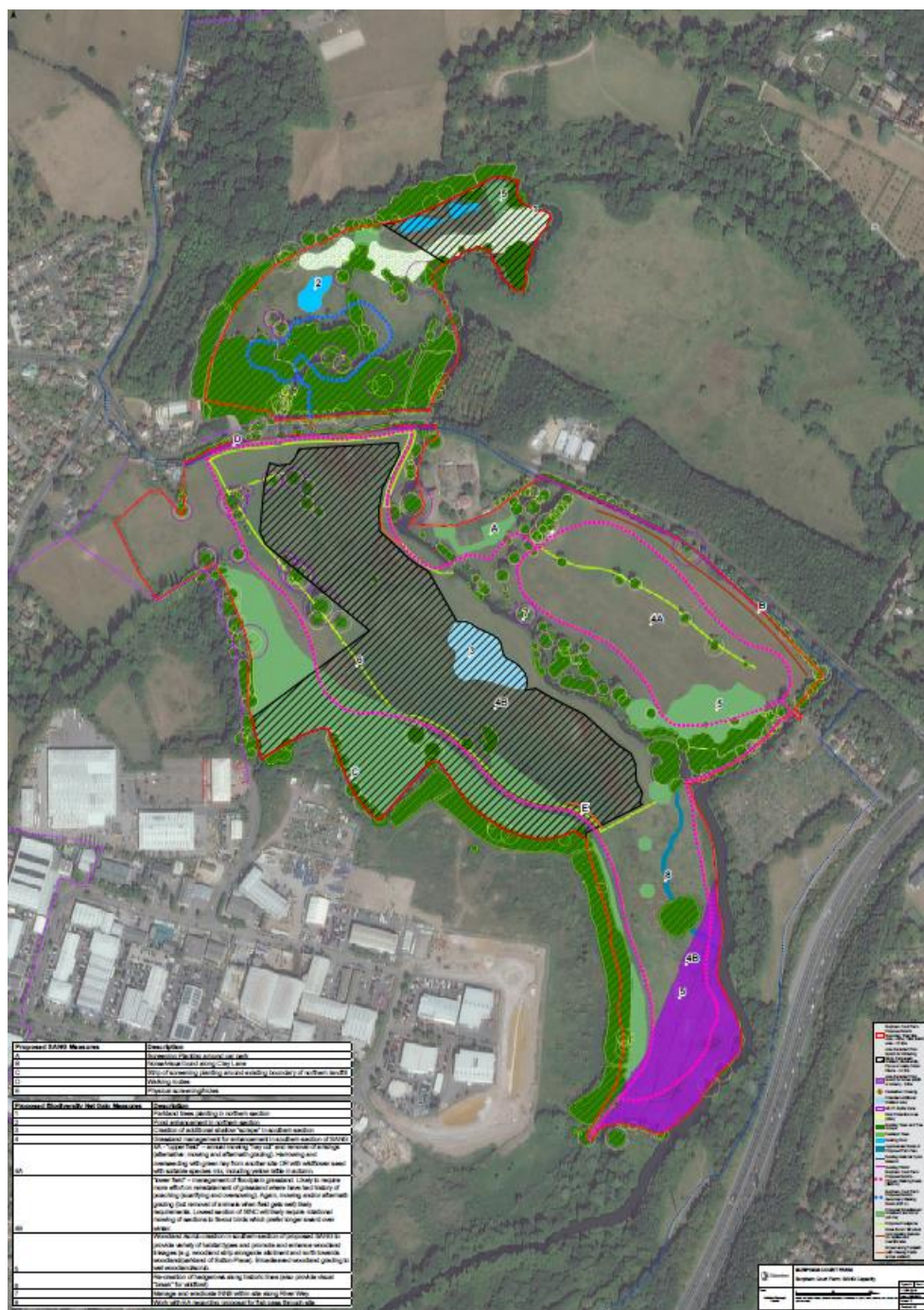


**20/P/02173**

**Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA**



**Not to scale**



**App No: 20/P/02173**  
**Appn Type:** Major  
**Parish:** Unparished  
**Agent :** Savills

**16 Wk Deadline:** 21<sup>st</sup> March 2021  
**Case Officer:** Kelly Jethra/Andrew Lainton  
**Ward:** Stoke, Worplesdon and Burpham  
**Applicant:** Guildford BC c/o The Agent

**Location:** Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA

**Proposal:** The change of use of the site to 45.9 hectares of land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The application itself has been screened as not requiring Environmental Assessment, however the Slyfield Urban Village application has been and is required to assess cumulative impact and hence its Environment Statement (ES) assesses cumulative impact of several other proposals in the Slyfield project, including the Burpham Court Farm application.

How each of the schemes is assessment in the Environment Statement is shown below:

<b>Planning Applications</b>	<b>Assessment within the ES</b>
<b>Weyside Urban Village</b>	The Proposed Development assessed in the main WUV ES report
<b>New STW</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>New CRC and WRC</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>Burpham Court Farm COU</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2
<b>North Moors and Aldershot Road Allotments</b>	Incorporated into future baseline conditions assessed within WUV ES Volume 1
<b>Other existing and/or approved developments</b>	Assessed cumulatively with the Proposed Development in WUV ES Volume 2 Developments that are under construction or with discharged conditions are assessed as part of the future baseline within WUV ES Volume 1

# **1 Executive Summary**

## **1.1 Reason for Referral**

- 1.1.1 This application has been referred to the Planning Committee because it is a key project related to the adjoining Slyfield Area Regeneration Project (SARP) and is key to enabling the wider project A24 which is one of the largest strategic sites in the Guildford Borough Local Plan: strategy and sites (LPSS) 2019 and is the Council's main regeneration project.

## **1.2 Executive Summary**

- 1.2.1 This application has been prepared on behalf of Guildford Borough Council ('the Applicant') as land owner in support of the redevelopment of part the land allocated for the Slyfield Area Regeneration Project (SARP).
- 1.2.2 The application is for change of use to public open space/nature reserve, as a SANG itself is a function of areas which are within these land uses. The purpose of a SANG is to provide attractive green spaces for recreation in areas where development could bring increased visitor pressure on Special Protection Areas (SPAs) in accordance with adopted local plan policy.
- 1.2.3 Guildford is within the Zone of Influence of the Thames Basin Heaths Special Protection Area (SPA). The SPA was designated under the European Birds Directive in March 2005; it aims to protect important breeding populations of ground nesting birds. It includes 8,274 hectares (ha) of heathland across Surrey, Hampshire and Berkshire, covering nine different local authorities, including Guildford. As a result, SANGs are necessary as proposals for residential development come forward in Guildford. SANGs are a central element of the Council's Special Protection Area Strategy for the Thames Basin Heaths to reduce pressure on the SPA by providing attractive green spaces that people can use for recreation instead of the SPA.
- 1.2.4 The area identified for SANG is divided by a branch of the River Wey and Clay Lane and is found North of and adjacent to Slyfield Industrial Estate and areas allocated for the Slyfield Area Regeneration Project. The area identified for SANG is also located north east of the Weyside Urban Village (WUV) site, which is allocated in the adopted Guildford Borough Local Plan to deliver approximately 1,500 homes. An application on this site was submitted in December 2020 and is a later item on this agenda. It is anticipated that the area identified for SANG will assist considerably in providing mitigation for WUV and other development in the Guildford area before they are occupied to enable Guildford Borough Council to meet its housing need as set out in the adopted development plan.

## **1.3 Reasons for Recommended Decision**

- 1.3.1 The scheme complies with the requirements of National Policy (being an appropriate use in the Green Belt), local plan and the [Thames Basin Heaths SPA SPD](#). The proposals would preserve the openness of the Green Belt and the purposes of including land within it
- 1.3.2 With the suggested conditions unsuitable areas for a SANG-Open Space are excluded from the application, and a suitable car parking area included.
- 1.3.3 With these changes the site has demonstrated suitability for change of use to a SANG – open space with safe highway access.

- 1.3.4 There would be less than significant harm to the setting of Burpham Court Farm Cottages from the use of the derelict pigsties, however this is outweighed by utilising a brownfield location for the car park as other locations would result in a loss of habitat in a sensitive area. This location is supported by a number of nature conservation consultees. Adequate screening can be provided through the landscaping condition.
- 1.3.5 There are no other significant material considerations.

## **Formal Recommendation**

That this application be **GRANTED** subject to securing a planning obligation with the heads of terms as set out in Appendix 1, and subject to the conditions set out in Appendix 2, for the reasons set out in section 1.31.-1.3.5 above and expanded on in the body of the report.

That the Head of Place (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives) prior to a decision notice being issued, provided that the Head of Place (or person with acting authority thereof) is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee, where necessary in consultation with the Chairman of the Planning Committee and lead Ward Members for Stoke, Worplesdon and Burpham Wards.

That upon completion of the planning obligation, the application be determined by the Head of Place.

That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Head of Place(or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.



### 3 Relevant Planning History

- 3.1.1 An online review of planning history reveals no relevant planning applications on the site. Notable planning history adjacent to the site includes:

Planning reference	Description	Decision
20/P/00725: Burpham Court Farm, Clay Lane, Jacobs Well, Guildford, GU4 7NA	Proposed change of use of existing agricultural building to form a single residential dwelling, with associated access, landscaping, amenity space and parking (Amended description and amended plans received 19/08/2020).	Approved Fri 19 Mar 2021
<b>Ref 20/W/00060, dated 27 April 2020</b>	<p>The development proposed is described in the application form as 'conversion of existing agricultural buildings (referred to as buildings 1 to 4) to form 4 no. residential dwellings'</p> <p>The appeal is allowed and prior approval is granted under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for the conversion of existing agricultural buildings to form four dwellinghouses (use class C3) and associated building operations at Burpham Court Farm, Clay Lane, Jacobs Well, GU4 7NA in accordance with the terms of the application Ref 20/W/00060, dated 27 April 2020, and subject to the conditions set out in the attached schedule.</p> <p>'The proposals would not, whether considered individually or cumulatively, amount to a rebuild of the existing buildings that goes beyond what is reasonably necessary for conversion to residential use. Furthermore, the works would not amount to either a complete or substantial re-building of the pre-existing structures, or in effect, the creation of a new building or buildings.... The proposed building operations would be reasonably necessary to convert the buildings to dwellinghouses and would fall within the scope of works allowed under Class Q (b).'</p>	<p>Appeal Allowed 15<sup>th</sup> Sept 2021</p> <p>Appeal Ref: APP/Y3615/W/20/3265437</p>

### 4 Consultation

- 4.1.1 The following bodies and residents were consulted, where no reply has been received this is indicated.
- Woodland Trust
  - Surrey Wildlife Trust, The Old School

- National Trust - Wey Navigation
- Worplesdon Parish Council, Unit 2 Beaufort, Parklands
- Natural England
- Guildford Society
- Surrey County Council Highways
- SCC SuDS Team
- Thames Water Development Control (Planning) – No reply
- Forestry Commission – No reply
- Tim Holman Tree Officer – No reply
- Campaign to Protect Rural England – No Reply
- SANGs Officer – No Reply
- Stephen Cake - Designing Out Crime– No Reply
- Andrew Taylor – Surrey Hills AONB -No Reply
- Geoff Monck – Trees Officer - No Reply
- Planning Policy – No Reply
- Parks & Countryside –
- Design & Conservation -No Reply
- Hankinson Duckett Associates
- Burpham Court Farm Cottages are Willow Tree Cottage and Moles Cottage – No reply

## **5 Consultation Responses**

5.1.1 Many of the responses referred to an original SANG concept design submitted in December 2021. Since then, there has been engagement with Natural England and GBC Parks and Countryside to revise the SANG Concept and a revised plan was submitted in September 2021. The SANG concept plan will need to be refined in relation to conditions imposed by this consent and a condition proposes the completed design be submitted for approval by Natural England and the LPA. This will be subject to condition.

### **5.1.2 Statutory Consultees**

#### **5.1.3 Natural England – No Objection to SANG application alone**

As submitted, this application itself does not include residential development and would not have likely significant effects on the Thames Basin Heaths Special Protection Area (SPA) through increased recreational disturbance. Therefore Natural England have no objection to this proposal as a standalone application.

However, if any dwellings were to come forward wishing to use this site as their SPA mitigation then Natural England would currently object to this. The individual 'bespoke' proposals for avoidance and mitigation measures offered with this proposal are not considered to be appropriate because there is currently insufficient information to enable certainty that the use of this SANG to provide mitigation will be effective in ensuring no likely significant effect arising from recreational impacts to Thames Basin Heaths SPA.

Natural England advises that further information is required from the applicant to enable certainty that there will not be a significant impact upon the SPA from any developments wishing to use this SANG. We advise that further information is sought on:

- The exact length of primary circular walk. The requirement for a SANG is a minimum of 2.3km and this application states that it would be 'approx 2.5km+' which is fine but we would need to know the distance exactly;



- A SANG Management Plan containing information on the proposed long term management, costs and funding of the SANGs for in perpetuity (who will management ultimately default to, Natural England's preferred option would be the LPA);
  - An agreement from Land Trust that they intend to manage the SANG in perpetuity if this is the case and wording included regarding step-in-rights. Alternatively, we would need confirmation that Guildford Borough Council agrees step-in-rights.
  - Information on which areas will be discounted from the SANG due to noise being above 60db, areas for birds and flooding (if people cannot access certain parts of the SANG all year round). We would need to know the total hectareage of the site once the discounted areas have been taken into account.
  - Information on which option will be taken as a result of the noise assessment to ensure no noise is above 60db due to its location adjacent to the A3 and its potential to disturb SANG users.
  - Information on the car parking. Natural England want it officially recorded that a minimum of 32 car parking spaces will be required for this SANG, not the 12 spaces recorded elsewhere. Ordinarily the rule of thumb would be one space per hectare of SANG, however we accept a modest reduction here as some of the housing attributed to the SANG will be within 400m of the SANG and thus walking distance.
- Please re-consult Natural England once this information has been obtained.

#### **5.1.4 Surrey County Council Highways – Require More Information**

I refer to the above planning application upon which you have requested our consideration of the highway and transport issues. I am currently considering this application alongside the Transport Assessment submitted as part of the Weyside Urban Village application (20/P/02155). As a result of considering the applications together, the full response for this application will be slightly delayed. However, in the meantime, I have the following comments:

1. Please could you clarify whether the layout of the proposed SANG, including the specification and alignment of the proposed pedestrian pathways, subject to this application? The Transport Statement submitted suggests that the layout of the site is to be determined by a future detailed design application.
2. The proposal includes public access on both sides of Clay Lane and subsequently a crossing facility should be provided, as concluded by the Transport Assessment. However, I do not consider that this matter can be deferred for detailed approval at a later date as we cannot otherwise determine whether it is fundamentally acceptable. On this basis, I think a crossing location must be set out at this stage, and be subject to a design assessment and Road Safety Audit. The proposed car park access should also be safety audited. SCC can arrange this and add it to the list of Safety Audits being undertaken as part of the Weyside scheme, but this will delay our response on this application considerably.

#### **5.1.5 Surrey County Council –Flooding**

As there is no change to the existing drainage or surface water regime, we would have no further comments

The Flood Risk Assessment by Stantec refers to footpaths and carparks that are to be included within the SANG; these elements will require design some form of drainage that does not increase surface water flood risk on or off site. No details have been submitted within this application. There appears to be opportunity to accommodate sustainable drainage systems (SuDS) within the site. Consideration should be given to including SuDS where possible.

#### 5.1.6 Internal Consultees

#### 5.1.7 **GCC Conservation Officer**

The application seeks consent for the change of use of 45.9 hectares of agricultural land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The area identified for SANG is sited approximately 3km north east of the centre of Guildford. The site is of an irregular shape and is divided by a branch of the River Wey and Clay Lane and adjoins the Slyfield Industrial Estate to the south. A small enclave of properties known as Burpham Court Farm are situated toward the north of the site.

There are a couple of designated heritage assets that have been identified as having the potential to be impacted by the proposed change of use. These are namely:

- Wey and Godalming Navigations Conservation Area;
- Burpham Court Farm

Each heritage asset has been assessed individually and this is reflected in the following comments.

##### *Wey and Godalming Navigations Conservation Area*

##### **Description**

The proposed development site sits adjacent to the Wey and Godalming Navigations Conservation Area (WGNCA) which, as its name suggests, is a conservation area that is dedicated to the Wey and Godalming Navigations. The Navigations is a long and sinuous inland canalised waterway. In total it provides a 20-mile continuous navigable route from the River Thames at Weybridge, all the way through to Godalming, via Guildford, entering and exiting Guildford Borough at Wisley and Peasmarsh respectively. It passes through a rich tapestry of varied landscapes as it traverses the borough, ranging from tranquil flood plain meadows through to the bustling urban environment of Guildford Town Centre.

The waterway was opened in two sections. The course between Guildford and Wisley, running all the way through to the Thames is historically known as the Wey Navigation and was completed in 1653, making it one of the earliest rivers to be made navigable in England. Whilst the southern extension, the Godalming Navigation, was seamlessly added in 1760. The purpose of its conception was to provide a more efficient and practical means of transportation between Guildford, London and beyond, particularly for commercial traffic. Of particular note the route has facilitated the transportation of timber and stone to London following The Great Fire in 1666, including construction materials (stone) for St Paul's Cathedral, as well as providing a safe conduit for the shipment of gunpowder from Chilworth Powder Mills.

Today it is valued as a multifunctional asset fulfilling important amenity, biodiversity, transport, leisure and recreation roles. It also forms an essential part of the borough's green infrastructure network and makes a fundamental contribution to the landscape quality and character of the borough.

A couple of pieces of notable canal infrastructure that can be found along this particular stretch of the Navigations which is considered to contribute and enrich the significance of the Conservation Area are Stoke Lock and its associated Lock-keepers Cottage. Stoke Lock as seen today was opened in 1653 having been constructed from some reclaimed stone from one of Henry VIII's palaces and is noted as being the oldest lock in Surrey. It is thought, but as yet, no conclusive proof, that it could possibly be the oldest lock in the country. The lock-keepers cottage, sited on the NW bank of the lock, dates from 1882 and replaced an earlier building.

### *Setting*

Originally, the Navigations setting of the section that is most relevant to this application, would have comprised of rural open countryside on both sides (NW & SE) with possible views towards nearby isolated farmsteads. Nevertheless, over the past few centuries, as a consequence of industrialisation and population growth, this setting has undergone notable change, specifically on its NW bank. Initially from the advent of the STW that is located within the application site, but also as a result of Guildford's suburban expansion, which has yielded a significant amount of housing in this area. Despite being in such proximity to these new additions to the landscape the Navigation bank is naturally planted with trees and vegetation, and there are only a small number of instances where existing structures are legible or partly legible in view from the towpath.

In contrast, the Navigations setting along its SE bank has, certainly in the visual foreground, remained rather bucolic with the retention of adjoining mature water meadow and woodland which is now an 80-hectare nature reserve, however the background noise of the nearby A3, which sits approximately 250m away, serves as a reminder that this not a totally rural setting. Taking into account the above the conclusion is the character of this part of the Navigations is probably best described as being urban-rural fringe.

### *Significance*

The significance of a heritage asset is defined by its archaeological, artistic, architectural and historic values. In the case of the Conservation Area this can be summarised as follows:

#### Artistic and Architectural

- Represents a locally valuable and environmentally sensitive water corridor
- The area's natural qualities and character subtly and harmoniously combine with the prevailing remnants of the industrial revolution
- Retention of key pieces of canal infrastructure
- The Lock-keepers cottage is a good example of local vernacular architecture

#### Historic

- WGNCA instrumental in continuing and enhancing Guildford's prosperity – enabling an efficient and quicker way of transporting goods thereby encouraging both industry and agriculture
- Both the WGNCA and Stoke Lock, by virtue of their early technical innovation as pioneering examples of canalisation

The National Trust who are custodians of the waterway have produced their own Statement of Significance for the Navigations which states:

"The Wey Navigations is nationally significant as one of the earliest waterways to be made navigable which, when combined with the Godalming Navigations, form the southernmost extremity of the Inland Waterway network. Together the Navigations represent a locally very important and environmentally sensitive corridor through Surrey, linking heavily populated and commercially developed suburban areas with open countryside. The corridor offers unique opportunities for informal recreational enjoyment, educational development and historical enrichment by a wide range of visitors and users. The development and use of the Navigations over the past 350 years has significantly influenced local history, commerce, townscape and landscape throughout the valley of the Wey from Godalming to the Thames at Weybridge."

#### Impact on Significance

The proposed change of use allows for the retention of the existing rural landscape character that is experienced along this stretch of the Navigation, and as such would not detract from the adjoining conservation area. Given this, and the modest level of

infrastructure required, I am satisfied that proposal would not harm the setting or the significance of the WGNCA.

### *Burpham Court Cottages*

#### *Description and Setting*

Nos 1 & 2 Burpham Court Cottages are pair of fairly modest and unassuming 2 storey cottages which date back to the early 17th Century, that are located within and historically associated with the Burpham Court farmstead. It is believed that the parts of the farmstead date back to the 11th Century, with the earliest building on the wider site not appearing until the middle of the 17th Century, when the 1768 John Rocque Map of Surrey illustrates boundaries of fields and buildings marked as Burpham Farm. In addition to the cottages the farmstead also included the farmhouse, and a number of historic outbuildings and agricultural buildings. The farmhouse and the outbuildings are situated fairly centrally, whilst the cottages are located on the western side of the complex, immediately adjacent to the River Wey Navigation. The farmstead's configuration consists of linked ranges formally arranged around a couple of yards, which is a fairly common arrangement for estate farms, as this once was.

With regards to the cottages, historic records indicate that No.2 Burpham Court Cottage now occupies the original 17th century structure, whilst No.1 Burpham Court Cottage is largely contained within a late 19th Century extension that was undertaken under Lord Onslow's ownership of the site.

The 17th century section of the property is identifiable by its timber framed construction (parts of which are still externally exposed on the property's north elevation) and red brick infill, whilst the 19th Century addition is solely of brick construction. Both sections are covered over by a plain tiled pitched roof, however the 19th Century section is made more discernible as a result of its hipped form. Articulating this roofscape is a total of three brick chimney stacks.

The overall built form of the cottages, following their subdivision at the end of the 19th Century, remains intact and clearly legible, and the integrity of the historic fabric and exterior treatment remain essentially intact. The cottages exhibit a variety of window and door styles which suggest these have been replaced at various times.

The listing description reads as follows:

*Cottages. Early C17 with C19 extensions to right end. Timber framed centre and left on rendered plinth, exposed with brick infill, red brick extensions to right. Plain tiled roof hipped to right and over extension. Two storeys. 3 framed bays with extension projecting to front right. Front ridge stack to left, end stack to right. 3 casement windows in first floor centre left, one larger casement window to right of centre, one 3-light cambered head casement to first floor right. 3 casement windows to ground floor, with one single arched casement window to right. Single storey, low pitched gable extension projecting to left with C20 planked door under pentice drip course. (No. 2). Further door to right hand return front (No. 1).*

#### *Significance*

*The significance of a heritage asset is defined by its archaeological, artistic, architectural and historic values. In the case of the Burpham Court Cottages this can be summarised as follows:*

- *Good example of early 17th century domestic vernacular architecture*
- *A domestic structure that forms part of a legible historic courtyard 'E' plan estate farmstead with medieval origins - Opportunities to recognise, understand and appreciate their contribution to the collection of buildings*

### *Impact on Significance*

In one sense there is a concern that the proposed change of use from agricultural to a SANG does start to dilute the farmstead setting of the cottages, particularly the land to the south, which has had a long historical association with the farmstead, thus weakening the overall historic narrative. Despite recent development works to and around the farmstead, including conversion of outbuildings to domestic use, the arrangement of the agricultural grouping and their relationship with the surrounding land, including 'farmland' continues to be perceptible. Nevertheless, it is acknowledged that the proposed change of use would allow for the retention of the existing rural landscape character, albeit in a slightly modified way.

The main areas of modification would be the provision of formalised walking routes; seating and rest stops; interpretation boards and signage, and carparking. All of these are features which are not typically associated with farmland, but in most instances would not necessarily be too discernible in views to be of concern, particularly once the landscape becomes more established over time. The exception to this is the proposed carpark. This is shown to be sited close to the Burpham Court Farm boundary, approximately 50m south of the statutory heritage asset, and would also be accessed through the complex

Paragraph 5.27 of the supporting Planning Statement states that the maximum capacity of the car park would be 12 spaces, however this is contradicted by the supporting Heritage Statement which indicates in paragraph 4.10 that the proposals are for a minimum of 12 car parking spaces but goes on further to say that this is expected to increase to approximately 30 car parking spaces.

Based on the indicative plans provided, the introduction of a formalised carpark in very close proximity to the listed cottages, along with the proposed convoluted route of access as illustrated in the indicative plan is of significant concern for the following reasons:

- Increase traffic and movement through the historic farmstead and alongside the listed cottages
- The imposition of formal parking and ensuing parked vehicles with the setting
- The dilution of formal courtyard plan as a result of the meandering vehicular access

Given all of the above I have to conclude that proposed change of use would result in harm to this statutory designated heritage asset. When assessing 'harm', current good practice is to firstly identify whether the harm is substantial or less than substantial and to then consider it against a spectrum, ranging from low to high. With that in mind, and given all that has been discussed above, I would conclude that the degree of harm caused to this asset would be classed as less than substantial. However, in terms of where on the spectrum it would fall, this is pretty difficult to conclusively determine. The harm resulting from the change of use by itself would certainly be at the lower end of the spectrum, however, given that certain infrastructure (paths, car parks, etc...) is required in order to implement, then I find myself concluding that the harm will undoubtably increase, more so if the parking capacity is be increased.

Nevertheless, as harm has been identified this means that paragraph 202 of the NPPF needs to be engaged, with the resultant harm being weighed against the public benefits of the proposal.

#### 5.1.8 GBC Parks and Countryside

Thank you for the opportunity to provide comments on the updated SANG concept plan dated 10/06/2021 that has been made available on 22/09/2021.

Several issues regarding the SANG development were raised by the Parks Section, including SANG Officer and Tree Officer. Those were submitted as a draft document to Planning on the original submitted concept plan dated 17/12/2020.

The Countryside team had concerns that the concept plan (17/12/2020) for the layout at Burpham Court Farm SANG impacts negatively on existing biodiversity and misses opportunities to protect and enhance wildlife habitat through Biodiversity Net Gain.

It was also doubtful that the proposed access network adequately addresses issues with future management and maintenance, including likely visitor movements, user conflicts, infrastructure safety and maintenance. The SANG layout should be considered within the wider SANG Network in the area, building on connections with already existing SANG.

The Parks and the Countryside Team recommended several adjustments to make the SANG proposal acceptable in planning terms and we have welcomed the opportunity to take part in discussions with the developer to address the concerns. This is reflected in the new concept plan dated 10/06/2021.

We welcome the opportunity that the site provides for Wey Valley habitat improvement works and partnership programmes under the umbrella of the Wey Landscaped Partnership.

Burpham Court Farm has, as Council owned site, the potential to set an example on implementation of policies of support the Governments Environment Plan and emerging Biodiversity Net Gain policies.

Key objectives in line with the Guildford Council's adopted Countryside Vision:

- Minimise disturbance to wintering wader habitat in middle part of site (South of Clay Lane)
- Maximise opportunity to create new wintering wader habitat on site North of Clay Lane
- Avoid changes to northern ridge and furrow
- Enable fish bypass channel
- Protect veteran trees (protect root zones, aim to reduce water logging)
- Create access for SANG and link into opportunities to develop a "super SANG" through existing SANG network
- Design new infrastructure with the aim to retain a natural environment, minimise urbanisation and long-term maintenance requirement

*Design principles:*

- Utilise/ upgrade ditch system for water level management and visitor management
- Use footpath system to provide larger SANG route utilising Riverside (as this is the obvious access route from WUV).
- Keep footpaths on higher elevations to avoid flooding and minimise impact on flood plain
- Provide new river crossing at location of weir
- Minimise disturbance from north / south path
- Plan in potential need for additional car parking. Use location that draws people away from sensitive areas.
- Design site for management with conservation grazing in western part of site and north of clay lane.

*Development of the new concept plan:*

GBC Parks and Countryside welcome that the following proposed amendments have been addressed in the new concept plan (10/06/2021) in discussion with Natural England.

1) Southern Part of BCF:

Locate bridge crossing in a location near the existing weir.

Reasons: To reduce disturbance to overwintering waders using wetland scrapes in the middle of the site. Utilise existing foundations. Provide circular SANG route.

2) Land North of Clay Lane:

Redesign access to provide additional access through southern wooded part and remove access to the northern part.

Reason: To provide access to woodland habitat and create variety of site experiences, including nature watching opportunities. Create wetland scrapes and wintering wader habitat in northern part of this site through biodiversity net gain. To provide habitat enhancement and mitigation for potential disturbance in middle part of BCF.

3) Mature/ veteran trees:

Locate footpaths away from important trees (i.e. min 15m+)

Reason: To protect and improve health condition of mature/ veteran trees

*Further recommendation for SANG Management Plan:*

The Parks and Countryside Section made further recommendations that should be considered in the development of the detailed SANG management plan and would welcome the opportunity to be consulted in the development of the plan.

1) Car Parking: We recognise the constraints in relation of the car park location. We would like to see further communication on the car park design with this department so that any impacts on the site, including operational constraints and visitor movements can be managed through design.

2) North/ South cycle route:

This route should be located close to the western site boundary.



Reasons: To reduce disturbance to overwintering waders using wetland scrapes in the middle of the site, use of land form to ensure path does not flood, protect mature/ veteran trees.

3) Management through conservation grazing:

It would be beneficial to clarify conservation grazing areas in the site design and management plan.

7) Access: There are further access opportunities from the public footpath adjacent to the industrial estate and Parish Council Field.

8) Trees: Consider adjusting and clearing ditch network, so that water levels can be controlled and water logging to trees can be reduced without compromising wader habitat.

9) Biodiversity Net gain areas: We would welcome further discussion about the suitability of BNG proposals for the long term vision of habitat development on site.

#### 5.1.9 HDA Landscape – GBC Specialist Landscape Advisors

This is a full application, but the proposals are presented only in outline (e.g., it is evident that the proposals are at an early stage in the design process given the title of the only drawing showing the proposals which is “indicative SANG concept plan”). To ensure that a SANG can be delivered on this site, an initial detailed site quality checklist, based upon Natural England’s SANG twelve criteria (2008) of ‘must/should haves’, should be provided (in much greater detail than addressed at paragraph 5.7 of the Planning Statement). It is imperative for the application to demonstrate that the site is fit for propose as a SANG, for example, would flooding issues, noise levels (generated by traffic on the A3 and Clay Lane) or the need for biodiversity exclusion areas, limit the amount of land available for SANG purposes. Following on from the checklist, the application should also be supported by detailed hard and soft landscape plan(s) (based upon the topographical survey used for the Tree Constraints Plan) and a SANG management plan, including ‘in perpetuity’ maintenance costs.

The following issues require resolution prior to any planning approval:

- a. Access from the southern end of the SANG to link to WUV – A pedestrian connection needs to be resolved relative to the proposed waste recycling centre, the Ancient Woodland (and its 15m non-development buffer), retention of tree T63 and woodland G58.
- b. Given that people will naturally gravitate towards the river, to walk along its banks, the applicant needs to confirm if this would be in conflict with ecological objectives and whether any means of resisting/controlling access will be required?
- c. Access to the car park – Demonstration that there will be no impact arising from widening the access track on trees T454, T455 and T457 (all Category B) or submit designs for no-dig construction methods in the Root Protection Areas (RPAs) of these trees.
- d. The proposed car park would utilise the footprint of former cattle sheds [sic piggeries], which is commendable as no new areas of hardstanding would be introduced into the site.

However, there are concerns that the car park is not big enough (guidance of 1 space per hectare of SANG), therefore where will the additional parking be located and would it be preferable to split provision so its visual intrusion is reduced?

- e. There are also concerns that given the car park’s distance from Clay Lane it would be difficult to keep it under surveillance from the road (though its proximity to buildings at Burpham Court Farm would provide some natural surveillance, but also the potential for disturbance to these residents). The applicant will need to demonstrate that car park security has been adequately addressed, either through installation of CCTV, or management to close the car park at dusk. There is also the potential that the existing Jacobs Well village hall car park will be utilised by SANG users, but this is unlikely to be acceptable to the parish council, unless some agreement is put in place (for upkeep).

- f. A vehicle height restriction barrier should be included on the access to the car park. If the car park access is also proposed for use by maintenance vehicles, details of how potential conflicts with a height restriction barrier would be overcome should be provided.

g. Investigate other potential pedestrian accesses into the SANG to improve accessibility from the surrounding area, e.g., from Footpath 438 where it joins the northern end of North Moors, or from Harry's Memorial Field behind Jacobs Well village hall.

h. Pedestrian access is proposed from Bowers Lane over a bridge owned by the NT, therefore their agreement for its use/upkeep should be secured.

i. Confirmation is required from the applicant that the 2.5km SANG route can be accommodated in areas with noise levels below 60 decibels or whether mitigation will be required to enable this. If mitigation is required, details of this will be required (e.g., fencing along the A3 is likely to be detrimental to motorists' current views of roadside vegetation).

j. The SANG will need to be accessible to dogs off the lead. If areas need to be fenced off for biodiversity enhancement purposes (e.g., protection of ground nesting birds), then wire pig netting will need to be attached to the post and wire fencing. The excluded areas could not be counted towards SANG provision.

Access into the fenced off areas will still be required for maintenance operations.

k. Crossings of river – Would the crossing to the south-west of the car park utilise the existing concrete bridge (is it fit for purpose?) or is a new bridge proposed?

Submit proposals for new bridges, if any, for example, to north-west of weir.

l. Fish pass – Design details to be provided (and confirmation that these are acceptable to the Environment Agency), including how the fish pass is to be bridged (twice) by the SANG route. The proposed position of the fish pass should avoid the removal of the trees at G611.

m. The FRA confirms that the site is within Flood Zone 3, therefore details are required to demonstrate that the proposed SANG route would be accessible all year round, e.g., large lengths of the route may need to be accommodated on boardwalks and these will need to be designed with safety constraints and 'in perpetuity' maintenance costs in mind.

n. Potential impacts from the relocated SWWTW on the attractiveness of the SANG cannot be considered until the planning application is forthcoming. This will include potential visual effects and reference to an odour assessment.

o. Do the practicalities of providing a pedestrian crossing of Clay Lane make the SANG north of this busy road feasible? This parcel of land does not contribute to the 2.5km SANG route, therefore is it required to provide the necessary SANG capacity?

p. Verification of potential secondary circular walk route through the woodland belts of W712 and W713 to the north of Clay Lane to minimise impact on RPAs.

Issues raised by NE and NT should also be addressed.

Provision of the information requested above is required before a judgement can be made that the site subject of this application is suitable for use as a SANG

#### 5.1.10 GBC Tree Officer

I can confirm having reviewed the submitted arboricultural documentation and visited the site, I raise no objection to the proposal for the change of use from agricultural land to publicly accessed open space and Local Nature Reserve to facilitate a Suitable Natural Greenspace (SANG).

A Detailed Arboricultural Statement that has assessed the trees and woodland at Burpham Court Farm and surrounding farm land, has been submitted.

The detailed survey identifies 325 individual trees, 64 tree groups containing around 286 significant trees, 7 woodland groups and 2 hedges.

The report also highlighted a number of veteran trees of high value and remnant ancient woodland features.

In regard to ancient trees and woodland paragraph 180c of the NPPF states that 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'

The Forestry Commission and Natural England Standing Advice on Ancient Woodlands and Trees recommends that a 15 metre buffer be retained between the edge of ancient woodland and any proposed development.

A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.

The report highlights that all trees of value can be retained and only the removal of a small number of trees maybe necessary for footpath access.

To ensure the necessary protection to all retained trees and woodland (buffer zones, no-dig construction of paths etc) a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) will need to be submitted, once finalized plans are agreed. This should be in accordance with the British Standard 5837:2012.

If planning is approved, an appropriate condition will be required to secure the AMS and TPP.

Eg.

*No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan, in accordance with British Standard 5837:2012, has been submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the agreed Arboricultural Method statement and Tree Protection Plan.*

*No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.*

Reason: *To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.*

There will also need to be a long-term management plan for trees and woodland. A separate condition will be required to ensure the Woodland Management Plan is commissioned, implemented and updated when necessary.

## **5.2 Other Groups**

### **5.3 Woodland Trust – No Objection**

We have noted the application in question and the Arboricultural Statement submitted as part of this planning application. We consider that the Arb Statement has given strong consideration to the presence of both veteran trees and the candidate veterans that would be the successors to the existing generation of veteran trees. We note that the authors of the Arboricultural Statement, Treework Environmental Practice, have taken account of these trees and considered the appropriate planning guidance and policy related to veteran trees, including the need for buffer zones of 15 times the DBH / 5m beyond the crown (whichever is greater), as recommended in Natural England's standing advice and recognised by the Woodland Trust and Ancient Tree Forum.

As long as the proposals in question follow the guidance and practice suggested within the applicant's Arboricultural Statement and in standing advice, then the Woodland Trust has no objection to planning application 20/P/02173.

### **5.4 Surrey Wildlife Trust and Surrey Nature Partnership – Support**

Support proposal for its recreational and nature conservation benefits.

### **5.5 National Trust - Objection**

Summarised – full response on public access.

In principle the National Trust supports the proposal to create a SANG at Burpham Court Farm, which it considers to be an appropriate location for such use, consistent with the Trust's objectives for this stretch of the River Wey Navigation. However, the Trust has several reservations about the proposals.

#### *Biodiversity*

Most concerned about the inclusion in the SANG of the land to the north of Clay Lane. This area of land is of importance for wildlife and is largely undisturbed at present.

In the Ecological Appraisal submitted with the application it is recorded that this area has lowland mixed deciduous woodland, a priority habitat, and marshy grassland. The Ecological Appraisal also notes the presence of protected species including great crested newt, reptiles, reedbed birds, bats and barn owls. That being the case there is no doubt that increased recreational use, including dog walking, would be prejudicial to the habitats and protected species in this area. The Trust considers that the land north of Clay Lane should be excluded from the SANG and that consideration should be given to the inclusion of alternative, less sensitive blocks of land within the application site. The area to the north of Clay Lane should remain as a wildlife refuge, suitable for some of the more specialist species, such as otter.

The Trust has several suggestions to make as to how Biodiversity Net Gain might be achieved:

The presence of Cetti's warbler suggests that there is already some wetland, reed and marginal habitat of reasonable quality available. This should be retained, expanded where possible, and enhanced with measures to ensure that it remains wet for the majority of the year.

National Trust volunteers have identified at least 15 dragonfly and damselfly species on Trust-owned land in the River Wey catchment. This is almost certainly an underestimate (because of the limited number of surveys undertaken) and there should be an emphasis on creating high quality marginal areas for these and other invertebrates associated with this habitat.

Eel passes have been installed in parts of the Thames catchment downstream and it is thought that this species is present on-site in small numbers. However, the SANG is an opportunity to ensure that passes are installed, wherever possible, to enable eels to migrate from the main channel into surrounding ditches and wetland.

Otter was thought to have been seen in the initial biodiversity survey. This is a mammal that needs shelter and refuge from people and dogs and often uses quiet scrubby areas. Suitable sanctuary areas should be created and managed, where minimal human activity is permitted.

The National Trust has had experience of high-quality wildflower meadow restoration. Much of this work has been undertaken in partnership with specialists in the subject (e.g. Royal Botanic Gardens, Wakehurst/Millennium Seed Bank). A major contribution towards ensuring that the SANG is as flower-rich as possible would be to create high quality grassland even in the areas of high recreational use, by employing the most up-to-date techniques of seed collection, sowing and germination to maximise floristic diversity. which, in themselves, will be nectar sources for a large number of invertebrates.

- 5.5.1 A range of bat species use the flood plain. Probably the most important in this respect is *Nathusius' pipistrelle*. Every effort should be made to create suitable habitat and roosting areas for bats, with input from specialist bat workers who understand its requirements..

Where tree planting is possible the emphasis should be on those species that will thrive best on floodplains such as willow and black poplar. Provision should also be made for significant areas of the scrubbier species such as hawthorn, which will provide refuges for songbirds and an invaluable source of nectar for many invertebrates.

#### *Flood risk and drainage*

The Trust notes that the flood risk assessment submitted with the application concludes that there would be no increase in flood risk as a result of the proposed use of the application site as a SANG. Given the proximity of the application site to the River Wey Navigation and the presence of outfalls from the site into the river the Trust needs to be satisfied that the flood risk assessment is robust and that its findings can be relied upon. Until such time as the Trust has completed its review of the flood risk assessment it must adopt a precautionary approach and give notice that it may seek the inclusion of further mitigation measures if it appears likely that there could be an increase in flood risk.

#### *Car parking and access*

The Trust has three concerns relating to car parking and access. The first relates to the level of parking provision in the proposed car park at Burpham Court Farm. Here 12 spaces are proposed which the Trust considers will be insufficient to accommodate the likely demand for parking at peak periods. To avoid casual parking in Clay Lane and the associated congestion and risk to highway safety it would be advisable for greater provision to be made in the new car park.

The second concern is about whether the existing car park in Bowers Lane will have sufficient capacity to accommodate visitors to both the Riverside SANG and the Burpham Court SANG. The Trust has its doubts that the existing parking provision can meet the future demand and is concerned that there will be increased on-street parking and traffic congestion at peak times. In addition, the Trust notes that access to the Burpham Court SANG from Bowers Lane is proposed over a National Trust-owned bridge. Whilst the Trust has no objection in principle to the use of this bridge by pedestrians such use can only be under the terms of an agreement between the Trust and the Borough Council to deal with liability for repairs and maintenance.

The Trust's third concern relates to the proposed pedestrian crossing on Clay Lane to access the northern part of the SANG. For the reasons set out above the Trust considers that the land north of Clay Lane should be excluded from the SANG in the interests of nature conservation. Under the current proposals people accessing this area would need to cross Clay Lane, which is a busy road leading to the A3. An informal crossing in this location would be potentially dangerous for anyone slow to cross the road so, if pedestrian access is required, there should be a formal crossing with traffic light control. A better resolution in the Trust's view would be to avoid the need for a crossing by excluding the land to the north from the SANG.

- 5.5.2 Over the last year or so the National Trust has enjoyed a productive working relationship with the Borough Council in the formulation of its proposals for Weyside Urban Village and the SANG. As part of this ongoing collaboration the Trust would welcome the opportunity to discuss the above issues with the Borough Council with a view to reaching a satisfactory resolution before the application is determined.

## **5.6 Local Groups**

### **5.6.1 Merrow Residents Association – Support**

Needs 32 parking spaces as stated by National Trust.

Clay lane is dangerous to cross and needs an underpass or bridge.

### **5.6.2 Worpleden Parish Council**

Clay Lane floods.

### **5.6.3 Guilford Society – Support**

a) Parking Provision does not appear generous enough, it should be improved.

b) The proposed Pedestrian Crossing should be provided but in the form of a underpass or bridge. Clay Lane is a busy road and having a crossing close to a bend is major risk.

c) The border between the Sang and the Exclusion Area for Biodiversity is not stated, how is this going to provided.

d) The Sang access point at the southern end needs to provide detail as to how a footpath/bike path will link into the Weyside Development and the Riverside Park.

## **5.7 Individuals**

- 5.7.1 21 representations received from members of the public. Many of these relate to and duplicate representations made on the accompanying Weyside Urban Village Application also considered on this agenda.



5.7.2 A Mr J Allen raises many technical points regarding the flood risk modelling and transport assessment and raises specific points about the adequacy of parking at Bowers Lane given proposals for yellow lines to secure emergency service access. Needs 10 parking spaces for canoeists and landing area.

5.7.3 One from a Mr Martin Kettell states:

*'I cannot support this proposal, since its principal aim seems to be as a SANG, in other words the provision of space for people and dogs to exercise. One of the factors that makes the site so special is the lack of disturbance in the main (western and southern) wetland area. The SANG concept plan shows footpaths surrounding this area, which will undoubtedly lead to people and dogs having access to much of the site.*

*The Ecological Appraisal seems fairly thorough but fails to sufficiently highlight the importance of Burpham Court Farm for wintering wildfowl. The site regularly holds the largest flock of Wigeon in Surrey during the winter months, as well as good numbers of Teal and Snipe. Rarer wildfowl often stop here too; in the last few months there have been records of Pintail, Shelduck and Russian White-fronted Goose. In the Spring, at least one pair of Lapwings usually attempts to breed.*

*All of these species (mostly red or amber listed) are acutely sensitive to disturbance. The current plan would bring people and dogs much closer to the pools and grassland in the centre of the farm, and without doubt these special birds would disappear.'*

5.7.4 A Mr M Weightman states:

*The land North of clay lane floods annually and can go from nothing to being completely underwater in 30 mins. As we know, it was the stress of this flooding, that caused the local farmer at Burpham Court farm to take his own life.*

*I have had livestock who have in the past needed rescuing from the land that has been proposed as a result of flooding. Given this, I don't know how it is feasible to put safe walkways around some of the areas. Further research would need to be undertaken to ensure it was safe for users, particularly the elderly and disabled.*

5.7.5 A Mr Guy Norman States:

*I ... fully support the protection of this remarkable and very beautiful area, and have no objection in principle to classification as "publicly accessible open space and Nature Reserve". However, documentation including the SANG Concept Plan submitted 17 Dec 2020 strongly suggests that it is likely to become a high-throughput recreational park rather than a Nature Reserve, and I have therefore indicated my stance as Object. In my view, protection of this site's ecological value requires strong measures to restrict human and dog access to most of the area, and the current plans do not ensure this.*

5.7.6 5 members of the public state 12 parking spaces (the number at Boyers Lane) is insufficient and this often overflows. Several mention the dangerous nature of the proposed crossing on Clay Lane.

## 6 **Planning Policies**

### 6.1 **Heritage Duties**

- 6.1.1 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 6.1.2 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the

### 6.2 **National Planning Policy Framework July 2021 (NPPF):**

- 6.2.1 The fourth revision of the National Planning Policy Framework (NPPF) published on 20th July 2021 sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration in determining the application. In assessing and determining planning proposals, the local planning authority should apply the presumption in favour of sustainable development, which is the main focus of the NPPF in relation to both the plan-making and decision-making process (para. 11). It states that this means 'approving development proposals that accord with an up-to-date development plan without delay.'
- 6.2.2 However, the presumption in favour of sustainable development does not apply in a number of defined cases relating to: habitats sites (europa sites – european designations) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty,; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change. Of these the following applies to parts of the site: Green Belt, Wey and Godalming Canal Navigation Conservation Area. In addition in terms of international sites, such as the Thames Basin Special Protection Area: the NPPF states (para 182) '*The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.*'
- 6.2.3 The sections of the latest version of the NPPF can be found below.

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- **[1. Introduction](#)**

Paragraphs 1 to 6

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- **[2. Achieving sustainable development](#)**

Paragraphs 7 to 14

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- **[3. Plan-making](#)**

Paragraphs 15 to 37

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- **[4. Decision-making](#)**

Paragraphs 38 to 59

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- [5. Delivering a sufficient supply of homes](#)  
Paragraphs 60 to 80
- 
- [6. Building a strong, competitive economy](#)  
Paragraphs 81 to 85
- 
- [7. Ensuring the vitality of town centres](#)  
Paragraphs 86 to 91
- 
- [8. Promoting healthy and safe communities](#)  
Paragraphs 92 to 103
- 
- [9. Promoting sustainable transport](#)  
Paragraphs 104 to 113
- 
- [10. Supporting high quality communications infrastructure](#)  
Paragraphs 114 to 118
- 
- [11. Making effective use of land](#)  
Paragraphs 119 to 125
- 
- [12. Achieving well-designed places](#)  
Paragraphs 126 to 136
- 
- [13. Protecting Green Belt land](#)  
Paragraphs 137 to 151
- 
- [14. Meeting the challenge of climate change, flooding and coastal change](#)  
Paragraphs 152 to 173
- 
- [15. Conserving and enhancing the natural environment](#)  
Paragraphs 174 to 188
- 
- [16. Conserving and enhancing the historic environment](#)  
Paragraphs 189 to 208
- 
- [17. Facilitating the sustainable use of minerals](#)  
Paragraphs 209 to 217
- 

6.2.4 In particular para 180 (d) of the NPPF states:  
‘developments whose primary objective is to conserve or enhance biodiversity should be supported’

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

6.3.1 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
- P5 Thames Basin Heaths Special Protection Area
- 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

6.3.2 In April 2021 the Council agreed to review the LPSS to include a full update and reassessment of the relevant evidence used and other factors including regeneration, demand for retail/commercial property, impact of the pandemic, loss of A3 widening scheme, infrastructure delivery, declaration of Climate Emergency and the Planning Bill. This review is at a very early stage and no draft plan is published, and therefore the NPPF would accord the review limited weight.

6.3.3 The site is indicated as site SANG 5 Strategic Suitable Alternative Natural Green Space (SANG) Burpham Court Farm, North Guildford In appendix 6 Infrastructure schedule of the LPSS.

### **6.4 Evidence base:**

- Land Availability Assessment (LAA) 2020
- Open Space, Sport and Recreation Assessment 2017
- The Guildford Borough Traveller Accommodation Assessment (TAA) 2017
- West Surrey SHMA Guildford Addendum Report (SHMA Addendum) 2017
- West Surrey Strategic Housing Market Assessment (SHMA) 2015
- Green Belt & Countryside Study 2013

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

6.5.1 Following the adoption of the LPSS, until the Local Plan: Development Management Plan Policies DPD is produced and adopted some of the policies (parts of the policies) contained within the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) remain part of the development plan.

- G1 (3), (4), (8), (11), (12) General Standards of Development
- G5 (2), (3), (4), (5), (7), Design Code
- (8), (9)
- NE4 Species Protection
- E5 Dev. Affecting Trees, Hedges & Woodlands

**6.6 South East Plan (SEP) 2009: (as saved by CLG Direction)**

NRM6 Thames Basin Heath Special Protection Area

**6.7 Supplementary planning documents:**

- Climate Change, Sustainable Design, Construction and Energy SPD 2020
- Planning Contributions SPD 2017
- [Thames Basin Heaths Special Protection Area SPD 2021](#)
- Guildford Landscape Character Assessment 2007
- Vehicle Parking Standards SPD 2006
- Residential Design SPG 2004
- Surrey Design 2002

**6.8 Other guidance:**

- Surrey County Council Vehicular and Cycle Parking Guidance 2018

**6.9 Designations relating to the Site**

- 6.9.1 The application site is entirely within the Metropolitan Green Belt. A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding.
- 6.9.2 Most of the Site with the exception of the drier field in the north-east of the part south of Clay Lane and small parts of the fields in the western extent of the Site fall within the River Wey (plus tributaries) Biodiversity Opportunity Area (BOA). BOAs identify the most important areas for wildlife conservation in Surrey, where targeted conservation action will have the greatest benefit.
- 6.9.3 The River Wey - Woking SNCI passes through the site.

## **7 Planning Report**

### **7.1 Site Description and Context**

- 7.1.1 The application site is wholly within the greenbelt and is located approximately 3 km north east of the centre of Guildford. The site is of irregular shape and is divided by a branch of the River Wey and Clay Lane. To the south west is Slyfield Industrial Estate and an area of land that forms part of the Slyfield Area Regeneration Project (SARP), which is allocated for mixed use redevelopment, including approximately 1,500 new homes, under Policy A24 (SARP) of the adopted Local Plan (April 2019). Weyside Urban Village (WUV) forms part of the SARP site.
- 7.1.2 Other land uses in close proximity include the Riverside Park Local Nature Reserve and existing SANG, Bowers Lane allotments and the community of Jacobs Well which forms a northern suburb of Guildford. The residential part of the WUV site is a short distance to the south. The site area is approximately 46 hectares, though not all of this is suitable for full SANG use.
- 7.1.3 The site is currently greenfield land comprising areas of pasture and marshy grassland grazed by cattle to the south of Clay Lane. To the north is an area of marshy grassland and woodland. Many trees and hedges are found within the site with a dense tree belt on the western boundary. The southernmost part of the site is defined as Local Nature Reserve and as a Site of Nature Conservation Importance (SNCI).
- 7.1.4 The River Wey is a dominant feature of the site, which has existing wetland features. A large proportion of the site falls within Flood Zone 3 and is at the highest probability of flooding. A Flood Risk Assessment accompanies the application.
- 7.1.5 The site is within the Zone of Influence of the Thames Basin Heaths SPA. At its nearest point, the SPA is located approximately 600m north west of the site.

### **7.2 The Proposed Development**

- 7.2.1 The proposal would require relatively small physical changes to the area, mostly improvements to access and some land management changes to facilitate access.
- 7.2.2 There are currently no public rights of way across the site, although footpath 438 to Jacobs Well fringes its eastern boundary. There is the Bowers lane footbridge which does enable informal access to the eastern part of the site.
- 7.2.3 The project would introduce a car park directly to the South of the existing farm, replacing an area of derelict cattle sheds.
- 7.2.4 A circular walk would be introduced in the part of the site south of Clay Lane with four entry points to walkers, off Clay Lane near Jacobs Well, at the western edge of the site linking to footpath 438, across the Bowers lane footbridge and at the southern edge of the site on the Wey navigation non towpath side linking to the riverside open space.
- 7.2.5 Various areas would be proposed for new planting including hedgerow restoration, and some areas would have restricted public access in order to enhance biodiversity net gain for the Weyside urban village application.
- 7.2.6 Various picnic areas and seating is proposed as well as signage.

### **7.3 Key Issues**

7.3.1 The following are the key issues in this case:

- The Principle of Development
- Suitability of the Site as a SANG
- Noise
- Ecology and Biodiversity Net Gain
- Landscape and Trees
- Flood Risk
- Heritage Issues
- Loss of Agricultural Land
- Access and Highways

### **7.4 Principle of Development**

7.4.1 The site is located wholly within the Green Belt. Criterion (3) of Guildford Borough Local Plan (GBLP) Policy P2 states that:

“Certain other forms of development are considered not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these are listed in the NPPF.”

7.4.2 Criterion e) of Paragraph 146 of the NPPF sets out that material changes in the use of land, such as changes of use for outdoor sport or recreation, are not inappropriate.

7.4.3 The proposed change of use would secure the land as publicly accessible open space for recreation and ecological enhancement, thereby preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, in accordance with local and national policy.

7.4.4 A car park would have a small impact on reducing the openness of the Green Belt but would further the Green Belt acceptable use of outdoor recreation and is essential (required by SANG Guidance and Natural England) for a SANG of this size. Ecological use is not specifically listed in NPPF Para. 150 however the list (including open space) is not exclusive, stating ‘such as’ providing the key test of preserving the openness of the Green Belt and does not conflict with the purposes of including this land within the Green Belt, which these proposals meet.

7.4.5 Criterion (3) d) of GBLP Policy P5 sets out that proposals for new SANGs are unlikely to be acceptable unless agreed by Natural England.

7.4.6 The Thames Basin Heath Special Protection Area Strategy 2009 – 2016 and [Thames Basin Heaths SPA Avoidance Strategy 2021 SPD](#) both identify the site as a potential option for SANG. These documents also set out that Natural England has confirmed, in principle, that the site can meet the criteria for SANG in accordance with Policy P5.

7.4.7 It is considered that the principle of the proposed change of use for publicly accessible open space accords with national and local planning policy and therefore is an acceptable use of this site preserving the openness of the Green Belt and the purposes of including land within it.



## 7.5 Suitability of the Site as a SANG

- 7.5.1 The application is not directly for a SANG as this is a function of a land use, not a type of a land use. However as the intention is to operate as a SANG it is sanguine to consider its suitability.
- 7.5.2 The site is identified in the Thames Basin Heaths SPA Avoidance Strategy SPD as a potential option for SANG and Natural England has confirmed in principle that the site can meet the criteria for SANG. Notwithstanding this, the SANG Guidelines within Annex 2 of the SPD sets out a checklist of essential and desirable criteria for individual SANGs. The provision of a SANG Management Plan is anticipated to be a condition of any planning permission for this proposed change of use and will detail how these guidelines will be met. However, this change of use application, the supporting information and Concept Plan enables a number of criteria to be assessed, including:
- Adequate parking for visitors
  - Provision of a circular 2.3-2.5km walk that would be possible from the car park
  - Car parking being easily and safely accessible by car
  - The accessibility of the site would include access points appropriate for visitor use
  - Safe design
  - Semi natural feel
  - Variety of habitats
- 7.5.3 The applicant has set down an assessment of the sites suitability against Natural England's SANG Criteria.

Must/should have – these criteria are essential for all SANGS		
Criteria		Description
1	Parking on all sites larger than 4ha (unless the site is intended for use within 400m only)	Car park proposed for Burpham Court Farm using existing access from Clay Lane and located at site of former piggeries. (space for 32 car-parking spaces shown on illustrative plan).
2	Circular walk of 2.3-2.5km	Illustrative plan shows circular route possible from Burpham Court Farm car park (including new Wey Crossing over existing weir) (3600m). Secondary loop via crossing point across Clay Lane (625m). NB GBC also exploring potential for wider potential links with new footbridge over the Wey to Riverside Nature Reserve.
3	Car parks easily and safely accessible by car and clearly sign posted	Road safety and visibility splay checks have been undertaken of use of existing access road from Clay Lane and into car park at former piggeries.
4	Access points appropriate for particular visitor use the SANGS is intended to cater for	Access from proposed car park directly onto 3.6km loop (either direction). Furthermore, and perhaps even more importantly, proposal for direct access from Weyside Urban Village also proposed directly from the southern end of the 3.6km loop. Linkages onto wider footpath network also identified.
5	Safe access route on foot from nearest car park and/or footpath	Yes – direct access to the 3.6km loop from the car park. Crossing point to be provided to secondary loop (pelican crossing).
6	Circular walk which starts and finishes at the car park	Yes – see illustrative plan and as above.

7	Perceived as safe – no tree and scrub cover along part of walking routes	Range of habitats are present in SANG (appropriate for SANG of >12ha). Existing or proposed tree cover is anticipated along the route but mostly as gateways to open areas and to guide recreation use to appropriate areas (and away from sensitive winter bird/wetland area). Existing tree cover north of Clay Lane would be walked through (likely on board walk). However, this provides good screen to road and helps create semi-natural feel within the area north of Clay Lane so should be seen as advantageous and likely to create perception of “gateway” into that section of SANG.
8	Paths easily used and well maintained but mostly unsurfaced	Proposal to create new pathways; likely some would be created on bunds and/or on boardwalk to allow year-round access due to lower fields being in floodplain.
9	Perceived as semi-natural with little intrusion of artificial structures	Yes, there is already a good semi-natural feel at the site which is supported by the trees/woodland belts around the SANG edge, the River Wey corridor running through it and the retention of some of the old farm field structures. Potential for additional planting and bunding on northern section of Burpham Court Farm to provide additional screening of upper field from Clay Lane. Additional screening also required between existing farmhouse at Burpham Court Farm (currently being refurbished) and the SANG.
10	If larger than 12 ha then a range of habitats should be present	Range of habitats already present – different grassland types, River corridor, ditches, defunct hedges, woodland edge. potential to provide additional habitat enhancements to habitats present to secure Biodiversity Net Gain. These measures would be over-and-above requirements relating to SANG. The BNG measures would include those measurable through the Defra Metric (habitat enhancements) and additional measures for species enhancements (e.g. reptile hibernacula). Latter features (targeting species) would be provided away from walking routes.
11	Access unrestricted – plenty of space for dogs to exercise freely and safely off the lead	Likely to need guide planting/signage to discourage people and their dogs from using the sensitive bird area. However, this is mainly used by birds in winter and the area of most bird interest is also likely to be flooded in winter which would discourage recreational access on foot in any case.
12	No unpleasant intrusions (e.g. sewage treatment smells etc.)	Proposal for new STW within Slyfield industrial estate acknowledged. Information on “unpleasant intrusion” and proposed odour control has been sought from Thames Water to inform SANG exclusion area.
13	Clearly sign posted or advertised in some way	Proposal for interpretation/signage at key points along route: proposed new car park, bird area viewing screens and at woodland “gateway” entrance to the proposed SANG area north of Clay Lane.
14	Leaflets or website advertising their location to potential users (distributed to homes and made available at entrance points and car parks)	Potential for this new area to be advertised via existing website and for new information to be provided in new home-owners pack.
Desirable features		
15	Can dog owners take dogs from the car park to the SANGS safely off the lead	Potential for dog owners to take dogs safely off lead straight from possible new car park at Burpham Court Farm.

<b>16</b>	Gently undulating topography	Variable topography already present
<b>17</b>	Access points with signage outlining the layout of the SANGS and routes available to visitors	Potential for additional interpretation boards and signage, as described above (no. 13)
<b>18</b>	Naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. Provision of open water is desirable	All already present.
<b>19</b>	Focal point such as a view point or monument within the SANGS	Views already available from upper field of SANG down into lower SANG and across to Guildford. Proposed viewing screens across winter bird interest area.

7.5.4 The proposed change of use would provide approximately 46ha of land for potential use as SANG, which would provide sufficient SANG land for a maximum 5,750 new residents with a catchment area of 5km. The SANG Concept Plan and supporting information demonstrates that parking can be provided (minimum 0.75 parking spaces per ha of SANG and minimum of 26.4ha needed to service Weyside Urban Village) and that a circular walk, in excess of 2.3km from the car park and other access points can be completed. The delivery of Biodiversity Net Gain would provide enhancement to the existing range of habitats to users to experience in a semi-natural space in an accessible location to existing and proposed residential development.

7.5.5 Considered against the Natural England SANG criteria the proposed change of use would facilitate a suitable site as SANG in compliance with policy and the Thames Basin Heaths SPA Avoidance Strategy.

7.5.6 However, it transpires some of the site may not be suitable as SANG as:

- a. The area north of Clay Lane has difficult access and a pedestrian crossing would require a safety audit. A condition is suggested to exclude this from the SANG area and for it to become a biological exclusion zone unless and until there is approval and delivery of a safe pedestrian crossing facility on Clay Lane. There are no protected species identified North of Clay Lane – this apprehension from the National Trust appears to derive from a misreading of the Ecological Report.
- b. Some parts of the site suffer from noise from the A3, and areas within the 60dba contour are unsuitable, including from the circular walk;
- c. Some parts of the site will need to be fenced as Biological exclusion zones;. Including some areas used by overwintering birds;
- d. Some parts of the site are in flood risk 3 areas and will be underwater for much of the winter. If suitable parts of the circular walk can include such areas if safe boardwalks) and any escape routes in case certain areas are cut off during periods of flooding.

7.5.7 With these changes it seems certain that Burpham Court Farm would be too small alone to fully mitigate Weyside Urban Village as a SANG, until the pedestrian crossing on clay Lane is built, however as the report on Weyside Urban Village explains Tyting Farm is also available as a SANG.

7.5.8 GBC Parks and Countryside, Natural England and the National Trust support the change of use proposal in principle but have been concerned about the detailed design to operate as a SANG. The design submitted with the application was very high level and lacked key details. Since then, a more detailed plan has been prepared and detailed discussions are on going with the National Trust and Natural England, and discussions are ongoing with the applicant on the amended plan in terms of areas excluded and routing of the circular walk. The revised illustrative design demonstrates:

- The confirmed length of the primary circular walk (3600m) and the secondary loop (625m)
- The confirmed area considered suitable for SANG is 27.9ha (note exclusion zones identified for noise, wintering bird interest and anticipated likely odour plume ('unpleasant intrusions') from the Thames Water proposed new Sewage Treatment Works)
- Indicates car-parking location suitable for 32 car parking spaces.

- 7.5.9 However, your officers remain concerned about safety issue for crossing Clay Lane, and are proposing excluding north of Clay Lane from Public open space (SANG) Use (as a biological exclusion area) so the change of use here would solely be for Nature Reserve unless and until safe pedestrian crossing of Clay Lane is provided.
- 7.5.10 Discussions are also ongoing regarding the SANG management plan – these are expected to be concluded before the date of the committee, however no interests would be prejudiced as a suggested condition would require approval of a detailed management plan which would be subject to public consultation, and conditions would define excluded areas and require a minimum length of circular walk.
- 7.5.11 The SANG parking standard is one space per ha of SANG, however Natural England agree this can be reduced by 25% are part of the WUV site is within 4000m of Burpham Court Farm. This is accepted. A car park is essential to meet the SANG Standard and the site of the derelict pigsties is considered acceptable on balance and the best site available (see section of report on heritage impact). GBC Parks and Countryside would support a full 32 spaces as not all would be used for SANG use, i.e. for volunteer activities.

## 7.6 Noise

- 7.6.1 A tranquil environment is a fundamental component of the acceptability of a site as a SANG. Although no noise limit is set in Natural England SANG guidance, they have asked for a limit of 60 dB LAeq,16h. based on recommendations of the applicant's noise consultant. The noise report submitted with the application took measurements at 4 locations and then modelled noise across the hole of the rest of the site based on its topography.
- 7.6.2 The existing levels across the site, without mitigation, are below 60 dB LAeq,16h across the majority of the site. A small area along Clay Lane and an area on the eastern side of the site, closer to the A3, exceed 60 dB LAeq,16 hours.
- 7.6.3 The noise levels along Clay Lane and in the eastern corner of the site could exceed 60 dB by 1 to 2dB. This is within the margin of forecasting error.
- 7.6.4 The noise levels in the southern part of the site, nearest to the A3, are likely to be up to approximately 70 dB LAeq,16h.
- 7.6.5 The report has modelled the proportion of the site that would be below the acceptable 60 dB LAeq,16h level given a number of mitigation scenarios, no mitigation, 2 m Bund along Clay Lane, and 2, 3 and 4m barriers alongside the A3.

Modelled Options	Approximate % of SANG below 60 dB LAeq, 16hours
<b>No Barrier (Existing) 81</b>	89
<b>2 m Bund along Clay Lane</b>	83
<b>2 m Barrier along A3</b>	89
<b>3 m Barrier along A3</b>	95
<b>4 m Barrier along A3</b>	96

- 7.6.6 To achieve 60 dB LAeq,16 hours across 100 % of the site would not be practicably achievable and a compromise will have to be made between the extent of mitigation and the percentage of the site below the 60 dB criterion.
- 7.6.7 Based on the results of the acoustic model, the proposed noise criterion of 60 dB LAeq, 16hours would be met across approximately 81 % of the site without mitigation. This can be considered acceptable from a noise perspective with no mitigation required. The site is large enough to accept a 19% reduction in area and still provide a viable SANG. The cost of noise mitigation along the A3 would be very high and disproportionate in this case.

## **7.7 Ecology and Biodiversity Net Gain**

- 7.7.1 Criterion (1) of GBLP Policy ID4 states that:

*“The Council will maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, particularly within and adjacent to Biodiversity Opportunity Areas (BOAs)”*

- 7.7.2 Criterion (2) of GBLP Policy ID4 states that:

*“New development should aim to deliver gains in biodiversity where appropriate. Where proposals fall within or adjacent to a BOA, biodiversity measures should support that BOA’s objectives.”*

- 7.7.3 The application is supported by an Ecological Appraisal (Stantec, December 2020). The appraisal establishes the ecological baseline and outline impacts associated with the proposed change of use. It also provides broad principles for mitigation and enhancement to be taken forward into the subsequent detailed design process.
- 7.7.4 The appraisal identifies a range of habitats on the site with known or potential value to a variety of species. The appraisal also identifies the presence of the invasive non-native plant, Himalayan balsam on the site.
- 7.7.5 The appraisal identifies that the proposed change of use has a potential impact as a result of disturbance. However, this could be overcome by sensitive approaches and timing to any future works and through appropriate design. The Appraisal also identifies that there are significant opportunities to enhance the biodiversity of the site through design and management and removal of invasive non-native species. These opportunities include:
- Enhancement of hedgerows e.g. through in-fill or double/new planting.
  - Management of existing woodland via selective thinning and planting of new woodland.
  - Diversification of some grassland areas e.g. using meadow management techniques.
  - Management of existing ponds to increase the diversity of vegetation.
  - Creating buffer areas along the riverbanks where access is prevented.
  - The creation of larger shallow pools or scrapes in areas toward the centre of the Site.
  - Creation of log and brash piles to provide refuge for small fauna.
  - Expansion of reedbed habitat in the south of the Site.
  - The installation of new bird and bat boxes.

- 7.7.6 The results of the Biodiversity Metric 2.0 (beta test) calculation, undertaken with reference to the illustrative design for the SANG and biodiversity enhancements at Burpham Court Farm, demonstrate that the proposed biodiversity enhancements and habitat creation are capable of delivering a net gain in biodiversity value (+115.43 habitat units, +43.37%, and +9.58 hedgerow units, +37,876.36%). Accordingly, in addition to providing capacity for an off-set for Weyside Urban Village, there is also capacity for other GBC or other applicants to use Burpham Court Farm as a Habitat Bank.
- 7.7.7 Natural England has agreed that once a project has commenced using version 2 of the metric there is no switch to the more recent version 3.
- 7.7.8 It is considered that the proposed change of use would maintain, conserve, and enhance biodiversity in accordance with Policy ID4.
- 7.7.9 Note: A Habitat Regulation Screening Assessment was submitted with the application. The HRA Screening identified the following European Sites within 10km of the Project with the potential to be affected by the Project:
- Thursley, Ash, Pirbright & Chobham SAC; and
  - Thames Basin Heaths SPA.
- 7.7.10 The potential threats / vulnerabilities identified for the qualifying features of these European Sites as a result of the Project were identified and considered as to if they were relevant to the Project.
- 7.7.11 The Screening Statement found no relevant potential threats/vulnerabilities at the identified European Sites such that a Screening Stage of Likely Significant Effects is not required
- 7.7.12 Accordingly, this shadow HRA Screening Statement concludes that the proposed Project will not result in any significant adverse effects on the integrity of the identified European Sites located within 10km of the Site, either alone or 'in-combination' with other Plans or Projects. This statement is accepted.



## **7.8 Landscape and Trees**

- 7.8.1 The site is located within the Corridor of the River Wey and includes a large number of trees within it. Saved GBLP 2003 Policy G11 seeks to protect or improve the special character of the landscape within the Corridor. Saved GBLP Policy G1 (12) seeks to safeguard and enhance the characteristic landscape of the locality and existing natural features on the site, such as hedgerows, trees, watercourses and ponds which are worthy of protection.
- 7.8.2 The application is supported by an Arboricultural Statement (Treework Environmental Practice, December 2020), which includes an extensive survey of the trees on the site and future recommendations. The proposed change of use seeks to preserve the character of the site and its landscape features and the Statement confirms that all of the valuable trees on the site can be retained and protected. Localised removal of trees may be necessary for future pedestrian access. However, tree planting and landscaping to enhance the site will form part of a future application to Natural England. The Concept Plan has considered areas for additional landscaping within the site that would inform the future SANG management plan, which will be supported by a detailed tree and planting plan and schedule to increase native species and secure a robust landscape framework for the site.
- 7.8.3 It is considered that the proposed change of use would safeguard and enhance the characteristic landscape of the locality and the Corridor of the River Wey in accordance with Saved GBLP 2003 Policies G1 (12) and G11.

## **7.9 Flood Risk**

- 7.9.1 A large proportion of the site is located with Flood Zone 3, which is at the highest risk of flooding. GBLP Policy P4 sets out a number of criteria for development in areas of high risk of flooding:
- (2) Development in areas at medium or high risk of flooding, as identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment, including the 'developed' flood zone 3b (functional floodplain), will be permitted provided that:
    - a) the vulnerability of the proposed use is appropriate for the level of flood risk on the site
    - b) the proposal passes the sequential and exception test (where required) as outlined in the NPPF and Government guidance
    - c) a site-specific flood risk assessment demonstrates that the development, including the access and egress, will be safe for its lifetime, taking into account climate change, without increasing flooding elsewhere, and where possible, will reduce flood risk overall
    - d) the scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site
    - e) when relevant, appropriate flood warning and evacuation plans are in place and approved and
    - f) site drainage systems are appropriately designed, taking account of storm events and flood risk of up to 1 in 100 year chance with an appropriate allowance for climate change.

- 7.9.2 Paragraph 164 of the NPPF sets out that applications for changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.
- 7.9.3 The application is supported by a Flood Risk Assessment (FRA) (Stantec, December 2020).
- 7.9.4 The FRA sets out that the proposed change of use constitutes a 'Water Compatible' use, which is appropriate within all flood zones and is exempt from the application of the Sequential and Exception tests. The FRA also sets out that the SANG management plan will include flood mitigation measures. The SANG will be proposed in accordance with applicable criteria:
- Remain safe for users in times of flood;
  - Result in no net loss of floodplain storage;
  - Not impede water flows and not increase flood risk elsewhere.
  - Undeveloped corridor of minimum 8m either side of the watercourses.
- 7.9.5 As a result, the proposed change of use would be safe and in accordance with the requirements of national and local planning policy.

## **7.10 Heritage Issues**

- 7.10.1 The National Planning Policy Framework (NPPF) sets out the Government's policy with regards to the Historic Environment. It makes clear that harm to the significance of heritage assets can result from changes to their setting (paragraph 190). The NPPF requires that all harm to heritage significance should be avoided where possible or minimised, and that any remaining harm has clear and convincing justification (paragraphs 190 and 194). Harm to the significance of a designated heritage asset should then be weighed against the public benefits of a proposal in the manner set out in paragraph 196.
- 7.10.2 In terms of Archaeological Interest a Desk Based Assessment for the site has been produced by Oxford Archaeology which provides a comprehensive archaeological and historical baseline for the Application Site. The following extract summarises the archaeological potential for the main part of the site:
- "The River Wey passes though the site and the site is considered to have a high potential to contain relict water courses (palaeochannels) and sub channels associated with the river. The site is bounded to the west by a drainage channel (OA 90). This drainage channel may have originally been a branch of the River Wey which was reduced to a drain following the construction of the River Wey Navigation (1651-1653). Another extant river channel (OA 130) has been identified immediately north-west of the site. These features have the potential to contain waterlogged deposits and organic material which would contribute to the understanding of the floodplain chronology and evolution. It is also worth noting that archaeological material can be found beneath, within and overlying alluvial deposits.
- No early prehistoric period (Palaeolithic and Mesolithic) remains have been recorded within the study area and accordingly the site has a low potential to contain finds or monuments dating to this period.

The site is considered to have a moderate potential to contain later prehistoric activity (Neolithic, Bronze Age and Iron Age). Eight pits containing Bronze Age/early Iron Age pottery were found c 50m south of the site, on the River Wey gravel terrace and a further two later prehistoric finds have been recovered from river gravel terraces elsewhere within the study area. The central and southern part of the site are situated on alluvium whilst the eastern part of the site is situated on Kempton Park Gravel Member deposits. Prehistoric activity if present is likely to be focused upon areas of high ground within the gravel terrace. The alluvial deposits within the site have been formed by the repeated inundation of the site caused by the flooding of the river. These areas are less likely to have been utilised for settlement in these periods.

There is a moderate potential for Roman activity within the site. Burials associated with Roman pottery were found 100m south of the site (OA 41), suggesting that a Roman settlement may have been located nearby. A Roman road is thought to pass through the north-eastern part of the study area although the exact course of this road is unknown. The road may have been the focus of Roman activity in the area including farmsteads and roadside burials.

The site has an unproven potential to contain Saxon and medieval settlement remains. Documentary sources suggest that the Saxon manor of Burgham may have been located in the north-eastern part of the site in the area now occupied by Burpham Court. At present there is no archaeological evidence for this settlement but place name evidence suggests that a fortified settlement may have been located in this area and topographically the north-eastern part of the site, which is situated in a loop of the River Wey, would have been a suitable location for a defensive settlement.

During the medieval and post-medieval periods, it is likely the site was used for both arable and pastoral agriculture. The north-western part of the site contains earthwork ridge and furrow (OA 115) which could be associated with the medieval open field system. A number of drainage ditches (OA 121, OA 122) were identified across the central and southern part of the site and it is possible that these features are associated with earlier field boundaries or possibly a water meadow system.

The Bowers Cut (OA 87) of the River Wey Navigation bounds the southern part of the site as does the associated Old Bucks Weir (OA 76). The Old Bucks Weir (OA 76) was initially one of the four 'tumbling bays' original weirs built in the 1650s but was rebuilt in the 20th century. The parts of the site which are adjacent to these features have the potential to contain extant or below ground remains associated with the initial construction of the River Wey Navigation". (Oxford Archaeology 2019, 13-14).

- 7.10.3 The 'Flowing River' refers to a stretch man-made waterway cut by Sir Richard Weston in c. 1618, so that he could improve his meadows by systematically flooding them. It is recorded as 'Flowing River' on the tithe map for Stoke by Guildford and ran from Stoke Lock to near Burpham Weir. Currie (1995) and Nash (1969) record that he was considered 'largely an innovator'. Currie noted that Weston scheme is, 'one of the earliest recorded watermeadow schemes on a large scale to be carried out in England' (Currie 1995).
- 7.10.4 Assessment of LiDAR indicates that the asset is visible as an extant earthwork ditch to the north of 'North Moors' and runs parallel to the application site boundary (Figure 5). A short section of the ditch at the northwest of the study site shows as a residual earthwork. The QGIS profiling tool indicates a residual (<50cm deep) ditch along the same alignment as the Flowing River. The flowing river is then beneath modern development and is then visible as an extant earthwork to the north of Clay Lane.

- 7.10.5 LiDAR assessment identified additional drainage ditches (Orion 2); Residual ridge and furrow (Orion 3); Area of drainage ditches (Orion 4); Water management feature/pond (Orion 5); Area of drainage ditches (Orion 6); Ditch (Orion 7); Water management feature/pond (Orion 8). These form an extension of land management features previously recorded by Oxford Archaeology 2019 and 2021). The features are currently undated, but may relate to post-medieval land-use.
- 7.10.6 The Wey Navigation passes through the site which is part of the Wey/Godalming Conservation area (WGNCA). The WGNCA is a stretch of the River Wey which is considered to be the earliest example of canalisation in this country. The resulting waterway is typical of canals, following restoration, usually from considerable dereliction, to become picturesque and peaceful recreational areas augmented by light pollution at night.
- 7.10.7 Despite the proximity of the A3 dual carriageway, differing levels result in relatively minor noise pollution, although it is understood that this is augmented at night by car-light pollution.
- 7.10.8 The WGNCA was instrumental in continuing and enhancing Guildford's prosperity, developed from the Middle Ages, but the canal system allowed transport of goods both to and from the town, encouraging both industry and agriculture. As a result of this, the historic value of the WGNCA is medium. The proposals do not impact this value. Similarly, the artistic and aesthetic values of the Conservation Area will not be impacted by the proposed development.
- 7.10.9 The proposals will result in minor landscape alterations within the setting of the Conservation Area. Based on the minor character of the changes it is clear that no harm to setting or significance of the Conservation Area will result from the proposed development as its rural character would be protected
- 7.10.10 Based on the proposed development involving largely minor landscape and alterations it is clear that no harm to the setting or significance of Sutton Park/Sutton Green Conservation Area will result from the proposed development.
- 7.10.11 Part of the site north of Clay Lane has historic ridge and furrows which would be unaffected by the development as proposed to be conditioned.
- 7.10.12 Some cottages at Burpham Farm are listed. List description as follows:  
*Grade II Burpham Court Cottages (NHLE 1191703)*  
*Cottages. Early C17 with C19 extensions to right end. Timber framed centre and left on rendered plinth, exposed with brick infill, red brick extensions to right. Plain tiled roof hipped to right and over extension. Two storeys. 3 framed bays with extension projecting to front right. Front ridge stack to left, end stack to right. 3 casement windows in first floor centre left, one larger casement window to right of centre, one 3-light cambered head casement to first floor right. 3 casement windows to ground floor, with one single arched casement window to right. Single storey, low pitched gable extension projecting to left with C20 planked door under pentice drip course. (No. 2). Further door to right hand return front (No. 1).*
- 7.10.13 The significance of Burpham Court Cottages lies in their historic and architectural value as early 17th century domestic structures. They provide an example of the local vernacular architecture and historic dispersed settlement pattern. The cottages are located adjacent to the River Wey Navigation and the study site form part of the immediate and wider rural setting of the asset. The farmstead is well preserved although the setting of the listed buildings are disrupted by a modern agricultural building between the farmstead and Clay lane..

- 7.10.14 The proposals are for a minimum of 12 space car-park but ongoing consultation with GBC and Natural England means this is expected to increase to approximately 30-35 space car park c.50m south of the asset within its wider rural setting. The introduction of a small car park at ground level will result in a slight increase in traffic, and low level visual intrusion at ground level. The proposals include the planting of broadleaved woodland and scrub around the western edge of the car park which will mitigate harm to the setting of the asset.
- 7.10.15 There would be less than significant harm to the setting of Burpham Court Farm from the use of the derelict pigsties, however this is outweighed by utilising a brownfield location for the car park as other locations would result in a loss of habitat in a sensitive area. The route to it is circuitous, but this is necessarily so to avoid the root protection area of a numbers of trees. This location is supported by a number of nature conservation consultees, Adequate screening can be provided through the landscaping condition. Therefore the scheme complies with the NPPF Heritage tests.
- 7.10.16 Construction of the car park will be brought forward as a separate application. It is noted that the proposed car park is located within an area of previous development / disturbance and is therefore unlikely to disturb previously unrecorded archaeological remains. Significant effects to archaeology as a result of such works are not expected.
- 7.10.17 A Heritage Management Plan is recommended as a condition of planning to ensure that the historic features within the Application Site and its immediate environs, particularly surviving and remnant sections of the 'Flowing River', are maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways. There is an opportunity to implement a programme of Public Engagement through signage to promote the historic environment of the Application Site.
- 7.10.18 In terms of all other heritage assets other than the Burpham Court Farm cottages, following the implementation of the recommendations above, the proposed development will result in no harm to designated assets within the vicinity of the Application Site. The designated assets considered, individually and cumulatively, include:
- The Wey and Godalming Navigation Conservation Area lies immediately adjacent to the east boundary of the study site. There is currently no published conservation area appraisal (Figure 3).
  - Sutton Park/Sutton Green Conservation Area.
  - Grade II\* Sutton Park
- 7.10.19 The impact on Grade II Burpham Court Cottages (NHLE 1191703) less than significant harm to the setting of Burpham Court Farm being negative – less than significant harm, which is considered justified (see para. 7.10.5 above) by benefits to nature conservation and public access to the SANG, and so complies with the NPPF Heritage tests. This impact can be mitigated by conditions on design of the car park and screening landscaping.

## **7.11 Loss of Agricultural Land**

- 7.11.1 The site is grade 4 poor quality. This grade is not protected by national planning policy.

## **7.12 Access and Highways**

- 7.12.1 GBLP Policy ID3 sets out transport requirement for new developments. Paragraph 109 of the NPPF states that:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

- 7.12.2 The application is supported by a Transport Statement, prepared by Markides Associates, December 2020. The Statement sets out the linkages the site will have to existing and proposed development to serve pedestrians and cyclists, and vehicles.
- 7.12.3 As the proposed change of use will enable recreational use of the site for walking and dog walking, it is expected that the majority of users will arrive on foot. The site will be accessed directly from the local area through connection to Footpath 438 and Clay Lane to Jacobs Well and Slyfield Industrial Estate. The site would also be accessible on foot from the proposed WUV development. Improved footway access to Burpham Farm and a cycle route through to Clay Lane would be secured as part of the Weyside urban village planning application if approved.
- 7.12.4 For vehicular users' access is proposed from Clay Lane using the existing access to Burpham Court Farm. Supporting drawings demonstrate how suitable access could be arranged and a car park provided for up to 12 car parking spaces, however the SANG standard requires 1 space per Ha of SANG (which HE and GBC accept could be reduced by 25% because part of the WUV site is within 400m). The required number of spaces to meet the standard is proposed to be set by planning condition and approval of further details of the parking area. As a result, the traffic generation from the SANG is expected to be minimal in the context of the local highway network. There may also be demand for non - SANG uses, i.e. volunteers for biodiversity works.
- 7.12.5 It is considered that the proposed change of use would provide well integrated sustainable transport opportunities and safe highway access in accordance with local and national policy.

## **8 Planning Balance and Conclusion**

- 8.1.1 The proposed change of use will facilitate an appropriate use within the Green Belt. The application is supported by technical documents which conclude that there would be no unacceptable environmental impacts and that there is significant room for enhancement in terms of landscape and biodiversity.
- 8.1.2 With the amendments proposed by condition to the parts of the farm to be covered by public open space (for SANG), and the size and location of the car parking area, and the route of the circular alk the proposal would comply with policy and guidance on public open space and SANG provision.
- 8.1.3 The proposal will result in significant public benefits in terms of access to a recreational resource for existing and future residents, which will also bring significant environmental benefits, helping to reduce recreational pressure on the Thames Basin Heaths SPA in accordance with local and national policy. The proposed development is necessary as suitable mitigation to enable Guildford Borough Council to meet its housing need, including at Weyside Urban Village a major brownfield site, as set out in the adopted development plan.
- 8.1.4 The impact on Grade II Burpham Court Cottages (NHLE 1191703) less than significant harm to the setting of Burpham Court Farm being negative – less than significant harm, which is considered justified (see para. 7.10.5 above) by benefits to nature conservation and public access to the SANG, and so complies with the NPPF Heritage tests. This impact can be mitigated by conditions on design of the car park and screening landscaping.
- 8.1.5 Full details for the SANG including layout, boundaries, vehicular access and parking, landscaping, walkways, boundary works and associated works will be submitted through a SANG Management Plan and Biodiversity Management Plan to be agreed with Natural England.

## **8.2 Human Rights**

- 8.2.1 From 2nd October 2000 the Human Rights Act 1998 has the effect of enshrining much of the European Convention on Human Rights in UK law. Under 6(1) of the Act, it is unlawful for a public authority to act in a way, which is incompatible with a convention right. A person who claims that a public authority has acted (or proposes to act) in a way which is made unlawful by Section 6(1), and that he is (or would be) a victim of the unlawful act, may bring proceedings against the authority under the Act in the appropriate court or tribunal, or may rely on the convention right or rights concerned in any legal proceedings.
- 8.2.2 The main Convention rights relevant when considering planning proposals are Article 1 of the First Protocol (the peaceful enjoyment of property) and Article 8 (the right to a private and family life). Article 1 of the First Protocol guarantees the right to peaceful enjoyment of possessions and Article 8 of the Human Rights Act 1998 guarantees a right to respect for private and family life. Article 8 also provides that there shall be no interference by a public authority with the exercise of this right except in the interests of national security, public safety, or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the freedom of others.
- 8.2.3 For the reasons set out in 'Planning Considerations, it is not thought there would be any breach of the convention rights. Even if there was to be an interference with convention rights then, in this case, it is thought that the interference would be justified in the interests of public amenity. Accordingly, it would not be unlawful to grant planning permission for this development.

## **8.3 Public Sector Equalities Duty**

- 8.3.1 Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or "PSED").
- 8.3.2 in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.3.3 The relevant protected characteristics are "age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, and sex and sexual orientation."
- 8.3.4 The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; and
  - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.



The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

#### **8.4 Planning Obligation Heads of Terms**

##### **8.4.1 Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step in rights**

8.4.2 This is necessary to ensure proper management of the SANG is secured.

##### **8.4.3 Improvements to the Bowers Lane Bridge**

8.4.4 This is necessary to ensure that access is maintained from the Bowers Lane area.

##### **8.4.5 Construction of a controlled pedestrian crossing across Clay Lane**

8.4.6 This is necessary on public safety grounds and to bring the area north of clay lane into SANG use.

## **9        Positive and Proactive Working**

- 9.1.1     In determining this application, the local Planning Authority has worked with the Applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the Applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirements of the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **Appendix 1 Planning Obligation Head of Terms**

- Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
- Improvements to the Bowers Lane Bridge
- Construction of a controlled pedestrian crossing across Clay Lane

## Appendix 2 Planning Conditions and Informatives

### CONDITIONS:

#### 1. Time limit – Full Application

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. Drawing no.s

The development hereby permitted shall be carried out in accordance with the following list of approved plans and documents, except where other conditions require detailed and /or revised drawings on specific matters.

Plan No	Date Issued /last revision	Title
42287/3147/001	17 <sup>th</sup> Dec 2020	Site Location Plan
42287/3147/03	17 <sup>th</sup> Dec 2020	Transport Note including Indicative Site Access and Parking Layout Drawings
42287/3147/03	17 <sup>th</sup> Dec 2020	Landscape Details
20275-MA-RP-D-TS01	17 <sup>th</sup> Dec 2020	Arboricultural Statement
201209-1.0-WUVSANG-AS-CH	17 <sup>th</sup> Dec 2020	Ecological Appraisal and Shadow Habitats Regulations Assessment Screening Statement
42287/3163	17 <sup>th</sup> Dec 2020	Flood Risk Assessment
42287/4017	17 <sup>th</sup> Dec 2020	Noise Assessment
42287/3167	17 <sup>th</sup> Dec 2020	Sustainability Statement
<b>20_P_02173</b>	22 Sep 2021	SANG Illustrative Design

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.

#### 3. Exclusion of Certain Areas as SANG (pre-commencement condition)

The change of use to Public Open Space (intended for SANG purposes) does not apply to the flowing areas:

- a) All areas within the site Boundary north of Clay Lane, unless and until the pedestrian crossing required by the planning obligation linking footpaths north and south of Clay

Lane is approved by the planning authority and highways authority and so implemented.:

- b) All areas defined as biological exclusion areas in the approved landscape management plan;
- c) All areas within the A3 62DbA noise contour;
- d) All areas shown on the flood management plan as being within flood zone 3 and where safe pedestrian access cannot be provided.

Prior to commencement of development and coming into use as a SANG clear plans shall be submitted to and approved by the local planning authority showing each of these 4 areas, and the area of the residual SANG area.

Reason: To ensure the Natural England minimum standards for SANGS are met.

#### **4. Public Use in Perpetuity**

Following the of all the capital works as shown on the approved plans under condition 2 the site shall be made available for public use in perpetuity, other that the excluded areas listed in condtion 3.

Reason To ensure the site can qualify as a SANG

#### **5. SANG Car Park (pre-commencement condition)**

Prior to commencement of development and coming into use as a SANG plans for a car park and access arrangements within the red line boundary for at least 1 car parking space for every 0.7ha of approved SANG, plus other spaces for Non SANG activities, shall be submitted to and approved by the local planning authority and so implemented. This shall include screening landscaping details and include a minimum of to DDA wide bays.

Reason: To ensure the Natural England minimum standards for SANGS are met.

#### **6. SANG and Biodiversity Management Plan (pre-commencement condition)**

Prior to commencement of development hereby permitted a SANG and landscape and ecological management plan (SLEMP), including long-term design objectives, management responsibilities and maintenance schedules for all areas shall be submitted to and approved in writing by the Local Planning Authority. management plan shall be carried out and maintained thereafter.

All works in the approved SLEMP, including hard and soft landscaping, shall be implemented before any approved parts of the plan suitable for SANG are brought into use of as public open space.

The plan shall also include the additional elements listed below:

- i. aims and objectives of the management plan
- ii. description of the ecological features of the site to be managed and habitat condition to be achieved, including tree planting measures

- iii. a plan which illustrates which areas have been included for Biodiversity Net Gain for other schemes;
- iv. Description of measures to encourage and manage public access, including signage, walkways, bird hides, cycleways, car parks, and picnic areas
- v. Ecological trends and constraints on site that might influence management
- vi. Areas where public access is restricted (biodiversity exclusion areas)
- vii. details of maintenance regimes for each habitat type supported by a detailed map. coppicing/pollarding should aim to create approximately 60% sun and 40% shade over the watercourse.
- viii. timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works) details of how public access will be restricted and disturbance minimised to the buffer zone
- ix. landscape maintenance for a minimum period of 10 years, including timings, work programmes, replacements etc
- x. monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site
- xi. details of new/restored Hedgerow planting and enhancement of hedgerows e.g. through in-fill or double/new planting.
- xii. management of existing woodland via selective thinning and planting of new woodland.
- xiii. diversification of some grassland areas e.g. using meadow management techniques.
- xiv. management of existing ponds to increase the diversity of vegetation.
- xv. creating buffer areas along the riverbanks where access is prevented.
- xvi. the creation of larger shallow pools or scrapes in areas toward the centre of the Site.
- xvii. creation of log and brash piles to provide refuge for small fauna.
- xviii. expansion of reedbed habitat in the south of the Site.
- xix. the installation of new bird and bat boxes
- xx. details of Eel passes
- xxi. details of proposals to increase wetland areas, wet woodland and wildflower meadows
- xxii. details of measures to encourage otter habitat
- xxiii. details of on-going ecological survey work to further shape the Management Plan details of management responsibilities
- xxiv. all native planting is to be of local provenance.
- xxv. details of the legal and funding mechanism(s) by which long term implementation of the plan shall be secured by the developer with the management body responsible for its delivery
- xxvi. A circular walk of minimum length of 2.3 km

- xxvii. The LEMP shall be implemented in accordance with the approved details and thereafter maintained.

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

## **7. Heritage Management Plan (pre-commencement condition)**

Prior to the commencement of development a heritage management plan shall be submitted to and approved by the local planning authority showing how heritage assets and archaeological features (particularly surviving and remnant sections of the 'Flowing River'), are maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways; and the scheme shall be implemented in line with the approved plan.

Reason: to protect heritage assets. This is required to be a pre-commencement condition to ensure that this issue is fully considered in drawing up detailed management proposals.

## **8. Tree protection measures (pre-commencement meeting)**

There will also need to be a long-term management plan for trees and woodland. A separate condition will be required to ensure the Woodland Management Plan is commissioned, implemented and updated when necessary.

No development shall other than in accordance with finalised Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging of works relating to the full application) and the finalised Tree Protection Plan (TPP), submitted with and approved as part of this planning application, including both trees affected by the full application works, and needing to be protected where part of future phases, in accordance with British Standard 5837:2012.

The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission.

## **9. Tree Protection Meeting (pre-commencement meeting)**

No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA and Parks and Countryside Tree Officers.

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 tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

## **10. Ancient Woodland and Veteran Tree Buffer**

No development may take place within 15m of any veteran tree or area of ancient woodland identified in the arboricultural statement (20275-MA-RP-D-TS01), other than no-dig development agreed in advance with the local planning authority.

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

## **11. Weyside Buffer Zone scheme**

In order to protect the River Wey (and associated biodiversity receptors), an 8m minimum ecological buffer is required between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for access to the River Wey or for the creation of a riverside Walk.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

## **12. Restriction of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no buildings, gates, fences, or any other form of enclosure other than shown on the approved plans or agreed as part of the Landscape and Biodiversity Enhancement and Management Plan shall be constructed or erected on the site.

Reason: In the interests of visual amenity.

## **13. Ecological Appraisal**

Unless otherwise agreed by the Biodiversity and Landscape Enhancement and Management Plan the development shall be undertaken in accordance with the recommendations set out in the submitted Ecological Appraisal as well as the Bat Survey, Breeding Birds Survey, Badger Survey, Dormouse Survey and Great Crested Newt Survey.

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

## **14. Landscape Design (SANG use)**

Prior to use of the site as an area of public open space approved for use as Suitable Alternative Natural Green Space (SANG) details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. They shall be subsequently implemented in accordance with the approved plan details.

Reason: In order to ensure implementation of the approved landscape details..

## **15. No Lighting**

No lighting shall be installed on the site unless otherwise agreed and approved in writing by the LPA.

Reason: In the interests of visual amenity and nature conservation. Any variance would require a separate habitat assessment in terms of protected species such as bats.



## **16. Western Wey Bank Exclusion Zone**

The exclusion zone for the protection of wintering birds in the centre of the site is to be extended to the western bank of the river, so that it includes the area between the proposed bridge crossings.

Reason: To protect this area from disturbance to wintering birds, reduce operational impacts on managing this area for nature conservation and biodiversity net gain.

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## 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 that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

## 2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths in accordance with the manufactures recommendations, this should include evidence

that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

## 3. County Highway Authority Informatives:

The permission hereby granted shall not be construed as authority to carry out any works on the highway.

The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs)

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see

[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme)

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planningandcommunitysafety/flooding-advice)

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. For guidance and further information on charging modes and connector types please refer to: [www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html](http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html)

#### 5. Ecology Informative:

Should Bats be identified as present or their roosts, the applicant should contact Natural England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

#### 6. SANG Informative

The proposed site is unlikely to provided mitigation against the impact of residential development on the TBH SPA unless and until a SANG Management Plan, including details and responsibilities of a suitable management body and the long term funding of the sites management, has been agreed with the Local Planning Authority in consultation with Natural England.

### **Appendix 3 Review of Environment Statement**

Please refer to Weyfield Urban Village Report appendix 3