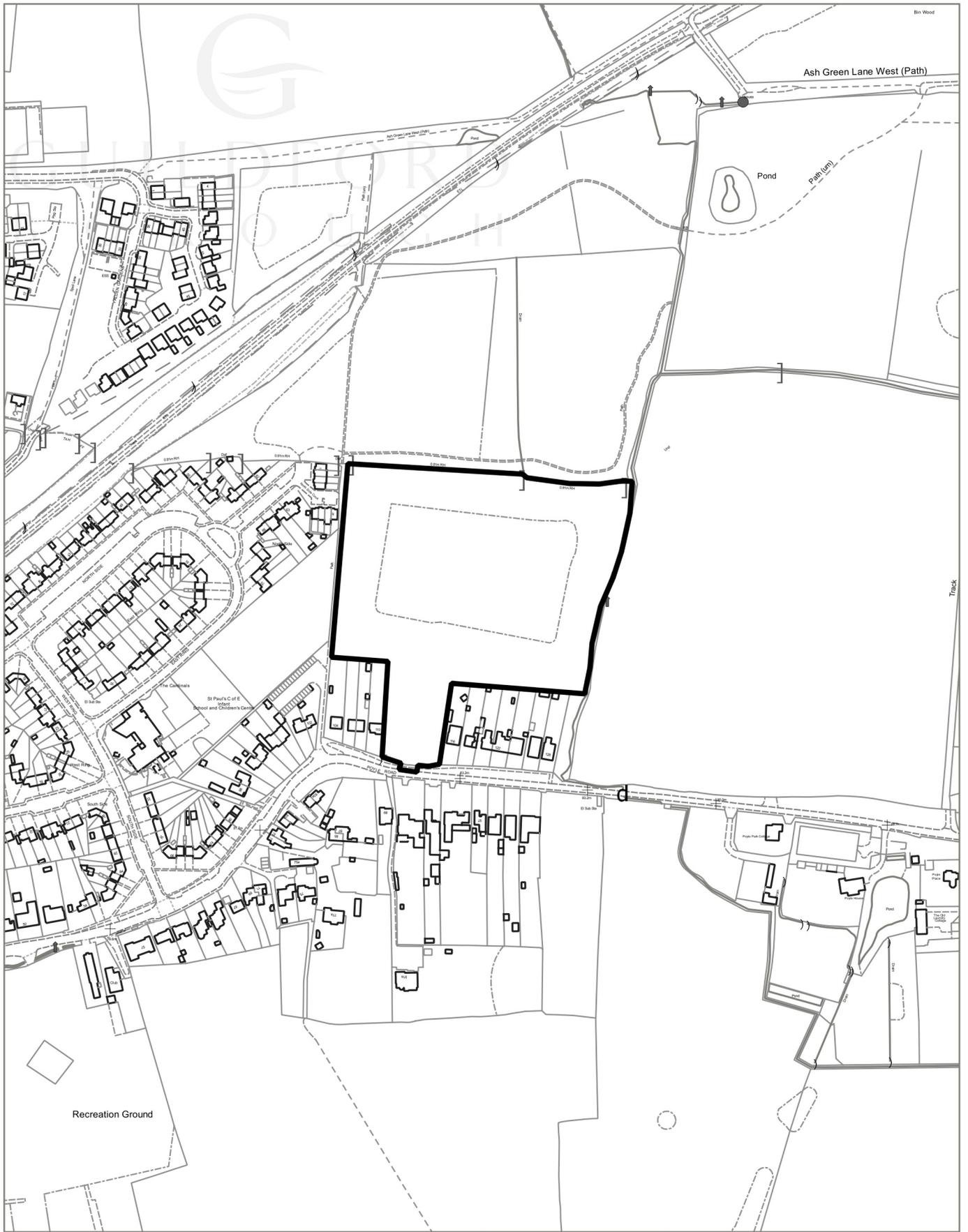


# 21/P/01456 - Land At, Poyle Road, Tongham



© Crown Copyright 2022. Guildford Borough Council.  
Licence No. 100019625.

This map is for identification purposes only and should  
not be relied upon for accuracy.

Print Date: 11/02/2022



Not to Scale



GUILDFORD  
BOROUGH

21/P/01456 – Land At, Poyle Road, Tongham



Not to scale

**App No:** 21/P/01456  
**Appn Type:** Full Application  
**Case Officer:** Jo Trask

**8 Wk Deadline:** 05/03/2022

**Parish:** Tongham  
**Agent :** Mr D Neame  
Neame Sutton Limited  
West Suite  
Coles Yard Barn  
North Lane  
Clanfield

**Ward:** Ash South & Tongham  
**Applicant:** Bewley Homes Plc c/o Agent

**Location:** Land at, Poyle Road, Tongham  
**Proposal:** Application for the erection of 38 no. dwellings, vehicular and pedestrian access car parking and cycle storage together with associated landscaping and servicing (description amended 02/11/2021).

### **Executive Summary**

#### **Reason for referral**

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

#### **Key information**

This application seeks permission for 38 dwellings. This is a revision to application 20/P/01102 approved for 35 dwellings. This has been commenced and is a material consideration.

38 homes  
6 x 1 bed  
10 x 2 bed  
12 x 3 bed  
10 x 4+ bed

of which 15 homes will be affordable

#### **Parking**

1 bed dwellings 1 space per dwelling  
all other units minimum of 2 spaces  
Total 87 parking spaces (22 garages, 58 private parking spaces, 7 visitor spaces)  
secure cycle storage provided within curtilages.

Building heights range from 8.3m to 9.4m

Local area of play (LAP) provided on site.

## **Summary of considerations and constraints**

This is an allocated site for housing within the Local Plan, it falls under the housing allocation identified as policy A31. Policy A31 is a strategic location for development, comprising a number of parcels of land in the Ash and Tongham area for approximately 1750 homes.

Planning permission 20/P/01102 was granted for 35 homes. This permission has commenced and is a material consideration in the determination of this application.

The application site proposes 38 homes. This application seeks to essentially amend the existing permission, through a slightly increased site area and 3 additional units.

The site is located in the Ash and Tongham urban area. Trees on site are the subject of a woodland Tree Preservation Order made in 1994.

Site is generally flat. The site lies within 400m to 5km of the Thames Basin Heaths Special Protection Area.

The site is located to the north side of Poyle Road. Access is provided as approved under 20/P/01102.

40% affordable housing is provided.

The housing mix is acceptable. The scheme layout is acceptable. Impact on neighbour amenity is acceptable. Impact on the character of the area is acceptable.

Subject to conditions and S106 contributions to secure appropriate mitigation for the TBHSPA, Highways, Education, Ash Road Bridge, Health care, Open Space and Affordable Housing the application is recommended for approval.

## **RECOMMENDATION:**

**Subject to a Section 106 Agreement securing the following contributions:**

**Contributions towards education infrastructure:**

- **Early years £25,576**
- **Primary years £124,925**
- **Secondary years £137,348**

**Total contribution towards education infrastructure: £287,849**

**SANG to be secured at Ash Green Meadows (privately owned SANG).**

**SAMM contribution of £26,187.80**

**40% affordable housing 15 units in perpetuity**

**Open space:**

- **A contribution based on 0.14ha provision towards formal playing space;**
- **Children's play space 0.1ha to be secured on site**
- **Amenity open space 1.65ha to be secured on site**

**A contribution of £1824 towards Highway safety improvements for a road safety scheme in the vicinity of the site**

**A contribution of £78,104.82 towards Heath Care**

**A contribution of £409,084 towards Ash Road Bridge**

**If the terms of the s.106 or wording or the planning conditions are significantly amended as part of ongoing s.106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.**

**(ii) That upon completion of the above, the application be determined by the Head of Place/Director of Service Delivery. The recommendation is to approve planning permission, subject to conditions.**

**(iii) In the event that a satisfactory s.106 is not completed, the application be refused by the Head of Place/Director of Service Delivery.**

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

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

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

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

51 rev B, 54-1, 55-1, 55-2, 100 rev A, 101 rev A, 101-1 rev A, 101-2 rev A, 101-3 rev A, 102, 110 rev A, Up-(x2)-01, Up-(x2)-02, Lv(x2)-01, Lv-(x2)-02, Ri-02, Ri-03, Ri-05, Ri-06, Ok-01, Ok-02, Ok-03, Ok-04, Br-01, Br-02, Br-03, Br-04, Mn-01, Mn-02, Ma-01, Ma-02, La-01, La-02, 1B(x2)-Wu(x2)-01, 1B(x2)-Wu(x2)-02, 1B(x2)-3B-01, 1B(x2)-3B-02, 2B-(x2)-01, 2B-(x2)-02, 3B-(x2)-01, 3B-(x2)-02, Ra-01, Ra-02.

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

3. No residential development shall take place until written confirmation has been obtained from the Local Planning Authority that Suitable Alternative Natural Green Space (SANG) to mitigate the impact of the development has been secured and no dwelling shall be occupied before written confirmation has been obtained from the Local Planning Authority that the works required to bring the land up to acceptable SANG standard have been completed.

Reason: This is required as a pre-commencement condition as the development is only acceptable if the impact on the Thames Basin Heaths Special Protection Area can be mitigated. This is reliant on the provision of SANG. Avoidance works associated with development need to be carried out prior to the occupation of the development so that measures can cater for increased number of residents to avoid adverse impact on the Thames Basin Heaths Special Protection Area.

4. No above ground works shall take place (excluding ground works and

construction up to damp proof course (dpc) and the construction of the access) until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and samples.

- Reason: To ensure that the appearance of the development is satisfactory.
5. The development hereby approved shall be based upon the principles of Secured by Design (physical security) or the Building Regulations equivalent and the scheme shall be implemented in accordance with those principles.

- Reason: To ensure that the development is acceptable in terms of crime and safety.
6. No development shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until a schedule of landscape maintenance (including long term design objectives, management responsibilities and maintenance schedules for all landscape areas) for a minimum period of 10 years, has been submitted to and approved in writing by the Local Planning Authority. The approved landscape scheme (drawings 1450\_101-1 Rev A; 1450\_101-2 Rev A and 1450\_101-3 Rev A) (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained. The approved schedule of landscape maintenance shall be fully adhered to for the lifetime of the development.

- Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.
7. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

- Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.
8. Before the first occupation of the development hereby approved, details of the Local Area of Play (LAP) and its future management shall be submitted to and approved in writing by the Local Planning Authority. The approved LAP scheme shall be installed and implemented before the first occupation of the development. Thereafter the LAP shall be retained in working order for the lifetime of the development and shall be maintained in accordance with the approved Management Plan.

- Reason: To ensure that playspace is provided for the benefit of the residents.
9. No above ground works shall take place (excluding ground works and

construction up to damp proof course (dpc) and the construction of the access) until details of all boundary treatments both within and around the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include a timetable for the implementation of the approved works. The approved scheme shall be implemented in accordance the agreed timetable. The approved scheme shall be maintained in perpetuity.

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

10. The development hereby approved shall only be carried out in full accordance with the Arboricultural Implications Report (including a Tree Protection Plan) June 2021. No development or site setting up works shall commence until tree protection measures, and any other pre-commencement measures as set out in the AIR and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

11. The development shall only proceed in accordance with the Written Scheme of Investigation for an Archaeological Excavation produced by Archaeology South East on behalf of RPS and dated 25/11/2020.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development.

12. Prior to the commencement of development, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon technology shall be achieved. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

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

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

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

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of **4 l/s**.

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

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

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

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

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

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

16. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Poyle Road has been constructed and provided with visibility zones in accordance with the approved drawing number 100-1 Rev A, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety

- nor cause inconvenience to other highway users.
17. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved drawing number 100-1 Rev A, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

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

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

19. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles

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

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

20. The development hereby approved shall not be first occupied unless and until the facilities for bicycles have been provided in accordance with the plans to be submitted to and approved in writing by the Local Planning Authority. Thereafter the parking for bicycles shall be retained and maintained for their designated purposes.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

21. Before the development hereby approved is first occupied, the measures set out on the Refuse Vehicle Swept Path Analysis (drawing 6147:90 P2) shall be implemented in full and made available for use. The scheme shall be retained in perpetuity.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

22. The development hereby approved shall only be carried out in accordance with the conclusions and recommendations and ecological enhancements detailed in the Phase 2 Protected Species Surveys (dated September 2020, reference J20792\_P2\_Rev A, prepared by Greenspace Ecological Solutions Ltd), the Preliminary Ecological Appraisal (dated January 2020, reference J20792, prepared by Greenspace Ecological Solutions Ltd) and the letters from Greenspace Ecological Solutions Ltd dated 24.06.20 and 12.11.20.

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

23. Before the commencement of the development hereby approved, the applicant shall submit a mitigation and translocation strategy for slow worms. The development shall only be carried out in full accordance with the approved details.

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

24. No development above ground level shall commence until a Sensitive Lighting Management Plan (to comply with 'Bats and Lighting in the UK - Bats and Built Environment Series) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the implementation of the works. The development shall then be carried out in accordance with the approved details.

Reason: To prevent adverse impacts on protected species, in particular bats, resulting from the proposed development works and to protect the visual amenities of the surrounding area.

25. No development shall take place, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- precautionary working methods for reptiles, badgers and dormice;
- risk assessment of potentially damaging construction activities;
- practical measures to avoid and reduce impacts during construction;
- location and timing of works to avoid harm to biodiversity features;
- responsible persons and line of communication; and
- use of protected fences, exclusion barriers and warning signs.

Reason: To ensure that satisfactory measures are put in place for addressing potential contamination and ecological issues before and during development to protect important local ecological features. It is considered necessary for this to be a pre-commencement condition because the

management of the construction needs to be considered before construction commences.

26. The development hereby approved shall not commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed including plantings and artificial ecological enhancements.
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- g) details of the body or organisation responsible for implementation of the plan; and
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved measures shall be implemented in full before the first occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure that satisfactory measures are put in place for landscape and ecology management. It is considered necessary for this to be a pre-commencement condition because the requirements need to be considered before construction commences.

27. No development shall commence (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until a scheme including plans, has been submitted to and approved in writing by the Local Planning Authority for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of each building where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP.

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

28. Before the development hereby approved is commenced, a plan showing the location of the four Building Regulations 'accessible and adaptable dwellings M4(2) and the two Building Regulations M4(3)(2) wheelchair accessible dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in

accordance with the approved details.

Reason: In order to provide a flexible housing stock to meet a wide range of accommodation needs.

29. Immediately prior to commencement of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the local planning authority.

Reason: To prevent harm to this species

30. Prior to commencement of development the Ecological Enhancement, Management and Mitigation Plan (EEMMP) by Greenspace Ecological Solutions July 2021 shall be amended and submitted to the LPA for approval in writing. The amendments shall include:  
who will be responsible for undertaking the management of the receptor site and implementing the recommendations following the monitoring surveys updated to reflect changes to building and landscaping layout, in particular the location of integrated bar and bird boxes.

The development shall be carried out in strict accordance with the details within the EEMP as amended.

Reason: To secure appropriate mitigation measures. This pre-commencement condition goes to the heart of the planning permission. No development shall commence until a Site Waste Management Plan has been submitted to an approved in writing by the Local Planning Authority that demonstrates how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with the established methodology.

- 31.

Reason: To ensure that the development takes waste hierarchy into account to manage waste. It is considered necessary for this to be a pre-commencement condition because waste will begin to be generated as soon as any development commences on the site.

#### **Informatives:**

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

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

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

Pre-application advice was not sought prior to submission and minor alterations were required to overcome concerns, these were sought and (either) the applicant agreed to the changes

3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. The developer is advised that if the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs).

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are

carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

## **Officer's Report**

### **Site description.**

The application site lies to the north of Poyle Road and east of The Cardinals residential estate. Undeveloped open land is located to the east of the site beyond a tree belt and to the north. To the south lies residential properties on either side of Poyle Road. Access is via an existing gate between 110 and 116 Poyle Road.

The site is allocated for housing in the Local Plan (Policy A31) and now falls within the urban area of Ash and Tongham.

The site itself is generally flat and contains a large number of trees with the majority of them around its perimeter. Trees on the site are protected by a woodland Tree Preservation Order, which was made in 1994.

The site lies within the 400 metres - 5 kilometre buffer zone for the Thames Basin Heaths Special Protection Area (TBHSPA). To the north and east the site adjoins a Site of Nature Conservation Importance.

A public footpath runs to the side of the western side boundary

### **Proposal.**

Application for the erection of 38 no. dwellings, vehicular and pedestrian access car parking and cycle storage together with associated landscaping and servicing (description amended 02/11/2021).

The proposal seeks 3 additional units over that approved under application 20/P/01102. A full planning application is required as the site area has increased to include a parcel of land to the south west.

Proposed Mix					
	1-bed	2-bed	3-bed	4+-bed	Total
<b>Total dwellings</b>	<b>6</b>	<b>10</b>	<b>12</b>	<b>10</b>	<b>38</b>
Of which...					
<b>Houses</b>	0	10	12	10	32
<b>Apartments</b>	6	0	0	0	6
<b>Affordable</b>	6	4	5	0	15

40% of dwellings to be affordable

#### Parking

Total of 87 spaces, of which

22 garages

58 private spaces

7 visitor spaces

#### Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/N/00043	Non Material Amendment re 20/P/01102 approved 17/03/2021 Alteration to garages and fences. Plots 30 & 31 Kingsclere's to become Lavington house type with ensuite. Plots 20 21 24 and 25 Eversleys to become Upavon house type with ensuite. See covering letter.	Approve 29/04/2021	N/A
20/P/01102	Proposed erection of 35 dwellings with car parking and cycle storage, vehicular and pedestrian access, and associated landscaping and servicing.	Approve 17/03/2021	N/A

#### Consultations.

##### Statutory consultees

County Highway Authority: The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, recommends conditions regarding: vehicular access, parking and turning bicycle storage, electric vehicle charging, a Construction Transport Management Plan and a contribution of £1824 towards road safety improvement schemes in the vicinity of the site.

NHS Surrey: Request mitigation for the development to be secured by S106 Agreement.

Natural England: Confirm they have been consulted on the Appropriate Assessment in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. No objection subject to the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

Thames Water: No objection to foul water capacity, aware of some network constraints in the vicinity of the proposed development, confident if required any associated upgrades can be delivered in time to serve the development. Application indicates surface water will not be discharged into the public sewer, no objection raised on these grounds. Should a connection be sought to discharge surface water into the public network this would be a material change. Expect developer to demonstrate measures to be undertaken to minimise groundwater discharges onto the public sewer. Request Ground water informative.

Surrey Police: Request condition to ensure development achieves a Secure By Design Accreditation.

Surrey Wildlife Trust: The surveys and reports submitted as part of 20/P/01102 remain valid and applicable. Dormice survey acceptable. No objection subject to conditions.

Surrey County Council Lead Local Flood Authority: No objection subject to conditions regarding detailed design of a SuDS scheme and verification report.

Surrey County Council Archaeology: No objection subject to condition.

Environment Agency: Refer to Flood Risk Standing Advice.

Surrey County Council Education: To mitigate the development contributions are sought for early years, primary and secondary education.

#### Internal consultees

Head of Environmental Health and Licensing:

Head of Parks and Countryside: Management and maintenance of the open spaces to be secured; shortfall in formal play space to be secured by S106.

Housing and Strategy Manager: No objection subject to securing appropriate tenure mix for the affordable housing, to be provided in perpetuity and managed by a suitable Registered Provider.

Tree officer: No objection subject to condition.

#### Parish Council

Ash Parish Council: no comments received.

Third party comments:

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

- highways safety concerns
- no visitor parking (officer note: 2 visitor parking spaces are provided)
- impact on ecology
- lighting
- landscaping required
- impact of additional housing, noise, pollution
- lack of infrastructure/pressure on existing infrastructure
- over crowding/overdevelopment
- out of character

- introduction of house to front alters appearance of scheme
- loss of vegetation/loss of trees
- drainage concerns
- affordable housing (officer note: policy compliant affordable housing is being provided)
- loss of light
- loss of privacy
- cumulative impact of developments
- disruption during construction
- reduction in green space to housing (officer note: significant amenity space is provided on site)

### **Planning policies.**

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

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Making effective use of land

Chapter 12. Achieving well designed places

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

Chapter 15. Conserving and enhancing the natural environment

#### South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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

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

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.00 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

S1	Presumption in favour of sustainable development
S2	Planning for the borough - our spatial development strategy
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

ID3	Sustainable transport for new developments
ID4	Green and blue infrastructure
A31	Land to the south and east of Ash and Tongham

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

G1	General Standards of Development
G5	Design Code
H4	Housing in Urban Areas
R2	Recreational Open Space in Large Resid.
NE4	Species Protection

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD  
 Strategic Development Framework SPD  
 Climate Change, Sustainable Design, Construction and Energy SPD  
 Planning Contributions SPD  
 Vehicle Parking Standards SPD  
 Residential Design SPG

**Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- housing need
- impact on the character of the area and design of the proposal
- impact on neighbouring amenity
- amenity of proposed development
- highway/parking considerations
- flooding and drainage considerations
- sustainable energy
- open space provision
- impact on ecology
- impact on trees
- Thames Basin Heaths SPA
- planning contributions and legal tests

The principle of development

The LPSS has allocated this site under policy A31, which is an amalgamation of separate sites around Ash and Tongham. In total the allocation is expected to deliver approximately 1,750 homes.

In addition to the allocation it is noted that planning permission has been granted on this site for 35 dwellings through applications 12/P/01514 (outline) and 16/P/02466 (reserved matters), and more recently through planning permission 20/P/01102. Planning permission 20/P/01102 is extant and is a material planning consideration.

The proposed application includes a parcel of land to the front of the site in addition to the land the subject of planning permission 20/P/01102. This land also falls within the site allocation.

As such, the principle of 38 dwellings on this site is acceptable, subject to general compliance with the above requirements of policy A31 and relevant local and national policies which will be considered further below.

### Housing need

Paragraph 60 of the NPPF states that 'to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'. Paragraph 62 goes on to note that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disability, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)'.

Having a recently adopted plan and in accordance with paragraph 75 of the NPPF, the Council is able to demonstrate a five-year housing land supply with an appropriate buffer.

### Affordable housing

Policy H2 of the LPSS seeks at least 40 per cent of the homes on application sites to be affordable, with the mix in tenures being the same as set out above. Policy H2 also states that 'the tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute, to the Council's satisfaction, towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment 2015, or subsequent affordable housing needs evidence'.

The proposal generates a requirement for 15 affordable properties on the site, which are being provided by the applicant. This is in compliance with policy H2 of the LPSS. In terms of the tenures, the applicant proposes a total of 15 affordable units. The LPA would look to secure a tenure split of ten affordable rent and five shared ownership homes. This represents the Councils required 70/30 tenure split. The affordable housing is as per the planning approval clustered within the northwestern part of the site with three units provided within the north eastern parcel, which as before prevents a complete cluster impact and was on balance previously found to be acceptable. No objection is therefore raised to the spread of affordable housing.

As such, the proposal is considered to be compliant with policy H2 of the LPSS in this regard.

### *Dwelling mix*

Policy H1 of the LPSS states that 'new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location'. The proposed dwelling mix for the development, as well as the SHMA requirement, is provided below.

<b>Table 1</b>			
<b>Overall Housing Mix</b>	<b>No.</b>	<b>SHMA % Req</b>	<b>Provided %</b>
1 bed	6	20	16
2 bed	10	30	26
3 bed	12	35	32
4 bed	10	15	26
Total	38		

<b>Table 2</b>			
<b>Market Mix</b>	<b>No.</b>	<b>SHMA % Req</b>	<b>Provided %</b>
1 bed	0	10	0
2 bed	6	30	26
3 bed	7	40	30.5
4 bed	10	20	43.5
Total	23		

<b>Table 3</b>			
<b>Affordable Mix</b>	<b>No.</b>	<b>SHMA % Req</b>	<b>Provided %</b>
1 bed	6	40	40
2 bed	4	30	27
3 bed	5	25	33
4 bed	0	5	0
Total	15		

When compared to the SHMA mix, there are still inconsistencies, however taking into account the character of the area these are not likely to cause any material harm to the Council's ability to deliver a compliant SHMA mix on a wider basis. It is noted that no one bedroom market units are being provided, however, the provision of one bedroom affordable units on the site is in line with the SHMA requirement. The Council's Housing Strategy and Enabling Manager raises no objection to the proposed mix and the proposal is deemed to be compliant with policy H1 of the LPSS in this regard.

#### *Accessible units*

Policy H1 of the LPSS requires that 'on residential development sites of 25 homes or more 10% of new homes will be required to meet Building Regulations M4(2) category 2 standard 'accessible and adaptable dwellings' and 5% of new homes will be required to meet Building Regulations M4(3)(b) category 3 wheelchair user accessible dwellings standard'. The applicant has agreed to provide four M4(2) homes and two M4(3)(b) homes. These will be secured by condition.

Overall, the proposal is considered to meet with the NPPF's objective of boosting the supply of homes, which meet the needs of groups with specific housing needs. The proposal will also result in early delivery in the plan period. In this regard the proposal is consistent with policy H1 of the LPSS, as well as the guidance set out in the NPPF.

### Impact on the character of the area and design of the proposal

Paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF notes that decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy D1 of the LPSS makes clear that new development will be required to achieve a high quality design that responds to the distinctive local character of the area in which it is set. The design criterion set out in policy G5 of the saved Local Plan are also relevant.

Planning permission 20/P/01102 granted 35 dwellings, located within the middle of the plot. This permission has been commenced. The proposal seeks to increase the site area, through the inclusion of a strip of land to the western side of the access road. An additional 3 dwellings are sought. One of these would be a detached two storey house, located in line with 110 Poyle Road (plot 38). The set back nature of plot 38 would reflect the character along Poyle Road. Garaging and parking is shown to be located to the rear of the dwelling and accessed via the internal road, with no direct access from Poyle Road. The additional two dwellings would be accommodated within the rear 'middle part of the site'. With the approved plot 32 being subdivided to provide newly numbered plots 32 and 33, and the subdivision of approved plot 33 to provide newly numbered plots 34 and 35. Through slight amendments to the approved layout within the eastern part of the site. The majority of the built form on the application site would be located in the middle of the plot, with the existing vegetation to the north, east and west being retained. This would retain the existing sylvan, rather rural character and feel of the site and would mean that the development would be screened from most public views. The layout of the proposal consists of two main blocks, which are intersected by the access road and an area of public open space. The proposed dwellings would be positioned around the perimeter of the western block, providing active street frontages. To the eastern 'block' dwellings would be positioned around the perimeter with a cul de sac to the southern part. Active street frontages would be provided throughout the development. The scheme would still be spacious in its appearance and the dwellings would have adequate spacing between them. The proposal would create an attractive residential environment, that would integrate well with its surroundings.

The vehicular access into the site would be gained as previously approved from Poyle Road between numbers 110 and 116. Plot 38 would be located to the side of 110 Poyle Road and would take its pedestrian and vehicular access from the internal road, which would be located between plot 38 and 116 Poyle Road. The access is shown on the plans with a gentle curve along its length. On the eastern side there would be a large area of landscaping which provides a buffer to the neighbour 116 Poyle Road. The landscaping will be secured by condition. As a result of this and the vegetation which would be retained, the main built form on the site would not be readily apparent from Poyle Road. Plot 38 whilst of the same design and character of the development it would be read against the street scene in Poyle Road. The proposed footprint and rear plot depth would respect the character of this section of Poyle Road. Given the mix of building heights the proposed two storey height would not be unduly dominant, nor out of character and is found to be acceptable. The main part of the site would remain separated both by distance and due to landscaping and would give rise to no identified harm to the character or appearance of the streetscene.

In terms of the architecture the proposed dwellings are traditional in their appearance with use of hipped roofs, part barn style hipped roofs, gable detailing, brick detailing. They would integrate into the surroundings in an acceptable manner. A proposed material palette of: roof tiles indicated to be cayenne red or rustic, main wall finish Ibstock Cissbury Red Multi with Ibstock Berkshire Orange, or Ibstock Petworth Multi with Ibstock Berkshire Orange. Materials will be the subject of a condition.

The development across the site is two storey, with building heights varying between 8.3m and 9.4m, detached garaging is single storey in height. This is acceptable.

The scheme proposes an additional 3 dwellings above that approved under 20/P/01102, on a slightly larger site area. The development would maintain spaciousness and would not be dissimilar in the main to the recent approval of planning permission.

#### Impact on neighbouring amenity

The layout includes a buffer around the built form which would provide a separation distance to the neighbouring properties at Poyle Road and Northside Court of between 35 and 40 metres. Given this and the tree screening between the neighbouring sites, the proposal would not result in any harm to the amenity of surrounding dwellings.

Plot 38 is located adjacent to 110 Poyle Road. The front building line would respect that of the neighbouring property. The rear building line would extend slightly beyond that of 110 Poyle Road. However, this element is set a distance from the boundary and would not give rise to any identified loss of light. A first floor window is shown within the facing side elevation. It would be reasonable to condition this to be obscure glazed to prevent unacceptable loss of privacy.

No change is made to the location of the proposed access. This was approved under 20/P/01102 and is a material consideration.

Given the above, the application is deemed to be acceptable in this regard.

### Amenity of the proposed development

Policy H1 of the LPSS states that 'all new residential development must conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG)'.

A NDSS Compliance Table has been provided by the applicant, this confirms that the house types proposed as part of the development all comply with the relevant space standards in terms of their overall size.

All of the proposed houses and flats would have adequate areas of private amenity space.

As such, the amenity of the proposed units is deemed to be acceptable.

### Open Space

Saved policy R2 states that new large scale residential developments will require new recreational open space according to the following standards:

1.6ha of formal playing field space per 1,000 people;  
0.8ha of children's play space per 1,000 people; and  
0.4ha of amenity space per 1,000 people.

The proposed development is not of a sufficient size to deliver formal playing field space. In terms of children's play space, the site provides 0.1ha of Children's Play Space, this is over the requirement and is welcomed, it is noted that a local area of play (LAP) is provided along the western boundary of the development. Details of the LAP will be secured by condition. This is deemed to be acceptable to mitigate the impacts of the development in this regard and it will ensure that an appropriate facility with a range of equipment that can be used by those with disabilities, is available for residents of the site to use.

In terms of amenity space, a total area of 0.04ha of land is required, The total areas of communal open space and wooded areas would be 1.65ha. The proposal is deemed to be acceptable in this regard.

The development in accordance with policy R2 is also required to provide contribution towards formal playing space. There is generally a lack of provision for teenagers. A contribution is sought to mitigate the development through providing or improving playing field provision, kick around area, multi sport or improvements to other playing fields in the area.

### Flooding and drainage

The site is located within flood zone one which is land assessed as having a less than 1 in 1,000 annual probability of river flooding. However, it is noted that the site does suffer from surface water flooding. As part of the application a Flood Risk Assessment (FRA) has been submitted which has been assessed by the Lead Local Flood Authority (LLFA).

The FRA notes that the risk of fluvial flooding, even considering climate change is low and that it is not a barrier to granting planning permission. The NPPF states that all development is appropriate in Flood Zone 1 and therefore the application is acceptable in this regard.

In terms of surface water flooding, the existing issues are noted in the FRA and it is acknowledged that prolonged or intense rainfall could result in standing water and overland water

flows. The applicant also acknowledges that the local drainage systems, including the watercourses that convey rainfall away from this area, do not cope sufficiently during these events. The potential for surface water flooding could be exacerbated by the impermeable clay geology of the area, which inhibits infiltration, causing soils to become saturated and contribute to large volumes and high peak rates of runoff from the predominantly greenfield catchment. However, the FRA states 'the development of the site would fundamentally alter the existing greenfield site runoff regime, through the change of surfacing, ground levels and the implementation of a positive surface water drainage system incorporating the use of SuDS to collect, attenuate and dispose of surface water runoff generated from the site up to the extreme 1:100year+cc rainfall event at very low rates of discharge (QBar). This would provide a level of betterment over current conditions by preventing areas of ponding and prevent the rapid and uncontrolled runoff of surface water across the site during intense rainfall events'. The following mitigation measures are being employed by the applicant to address this:

- all dwellings shall aim to be located outside the current areas shown as having a medium (1:100 – 1:30) to high risk (>1:30) annual probability of surface water flooding;
- all dwellings and any electrical sub-station/pump station kiosk located within an area indicated as having a risk of surface water flooding, will have a raised FFL/slab level a minimum of 300mm above surrounding ground level.
- the new development access roads will form corridors to intercept any surface water runoff entering from Poyle Road to the south of the site and convey flows towards the northern boundary of the site, mimicking the existing natural greenfield runoff regime.
- the flood extents shown on the map indicate that surface water flows could spill into the site from the south east from the watercourse that runs along the eastern boundary. To prevent flooding to the development, an engineered solution to separate this source of flooding and protect the new properties may be required. This could be in the form of an open swale, filter trench or low earth bund along the eastern development boundary to intercept overland flows and convey the runoff towards the northern boundary of the site, mimicking the existing natural greenfield runoff regime.

The applicant notes that the above measures and the development of the site will not result in any significant loss of floodplain storage and will not increase the risk of flooding to existing parties within the vicinity of the site or downstream. As a result of this development and the increase in impermeable areas, the peak rate and volume of surface water that could potentially runoff the proposed site if not effectively managed, will be greater than in its current greenfield state. To mitigate this increase, it is proposed that all surface water runoff from impermeable areas at the proposed development for up to the 1:100year +40%cc rainfall event will be attenuated on-site via the use of sustainable drainage systems (SuDS) with an offsite discharge restricted to a maximum of the existing greenfield runoff rate QBar (4.0 l/s). It is proposed that surface water runoff from the development access road is drained via a combination of roadside swales where feasible, or via gullies into a piped drainage system. These swales and piped drainage convey runoff towards an attenuation basin located to the north of the site.

In terms of groundwater the FRA notes that 'the bedrock of London Clay Formation is classified as an 'unproductive' aquifer with very low groundwater vulnerability. Although shallow groundwater was encountered as seepages during the site investigation works at depths of between 0.5m and 1.2mBGL, this groundwater is likely to be locally perched, confined within the upper layer of head deposits by the underlying impermeable clay soils'. The applicant concludes that 'the proposed development is unlikely to have any significant impact upon natural groundwater flows beneath the site either during or after completion of the proposed works and therefore is unlikely to create an increased risk of flooding on or off the site'.

It is demonstrated that safe and dry access and egress at the site is achievable to a publicly accessible location outside the 1:100 year (plus climate change) fluvial flood event extent. The LLFA have been consulted on the application and no objections have been raised, subject to standard conditions. Given this and the fact that the applicant is sufficiently managing risks associated with surface water and groundwater flooding there is no evidence to suggest that the proposal would result in any increased risk of flooding to the site or the surrounds and therefore, the proposal is deemed to be compliant with saved policy G1 and the relevant provisions of the NPPF.

### Highways and Parking

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.

#### *Access*

The proposed access is via a priority junction located in the frontage with Poyle Road. The design of the junction is as previously agreed with Surrey County Council as Highway Authority. The internal road layout will be engineered to adopted standards with a 20mph speed design. A 2.0m footpath leads into the site on the west side of the access road. The road bifurcates to the north into 2 cul de sacs, both provided with turning heads. Footways are provided, and a footpath connection in the north west corner of the site provides pedestrian linkage to Northside Court.

#### *Parking provision*

Each dwelling is afforded off street parking, the one bedroom dwellings would have one space each, with further visitor spaces provided in their vicinity. The remainder of the properties would have at least two parking spaces provided within their curtilage. A total of 87 parking spaces are to be provided, 7 of these will be allocated as visitor parking, 22 will be provided as garage spaces, with the remaining 58 as private parking spaces. This is in excess of the parking standards. Secure cycle parking is provided within the curtilages of each dwelling.

#### *Refuse*

Four refuse collection points are shown on the plans to facilitate collections within the development.

#### *Highway safety and capacity*

Surrey County Council as Highways Authority have advised that the swept path analysis shown on drawing no. 6147:90 from Poyle Road appears to be satisfactory.

The predicted 204 two way vehicular trips for the period of 12 hour daily is not considered to result in a significant increase in vehicular movements on the surrounding highway network.

Existing bus stops on Poyle Road approximately 100m from the development site operates bus service 520 connecting Aldershot and Guildford.

No objections have been raised to the proposed access. However, to improve highway safety in the vicinity of the site the County Highway Authority has requested a contribution which will go towards a road safety improvement scheme to mitigate the impact of the development on the surrounding highway network.

As regards highways impacts it is concluded that the proposal would not result in any material increase in traffic in the area and no capacity concerns are raised. With the mitigation measures proposed, there would be no adverse impact on highway safety. As such, the proposal is deemed to be acceptable in this regard.

#### Impact on ecology

Surrey Wildlife Trust have advised that the previous surveys and reports undertaken as part of application 20/P/01102 remain valid and applicable. Completed survey results for the Dormice were requested and these have been provided. Surrey Wildlife Trust have commented that the Dormouse surveys have been carried out in accordance with good practice and the assessment is that the Hazel Dormouse is likely absent, No further comment on this species. Conditions 25 and 26 of permission 20/P/01102 required the submission of a CEMP and LEMP. The applicant has provided an Ecological Enhancement, Management and Mitigation Plan (EEMMP). Section 5 of the EEMMP states a Management Company will manage and maintain the on site landscaping, Surrey Wildlife Trust have advised that the EEMMP should include who will be responsible for undertaking management of the off site reptile receptor site and implement the recommendations following the monitoring surveys post translocation 1, 3 and 5 years, as this will inform the efficacy and any revisions required to the habitat management strategy. This can be secured by condition.

In line with precautionary measures with regard to badgers a condition is recommended to require immediately prior to commencement of works a survey of the site by an appropriately qualified ecologist, to prevent harm to this species.

Surrey Wildlife Trust have advised the lighting planning appears appropriate for Condition 14 of 20/P/01102 application.

No objection is raised subject to suitably worded conditions.

#### *Biodiversity Net Gain*

The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement. The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity Net Gain as set out in the Environment Act applies in England only by amending the Town and Country Planning Act (TCPA) and is likely to become law in 2023. In the absence of this change to the TCPA and no Development Plan policy regarding biodiversity net gain it would be unreasonable to refuse an application on failing to secure net biodiversity enhancement. However, para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity, and policy ID4 of the LPSS seeks to contribute to biodiversity. It is therefore appropriate to require biodiversity enhancements by condition

The application is supported by an Ecological Enhancement, Management and Mitigation Plan (EEMMP) by Greenspace Ecological Solutions dated July 2021, setting out both mitigation and biodiversity enhancement. Enhancement measures include: creation of log piles/hibernacula, hedgerow, trees, grassland and shrub planting and management; installation of integrated and tree mounted bird and bat boxes; invertebrate and hedgehog houses. No objection is raised subject to suitably worded conditions.

## Sustainable energy

Policy D2 of the LPSS states that new buildings must achieve a reduction in carbon emissions of at least 20 per cent and that this should be through the provision of appropriate renewable and low carbon energy technologies and the use of good quality building fabric. This is supported by the Climate Change, Sustainable Design, Construction and Energy SPD, which sets out the requirements for 'major' development.

The application is accompanied by a revised Energy and Sustainability Statement by AES Sustainability Consultants Ltd dated February 2022, to address comments and concerns raised regarding compliance with the requirements of Policy D2 and the information required by the SPD.

In summary the Energy and Sustainability Strategy (by AES Sustainability Consultants Ltd, February 2022):

### *Heat Networks*

The information provided adequately addresses heat networks.

### *20% carbon reduction*

The ES Statement correctly uses the Part L 2013 building regulations standards as the baseline. The ES demonstrates that each unit type achieves a carbon reduction of at least 20%, complying with policy D2 (9).

### *Energy Hierarchy*

TER and DER information has been submitted supported by SAP assessments to demonstrate a fabric first approach. The ES shows that most of the units achieve the bulk of the carbon reduction through fabric efficiency, with average reductions over 10%. This complies with the energy hierarchy policy D2 (2).

### *Low and Zero carbon energy*

The scheme opts for solar PV systems to provide low and zero carbon energy to meet the carbon reduction policy requirement, following the fabric first approach, then low and zero carbon energy. The information submitted in assessing the potential low and zero carbon technologies is acceptable.

### *Waste and resources*

The ES contains a commitment to implement a Site Waste Management Plan. To ensure compliance with policy D2 a Site Waste Management Plan will be the subject of a condition.

### *Sustainable Design*

The ES lacks sufficient information on the use of landform, layout, building orientation, massing and landscaping in reducing energy consumption. However, given the layout, massing and landscaping is not dissimilar to the approved scheme 20/P/01102 which has been implemented it would be unreasonable to refuse on the absence of this information.

### *Water efficiency*

The ES states that the development aims to achieve 110 litres per person per day. It is a requirement that developments achieve a maximum of 110 litres per person per day. This will be the subject of a condition and is subject to a compliance check through the building Control process.

### *Climate change adaptation*

The statement adequately addresses overheating given the site is in an area of low UHI effect. The drainage strategy has been designed to include a 40% allowance for climate change, the LLFA have raised no objection subject to conditions and on this basis the scheme meets policy D2 (4). A commitment to provide water butts to address drought and water shortages also contributes to water efficiency measures.

A suitably worded condition is recommended to secure the appropriate details.

### Thames Basin Heaths SPA

The application site is located within the 400 metre to 5 kilometre buffer of the Thames Basin Heaths Special Protection Area (TBHSPA). Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 38 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

The Council has adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017 which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Greenspace (SANG) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development.

The applicant is the developer of a recently delivered SANG in the immediate area (Ash Green Meadows) and space has already been reserved at that SANG as mitigation for this proposal. Given this, it is considered reasonable to impose a Grampian style planning condition to prevent development commencing until such time that the Council has agreed in writing that the required mitigation has been delivered (i.e. that the amount of SANG required to mitigate this proposal has been transferred to the Land Trust who manage and run Ash Green Meadows). This arrangement has already been agreed with Natural England in the past, and is considered appropriate for this application also. Given the earlier application has been implemented (May 2021) the S106 would secure the additional SANG required to mitigate the development.

If the above mitigation was secured by way of a s.106 agreement, as well as the use of a suitably worded Grampian condition, it is considered that the proposal would be compliant with the objectives of the TBHSPA Avoidance Strategy SPD 2017 and policy NRM6 of the South East Plan 2009.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England has been consulted on the AA and they confirm they are happy with its conclusions.

## Archaeology

Surrey County Council Archaeology have advised that in response to the previously approved scheme (20/P/01102) for this site (albeit slightly smaller area) a field evaluation was carried out by Archaeology South East that revealed evidence of Roman Activity on the site. This work is largely complete, although a watching brief is to be carried out during the construction of the approved access road as it goes through an area that was outside the original evaluation area due to tree coverage. This work has been secured by a condition placed on planning permission 20/P/01102.

Whilst the scheme does not involve any area that has not already been the subject to archaeological investigation this is a new application for the whole site and therefore it is prudent to attach the previous condition to ensure all archaeological discoveries are properly analysed and made publicly available.

## Impact on trees

The application site is covered by a woodland Tree Preservation Order (TPO). This protects all trees on the site. The impact on trees was previously assessed under application 20/P/01102. For ease the following tree works were granted:

The approved scheme required the removal of 51 individual trees and six groups of trees that are protected by TPO. However it was noted that these are all category 'C' trees of low quality with low amenity value. The tree and scrub removal and erection of tree protective fencing has taken place in accordance with the approved planning application 20/P/01102.

The proposal has been assessed by the Council's Tree Officer who notes that the additional 3 units does not impact on the trees as set out in the Arboricultural Implications Report prepared by SJA Trees, dated June 2021. The application proposes some realignment of tree protective fencing but no additional trees will be removed than previously agreed.

Additional landscape proposals include extensive native tree replanting. If approved, the Arboricultural Implications Report (including a Tree Protection Plan) June 2021 will need to be adhered to in full.

The scheme integrates the existing trees on the site into the development in an acceptable manner. With a condition requiring compliance with the above report, the proposal is deemed to be acceptable in this regard.

The development will also include the replanting of native tree species which will be secured as part of the landscape conditions.

## Planning contributions and legal tests

The three tests as set out in Regulation 122(2) require s.106 agreements to be:

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

If all other aspects of the application were deemed to be acceptable, then the following contributions could be secured by way of a s.106 agreement.

### *Thames Basin Heaths SPA*

The development is required to mitigate its impact on the TBHSPA and this would be secured through a legal agreement (SMM payment only of £26,187.80). This would accord with the TBHSPA Avoidance Strategy SPD 2017. Without this, the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

### *Affordable housing*

The requirement for affordable housing has been set out above. The legal agreement would secure the provision of the number of affordable units, as well as their tenure and mix, so that the proposal is compliant with local and national policies. The obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

### *Education*

The development is likely to place additional pressure on school places in the area at early years, primary and secondary level. The development should mitigate these impacts. Surrey County Council as the Education Authority has provided a list of projects which contributions would be allocated to and these are considered to be reasonable and directly related to the development. For the early years the contribution would go towards improvements at Tongham Day Centre, for the primary school contributions the County Council plan improvements and extensions to Ash Grange Primary School and the secondary school contribution would be used to partly fund the extension of Ash Manor School. The total education contribution agreed with the applicant is £287,849. As such, these contributions are required to mitigate the impact of the proposal on the local education system.

### *Highways*

To help improve safety further and to help mitigate the impacts of the development, a s.106 contribution of £1,824 has been secured towards improvements works in the vicinity of the site.

Guildford Borough Council have requested a contribution to improvements at Ash level crossing. The development would result in additional traffic crossing the railway, as well as pressures on the surrounding roads in relation to rat running, and contributions are required to improve highway safety and capacity around the crossing. On this basis, the contributions are directly related to the development, and could be used for the new road bridge to enable the closure of the level crossing at Ash station. This contribution will be £409,084.

These measures all help to mitigate the impact of the proposal and are necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

### *NHS Healthcare*

The development is likely to place additional pressure on the NHS Healthcare. The total cost per dwelling to the Trust per dwelling per year is £2,055.39. It is necessary for the developer to contribute towards the cost of providing capacity to the Trust to maintain service delivery during the first year of occupation of each unit of accommodation within the development, The total contribution for the development is £78,104.82.

These contributions are required to mitigate the impact of the proposal and are necessary, directly related to the development and reasonable and there meet the requirements of Regulation 122.

### **Conclusion.**

This is an allocated site which now forms part of the urban area of Ash and Tongham. Whilst there would be an inevitable change in the character and appearance of the land, the principle of development here has already been found to be acceptable in the granting of the 35 unit scheme (20/P/01102). This scheme proposes a net increase of 3 units.

The proposal complies with the Development Plan and it would not result in any material harm to the character of the area. A landscaped buffer is retained around the site and this would help the development integrate into its site. The proposed dwellings are considered to provide a good level of internal and external amenity for future residents. There would be no unacceptable harm to neighbouring residents. Subject to conditions the scheme would also be acceptable in terms of highway safety, trees, ecology, archaeology and sustainable construction.

Subject to the conditions and s.106 agreement securing the contributions set out above, the application is deemed to be acceptable and is recommended for approval.