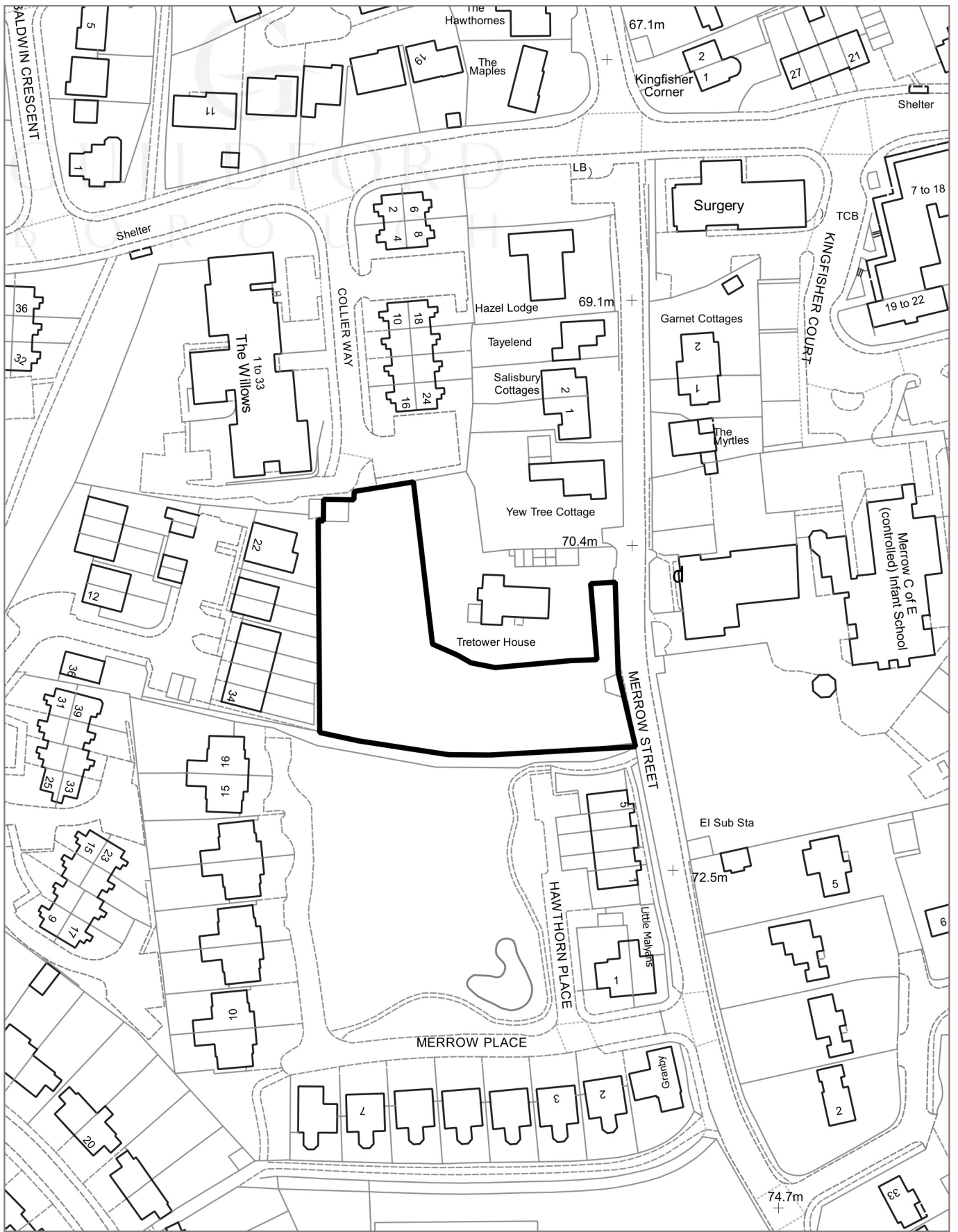


# 21/P/02643 - Tretower House, Merrow Street, Guildford



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Print Date: 22/03/2022



Not to Scale



**GUILDFORD**  
BOROUGH

21/P/02643 - Tretower House, Merrow Street, Guildford



Not to scale

**App No:** 21/P/02643  
**Appn Type:** Full Application  
**Case Officer:** Katie Williams  
**Parish:** Merrow  
**Agent :** Tetra Tech Planning  
C/o Agent Tetra Tech  
Planning  
Wharf House  
Wharf Road  
Guildford  
GU1 4RP

**8 Wk Deadline:** 11/02/2022

**Ward:** Merrow  
**Applicant:** Aspen Homes Ltd  
C/o Agent Tetra Tech  
Planning  
Wharf House  
Wharf Road  
Guildford  
GU1 4RP

**Location:** Tretower House, Merrow Street, Guildford, GU4 7AT  
**Proposal:** Erection of 6 two-storey dwellinghouses with rooms in roof, including access changes, parking and landscaping

### **Executive Summary**

#### **Reason for referral**

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

#### **Key information**

The application site forms the curtilage of Tretower House, a single detached dwelling occupying a generous plot, well enclosed by existing mature tree and shrub planting. The site is on the west of Merrow Street and located well within the Guildford urban area. It is not subject to any statutory designations. The site is accessed from Merrow Street.

In terms of adjacent uses Merrow Street borders the site to the east with a school (Merrow C of E Infant) on its opposite side. South of the site lies a large area of amenity grassland with residential properties either side of it. Residential development is located north and west of the site.

The existing large detached house and its shed in the north of the site are to be retained by the scheme.

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

This application is a re-submission of application ref: 21/P/01209 which was withdrawn, and follows continued discussions with officers through pre-application.

The proposals include the erection of 6 no. two-storey dwellinghouses with additional roof accommodation, access changes, parking and landscaping. The proposed housing would provide 4 detached properties and 2 semi-detached properties in the following mix;

3 x 3 bedroom houses  
2 x 4 bedroom houses  
1 x 5 bedroom house

The site is located within an area where the principle of residential development is acceptable and, subject to other material considerations, is supported by the local plan and national planning policies as the site is in a sustainable location and would represent development that would make effective use of existing developed land. Further to the responses from consultees there are not any significant adverse effects that would arise from the development or lead to conflict with relevant local plan policies. There are also no other material considerations that indicate the application should be refused and, therefore;

**RECOMMENDATION:**

**(i) That a S106 Agreement be entered into to secure the provision of:**

- **SANG and SAMM Contributions in accordance with the formula of the updated tariff**
- **£15,000 contribution to Surrey County Council for the full drainage investigation and maintenance on Merrow Street**

**If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 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. The preliminary view is that the application should be granted subject to conditions.**

**(iii) That in the event a satisfactory S106 is not completed the Head of Place be able to refuse the planning application.**

**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 received 20 December 2021:

Site Location & Block Plan 028P4  
Plots 1 & 2 Elevations – 013P3  
Plot 3 Elevations – 016P4  
Plot 4 Elevations – 019P4  
Plot 5 Elevations – 022P5

Plots 1 & 2 Ground Floor & First Floor plans – 011P5  
Plots 1 & 2 Second Floor & Roof Plans – 012P4

Plot 3 Ground Floor & First Floor Plans – 014P6  
Plot 3 Second Floor & Roof Plans – 015P5  
Plot 4 Ground Floor and First Floor Plans – 017P5  
Plot 4 Second Floor and Roof Plans – 018P5  
Plot 5 Ground Floor and First Floor Plans 020P6  
Plot 5 Second Floor and Roof Plans 021P6  
Plot 6 Ground Floor & First Floor plans – 023p4

Proposed Sheds – 038P1  
Proposed Site Sections – 037P2  
Proposed Context Plan – 027P4  
Landscape Plan – Aspn23055

*and amended plans received 11 March 2022:*

Proposed Site Plan – 010P8  
Plot 6 Elevations – 025P5  
Plot 6 Second Floor & Roof Plans – 024P5  
Proposed Refuse Turning Plan – 026P4

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

3. No development shall 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) measures to prevent the deposit of materials on the highway
  - g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - h) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15am and 3.15 to 4.00pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Merrow Road during these times.
  - i) 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.

4. Prior to the commencement of development above slab level a schedule of the details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the local planning authority.

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

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

5. Prior to the commencement of development above the slab level, 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.

6. Prior to the first occupation of the development, a detailed landscape and ecological management plan (LEMP) for the site to include detailed landscaping proposals and the enhancement and mitigation measures set out in the 'Addendum to Planning Supporting Letter - Ecology (from Tetra Tech Planning) dated 8 March 2021, must be submitted to and approved in writing by the Local Planning Authority. The LEMP should include adequate details of proposed impact avoidance, mitigation and enhancement and include details of the following:

- a) description and evaluation of features to be managed
- 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
- h) ongoing monitoring and remedial measures
- i) legal and funding mechanisms by which the long-term implementation of the plan will be secured by the application with the management body(ies) responsible for its delivery
- j) monitoring strategy, including details of how contingencies and / or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
- k) final biodiversity net gain assessment

The development shall be implemented in accordance with the agreed LEMP.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

7. No development (including demolition and groundworks) shall commence until a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority.

The CEMP should include, but not be limited to:

- 1) Map showing the location of all of the ecological features, on and off site.
- 2) Risk assessment of the potentially damaging construction activities
- 3) Practical measures to avoid and reduce impacts during construction
- 4) Location and timing of works to avoid harm to biodiversity features
- 5) Responsible persons and lines of communication
- 6) Use of protected fences, exclusion barriers and warning signs.

The CEMP must be signed off by the Local Planning Authority prior to the commencement of any site works. The development shall then be implemented only in accordance with the agreed details.

Reason: To ensure the adequate protection of protected species and habitats.

8. No development (including demolition and groundworks) shall commence until a Common Toad Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy should include adequate details of all measures of impact avoidance, mitigation and enhancement to reduce the impact on the species and include details of the following:

- ACO Climate Tunnel
- ACO Wildlife Kerb
- Amphibian Garden.
- construction detail
- monitoring and maintenance programme

The development hereby approved shall then be carried out in accordance with the mitigation strategy prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the strategy.

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

9. Any external lighting on the development shall accord with best practice guidance (as set out in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment, Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby) and thereafter maintained in perpetuity.

Reason: To ensure the adequate protection of statutory protected species and habitats.

10. No development (including demolition and groundworks) shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced.

11. No development (including demolition and groundworks) shall take place until a detailed surface water drainage scheme, along with a management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The design shall demonstrate compliance with the SuDS Hierarchy, and be in broad accordance with the following documents;

- Flood Risk Assessment, Motion, February 2022, rev A;
- Drainage Statement, Motion, February 2022 (as revised 23/02/2022);

The surface water system shall be installed prior to the first occupation of any dwelling, and shall thereafter be maintained at all times in accordance with the approved details.

Reason: To ensure the development does not increase flood risk on or off site.

12. The development hereby approved shall be implemented in accordance with the requirements of the Arboricultural Impact Assessment and Method Statement and Tree Protection Plan prepared by ACD Environmental, dated 15th December 2021, which must be adhered to in full, and may only be modified by written agreement from the LPA.

No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. This included the requirement of a pre-commencement site meeting with the project arboriculturist, LPA Tree Officer, and Site Manager. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the adequate protection of trees prior to works commencing on site goes to the heart of the planning permission.

13. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Merrow Street, has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.2006078-01 Rev B, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m high.



Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

14. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, 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: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

15. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development site, have been provided in accordance with drawing no.s 010P7 and 038P1 and thereafter the approved facilities shall be maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

16. The development hereby approved shall not be occupied unless and until each of the proposed dwellings and the visitor parking bay is 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 and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable modes of transport and mitigate the impacts of the development in line with Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021 and policy D2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034.

17. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect residential amenity.

18. Notwithstanding the details hereby approved, prior to the occupation of each corresponding dwelling the following windows shall be fitted with obscure glazing and fixed shut (below a level of 1.7 metres) and retained as such at all times thereafter:

Plot 2: side elevation first floor 'Master Ensuite' window

Plot 4: side elevation first floor 'Master Ensuite' window

Reason: In the interests of residential amenity and privacy.

19. Notwithstanding the provisions of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) no additional windows shall be installed in the west side elevations of Plots 4 or 5 hereby approved, or the northern side elevation of plot 2.

Reason: In the interests of residential amenity and privacy.

20. The development shall be carried out in accordance with the sustainability measures set out in the submitted Climate Change and Sustainability Questionnaire (received 20 December 2021).

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.

#### **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 sought prior to submission and minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

## **Officer's Report**

### **Site description.**

The application site is formed of an area of the rear garden of Tretower House. The site is located within the Guildford urban area and is not subject to any statutory designations. In particular; there are no designated built heritage assets on or adjacent to the site; the site lies outside the 400 metre buffer of the Thames Basin Heath Special Protection Area (though sitting within 5km of it) and the site is located in Flood Zone 1 meaning it is at a low risk of flooding.

The site is accessed from Merrow Street which borders its eastern boundary with a school beyond. To the south is an area of amenity grassland with residential properties beyond. Further residential properties are located to the north and west.

The site is relatively flat and comprises an area of lawn, surrounded by ornamental shrub borders. Trees and shrubs are located on the site boundaries. An area of hardstanding is present on the eastern side, used as a driveway. Several buildings are present within the site, including two small sheds in the northwestern corner of the site.

The large house and shed in the north of the site are part of the site but will not be directly affected by the proposals.

### **Proposal.**

Erection of 6 two-storey dwellinghouses with rooms in roof, including access changes, parking and landscaping (re-submission of application ref: 21/P/01209)

Housing mix:

3 x 3 bed

2 x 4 bed

1 x 5 bed

The above mix comprises of 4 no. detached properties and 1 pair of semi-detached properties.

Parking:

Provision is made for 2 spaces per dwelling, provided on plot. A further 2 visitor / delivery spaces are provided within the layout. A total of 14 parking spaces are provided. Each house is provided with two bicycle parking spaces.

### **Relevant planning history.**

Reference: 21/P/01209

Description: Erection of 6 two-storey dwellinghouses, two semi-detached and four detached, with rooms in roof, including access changes, parking and landscaping. Withdrawn.

The application includes a layout comparison plan highlighting the amendments made following

withdrawal of the above.

## **Consultations.**

### Statutory consultees:

Surrey County Council, LLFA: No objection. The applicant has considered the surface water flood risk to and from the site and has suggested appropriate mitigation measures to inform the Planning Application.

Surrey County Highways: No objection subject to conditions.

Thames Water: No response received

Natural England: Natural England has been consulted on an Appropriate Assessment for the application in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. No objection raised, subject to appropriate mitigation being secured.

### Non-statutory consultees:

Surrey Wildlife Trust: No objection subject to conditions and information in respect of bio-diversity net gain;

Merrow Residents Association:

- concerns regarding energy efficiency
- bicycle storage should be more substantial / secure with power supplies for e-bicycles or e-scooters
- requirement for a construction vehicle management condition [*Officer note: A condition requiring Construction Transport Management Plan is recommended*]

### Internal consultees:

Cleansing Manager: No response received

Tree Officer: No objection and comments on application 21/P/01209 are still valid and a condition to apply to any consent is suggested.

Environmental Health: No response received

## **Third party comments.**

68 representations have been received. A total of 53 letters raising objection or concerns were received which raised the following concerns:

- Impact on ecology (particularly population of amphibians)
- Lack of consultation
- Validity of reports
- Impacts of the access on the Primary School in terms of parking, road safety and flooding
- Flooding
- Proposed ecology measures will not mitigate impact
- The plot is an established garden
- Timing of application over Christmas period
- Increased traffic along an already congested road and associated risk to pedestrian safety

- Issues with access to public open space
- Impact on mature trees
- Development will exacerbate parking and traffic issues
- Exacerbation of drainage issues on Merrow Street
- Overlooking / loss of privacy

15 of the received representations express their support, raising the following:

- There is a need for family housing like this in Merrow
- The development is in keeping with the character of the area and respects the scale and density
- Developer has carried out extensive consultation
- Approach to wildlife is welcomed
- Site will be developed at some point and it is preferable for it to be done by a developer who respects views of local people
- New families can support local businesses
- Site is in the urban area

### **Planning policies.**

#### National Planning Policy Framework (NPPF) 2021:

Chapter 2: Achieving Sustainable Development

Chapter 5: Delivering a sufficient supply of homes.

Chapter 11: Making effective use of land.

Chapter 12: Achieving well-designed places.

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

Chapter 15: Conserving and enhancing the natural environment

Planning Practice Guidance (PPG)

National Design Guide (NDG)

#### Guildford Borough Local Plan: Strategy and Sites (LPSS), 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

P5: Thames Basin Heaths Special Protection Area.

D1: Place shaping.

D2: Climate change, sustainable design, construction and energy.

ID1: Infrastructure and delivery.

ID3: Sustainable transport for new developments

ID4: Green and blue infrastructure.

### South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

### 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  
NE4 Species Protection  
NE5 Development Affecting Trees, Hedges and Woodlands

### Supplementary planning documents:

Residential Design Guide (2004)  
Vehicle Parking Standards (2006)  
Thames Basin Heaths Special Protection Area Avoidance Strategy (2017)  
Climate Change, Sustainable Design, Construction and Energy (2020)

### **Planning considerations.**

The main planning considerations in this case are:

- The principle of development
- Housing mix
- Living environment
- Highway and parking considerations
- Impacts on Character and Appearance
- The impact on neighbouring amenity
- Sustainability
- Impact on trees and vegetation
- Impact on protected species
- Thames Basin Heaths Special Protection Area

### The Principle of Development

The site is located within a sustainable area where the spatial strategy set out by the development plan will support windfall housing developments. Policy H4 of the Saved Local Plan 2003 states that planning permission will be granted for residential development in the urban areas of Guildford provided a number of criteria are met. Chapter 11 of the NPPF seeks to make effective use of land by promoting development of under-utilised land and buildings and, in particular, paragraphs 124 and 125 set out that decision makers should take a positive approach to sites that make efficient use of land while taking account, inter alia, of;

“the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change”

The Guildford Borough Local Plan 2015 – 2034 identifies the site as lying within the Guildford Urban Area. Further, the application site comprises parts of the well screened, large private garden of Tretower House. The proposed development would increase the density of development within the site from an inefficient 3.4 dwellings/hectare to a level that is still modest but comparable with the surrounding pattern of housing (24 dwelling/hectare).

The principle of residential development on the site is acceptable and subject to other considerations set out below is supported by the development plan and national planning policy.

## Housing mix

Policy H1 states that new development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location. When considering the immediate locality, it is characterized by family housing, with many larger detached / semi-detached properties.

Supporting paragraphs in the local plan (4.2.3, 4.2.4) identify a general need for market homes providing 10% one bedroom, 30% two bedroom, 40% three bedroom and 20% four bedroom accommodation. This proposal includes 50% three bedroom and 50% four bedroom housing.

Policy H1(1) of the LPSS is not intended to be applied in a prescriptive manner. It is a broad assessment of need over the plan period and all development. Further in applying the mix as set out in the latest Strategic Housing Market Assessment (SHMA) consideration needs to be given to site specific matters, which together would shape the appropriate mix on particular sites.

In this case the provision of 6 no. detached homes provides an appropriate balance between making effective use of the site while maintaining design quality and protecting exiting character. This application has reduced the number of units on the site from the originally proposed 7 units and that, conversely, should smaller forms be proposed on the site, more units should be required to make effective use of the site, which would integrated less successfully with the existing pattern and character of development.

The small scale of the development here, and sites like this one , can contribute to the goals of policy H1(1), without compromising its wider goal. On balance it is considered that the proposed housing mix is acceptable in this instance and does not conflict with the local plan.

## Living environment

Policy H1(3) of the LPSS requires all new development to conform to the Nationally Described Space Standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the creation of 3 x 3 bedroom, 2 x 4 bedroom and 1 x 5 bedroom properties.

The applicants have confirmed that the development meets the National Prescribed Space Standards. The scheme achieves this as follows:

	NDSS minimum (GFA total sqm)	Proposed (GFA total sqm)
Plot 1: 3 bed, 5 person	93m2 (2.5m2)	111m2
Plot 2: 3 bed, 5 person	93m2 (2.5m2)	111m2
Plot 3: 4 bed, 8 person	124m2 (3m2)	196m2
Plot 4: 4 bed, 8 person	124m2 (3m2)	172m2
Plot 5: 3 bed, 6 person	102m2 (3m2)	155m2
Plot 6: 5 bed, 8 person	128m2 (3.5m2)	186m2

Each of the proposed dwellings would exceed the minimum space standards in terms of floor area, there are also further requirements in terms of bedroom sizes and dimensions, and it is found that the dwellings would also meet with these requirements.

The proposed garden areas would provide adequate outdoor amenity space. The retained element of the rear garden of Tretower House would also be adequate to continue serving the existing dwelling.

Therefore, the proposal is acceptable in this regard.

## Impacts on Character and Appearance

The National Design Guide sets out that well-designed development is influenced by local character and the characteristics of existing built form, and it is important to consider the composition of street scenes, the height, scale, massing and relationships between buildings, the scale and proportions of building and landscaping, both hard and soft.

Policy D1 of the LPSS requires all new development to achieve high quality design that responds to distinctive local character of the area in which its set. Additionally, Policy G5 of the Saved Local Plan is a design code for new buildings / developments:

The immediate surrounding area is residential in character. To the east of the site, along Merrow Street and closest to the site access are good sized detached and semi-detached family homes of different designs but mostly traditional in style. To the north and the west are more modern housing developments with residential dwellings of all sizes.

The site benefits from mature natural screening on all borders, which will assist in screening the development from neighbouring properties. This would also provide the development a sense of enclosure and good separation from Merrow Street and the school opposite the site.

The proposed development comprises a palette of traditional materials (to be conditioned), with traditional design elements including clay tile hanging at first floor, brick detailing to the windows, both gabled and hipped roofs, chimneys, quoin detailing and porches / porticos. The design elements between each of the plots varies to ensure the proposed development is visually interesting whilst ensuring it is in keeping with the surrounding area.

Plots 1 and 2 are semidetached dwellings located to the south of the site entrance, facing east towards Merrow Street but screened from the road by extensive planting. The dwellings have a gabled roof, brick detailing with hanging clay tiles on their front elevation at the first floor. They have timber porticos and chimneys.

Plot 3 is a 4 bed detached house located to the south of the site. It shares its eastern boundary with the gardens of plots 1 and 2 and its rear garden with the undeveloped site to the south. The dwelling has been 'pushed back' from the main building line to ensure it is not visually intrusive when entering the site. The dwelling has a hip and gable roof formation and brick detailing, with clay hanging tiles at first floor, chimney and portico to its front elevation.

Plot 4 is a 4 bed detached house located in the south west corner of the site facing north. Its western boundary is shared with 26 – 31 Clayhanger. Its building line is set slightly forward of plot 3 to mirror the configuration of plots 5 / 6 and to ensure plot 3 is not visually intrusive in the street scene. The dwelling has brick detailing, with clay hanging tiles at first floor and features a pitched roof, chimney and portico visible as part of the front elevation.

Plot 5 is a 3 bed detached dwelling located to the north of the site, facing into the centre with its rear garden adjacent to the sites boundary with the parking area for the housing on Colliers Way and its western boundary shared with 24 Clayhanger. The dwelling has a similar appearance to plot 4.

Plot 6 is a 5 bed detached dwelling located to the north of the site, facing into the centre with its rear garden adjacent to the sites boundary with the parking area for the housing on Colliers Way. The dwelling has a hipped roof form, brick detailing, chimney and portico on its front elevation. The dwelling is set back slightly from the building line of plot 5, to ensure its size is not overtly dominant in the street scene.



Each property is provided with two car parking spaces and space for two bikes. Two visitor parking spaces have also been provided to limit visitors from parking on the road.

All dwellings have been set away from their boundaries with residential properties, with no primary elevations facing directly onto the rear gardens of adjoining properties. Where properties (plots 4 and 5) adjoin gardens of neighbouring properties, parking has been provided between the proposed dwelling and the boundary to reduce the perception of the proposed dwellings being overbearing. The boundaries benefit from extensive tree planting which will be enhanced through the proposed landscaping scheme.

In summary the site layout makes effective use of the site, allowing the provision of 6 family homes with good sized gardens and policy compliant parking. The siting of each property will afford a pleasant outlook, and avoid any significant perception of overlooking between the new dwellings. The proposal comprises a well-designed small housing scheme, which makes effective use of the site whilst retaining a good amount of green space and important trees and screening along its boundaries. The proposed development is of such a scale that it will be a positive addition to the housing stock of the area.

The proposals are therefore considered to be acceptable in this regard and are compliant with Policies H1, S1 and D1 of the Guildford Borough LPSS, Policies G1 and G5 of the Saved Policies of the Guildford Borough Local Plan 2003 and the Guildford Residential Design Guide SPG.

#### Highways and parking considerations

As clarified by the Design and Access Statement the “southernmost access has been moved slightly north and widened slightly to provide the access for the 6 new houses. The northernmost has been retained for the use of Tretower House.”

The access will serve an initial estate road measuring 4.8m in width. The scheme provides for a turning head within the site. The layout has been tracked for refuse (and fire tender) vehicles to ensure it is adequate to accommodate both residents' cars and the necessary utility vehicles to enter and leave the site in forward gear in the interests of highway safety.

The development proposes two parking spaces per dwelling, two visitor spaces and provision of two bike storage spaces for each property, which will be in the bike storage sheds provided for each dwelling. Therefore, the proposals are considered to meet the requirements of the Guildford Parking Standards SPD.

Surrey County Highways have been consulted on the application and having assessed the application on safety, capacity and policy grounds, has no objection provided a number of conditions are attached to any permission. These are included within this recommendation.

#### The impact on neighbouring amenity

The closest neighbours to the proposed dwellings are Tretower House, properties to the west at Clayhanger and properties on Colliers Way.

## Tretower House

- Tretower is located in the north-east of the site, to the north of the existing access that will be extended to serve the proposed dwellings. The side elevation of plot 2 will face Tretower House, however, the only window on this elevation serves a bathroom and will be obscure glazed.
- The proposed separation distances (at least 16m) with proposed parking, access road and the front garden of Tretower House in between is more than adequate to ensure the proposed dwelling at plot 2 is not overbearing nor gives rise to overlooking and amenity issues. Tretower House may have oblique views of the properties at plots 3 and 6, however, separation distances are more than adequate to ensure no impacts. As a result there will be no significant adverse effects from loss of light, overlooking or privacy.
- No unacceptable harm through noise and disturbance is identified.

## Clayhanger

- The properties at 24 – 34 Clayhanger have rear gardens that back onto the western boundary of the proposed development. As outlined, the proposed development has extensive existing vegetation on all boundaries that will be retained and enhanced as part of the proposed development, this will provide adequate screening between the existing and proposed development on this boundary.
- Further, the layout has ensured that the bulk of each dwelling has been moved away from the boundary with Clayhanger, placing the parking for each dwelling next to the common boundary.
- The minimum back to side separation distance between the proposed dwellings is 12m, which is considered adequate to ensure no actual or perceived overlooking and to ensure the proposed development does not appear overbearing.
- Where first floor windows are proposed on this boundary, a condition can be applied to ensure that they are obscure glazed and do not open to protect the amenity of residents at Clayhanger. As a result there will be no significant adverse effects from loss of light, overlooking or privacy.
- No unacceptable harm through noise and disturbance is identified.

## Colliers Way

- The rear gardens of plots 5 and 6 back on to the parking area associated with the dwellings at Colliers way. The separation distance between the back of plot 6 and the side elevation of 24 Colliers Way is 27 meters, well in excess of what would be considered acceptable. Nevertheless, there are a number of trees that will be retained along this boundary and will act to screen out the proposed development from Colliers Way.
- As a result there will be no significant adverse effects from loss of light, overlooking or privacy.
- No unacceptable harm through noise and disturbance is identified.

Overall, therefore, no significant adverse impacts to the amenities of existing development are identified. The application is therefore acceptable in this regard.

### Flood Risk and Drainage

The site is defined on EA mapping to be within Flood Zone 1. Noting LPSS Policy P4(1) the flood zones are defined by EA Flood Maps and the Council's own Strategic Flood Risk Assessment (SFRA) (Level 1) so further regard has been had to the details set out by both.

Third parties also raise concerns about the development exacerbating existing drainage conditions on Merrow Street. While this would be prevented by the use of appropriately designed drainage mitigation measures and limitations to the outfall from the site, the existing conditions referred to have been considered.

Further investigation of EA Flood Mapping and the SFRA shows that the site itself is defined as at very low risk of surface water flooding (reinforced by the EA flood risk postcode checking service). However, surface water flooding is identified as having an impact on much of Merrow Street adjacent and north of the application site. The risks in terms of velocity and depth are both shown by SFRA mapping as escalating moving north from the site starting (see Appendix D of the SFRA) at low (1 in 1000 year) to high (1 in 30 year) in predicted velocity and in depth; albeit the area seemingly affected (in terms of depth) is shown to be quite limited.

This does not place the development itself in an area at medium/high risk of flooding, nor suggest it will contribute to flood risk on those areas shown.

The applicants have, consequently been asked to submit a Flood Risk Assessment (FRA) in response to the concerns raised above. The subsequent FRA concludes that the overall surface water flood risk for the site is considered to be very low. The surface water flood risk in Merrow Street is very limited in extent and in the 1 in 100 year (design) rainfall event, flood depths, velocities and therefore the flood hazard is expected to be low. As such, there is no concern about access and egress from the site in extreme storms and emergency vehicles would be able to access the area, if needed. The FRA also concludes that the site is at very low risk from groundwater flooding and there is no geological, local or historical evidence that there is a spring on Merrow Street.

Following feedback from the LLFA additional information has been submitted to confirm a surface water strategy and how this will be managed on site and how the proposals will mitigate (and not increase) surface water flood risk off-site. The applicants revised Drainage Statement (technical note) outlines such a strategy for attenuating surface water runoff within the site. This demonstrates how the development will attenuate rainfall events up to and including the 1 in 100-year + 40% (for climate change) without flooding. It also recommends the most viable forms and locations for surface water discharge.

The strategy proposes to use System C (tanked) permeable paving, which will offer attenuation and pollution mitigation to surface water arising from the impermeable surface on the proposed development. Surface water will be discharged to the public surface water sewer in Collier Way, which can be achieved via gravity. This is the highest available tier of the drainage hierarchy. The proposed drainage strategy ensures that no surface water from the site will run on to Merrow Street or any of the drainage infrastructure therein. As a result, the proposed development will reduce overall surface water flood risk in the area by introducing a scheme of positive drainage, that actively controls/manages surface water outfall from the site.

The LLFA has been reconsulted on a revised version of the Drainage Statement and confirm they have no reservations or objections to the proposals based on the further information provided. Therefore, it has been clearly demonstrated that the proposed development meets the requirements of LPSS Policy P4 and the provisions within the NPPF, would be safe from flood risk and cause no flooding to third party land.

Nonetheless the applicant notes that existing surface water drainage issues along Merrow Street are a common concern highlighted by existing residents and they wish to do everything they can to support local residents dealing with surface water issues. They have therefore committed to a financial contribution (£15,000), to be secured by way of planning obligation in a s106 agreement, towards a full drainage investigation and maintenance on Merrow Street. The SCC drainage team have confirmed that this contribution would be welcomed and will assist in providing a more detailed record of the drainage environment along Merrow Street.

### Sustainability

Policy D2 of the LPSS sets out that new dwellings need to achieve a 20% reduction in carbon emissions and the Council's Sustainability Officer has reviewed the application and has confirmed the proposals are adequate in this regard.

A Sustainability and Climate Change questionnaire has been submitted in support of the application. It confirms the proposals will endeavour to reduce the use of primary materials throughout the construction process, this will be achieved by using concrete building blocks with recycled aggregate, local recyclers for road base and patios, partial cement replacement, engineered wood products and reusing top soil. Excavated material will be used on site, where possible and any waste will be minimised. It has been confirmed that only sustainably sourced materials will be used during the construction process.

Operational energy will be minimised through a good standard of fabric insulation and low energy design will also include high efficiency gas boilers, advanced heating controls, 100% low energy lighting and solar panels. The low-rise construction will maximise solar receipts, noting that the extent to which this can be optimised will be dependent on the specific orientation of each dwelling. There are good distances between the properties thereby avoiding overshadowing. Landscaping as proposed should not have detrimental effects from overshadowing.

Solar gain and the use of natural light have been maximized in the design through good fenestration to the front and rear elevations. The habitable rooms are not excessively deep. There are no obstructions close to the houses that will be detrimental to the visible skyline. The dwellings' energy design is expected to result in a low risk of summertime overheating. Natural Cross ventilation is proposed, and it is anticipated that dark colour curtains or blinds will be utilised to provide shading during periods of elevated temperature.

In terms of Water Efficiency, the scheme is proposed to meet water efficiency standard of 110 liters per person per day. Efficiency measures such as reduced flow taps and showers, dual flush WC's and low water use energy appliances will be installed. Rainwater harvesting will be provided with water butts.

It is considered that the proposed development will enable building occupants to live sustainable lifestyles. The site is sustainably located enabling new residents to make use of existing sustainable transport connections, schools and shops all within acceptable travel distances.

With regards to adapting to climate change, the proposed landscaping plan specifies native plants and climate suitable plants that can survive extreme weather conditions. The development has been designed to meet current Building Control standards and therefore provide energy efficient building that ensure a comfortable temperature all year round, helping to reduce reliance on fossil fuels. Weather compensators will be used on the boiler of each house to ensure that the boiler keeps the flow temperature as low as possible to optimise the efficiency of the boiler. The site is in Floodzone 1 and therefore at low risk of flooding, however use of permeable surfaces has been maximized.

As a result of the measures outlined above, it is considered that the proposals meet the requirements of policy D2.

### The impact on trees and vegetation

The application is supported by a detailed Arboricultural Survey, Impact Assessment and Method Statement. The impacts from tree loss are detailed in the Impact Assessment and on a separate Tree Protection Plan (ASP23055-03D). While the scheme proposes the removal of 46 individual trees and one tree group, all but one of the trees is categorised at 'C' class (38no.) or unclassified (7 no.) by the BS5837 assessment. The one tree classified as 'B' grade tree is set at the back of the site (furthest removed from the streetscene). A further 5 no. Poplar trees are proposed to be pruned from their present range of heights (14m-28m) down to 12m to increase their viability over time.

The Tree Officer has provided comments and has no objections including to the proposed tree removal supporting this approach. He notes the extensive landscape proposals involve the planting of 35 'semi-mature' or 'extra heavy standard' trees predominantly on the east, south and west boundaries. Over 300 hundred tree/hedge specimens are also proposed to be planted to improve screening and the improve the current boundary hedging.

The Tree Officer. The officer confirms that the one B grade tree to be removed is the Atlantic Cedar which although a pleasant tree, is an inappropriate specimen located on the rear boundary, adjacent to properties in Clayhanger. The Officer has also stated that particular attention was taken in evaluating the trees / vegetation on the frontage and that the yew trees (T1 – T7) were likely planted as a hedgerow but never managed. He has confirmed he is satisfied with their removal and proposed landscaping will constitute an improvement to that boundary.

The consultation response has confirmed that retained trees can be protected during the development in accordance with the Arboricultural Method Statement and the Tree Protection Plan with a condition to be attached to any permission securing this.

Officers conclude that against the loss proposed the landscaping scheme (ACD) the amount of new planting (374 tree and shrubs) and its scale (35 no. trees at Extra-Heavy Standard or Semi-Mature size planted heights) provide significant mitigation.

The status of the site and the net benefits in terms of the quantum of planting are material and therefore, on balance, there are not considered to be significant adverse effects in this respect.

### The impact on protected species

LPSS Policy ID4 sets out the Council will seek to maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, while new development should aim to deliver gains in biodiversity where appropriate.

The application site comprises an area of lawn, surrounded by ornamental shrub borders with

trees and shrubs are located on the site boundaries. An area of hardstanding is present on the eastern side, used as a driveway. Several buildings are present within the site, including two small sheds in the north western corner of the site. The large house and shed in the north of the site are part of the site but will not be directly affected by the proposals. The site has an established use as a domestic garden, with no controls over it in terms of landscaping or reasonable use.

An ecology impact assessment (ECiA) has been submitted in support of this application and reviewed by consultees. It is noted that third parties have highlighted the potential for protected species on site as an area of concern and reason for objection.

The ECiA (ACD) identifies the site as having value for hedgehog; invertebrates and amphibians; nesting and foraging for birds, commuting and foraging for bats. It sets out a range of proposed mitigation at section 7 of the report.

The proposals will include an increase in vegetation through planting of a significant number of new trees and shrubs. As the soft landscaping matures it will provide additional suitable nesting bird habitat.

The ecology report also highlights measures to be undertaken to ensure biodiversity net gain is achieved, though more detail is required including a matrix to quantify the proposed again. Therefore, a condition has been proposed to ensure this requirement is met.

This being said, it is noted that the applicant is committed to sustainability and bio-diversity on new developments and they advise they have worked hard with their ecologists and Merrow Residents Association to ensure that any concerns and issues with regards to ecology have been addressed. The applicant is committed to working with relevant parties including the local community to ensure that the identified measures are provided and that any additional concerns raised throughout the development process are addressed. Key enhancements proposed as a result of the development are proposed as follows:

- amphibian fencing to be erected around the construction boundary during the development phase to ensure amphibians are protected from the construction area
- new species rich wildflower grassland,
- new native hedgerows on the south and west boundaries,
- a green provision along the site boundaries to include a green buffer between Tretower House and Merrow Place
- appropriate fencing with cut holes at the base to allow for hedgehogs to move freely, as well as small mammals and amphibians
- the integration of a sensitive lighting scheme during and post construction to promote commuting corridors for bats
- planting to include a range of flower/fruit/nut/seed bearing species to provide foraging opportunities for invertebrates and small mammals
- new woodpiles for amphibians and invertebrates,
- 5 bat boxes, 2 bee blocks, 4 sparrow terraces and 4 swift nest boxes will be integrated into the new buildings,
- 3 Schwegler 1b and 3 starling nest boxes will be installed on suitable trees on the southern boundary, along with 2 Schwegler 1FF and 1 Schwegler 1FN bat boxes,
- the area in the southeast part of the Application Site will be enhanced and managed primarily to benefit the local amphibian population,
- a climate tunnel under the access road suitable for amphibians,
- wildlife kerbs and ladders within gully pots,

- an amphibian garden and new frog and toad houses, comprising a 'half barrel pond' integrated within a raised bank/rockery.
- a commitment to work with the Save me Trust and other interested parties to maximise the enhancements available

The Surrey Wildlife Trust have provided comments with regards to the ecology impacts of the proposed development and suggested conditions which have been taken into account.

The Government announced it would mandate net gains for biodiversity (BNG) 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 & Country Planning Act (TCPA) and is likely to become law in 2023. The absence of this change to TCPA and no Development Plan policy regarding biodiversity net gain, means that it would be unreasonable to require BNG, in this instance. However, as 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 of green and blue infrastructure, it would be appropriate to require biodiversity enhancements by condition.

The proposals, consequently, and subject to necessary conditions will not have any significant adverse effects on biodiversity and do not conflict with LPSS policy ID4.

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

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and an Access Management (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document.

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. An AA has been produced and this would comply with standing advice from Natural England.

#### Legal agreement requirements

The three tests as set out in Regulation 122 require S106 agreements to be:

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

As the application would result in the net gain of 6 new residential units, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA.

As set out above any subsequent section 106 legal agreement would require the applicant to make payment in line with the SANG and SAMM contributions as set out by the TBHSPA Avoidance Strategy 2017 and the associated tariff within the annual updating of off site

contributions to Special Protection Area Mitigation and Open Space.

If the application was deemed to be acceptable, the Council is of the opinion that the TBHSPA requirements would meet the three tests set out above.

As set out within the drainage section of this report, contributions have been sought in order to address residents concerns with regards to surface water flooding issues experienced along Merrow Street. The applicants have proposed a £15,000 financial contribution towards investigation and mitigation be provided. SCC Drainage have been consulted and agree that the proposed contribution would be welcomed. The scheme has been assessed and found not to itself lead to additional flooding to third party land, and the site itself is not at risk. In those terms a contribution is not required and would not meet the specific tests of reasonableness, however, there is a need to investigate the need for remedial actions for drainage within Merrow Street to ensure that the extent of flooding does not worsen over time such that it would affect more of the highway and third party land as well as (potentially) access from this development. In that respect the contribution is considered to be necessary, relevant and proportionate to the development in question.

## **Conclusions**

Though towards its fringes the application site is located within the Guildford Urban Area and within existing residential curtilage. The site is located in a sustainable location, with future residents being able to take advantage of existing sustainable transport and onward links, close-by facilities including shops and schools, and the general proximity to Guildford itself. The principle of development accords with the development plan and this site offers a good opportunity to make more effective use of the site with the provision of additional housing as supported by national planning policy. The benefit of 6 no. additional family dwellings in the area will be welcomed insofar as it meets the needs of existing and future residents.

The site is well contained with extensive vegetation on all boundaries that will be retained and enhanced. While the application proposals the removal of a number of existing trees the scheme also provides an extensive scheme of new landscaping and tree planting, offering significant replacement value. New tree planting and vegetation on boundaries will be enhanced to continue screening the site. The layout and mix of development has been well thought out, the scale, layout and design has been through multiple design iterations to ensure it takes account of the existing site and the character of the neighbouring area. Consequently, while it will become a visible element within Merrow Street, the scheme will integrate successfully within the streetscene and with wider prevailing character and will have no significant adverse effects. The scheme is considered to comply with the objectives of Local Plan Policy D1.

The design has taken into account any potential amenity issues with regards to its immediate neighbours and is now of a scale and design that will ensure that no unacceptable impacts will be experienced by any of the neighbouring properties, subject also to certain controls by way of planning conditions. The proposals meet the respective requirements of Policy G5 of the Saved Local Plan.

While noting significant local concern to the plans in respect of several aspects;

Ecological impacts have been carefully considered, however, a robust ecology appraisal has been submitted, the Surrey Wildlife Trust have satisfied that there will be no unacceptable ecological impacts and through the imposition of a number of planning conditions the development will be implemented and used appropriately. Subject to the conditions and a S106 agreement appropriate mitigation for identified harm to the Thames Basin Heaths SPA will be secured.



Access and highway safety matters have been considered and the Surrey County Council (as Local Highways Authority) raises no objections to the use of the access or to the design of the scheme. The provision of parking and turning within the layout mitigates the likelihood of their being any significant adverse effects and meets with development plan policies.

A drainage scheme has been provided which demonstrated that the proposed development will reduce overall surface water flood risk in the area by introducing a scheme of positive drainage, that actively controls/manages surface water outfall from the site. However, in response to public concerns the applicant has also agreed to a financial contribution in order to assess and mitigate any issues along Merrow Street.

Overall the scheme is considered to represent a sustainable form of development, as it makes a more effective use of a suitable and accessible site, with the proposals giving rise to no significant adverse impacts or conflicts with adopted policies.