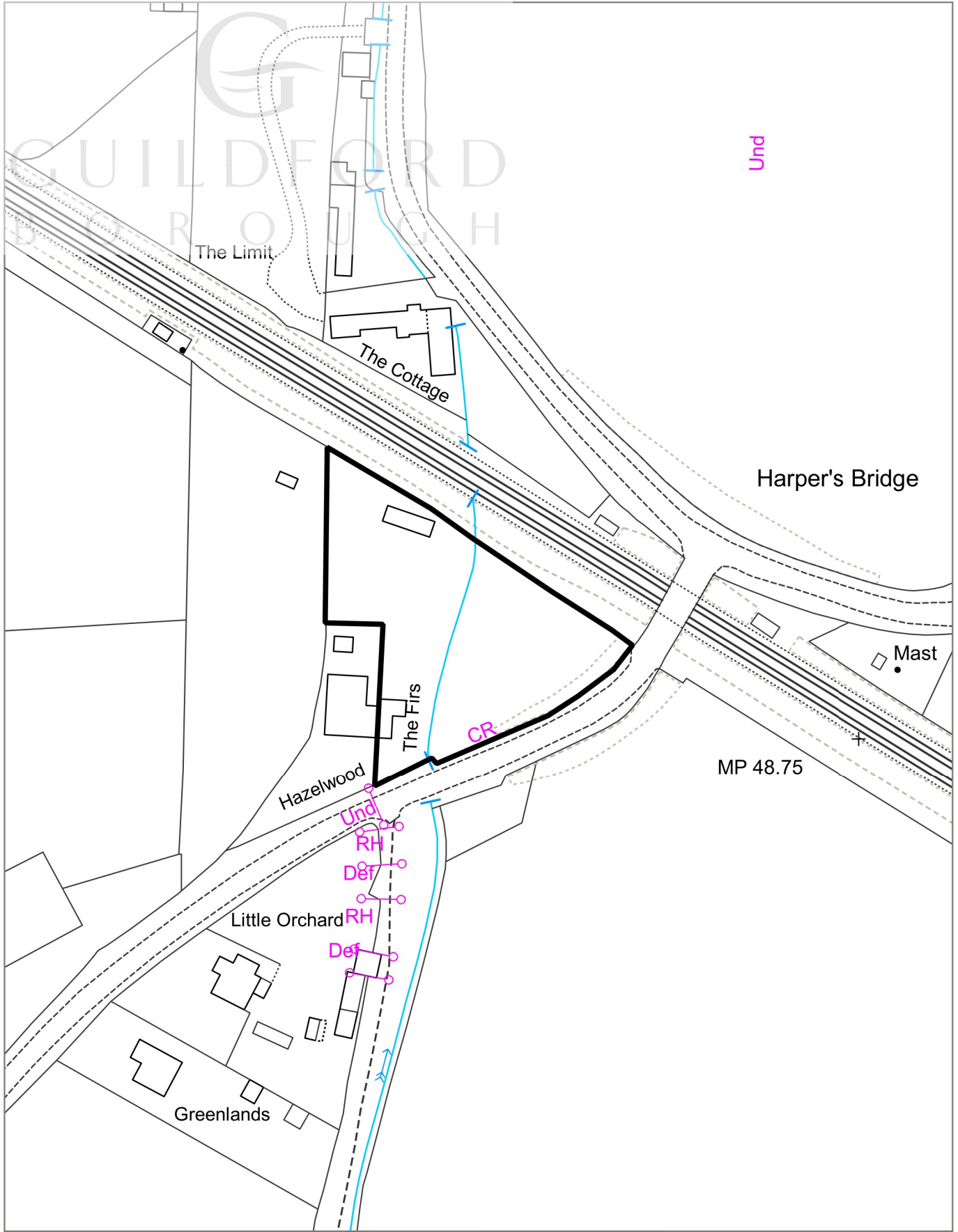


# 22/P/00367 - The Firs, Ash Green Road, Ash, Guildford



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Print Date: 13/02/2023



Not to Scale



**GUILD FORD**  
BOROUGH

22/P/00367 – The Firs, Ash Green Road, Ash, Guildford



Not to scale

**App No:** 22/P/00367  
**Appn Type:** Full Application  
**Case Officer:** Jo Trask

**8 Wk Deadline:** 19/05/2022

**Parish:** Ash  
**Agent :** Mr Edwards  
Martin Edwards Architects  
2b The Hangar  
Perseverance Works  
38 Kingsland Road  
London  
E2 8DD

**Ward:** Ash South & Tongham  
**Applicant:** The Occupier/Owner

**Location:** The Firs, Ash Green Road, Ash, Guildford, GU12 6JJ  
**Proposal:** Residential development of 7 houses and associated bicycle and garden stores and associated landscaping and extensions and alterations to The Firs (existing dwelling).

### **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**

7 x 2 bed dwellings arranged as one terrace of 3 and two pairs of semi detached dwellings  
Single and two storey extension to existing dwelling known as The Firs

Max building height 7.9m to ridge

13 Car parking spaces  
16 secure cycle parking spaces

Communal bin store

15m buffer to Ancient Woodland

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

The proposal following the adoption of the Local Plan LPSS falls within the Ash Urban Area, where the principal of residential development is acceptable subject to complying with the relevant policies.

To the west of the site is Ancient Woodland.

The site lies within 400m to 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

The proposal would extend the existing dwelling at single and two storey height, resulting in a better balancing of the existing semi detached pair. The proposal also includes the erection of 7 two bedroom dwellings, located towards the rear boundary of the site. Vehicular access for the existing and new dwellings will be via a newly created access to the east of the existing drive.

The proposal would result in a satisfactory designed development, meeting Nationally Described Space Standards. Each dwelling would be afforded private amenity space. Measures are proposed to mitigate noise from the adjacent railway line.

The proposal would result in an attractive form of development which would not give rise to any harm to the surrounding character of the area, would create a good quality living environment and would contribute 7 dwellings towards meeting the Councils housing need.

Subject to securing appropriate mitigation for the identified harm to the TBHSPA and conditions as set out in committee report the proposed development is recommended for approval.

**RECOMMENDATION:**

**Subject to a Section 106 Agreement securing SANG and SAMM the decision is to:**

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 7005 REV P3 Site Plan Levels, PA05 REV P2 Existing Cross Section AA BB CC, PA06 REV P2 Proposed Cross Section AA BB CC, PA07 REV P2 Proposed floor plan 2 bed house, PA\_08 REV P2 proposed 2 bed cross section, PA09 REV P2 Proposed elevations 3 No. 2 bed house, PA10 REV P2 Proposed elevations 4 No. 2 bed house, PA11 REV P2 Proposed rear elevation 2 bed house, and PA15 REV P2 3 bed car port proposed elevations received on 25 February 2022, PA22 REV P2 Existing Roof Plan 3 bed house received 21 March 2022, PA21 REV P2 Existing floor plans 3 bed house received 22 March 2022, PA00 REV P3 Site Location Plan, PA01 REV P3 Existing site plan, PA02 REV P3 Proposed site plan, and PA20 REV P2 Existing elevations 3 bed house received on 23 March 2022, PA 17 REV P3 Proposed elevations 3 bed house, PA18 REV P3 Proposed floor plans 3 bed house and PA19 REV P3 Proposed roof plan 3 bed house received on 15 November 2022, PA\_03 REV P3 Site/Block Plan, PA\_04 REV P3 Site/Block Plan 2 and PA\_16 REV P3 communal bin store received on 22 December 2022.

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

3. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Ash Green Road has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. H-01 Rev P3, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m high.

Reason: In order 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.

4. 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 plan, Drawing No. PA\_02 Rev P3, 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.

5. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

6. The development hereby approved shall not be occupied unless and until each of the proposed dwellings and at least 1 of the visitor parking bays 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 and approved in writing by the Local Planning Authority and thereafter 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.

7. 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) measures to prevent the deposit of materials on the highway
  - (e) 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. This pre commencement condition goes to the heart of the planning permission.

8. No development shall commence until an Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging works) and a Tree Protection Plan (TPP), all in accordance with British Standard 5837:2012, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purpose of the development until tree protection measures and any other pre commencement measures as set out in the AMS and TPP, have been installed/implemented.

The protection measure 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 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

9. 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. This pre commencement condition goes to the heart of the planning permission.

10. The development hereby permitted shall not 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 (+35% allowance for climate change) & 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. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2 l/s for the whole site.
  - c) Details of the condition of the receiving watercourse.
  - d) 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
  - e) 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.
  - f) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - g) 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. This pre commencement condition goes to the heart of the planning permission.

11. 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.

12. No development above slab level shall take place 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 be carried out in accordance with the approved details and samples.

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

13. No development shall take place until full details, of both hard and soft landscape proposals, for the development as a whole including the Ancient woodland buffer zone and its enclosure, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality. This pre commencement condition goes to the heart of the planning permission.

15. The development shall be carried out in accordance with the mitigation measures set out in the Noise and Vibration Assessment Report 20/0320/R1 by Cole Jarman.

Reason: To protect the residential amenity of the occupants of the development.

16. 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 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.



17. Immediately prior to works commencing 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. The development shall then be carried out in accordance with the approved details.

During construction activities on site regard must be given to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.

If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

If any close-boarded fencing is to be used at the site, we recommend that holes are included in the base of 20cmx20cm to allow badgers to move freely through the site.

Reason: To prevent harm to a protected species. This pre commencement condition goes to the heart of the planning permission.

18. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in the Updated Preliminary Ecological Appraisal dated February 2022.

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

19. Biodiversity Enhancement and Management Plan (BEMP)  
No development shall take place until a Biodiversity Enhancement and Management Plan (BEMP), as recommended in Paragraph 7.2 of the Updated Preliminary Ecological Appraisal, detailing the management measures required to deliver a biodiversity net gain for the development shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved details.

The BEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the above referenced report and should include, but not be limited to following:

a) Description and evaluation of existing and newly created features to be managed including but not limited to:

i. Newly planted habitats which will be of value to wildlife, such as native seed/fruit bearing and nectar-rich species; wild flower grassland margins to attract butterfly and moth species such as the small heath butterfly; and species which attract night flying insects

ii. Inclusion of hedgehog passes and houses

iii. Provision of nesting/roosting habitat for bird and bat species

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 applicant 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.

Reason: To increase the biodiversity of the site and mitigate any impact from the development. This pre commencement condition goes to the heart of the planning permission.

20. Prior to construction above slab level a Sensitive Lighting Plan shall be submitted to and approved in writing by the LPA. The lighting plan shall be informed by the recommendations 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. The development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of habitat and a protected species.

21. Prior to commencement of development a detailed reptile mitigation strategy be submitted to and approved in writing by the LPA prior to commencement. The strategy will need to be prepared by a suitably qualified ecologist and appropriate to the local context. The reptile mitigation strategy should include, but not be limited to the following:
- a) Location and map of the proposed translocation site
  - b) Assessment of the habitats present, including their ecological function to reptiles
  - c) Analysis of reptile carrying capacity of translocation site
  - d) Details of management measures that are required
  - e) Work schedule (including an annual work plan capable of being rolled forward over a five-year period)
  - f) Details of the body or organisation responsible for implementation of the reptile mitigation strategy
  - g) Ongoing monitoring and remedial measures
  - h) Legal and funding mechanisms by which the long-term implementation of the reptile mitigation strategy will be secured by the applicant with the management body(ies) responsible for its delivery.
  - i) 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

Reason: To mitigate against the loss of existing biodiversity, protected species and nature habitats. This pre commencement condition goes to the heart of the planning permission.

22. Construction Environmental Management Plan (CEMP). Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved details .
- The CEMP should include, but not be limited to:
- a) Map showing the location of all of the ecological features
  - b) Risk assessment of the potentially damaging construction activities
  - c) Practical measures to avoid and reduce impacts during construction including pollution protection measures
  - d) Location and timing of works to avoid harm to biodiversity features
  - e) Responsible persons and lines of communication
  - f) Use of protected fences, exclusion barriers and warning signs.

#### Badgers

During construction activities on site regard must be given to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.

If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

If any close-boarded fencing is to be used at the site, we recommend that holes are included in the base of 20cmx20cm to allow badgers to move freely through the site.

Reason: To mitigate against ecological harm resulting from construction activities. This pre commencement condition goes to the heart of the planning permission.

#### Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
  - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

A previous application was submitted this application seeks to address the concerns raised at that point in time. The application has been submitted in accordance with that advice and no further issues have arisen.

2. 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)

3. Highways Informatives:

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway

Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated

highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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>.

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

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

The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment – this will be at the applicant's own cost.

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.

The developer is advised that Public Byway Number 521 is located opposite the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation

4. The developers attention is drawn to the letter from Network Rail advising of the need to engage with Network Rail's Asset Protection and Optimisation (ASPRO) team prior to commencement of development and the list of informatives attached to that letter.
5. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.
6. The developer is advised that they are required to obtain a Bat Mitigation Licence from Natural England following receipt of planning permission and prior to any works which may affect bats commencing.
7. To prevent its spread the Rhododendrum ponticum on-site should be eradicated using qualified and experienced contractors and disposed of in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991. Further information on this species can be obtained from the GB Non-native Species Secretariat at 'www.nonnativespecies.org'

## **Officer's Report**

### **Site description.**

The site comprises a two storey semi detached house with a small redundant stable building to the rear, greenhouse to rear. The existing dwellinghouse has been previously extended, whilst remaining the smaller side of the semi-detached. The site is roughly triangular in shape, bounded to the north and east by the North Downs railway line and to the south by Ash Green Road. The site wraps around the rear of the neighbouring property Hazelwood. Following the adoption of the Local Plan: Strategy and Sites 2019 the site is now within the urban area, the boundary to which runs along the south-eastern site edge to Ash Green Road.

The site is semi rural in character. A number of trees define the boundary to the railway line (Ascot to Guildford line), with hedging to the southern boundary interspersed with trees fronting Ash Green Road.

The site is relatively flat and informally divided by a stream running north south through the site bounded by hedging. The southern section of the stream is culverted running under Ash Green Road, with the northern part of the stream culverted as it meets the railway embankment to the north of the site. Existing fencing partitions the residential garden and stable/paddock area.

Ancient woodland is located directly to the west of the site. Ash Green Road rises to the south east up towards the bridge. To the south/southeast boundary of the site is countryside.

The site is within 400m- 5km of the Thames Basin Heaths SPA.

Further to the west lies land allocated for housing under policy A31: Land to the south and east of Ash and Tongham, the application site does not form part of the allocated site and is separated from it by a copse of Ancient Woodland.

The site is located within Flood zone 1. A proportion of the site to the east is identified as 1:30 yr and 1:100 yr surface water risk of flooding.

## Proposal.

Residential development of 7 houses and associated bicycle and garden stores and associated landscaping and extensions and alterations to The Firs (an existing dwelling) to create a 3 bed dwelling.

Total units

1 x 3 bed (existing)

7 x 2 bed (proposed)

Two storey height

Parking 13 car parking spaces

Cycle parking 16 spaces

Amended plans have been received reducing the width of the proposed rear extension to The Firs, to ensure that it is fully within the applicants ownership and further amended plans relocating the position of the doors to the communal bin store to address cleansing officers comments.

## Relevant planning history.

| Reference: | Description:   | Decision Summary:    | Appeal: |
|------------|--|----------------------|---------|
| 21/P/00918 | Erection of eight new houses and a replacement house with carport's and ancillary residential workspaces | Withdrawn 05/08/2021 | 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 the following: visibility zones, parking and turning of vehicles, secure covered cycle parking and e bike charging, electric vehicle charging, and a Construction Transport Management Plan.

Surrey Lead Local Flood Authority: The application lies outside the LLFA Statutory Duty requirements and their comments are advisory. However the LLFA have reviewed the submitted Flood Risk Drainage Strategy, Campbell Reith Hill LLP, February 202, Revision P3 document reference: 13654-CRH-ZZ-XX- RP-C-0001 (The Firs) - Planning P3.doc and made advisory comments regarding the management of the surface water discharge. The applicant has responded and provided a Communication letter from Campbell Reith Hill LLP, 14/12/2022 and a Drainage Strategy (Annotated), Campbell Reith Consulting Engineers, Feb 2022, Drawing no 7004 revision 4. The surface water flood risk to and from the site has been considered and appropriate mitigation measures proposed. No objection subject to suitably worded conditions regarding the submission of a detailed design of a surface water drainage scheme and verification report.

Thames Water: Surface Water Drainage - subject to the sequential approach being followed to the disposal of surface water no objection is raised. Where discharge to a public sewer is proposed prior approval from Thames Water Developer Services will be required. There are public sewers crossing or close to the development - advise reading Thames Water guide working near or diverting pipes. No objection with regard to Waste Water Network and Sewage Treatment Works infrastructure capacity.

Network Rail: Due to the proximity to Network Rail's land and the operational railway, request the developer engages with Network Rail's Asset Protection and Optimisation (ASPRO) Team prior to commencement of any works. Contact details are available in the correspondence received.

Surrey Wildlife Trust: requested a Barn Owl survey and further bat information. Following these comments a Barn Owl Survey report and Bat Emergence and Re-entry Surveys have been provided for the proposed development site. The applicant is advised that a Bat Mitigation Licence is required. Surrey Wildlife Trust recommend conditions for mitigation and protection of habitat and species.

The Environment Agency: have advised that this is not an application they wish to comment on.

#### Internal consultees

Tree officer: Proposed buffer to the ancient woodland is sufficient. No objection subject to a suitably worded condition to secure Arboricultural Method Statement and Tree Protection Plan.

Environmental Health officer: Examined the location and noted the proximity to the railway. No objection subject to condition/s to secure the mitigation measures for noise control set out in the noise report by Cole Jarman Associates.

Cleansing: The revised location of the door to the bin store strikes a balance between the operatives convenience and the convenience of the resident users. Satisfied that the communal store is large enough to accommodate the required bin storage and any expansion required in the upcoming Environment Act 2021. No objection.

#### Parish Council

Ash Parish Council object on the following grounds:

- out of character
- overdevelopment
- flooding and proximity to stream
- lack of parking
- proximity to railway line posing environmental issues - (officer note - Environmental Health are satisfied subject to condition to secure the proposed noise mitigation measures)
- proximity to Ancient woodland (officer note: the development observes the 15m buffer, the tree officer has no concerns)
- cumulative impact on local amenities and lack of infrastructure
- Thames Basin Heath SPA - (officer note: a s106 is required to secure mitigation in accordance with the Strategy)
- impact on wildlife
- emergency and refuse vehicle access
- cumulative impact on traffic

### **Third party comments:**

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

- not allocated for housing in the local plan, outside of Policy A31
- housing not required
- loss of privacy
- loss of light
- land ownership issue - officer note the applicant has signed certificate A that the site is in their ownership. Any land ownership dispute is a civil matter.
- chimney and fire place contradicts the Green intent
- questions on sustainable energy measures (officer note: the application is required to comply with Policy D2 and the supporting SPD)
- highway safety concerns
- lack of parking
- Electric Vehicle charging points
- lack of infrastructure
- out of character
- over development
- out of scale
- noise and disturbance
- impact on wildlife
- proximity to ancient woodland
- within SPA buffer zone
- bat survey required (officer note: a bat survey has been provided and Surrey Wildlife Trust have no objection subject to conditions)

Following receipt of amended plans:

Four letters of representation raising the following concerns:

- original objection still stands
- extension to The Firs not subordinate
- over development of the plot
- highway safety concerns
- access
- loss of open space
- loss of neighbour amenity
- flooding
- lack of parking
- impact on bats/wildlife
- proximity to ancient woodland (officer note: a 15m buffer is shown between the woodland and the curtilages of the proposed dwellings.)
- cumulative affect of development

In total 23 letters of neighbour representation have been received.



## **Planning policies.**

### National Planning Policy Framework (NPPF):

Chapter 5: Delivering a sufficient supply of homes  
Chapter 12: Achieving well designed spaces  
Chapter 15: Conserving and enhancing the natural environment

The National Design Guide (NDG)

### 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 (LPSS) was adopted by the Council on 25 April 2019. The Plan is up-to-date and 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).

D1 Place shaping  
D2 Climate Change, Sustainable design, construction and energy  
H1 Homes for all  
ID4 Green and blue infrastructure  
P4 Flooding, flood risk, and groundwater protection zones  
P5 Thames Basin Heaths Special Protection Area  
S1 Presumption in favour of sustainable development

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2022). 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 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

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

G1 General Standards of Development  
G5 Design Code

### Planning Practice Guidance

### National Design Guide

### Supplementary planning documents:

Climate change, sustainable design, construction and energy SPD 2020  
Vehicle parking standards SPD  
Thames Basin Heaths Special Protection Area Avoidance Strategy SPD  
Planning contributions SPD  
The Guildford Borough Residential Design Guide

## **Emerging Policies**

### **Guildford Borough (Submission) Local Plan: Development Management Policies (June 2022):**

The National Planning Policy Framework provides the following advice at para 48:

*Local planning authorities may give weight to relevant policies in emerging plans according to:*

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Guildford's Local Plan Development Management Policies (LPDMP) can now be considered to be at an advanced stage in production. The hearing sessions have been completed and the Inspector has reached a conclusion that, subject to main modifications, the plan can be found sound. The main modifications he considers necessary are currently out for consultation. Those policies/parts of policies that are not subject to any proposed main modifications should now be afforded considerable weight. Where specific parts of a policy are subject to main modifications, then further consideration should be given as to the extent to which those modifications would, if accepted, impact upon the assessment of the proposal. If it would result in a different conclusion being reached then these specific parts of the policies should be given moderate weight given the level of uncertainty that these will still be recommended by the Inspector in his final report. Where relevant, the weight for individual policies will be set out in the main body of the report.

Policy H5: Housing Extensions and Alterations including Annexes

Policy P6/P7 : Biodiversity in New Developments

Policy P8/P9: Protecting Important Habitats and Species

Policy P12: Water Quality and Air Quality Management

Policy P13: Sustainable Surface Water Management

Policy D4: Achieving High Quality Design

Policy D5: Protection of Amenity and Amenity Space

Policy D13: Climate Change Adaptation

Policy D14: Carbon Emissions from Buildings

Policy D15: Renewable and Low Carbon Energy Generation and Storage

Policy ID6: Open Space in New Development

Policy ID11: Parking Standards

### **Guildford Borough Council – Draft Parking SPD 2022:**

The Parking SPD contains the numerical parking standards for non-strategic sites, alongside further guidance in relation to the application of the parking standards themselves and design guidance. The numerical parking standards themselves are not dissimilar to those in the SCC vehicular, electric vehicle and cycle parking guidance for new developments but have been bench marked against observed car availability levels across the various geographies of Guildford Borough. The draft Parking SPD has been thorough consultation, and is intended to be adopted at the same time as the LPDMP. As a generality, it is considered that the Parking SPD, which hangs off Policy ID11 (and also Policy ID3 of the LPSS), should be given 'considerable' weight prior to its adoption.

## **Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- living environment
- NDSS
- housing mix
- the impact on the character of the area
- the impact on neighbouring amenity
- Sustainability
- highways
- vehicle and parking
- trees
- flooding
- ecology
- biodiversity
- Thames Basin Heath SPA
- legal agreement requirements
- the concerns of consultees

### Principle of development

Following the adoption of the local plan Strategy and sites 2015-2034 the site falls within the Ash Urban area.

Subject to meeting other policy requirements and providing a satisfactory form of development, set out in the report below, no objection is raised to the principle of housing on this site.

### Living environment

Policy D5 of the LDMP relates to the provision of amenity space. It states:

2) All new build residential development proposals, including flatted development, are expected to have direct access to an area of private outdoor amenity space, both private and shared, development proposals are required to:

- a) take into account the orientation of the amenity space in relation to the sun at different times of the year;
- b) address issues of overlooking and enclosure, which may otherwise impact unacceptably on the proposed property and any neighbouring properties;

4) development proposals are required to have regard to relevant national and local design guidance or codes, including in relation to garden sizes and residential building separation distances.

All of the dwellings proposed would have access to private outdoor space.

The development comprises 3 house types. The first is an extension to the existing semi-detach dwelling to provide a 3 bed dwelling. A private garden is provided to the front of the dwelling with additional private amenity space to the side and rear. Two parking spaces serving the dwelling are to be provided via a double carport, located directly beyond the rear garden serving the extended property. 3 staggered visitor spaces are also located adjacent to this rear boundary. Sufficient space exists to enable a planting buffer to ensure no unacceptable harm would arise to the living environment of the future occupants. A proposed landscaped buffer (to be secured by

condition) alongside the stream (running north south) to the east of the dwelling mitigates against any potential noise and disturbance from the proposed access drive which will serve the 7 properties to the rear.

The 3 bed dwelling would be provided with adequate external amenity space.

The second house type is a 2 bedroom dwelling, forming a terrace of three dwellings. These are located to the rear of the existing dwelling and are staggered within the plot orientated towards the entrance of the site. Each dwelling is provided with private amenity space to the rear and a greater amount of private amenity to the front of the dwelling. To the first floor rear of each dwelling an oriel window will serve the bedroom, to be fitted with acoustic vents. No objection is raised from the Environmental Health officer subject to a condition to secure the mitigation measures set out within the accompanying noise report by Cole Jarman Associates. The proposed measures for acoustically enhanced glazing and ventilation are sufficient to protect the residential amenities of the occupants, achieving suitable internal noise levels.

The third dwelling type, comprises 2 bedrooms and is arranged as two pairs of semi-detached dwellings. The dwellings would be provided with private amenity space to the rear and a greater amount of private amenity to the front. Each dwelling would have private external access between the front and rear garden areas. To the first floor rear of each dwelling an oriel window will serve the bedroom, to be fitted with acoustic vents. No objection is raised from the Environmental Health officer subject to a condition to secure the mitigation measures set out within the accompanying noise report by Cole Jarman Associates. These proposed measures are sufficient to protect the residential amenities of the occupants.

Each of the new terrace and semi detached properties are served with a small area of private amenity space directly to the rear. A larger area of private amenity space is provided to the front (southern aspect), terminating in a secure and covered bike store and boundary wall. Located within the boundary wall is a pedestrian gate to provide direct access to the parking area.

Each dwelling will be provided with an allocated parking space and secure cycle parking.

The development would be in close proximity to the railway line. A Noise and Vibration Assessment by Cole Jarman accompanies the application dealing with rail noise. This has been assessed by Environmental Health officers who have advised that the mitigation measures proposed in the noise report are acceptable and recommend these measures be secured by condition.

The layout provides for adequate separation distances between buildings /properties to ensure appropriate privacy, outlook and daylight/sunlight. All units will meet the required Nationally Described Space Standards in terms of internal layout/space (see table below).

The proposed layout would afford each of the dwellings a good quality living environment and private amenity space. As such, the proposed units would be acceptable and the application complies with emerging policy D5.

## Nationally Described Space Standards (NDSS)

The application is accompanied with the following matrix, confirming compliance with the NDSS.

| House Type     | No. bed spaces | GIA (NDSS) | GIA (proposed) | Built in storage (NDSS) | built in storage (proposed) | Compliance |
|----------------|----------------|------------|----------------|-------------------------|-----------------------------|------------|
| 2 bed 2 storey | 4p             | 79sqm      | 80sqm          | 2sqm                    | 4.2sqm                      | Yes        |
| 3 bed 2 storey | 4p             | 84sqm      | 125sqm         | 2.5sqm                  | 4.7sqm                      | Yes        |

The proposed dwellings, including the existing dwelling to be extended exceed the minimum standards set out in the NDSS. The proposed development would provide a good quality living environment.

## Housing 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 housing need set out in the SHMA is a borough wide need. The proposal would provide seven 2 bed units and one 3 bed unit. The proposal would contribute to meeting the identified housing need in the borough. No objection is raised to the proposal for a net increase of 2 and 3 bed dwellings in this location.

## Impact on the character of the area

The importance of design is supported through local and national policy. The National Planning Policy Framework (NPPF) Chapter 12 sets out the requirements for well-designed places. The National Design Guide (NDG) sets out the 10 characteristics of good design. Policy D1 Place Shaping (LPSS) requires all new development to, '...achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set.' Emerging LPDMP policy D4: Achieving High Quality Design and Respecting Local Distinctiveness states that development proposals demonstrate how they achieve the 10 characteristics of well designed spaces and have regard to relevant national and local design codes and incorporate high quality design. The Guildford Residential Borough Design Guide promotes and sets out guidance for high standards of housing design in the Borough. The site lies within the Rural-Urban Fringe Character Area E1: Tongham Rural Urban Fringe.

The proposal comprises 4 semi-detached homes, a short terrace of 3 dwellings and an extension to The Firs cottage. The seven properties comprising two pairs of semi detached properties and one terrace of three properties are proposed to be located to the rear of the site, all to be served by one vehicular access to the east of The Firs. Covered bike/garden stores and a parking fore court would be located to the front of the proposed homes. The dwellings would have a low eaves line and a form intended to reflect the local domestic architecture. A simple palette of materials is proposed, to complement materials seen in the locality. The thresholds between the parking courtyard and private garden areas would be formed by mid height brick walls with a translucent mineral paint finish, clay tile coping and timber gates. The sections of wall would be separated by bike stores, which would be timber clad with standing seam-metal roofs. A communal enclosed bin storage area is located towards the front of the site. A land bridge over

the stream will connect the east and west parts of the site. To the west lies ancient woodland. The submitted layout provides a 15m buffer zone between the woodland and the closest property boundary.

Building heights annotated as 7.9m to top of ridge, would not be harmful to the surrounding scale and character.

The Firs would be renovated and extended. The existing dwelling forms the smaller half of the pair of dwellings, with the neighbouring property Hazelwood having benefited from additions over the years. The proposal seeks to extend the existing property to provide a 3 bed dwelling, through replacing the existing side extension with a part two storey part single storey side/rear extension. The proposed two storey side/rear extension would continue the existing ridge line of the pair of dwellings and would be designed with a gable end roofs to the side and rear. This is in scale and character with the existing development and would attempt to re balance the semi-detached pair of dwellings. Whilst the proposed two storey side extension is not set back from the front building line, the width of the proposed extension allowing for the continuation of the existing ridge line and double valleyed roof provides an attractive design in character with the existing dwelling and not harmful to the scale of the pair of semi-detached properties as a whole. On this basis the design, height and scale of the extension is acceptable and would not give rise to unacceptable harm to the existing dwelling and pair of dwellings. The proposed materials are listed as clay 'arrowhead' profile tiles for the vertical tile hanging to the first floor front and part side elevations and a translucent paint finish to the proposed brick work. It is considered reasonable for a condition requiring the submission of materials to ensure they are enhancing to the character of the area. Subject to a suitably worded condition, no objection is raised on character grounds.

The architectural approach reflects the local vernacular and materials. The use of satisfactory and appropriate materials is key to the success of the development and is the subject of a condition.

The boundary treatment to the new dwellings would consist of bike/garden store, walls and gates to provide enclosure whilst establishing a degree of surveillance and interest to the frontages. Landscape illustrations have been provided. This shows tree planting between the parking court bays, softening the appearance of the scheme. Low post and rail fencing with native hedge planting proposed between gardens, to create a informal and softer boundary treatment. Detailed landscaping will be the subject of a condition to ensure the hard and soft landscaping takes account of the rural edge character of the site and to ensure an appropriate boundary to the ancient woodland 15m buffer zone. Boundary treatment to the Firs is indicated as a boundary wall to the frontage with timber fencing to the side and rear. No objection subject to securing details as part of a landscaping condition.

The scheme makes efficient use of the site whilst maintaining adequate space for existing and proposed tree planting. The scale, character and layout of the scheme would provide an acceptable transition between the urban and rural character and would not give rise to any identified harm to the character of the area. No objection is raised subject to conditions.

#### Impact on neighbour amenity

Each of the proposed new dwellings are orientated to ensure the residential amenity of future occupants is protected. No concerns are identified regarding unacceptable loss of privacy, overlooking or loss of light to the future occupants of the proposed dwellings.

### The Cottage

Is located to the north of the application site. The railway line and embankment forms a barrier between. The proposed development due to this distances between the proposed development and The Cottage, in addition to the railway line between would not give rise to any unacceptable harm to the residential amenities of the occupants of The Cottage.

### Hazelwood

Hazelwood forming the other half of the semi-detach is physically attached to The Firs. The proposal seeks to extend The Firs with a two storey side/rear extension and single storey rear extension. Amended plans were sought and received to ensure the proposed extension to the rear is fully within the applicants land and does not encroach over the boundary with the neighbouring property. The proposed single storey element would extend along the boundary with the adjoining neighbour Hazelwood. The single storey rear extension would project 2.3m beyond the rear wall of the adjoining neighbour. This element is flat roof in design measuring 2.9m in height. This would not give rise to unacceptable harm to the residential amenities of the neighbouring occupants. The proposed rear extension if granted planning permission does not give consent for any development over or under property outside the applicants control. In this scenario the landowners separate consent would be required. The Party Wall Act 1996 deals with development in proximity of a boundary. The proposed two storey rear extension is set away from the shared boundary and would not result in an unacceptable loss of light, overlooking or loss of privacy to the neighbouring property.

A double car port is proposed to the rear boundary of The Firs. This would measure 2.8m in height and is a single storey flat roof structure with a living roof proposed to the roof area. No unacceptable harm to residential amenity is identified.

The proposed terrace properties sited to the rear would be orientated away from the rear elevation of Hazelwood and The Firs. Furthermore the separation distance of 17.5m between the corner of the front elevation of the end terrace and the rear garden boundary of Hazelwood would ensure no unacceptable loss of privacy or overlooking arises.

### Sustainable Energy

Policy D2 sets out the requirements for sustainable design and construction. The Climate Change, sustainable design, construction and energy SPD 2020 goes into detail of what is expected. A fabric first approach is sought.

The application is accompanied by an Energy and Sustainability Statement by Hoare Lea dated January 2022. A fabric first approach has been taken. Heating and hot water to be provided by high efficiency air source heat pumps and roof mounted photovoltaic cells to provide a renewable source of power. Mechanical ventilation and heat recovery is proposed. The dwellings have been designed to ensure compliance with Part L1A. A condition is recommended to secure compliance with policy D2.

Electric vehicle charging points are proposed and would be secured by condition.

The proposed materials to driveway would be permeable.

Water efficiency proposed to be limited to 100L/person/day. This complies with the requirements and can be secured via condition.

### Highways

The existing vehicular access is proposed to be removed and replaced with a pedestrian access to serve the Firs. A new access will be created just to the north east of the existing drive and will measure 6m in width. Visibility splays are provided in accordance with the Manual for Streets standards for a 30mph road. A swept path analysis for the parking layout shows a fire tender can access the site and leave in forward gear. The new vehicular access would serve the existing (extended dwelling) and the 7 new dwellings.

With regard to highway safety and capacity Surrey County Council as the Highway Authority have advised that vegetation should be regularly maintained at the vehicular access to the site to ensure maximum visibility splays are achievable at all times. Vehicle tracking has been provided which demonstrates that vehicles can enter and leave the site in forward gear. The development of an additional 7 units is not considered to result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal will not have a material impact on highway safety or capacity.

No objection is raised on highway safety or capacity grounds.

### Vehicle and Cycle Parking

In terms of car parking, a total of 13 parking spaces are provided, including allocated parking and visitor parking. The accompanying Transport Statement identifies the parking as allocating 2 spaces for the 3 bed unit and 1 space for each 2 bed unit with 4 spaces to be unallocated. The parking area is located to the rear of the site, accessed via one vehicular access point onto Ash Green Road.

Emerging policy ID11: Parking Standards and the draft Parking SPD are relevant. The parking requirements for non strategic sites in the suburban areas for use by residents are maximum standards and are set out in the draft Parking SPD 2022, in appendix A table A1 of the draft SPD. The provision of visitor parking at a ratio of 0.2 spaces per dwelling is required where 50% or more of the total number of spaces, provided for use by residents themselves, are allocated. The parking provision for this development based on table A1 is 2 bed houses 1.5 spaces and 3 bed houses 2 spaces, visitor spaces 0.2 spaces per dwelling. This equates to a maximum requirement of:

7 x 2 bed = 10.5 spaces

1 x 3 bed = 2 spaces

8 x 0.2 visitor spaces = 1.6 spaces

Total maximum requirement of 14 spaces.

The proposed development makes provision for 13 vehicle parking spaces. The draft Parking SPD standards are maximum parking standards. The proposal in providing 13 parking spaces provides an acceptable level of parking provision.

Electric vehicle charging is to be secured by condition.

The proposed layout makes provision for secure cycle parking, for the parking of 2 cycle spaces per dwelling, within the residential curtilages of each dwelling. This is appropriate and the details are to be secured by condition.

No objection is raised on parking grounds.



### Trees

The site to the north west adjoins Ancient Woodland. The Standing Advice provides guidance regarding potential mitigation regarding development in close proximity to Ancient Woodland. The advice is that an appropriate buffer zone should be provided of semi-natural habitat between the development and the Ancient Woodland (depending on the size of the development, a minimum buffer should be at least 15 metres). The purpose of the buffer is for the protection of the ancient woodland, and must be devoid of all development and pathways. This area whilst providing visual amenity would not contribute to useable amenity for occupants of the development. The application proposes a 15-metre buffer from the ancient woodland, as shown on drawing no.PA\_02, which provides an adequate buffer between the woodland and development. The suggested landscaping condition would include details for the buffer zone and the boundary treatment required to ensure the buffer zone remains devoid of all development and pathways and provides visual amenity only.

Existing trees on the Ash Road frontage would be retained and supplemented with additional planting.

Nine individual trees are identified for removal and three groups of trees and the partial removal of six groups of trees. Three individual trees (T1, T8 and T9 (category B)) and the partial removal of a group of Lawson cypress trees are identified as having moderate retention value. Suitable new tree planting is required to mitigate the loss of the existing trees. This is to be secured through condition as part of the landscaping scheme. The arboricultural information has been reviewed by the lpa tree officer who raises no objection subject to a suitably worded condition to secure a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

No objection subject to conditions to secure a detailed AMS and TPP and suitable replacement tree planting to mitigate the tree removal.

### Flooding

The application is accompanied by a Flood Risk Assessment and Drainage Strategy by Campbell Reith, dated February 2022. This identified the site as being relatively flat with a general fall towards the water course at the centre of the site. The site is located within flood zone 1 and lies within an area that is at a low risk of flooding. With the SFRA identifying the site as being located within an area that is not susceptible to groundwater flooding. A 1.2m wide maintenance and access strip is provided adjacent to the on site water course to allow for any maintenance works that may be required during the lifetime of the development. Surface water runoff is proposed to be managed on site and discharged into the existing on site water course. Foul water drainage is proposed to be discharged into the Thames Water foul sewer, for which a section 106 Thames Water application will be required.

The proposed drainage strategy through the use of SuDS features states that no buildings are at increased risk from surface water flooding, and includes the use of permeable paving, filter drains, proprietary treatment systems. The development will be raised across the site by 300mm to ensure finished floor levels are above surface water flood levels.

A Sustainable Urban Drainage system is proposed. Following initial comments from Surrey as Lead Local Flood Authority additional information was provided in the form of a 'Communication Letter' from Campbell Reith Hill LLP (14/12/2002) and Drainage Strategy (Annotated), By Campbell Reith Consulting Engineers, Feb 2022, Drawing no. 7004 revision 4. This considered the surface water flood risk from the site, the potential presence of shallow ground water, desk top study identifying the underlain bedrock as London Clay Formation and existing cottage connecting to the existing water course. The discharge rate for the site is identified as 5 l/s based on 5 outfall's into the existing watercourse with a restriction on each outfall. The applicant

has provided options to reduce the number of outfall's. The LLFA advised that the proposed mitigation measures are appropriate and have recommended conditions.

The LLFA have advised that if the proposed works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent.

Subject to conditions requiring the submission of a detailed surface water drainage scheme and a verification report no objection is raised on flooding grounds.

### Ecology

An updated Preliminary Ecological Appraisal (PEA) accompanies the application. The PEA identified two European statutory sites within 5km, three UK statutory sites within 2 km, ancient woodland sites within 2km and seven non statutory sites within 1 km.

#### *Bats*

A Preliminary Bat Roost Assessment dated February 2022 accompanies the application. This identified The Firs site as having high potential to support roosting bats. Best practice when high potential is identified is for dusk emergence and dawn re entry surveys to be undertaken. Dusk emergence bat surveys were undertaken on 21st July 2022 and 4th August 2022 and a dawn re entry bat survey undertaken on 2 September 2022, recording a total of seven bats species on site, including: common pipistrelle, soprano pipistrelle, Nathusius' pipistrelle, noctule, Dabenton's bat, serotine and Natterer's bat. The surveys identified foraging activity in addition to common pipistrelle emergence and re-entry beneath hanging tiles on Hazelwood and the Firs. Day bat roosts used by common pipistrelle have been confirmed in The Firs and likely present in Hazelwood. No unlicensed works can be undertaken. Recommendations including the requirement of a licence application are set out within the Dusk Emergence and Dawn Re-entry surveys by Middlemarch dated September 2022.

Surrey Wild life trust have recommended conditions and advised that a Bat Mitigation Licence is required. Nocturnal species are sensitive to any increase in artificial lighting, a sensitive lighting management plan condition is recommended to ensure the proposed development does not result in a net increase in artificial lighting at primary foraging and commuting routes across the site.

#### *Barn Owls*

Following additional survey information, Barn owl Survey by Middlemarch October 2022. Surrey Wildlife Trust have advised that the Barn Owl Survey Report appears appropriate in scope and methodology and has identified the likely absence of active signs within the development site. The site contains suitable habitat for breeding and foraging barn owl. As the Barn Owl is highly mobile and move roost frequently a precautionary approach to works should be implemented. Surrey Wildlife Trust have advised that the applicant is required to apply for a Barn Owl Mitigation Licence.

#### *Nesting birds*

A Nesting Bird Survey by Middlemarch Environmental dated 14 February 2022 accompanies the application. Nest and nesting birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended). The survey identified an active Wood pigeon nest in tree T11 to be removed. In accordance with the Wildlife Act the tree cannot be removed until the nest is no longer active. A further survey will be require to update the survey prior to, within 48 hours of, planned tree removal. Building demolition, vegetation and site clearance should avoid bird nesting season, of this is not possible and only small areas of dense vegetation are affected the site could be inspected by an ecologist within 24hrs of any clearance works.

### *Badgers*

A badger survey submitted (Badger Survey, Middlemarch Environmental, February 14th 2022) did not identify any badger setts on or adjacent to the site. The survey findings did indicate that badgers may access the site for use as a temporary foraging source and precautionary recommendations are made. Surrey Wildlife have commented that the report identified the likely absence of active badger setts within and adjacent to the development site. However possible signs of badger activity were identified within the development site and so it is likely that badgers are known to be present locally. A condition is recommended to survey the site immediately prior to the start of works by an appropriately qualified ecologist to search for any new badger setts and confirm existing setts are inactive. Construction activities should ensure regard is had to the potential presence of terrestrial mammals. If badger activity is detected mitigation measures will be required. This is the subject of a condition.

### *Hedgehog*

The desk study identified two records of hedgehog within a 1km radius of the survey area. The Updated Preliminary Ecological Appraisal considers that it is likely that hedgehog utilise the site in some capacity. Opportunities exist for hedgehog with good connectivity within the wider landscape. Mitigation measures are identified in the PEA. Surrey Wildlife Trust recommend that these measures are incorporated into a suitably detailed Construction Environmental Management Plan.

### *Great Crested Newt*

Surrey Wildlife Trust have advised that the Great Crested Newt (GCN) Habitat Suitability Index Assessment and DNA Survey report is appropriate in scope and methodology and has identified a likely absence of Great Crested Newt on the development site. The survey did not identify high quality terrestrial habitat for great crested newts, great crested newts were not found to be present within any of the water bodies identifies within a 500m radius of the site. The survey concludes that great crested newts are not present on site or within the immediate vicinity. However Surrey Wildlife Trust advise that some suitable habitat for Great Crested Newt does exist within the site and should GCN be identified during works, all works should cease immediately and advice sought from Natural England. Recommendations within section 7.3 of the PEA should be followed.

### *Water vole*

A Water Vole Survey by Middlemarch Environmental Ltd dated 14th February 2022 accompanies the application. No records of water vole were identified within 1km of the survey area. However the stream running through the site offers potential habitat for water voles despite concluding water voles are absent from the survey area, recommendations are detailed within section 7.3 of the PEA.

### *Reptiles*

The desk survey provided two records of reptiles, both located 650m southwest of the site. A Reptile Survey was completed on site in 2022 identifying low populations of slow worm and grass snake. A Reptile Mitigation Strategy has been completed for the site and is detailed within section 7.3 of the PEA. Surrey Wildlife Trust recommend the reptile mitigation is informed by the Arboricultural Impact Assessment. Surrey Wildlife Trust have advised that Reptile Translocation best practise is clear that the proposed receptor site should be subject to written, agreed and funded pre and post translocation management agreement and monitoring programme. In the absence of details a suitably worded condition is suggested.

### *Invertebrates*

The survey area whilst not providing suitable habitat for stag beetle does provide suitable opportunity for other notable and more common invertebrate. Provided the hedgerows are retained and new habitat created/enhanced no long term impact on invertebrates is anticipated.

## Biodiversity

Policy ID4 of the LPSS criteria 2 states: 'New development should aim to deliver gains in biodiversity where appropriate. Where proposals fall within or adjacent to a Biodiversity Opportunity Area (BOA), biodiversity measures should support that BOA's objectives. The forthcoming SPD will set out guidance on how this can be achieved. Emerging Policy P6/P7 Biodiversity in New Developments requires qualifying developments to achieve biodiversity net gain of at least 20%.

The NPPF para 179 (b) states plans should: promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'. Para 180 states the following principles should be applied: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The buffer zone to the west adjacent to the ancient woodland is annotated as an area of native planting. Native planting is proposed along banks to stream, with a planted roof to the proposed double car port. Opportunity exists to secure net biodiversity gains. Surrey Wildlife Trust recommend a condition to secure a Biodiversity Enhancement and Management Plan.

## 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 7 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.

In this instance, the proposal will rely on off-site SANG to mitigate its impact on the SPA. This will be secured through a Section 106 agreement.

On this basis, 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.

An Appropriate Assessment has also been completed by the Local Planning Authority.

## 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. A Suitable Alternative Natural Greenspace (SANG contribution of £41,376.23 and a Strategic Access Management and Monitoring (SAMM) contribution of £5,511.45) would be secured through the legal agreement. This would accord with the TBHSPA Avoidance Strategy SPD, 2017.

Without securing these measures through the s.106 agreement, 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.

#### **Conclusion.**

The proposed development would result in a net increase of 7 dwellings, providing a positive contribution towards the Boroughs housing need. The proposal is for a well designed small development of housing, providing a high quality residential environment. No adverse impact on the amenities of the neighbouring residents have been identified. No objections have been raised by the statutory or internal consultees. Subject to the completion of a S106 to secure appropriate mitigation for the identified impact on the TBHSPA, and the suggested conditions, which include but are not limited to, mitigation of protected species and habitat, trees, landscaping (including buffer to the Ancient Woodland), materials, highway, sustainability, drainage and noise measures the proposed development is recommended for approval