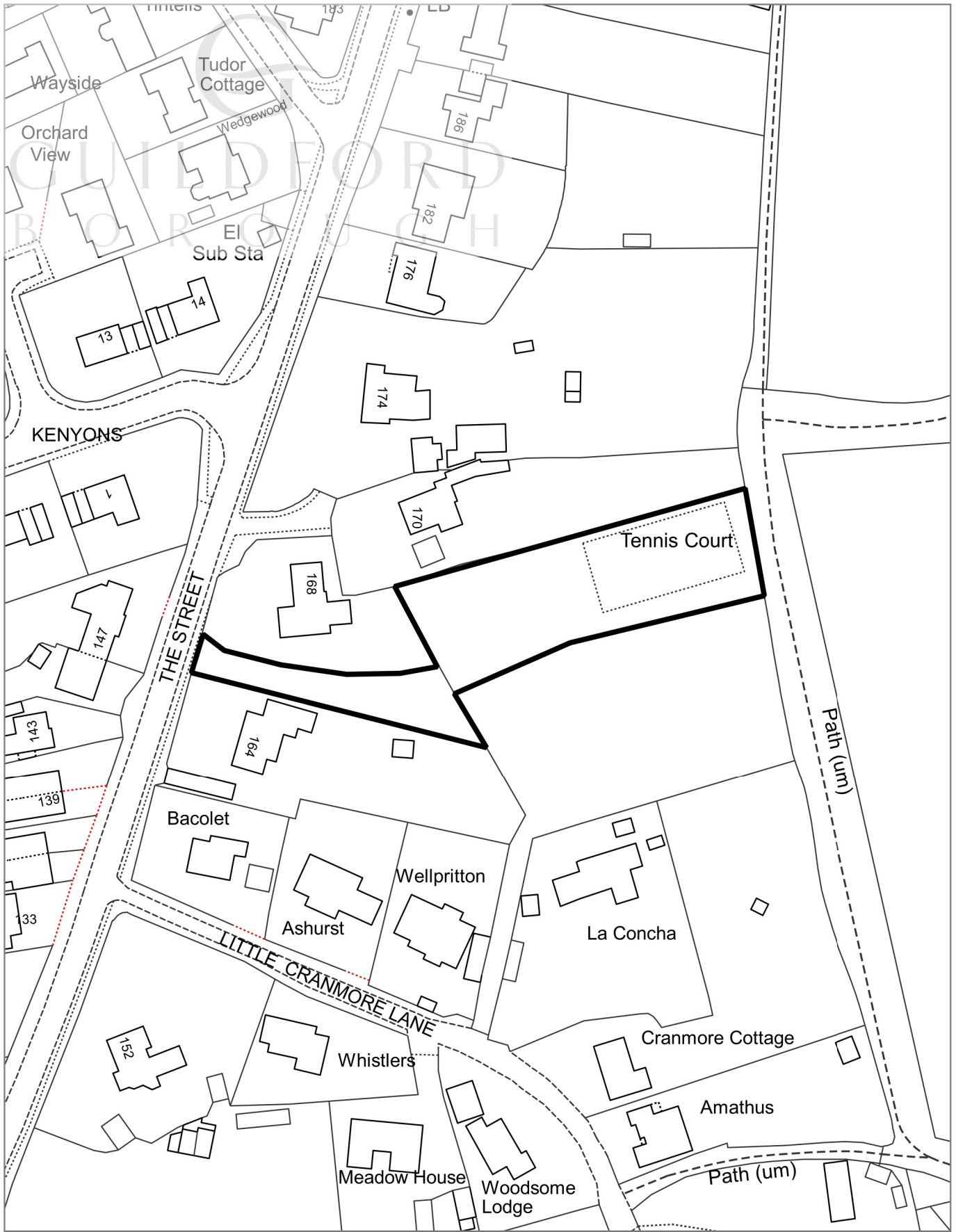


# 22/P/00998 - Land To The Rear Of 168, The Street, West Horsley



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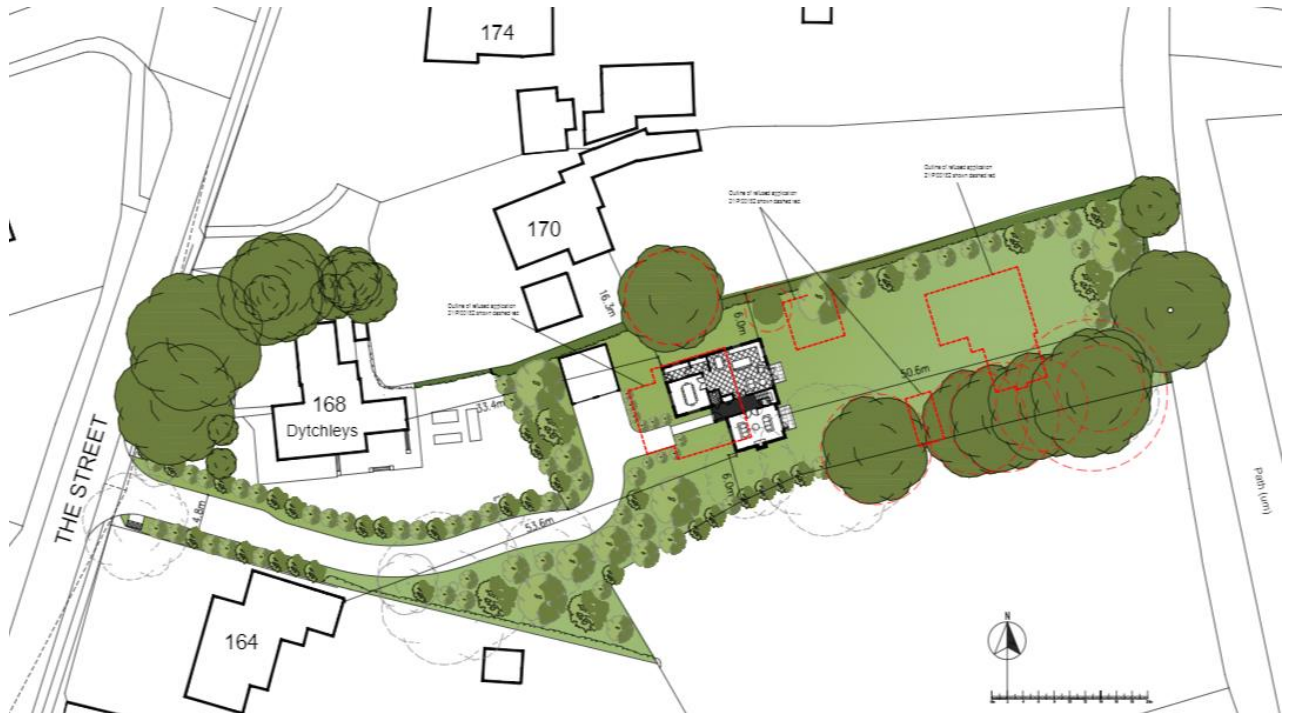


Not to Scale



**GUILDFORD**  
BOROUGH

22/P/00998 – Land to the rear of 168 The Street, West Horsley



Not to scale

**App No:** 22/P/00998  
**Appn Type:** Full Application  
**Case Officer:** Ben Mitchell

**8 Wk Deadline:** 03/08/2022

**Parish:** West Horsley  
**Agent :** Mr Conoley  
Michael Conoley Associates  
The Old Forge  
The Green  
Elstead  
GU8 6DD

**Ward:** Clandon & Horsley  
**Applicant:** Mr Everest  
Silver Key Developments Ltd  
Ground Floor  
Egerton House  
68 Baker Street  
Weybridge  
KT13 8AL

**Location:** Land to the rear of 168, The Street, West Horsley, KT24 6HS  
**Proposal:** Erection of a detached Self-build / Custom Build dwelling with associated garaging and new access on land to the rear of Dytchleys, 168 The Street

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee as it has been called in by Cllr Anderson during the 7-day process with concerns that it would represent inappropriate backland development and would harm the traditional rural edge to the village.

#### **Key information**

The proposed dwelling would be a large two storey detached dwelling sited approximately 33m behind (to the east) of No.168, which is itself sited adjacent to the The Street.

It would be 7.3m in overall height with excavation works setting the building down from the surrounding dwellings.

It would be of an Arts and Crafts styling with traditional materials such as brick and clay tiles, with an oak framed double height porch.

The proposed dwelling would provide four bedrooms and a further single storey detached double garage in front (to the north-west) of the principal elevation of the dwelling providing two designated parking spaces.

Access would be provided off the The Street, with a driveway running between No.168 and No.164 The Street.

This application follows the previously refused application for the erection of three dwellings on the site under application 21/P/00182. The application was refused on grounds the number of dwellings proposed, together with their overall scale, height, bulk, layout and positioning would be harmful to the character of the surrounding area and would not achieve a transitional edge to the village.

## **Summary of considerations and constraints**

The site is located in West Horsley, which has been in-set from the Green Belt and the development would contribute to the identified need for 20% four bedroom market homes, as identified within SHMA 2015 and Addendum Report 2017. Therefore, the principle of development is considered acceptable.

The proposed dwelling would be sited behind No.168 The Street. However, it would be a reasonable height and scale, have an in-keeping design and character, and a number of existing dwellings are sited further back within their respective plots including No.170 The Street (to the north) and La Concha, Little Cranmore Lane (to the south-east). The proposed development would not be sited significantly beyond these highlighted existing dwellings. The rear garden would be significant in its length and is considered to maintain an appropriate natural transition to the surrounding countryside.

No harmful neighbouring amenity impacts have been identified owing to the adequate separation to the neighbouring dwellings, and the proposed access would be bounded by hedging and vegetation to avoid harmful noise and light impacts for cars accessing the proposed dwelling.

The dwelling would be in line with nationally described space standards and would maintain sufficient amenity space to both the proposed dwelling and No.168.

Sufficient car parking has been provided and bin storage would be sited at the end of the drive, adjacent to the highway, as to avoid the need for refuse vehicles to access the site.

The proposal would not have any significant adverse impacts on biodiversity and would utilise biodiversity enhancements.

Several lower quality trees are proposed to be removed, with the higher quality ones being retained and the Council's Tree Officer has not objected to the development. A soft landscaping scheme would be secured via condition to mitigate the loss of existing trees.

The development would not result in an increased chance of flooding.

The development would comply with policy sustainability requirements, and further sustainability measures would be secured via condition.

A S106 has been drafted to secure SANG and SAMM payments to mitigate any potential harm to the Thames Basin Heath SPA. The applicant has confirmed they are willing to enter into this agreement.

### **RECOMMENDATION:**

**Subject to a Section 106 Agreement securing appropriate SANG and SAMM mitigation payments, 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: 1501/P-201, 1501/P-204, 1501/S-101, 1501/P-202, 1501/P-203 received on 8th June 2022.

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 take place above slab level 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 building is satisfactory.

4. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to The Street has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.1501/P-201, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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 space has been laid out within the site in accordance with the approved plan, Drawing No. 1501/P-201, 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

6. The development hereby approved shall not be occupied unless and until the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted 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 and in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021

7. 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 to encourage travel by means other than private motor vehicles and in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2021

8. 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 and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2021. It is considered necessary for this to be a pre-commencement condition as protection for highway safety and avoiding inconvenience on other highway users should be established prior to the start of construction where issues could arise

9. 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

10. 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). 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. It is considered necessary for this to be a pre-commencement condition as the provision of appropriate sustainability measures should be ingrained into the development prior to construction

11. The approved Arboricultural Impact Assessment and Tree Protection Strategy, prepared by Mark Welby Arboricultural Consultant, (Revision C 13/06/2022), must be adhered to in full. 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. 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

12. No development shall take place until full details of a soft landscape proposals, 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

13. The development hereby permitted shall not be occupied until the biodiversity enhancement measures as set out in paragraph 13.2 of the submitted Design and Access Statement received 23rd June 2022 have been implemented in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In order to preserve and enhance the natural environment including protected species and to increase the biodiversity of the site and mitigate any impact from 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 not sought prior to submission and the application was acceptable as submitted.

3. 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).
4. 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/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).



5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the Highway Authority recommend that the developer and LPA liaise with their Building Control Teams and Local Fire Service to understand any additional requirements.
7. 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 developer's own cost.

## **Officer's Report**

### **Site description.**

The site is within the West Horsley Settlement Boundary and inset from the Green Belt. The site is also within the 400m to 5km buffer of the Thames Basin Heath SPA.

The site consists of part of the long rear garden of 168 The Street which includes an existing tennis court at the end of the garden. The rear (eastern) boundary of the site forms the boundary with the Green Belt to the east.

The site adjoins the neighbouring property of 170 The Street to the north and paddock land to the rear of 164 The Street to the south. This land is the subject of recent planning application for five new dwellings which was refused and the appeal dismissed. The proposed access to the site is positioned adjacent to the southern boundary of the site adjacent to 164 The Street.

### **Proposal.**

Erection of a detached dwelling with associated garaging and new access on land to the rear of Dytchleys, 168 The Street

### **Officer note:**

The proposed dwelling would be a large two storey detached dwelling sited approximately 33m behind (to the east) of No.168, which is itself sited adjacent to the The Street. The proposed dwelling would be 7.3m in overall height with excavation works setting the building down from the surrounding dwellings. It would be of an Arts and Crafts styling with traditional materials such as brick and clay tiles, with an oak framed double height porch. The proposed dwelling would provide four bedrooms and a further single storey detached double garage in front (to the north-west) of the principal elevation of the dwelling providing two designated parking spaces. Access would be provided off the The Street, with a driveway running between No.168 and No.164 The Street.

This application follows the previously refused application for the erection of three dwellings on the site under application 21/P/00182. The application was refused on grounds the number of dwellings proposed, together with their overall scale, height, bulk, layout and positioning would be harmful to the character of the surrounding area and would not achieve a transitional edge to the village.

### Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/P/00182	Proposed erection of a pair of two storey semi-detached dwellings and one two storey detached dwelling, with associated garaging and new access.	Refuse 22/11/2021	Appeal withdrawn 27/09/2022
20/P/01194	Erection of two detached dwellings	Withdrawn 17/12/2020	N/A

### Consultations.

SCC Highways - no objections, subject to relevant conditions

West Horsley Parish Council - objects on the following grounds

- backland development is inappropriate
- no need for further housing
- harm to semi-rural character owing to visibility from adjacent footpath
- harm to the amenity of No.170 garden
- overlooking concerns
- transitional edge between garden and green belt would be eroded
- erosion of views through open farmland
- introduction of parking onto green field location causes harm to character of the area
- harm to biodiversity

GBC Tree Officer - no objections, subject to relevant conditions for tree protection measures

### Third party comments:

One letter of representation has been received raising the following objections and concerns:

- inappropriate positioning encroaching on green field land
- unofficial building line at rear should be observed
- access should not allow for further houses to be constructed

## **Planning policies.**

### National Planning Policy Framework (NPPF) 2021

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

### South East Plan 2009

NRM6. Thames Basin Heath Special Protection Area

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

- H1. Homes for all
- P5. Thames Basin Heath Special Protection Area
- D1. Place shaping
- D2. Climate change, sustainable design, construction and energy
- ID3. Sustainable transport for new development
- ID4. Green and blue infrastructure

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

- G1. General standards of development
- G5. Design code
- NE4. Species protection
- NE5. Development affecting trees, hedges & woodlands

### West Horsley Neighbourhood Plan 2016 - 2033

- WH2. Design management in the village settlement
- WH3. Design management within rural areas
- WH4. Housing mix
- WH14. Biodiversity
- WH15. Dark skies

### Supplementary planning documents (SPD)

National:

National Design Guide 2021

Local:

Residential Design Guide 2004

Vehicle Parking Standards 2006

Thames Basin Heath Special Protection Area Avoidance Strategy 2017

Climate Change, Sustainable Design, Construction and Energy 2020

## Emerging Local Plan

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.

P6/P7. Biodiversity in new developments  
P13. Sustainable surface water management  
D4. Achieving high quality design and respecting local distinctiveness  
D5. Protecting the amenity and provision of amenity space  
D9. Residential infill development  
D12. Sustainable and low impact development  
D13. Climate change adaptation  
D14. Carbon emissions from buildings  
ID11. Parking standards

### **Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- the impact on the character and scale of the area
- the impact on neighbouring amenity
- amenity and space standards
- highway and parking considerations
- the impact on biodiversity and ecology
- the impact on trees and vegetation
- the impact on surface water flooding
- sustainability
- Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- legal agreement requirements

### Principle of development

The application site is within West Horsley. The NPPF identifies that only villages whose open character makes an important contribution to the openness of the Green Belt should be included within the Green Belt. As such, West Horsley has been assessed against this under the LPSS 2015 - 2034 and has been inset from the Green Belt. The application site also falls within the Identified Settlement Boundary. Therefore, given the established principle that West Horsley does not contribute to the openness of the Green Belt and as such, has been inset from it, it is not required to assess this application in regards to its impact on the Green Belt.

The SHMA 2015 and Addendum Report 2017 identifies a need for 20% four bedroom open market homes of which this development would contribute to. Further, the NPPF Part 5 requires the delivery of a sufficient supply of homes, of which this development would contribute to. Therefore, it is considered that the principle of development within the application site for the erection of a new dwelling is appropriate, subject to further planning considerations.

#### Impact on the character and scale of the area

Para 130 of the NPPF stipulates that developments:

- a) "will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development";
- b) "are visually attractive as a result of good architecture, layout and appropriate and effective landscaping";
- c) "are sympathetic to local character and history, including the surrounding built environment and landscape setting";
- d) "establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit";

Policy 4.5.12 (Policy D1 of the 2019 Local Plan) requires "assessment of the design of new development to ensure that it provides a positive benefit in terms of landscape and townscape character, and enhances local distinctiveness.... to protect, conserve and enhance the landscape character of the Borough".

The site lies on the edge of the settlement of West Horsley, with countryside to the east. Policy WH2(i) of the West Horsley Neighbourhood Plan states: 'Where adjoining the boundaries of the built-up area of the village, the emphasis will be on the provision of housing types and built forms that help maintain an appropriate transitional edge to the village and maintain local character and countryside views;'

The proposed dwelling would be a large detached two storey dwelling providing four bedrooms.

The existing dwellings surrounding the site consist of relatively modest two storey detached dwellings on spacious plots, including the existing dwelling at 168 The Street and neighbouring dwelling 170 The Street. There are existing mature trees and hedging on the site boundaries. Properties along this part of The Street, on the eastern side of the road, are predominantly comprised of detached dwellings on spacious plots in a line of ribbon development fronting the road, with the ends of their long rear gardens, largely free from development, backing onto the countryside edge. This provides an open and spacious character and a gentle transition between the edge of the village and the countryside beyond. The dwelling at 170 The Street is set further back from the road but is one of the older dwellings and is modest in terms of its scale, bulk and height and is of a rural cottage style.

The proposed dwelling would sit comfortably within the large plot, sited towards the western boundary maintaining a large rear garden that bound the adjacent countryside to its east. It would be positioned centrally across the width of the plot, maintaining a separation of six metres between each adjacent side boundary. The proposed dwelling would be marginally taller than the surrounding dwellings, however, given the level change towards the rear of the site accounting for the excavation works, it would be set down further than the neighbouring dwellings and as such, would not appear overly tall when viewed from the surrounding area. Overall, the proposed dwelling would not be dissimilar in overall built form to the surrounding dwellings and given its siting, boundary treatments and set down nature, would not be of an overly large scale. A detached garage is proposed sited adjacent to the south-western elevation of the dwelling and would be of an in-keeping scale that reflected the similar use of detached garaging within the surrounding area.

It is acknowledged that the proposal would be sited within the rear garden of No.168 The Street. However, as mentioned, the pattern of development along The Street, consists of dwellings in a ribbon pattern with frontages onto the highway. However, there are examples within the area (No.170 and La Concha), of dwellings set further back behind the rear elevations of neighbouring properties. The proposed dwelling's principal elevation would be in line with the rear elevation of No.170, whilst it would sit in line with La Concha, which is sited to the south-east. Given the orientation of No.170, the proposed dwelling and La Concha, this would result in an informal building line being formed and as such, the proposed dwelling would sit within that as to not appear incongruous within the surrounding context of dwellings. Therefore, given the development would only consist of a single dwelling of an appropriate scale, that would maintain a significant rear garden with a natural transition to the surrounding countryside, it is not considered that this development would be inappropriate. The development would not extend significantly behind the established pattern of development and as such, would maintain sufficient views of the natural landscape whilst not appearing overly dominant at the rear of the existing dwellings. In this, the development would provide an appropriate transitional edge to the village and therefore, would maintain local character and countryside views.

The proposed dwelling would utilise traditional styling and materials, with fully hipped roofs and some modern architectural detailing. In this, the dwelling would not appear out-of-keeping with the character of the area and the design would be of a sympathetic nature that did not cause harm to the surrounding village or contrast too starkly to the established dwellings along The Street.

Primarily through the reduction in the number of dwellings and appropriate siting of the proposed dwelling, this development has overcome the concerns raised within the previously refused application 21/P/00182 in regards to its impact on character and scale. As mentioned, the dwelling would maintain a transitional edge to the village with a dwelling sited in an appropriate location as to not appear out of keeping with the surrounding residential development. As such, the case officer has visited the site and is satisfied that the scale of the development is in keeping with the surrounding area and the design of the would not detract from the character of the surrounding area and would therefore accord with Part 12 of the NPPF, Policies D1 of LPSS 2015 - 2034 and G5 of the Local Plan 2003 and WH2 of the West Horsley Neighbourhood Plan.

As outlined above, considerable weight shall now be given to the emerging LPDMP. Policy D9 of the LPDMP states that residential infill development should integrate well with surrounding development and respond positively to the existing character and identity of the local area. As outlined above, the development would achieve this and as such, the proposal would comply with Policy D9 of the LPDMP.

#### Impact on neighbouring amenity

The dwelling would maintain a minimum separation distance of 16.3m and 33.4m to No.170 and No.168, respectively. Given this significant separation and that the dwelling would not be of an overly large scale there would not be an adverse loss of light, overshadowing or an unacceptable overbearing impact to either of the neighbouring dwellings. Although the dwelling in itself would not result in a harmful loss of light or overbearing impact to the neighbouring dwellings, as existing, there is a significant amount of mature vegetation that would provide additional screening between the respective dwellings and as such, further limiting visibility of the dwelling within the existing amenity space of either dwelling.

On the northern side roof slope, there would be four side facing rooflights that would be adjacent to No.170. However, given these would have a cill height of above 1.7m and that there is existing boundary treatments between the dwellings with a fairly significant separation, these would not cause concerns for overlooking.

Owing to the proposed dwellings positioning to the rear of No.168, there would be first floor windows on the front elevation of the proposed dwelling that would face the rear garden of No.168. However, given the significant separation of 33.4m between the rear elevation of No.168 and the front elevation of the proposed dwelling, it is not considered this would cause harmful overlooking that would negatively impact the amenity space of No.168.

The proposed driveway would run between No.168 and No.164. The proposed driveway would be bounded by hedging and vegetation on both boundaries and the proposed parking area would also be screened from No.168 with several layers of vegetation. This would provide adequate protection from the potential noise impacts and light pollution from headlights with cars travelling between the two dwellings as to not cause harm to the neighbouring amenity of either adjacent dwelling. Further, given this development is limited to a single dwelling, there would not be a significant generation of traffic that would cause concern given the positioning of the driveway.

#### Amenity and space standards

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 one four bed dwelling. The internal floor area significantly exceeds the minimum requirement for such a dwelling set out in the nationally described space standards. The space standards set out further requirements in terms of bedroom sizes and dimensions and it is found that the dwelling also meets with these requirements.

The proposed garden area would be adequate in terms of outdoor amenity space with a rear garden measuring 50.6m in length. In erecting a dwelling within the rear garden of No.168, the host dwelling would maintain a sufficient rear amenity space with a rear garden that, at minimum, extended 12.3m in depth and further extended around the side of No.168.

#### Highway and parking considerations

The Council's Maximum Parking Standards require dwellings of more than three bedrooms to provide two vehicle parking spaces. There would be sufficient space to the front of the dwelling and within the external garage to provide at least two off-street car parking spaces in line with the Council's requirements.

Bin storage has been provided at the entrance of the development adjacent to The Street which would ensure that a refuse vehicle did not need to enter the site. The CHA has no objection to the application, subject to recommended conditions and informatives. It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.

In order to promote sustainable transport and to reduce carbon emissions, if the application is approved, conditions will be added to ensure the provision of a suitable electric vehicle charging point and covered parking for bicycles with the provision of a charging point for e-bikes, as recommended by the County Highway Authority.

### Impact on biodiversity and ecology

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 site comprises a residential garden laid to lawn with a hard-surfaced tennis court. There are no existing buildings to be demolished as part of the proposals.

The submitted Design and Access Statement states that there are several opportunities for Biodiversity Gain are suggested as part of the proposals. These are the planting of additional mixed native species hedgerows and the addition of an 'insect hotel' woodpile to the rear of the site. Biodiversity enhancement measures could be secured by condition. Subject to such condition it is considered that the proposal will not have an adverse impact on ecology and biodiversity.

Considering the above, the proposal will not have any significant adverse effects on biodiversity and does not conflict with LPSS policy ID4, subject to necessary conditions.

### Impact on trees and vegetation

There are several mature trees on all boundaries of the site, in particular to the southern and front boundary.

An Arboricultural Method Statement has been submitted with the application which includes details of trees to be removed and proposed measures for protecting the trees during the course of development. Several trees are proposed to be removed along the southern boundary in particular, as well as trees at the new access point. The trees to be removed have been assessed as being poorer quality (category C or U trees) and the Council's Tree Officer has no objection to their removal. The higher quality trees are being retained and a condition is recommended to ensure the development is carried out in accordance with the agreed tree protection details to ensure the retained trees are protected during the course of development.

The proposals also show the proposed provision of new trees and hedge planting along the southern and northern boundaries of the site. This proposed planting will be important to mitigate the loss of the trees to be removed and a soft landscaping scheme, to include details of all new planting, would need to be secured by condition as part of any subsequent planning approval.

### Impact on surface water flooding

The site is located within Flood Zone 1 and is below the site area threshold for requiring a Flood Risk Assessment.

The submitted D&A statement sets out that the proposals will incorporate rainwater harvesting, permeable driveways and parking areas and all surface water will be discharge to soakaways.

Although there have been concerns raised by third parties in respect to surface water drainage owing to the excavation works, given the application site is not within Flood Zone 2 or 3 and is not in a designated area at risk of surface water flooding, it would not be reasonable to the impose further requirements on surface water flooding.



## Sustainability

As set out in the Climate Change, Sustainable Design, Construction and Energy SPD 2020 and Policy D2 of the new Local Plan, there is a requirement to achieve a 20 percent reduction in carbon emissions through the use of on site low or zero carbon technologies. The application has been supported by the GBC Climate Change, Energy and Sustainable Development questionnaire, which outlines how the proposed development will meet sustainability requirements.

The materials would be sourced locally where possible, all structural timber would be FSC certified. All non-mineral waste would be minimised and recycled where possible. The house has been designed to include passive cooling methods and maximise solar gains. An electric vehicle charging point has also been proposed and will be secured via condition, if the application is approved.

There is also a requirement for development to achieve a water efficiency of a maximum of 110 litres per occupant per day. Details on how these requirements will be achieved will be secured by way of a condition.

Sustainability evidence has been submitted indicating the development would achieve a 23.36% reduction in carbon emissions through the above methods. As such, the development would comply with Policy D2 of the LPSS 2015 - 2034 and would further utilise effective and appropriate methods of sustainable design and construction.

## 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 a Strategic Access Management and Monitoring (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution of £8,926.05 and a SAMM contribution of £1,188.96 to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document.

In line with standing advice from Natural England, 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.

## 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 one new residential unit, 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. The contributions are required to improve existing SANGS and ensure they are maintained in perpetuity; the SANGS is existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development. In conclusion, the Council is of the opinion that the legal agreement would meet the three tests set out above.

### Conclusion

The Council has conducted a full assessment of all the relevant material considerations against local and national planning policy and has concluded that full planning permission should be granted. The application would be within a sustainable location where the principle of housing is appropriate. Whilst it would be sited to the rear of an existing dwelling, considering the siting and location of other surrounding existing dwellings, it would not represent harmful backland development. The design and scale would be of an in-keeping nature and it would provide adequate amenity and domestic facilities, with an appropriate approach to sustainability, bio-diversity and flooding. The development would not result in an adverse impact to the surrounding highways safety. Mitigation could be secured for the impact on the SPA via S106. As such, this application is recommended for approval.