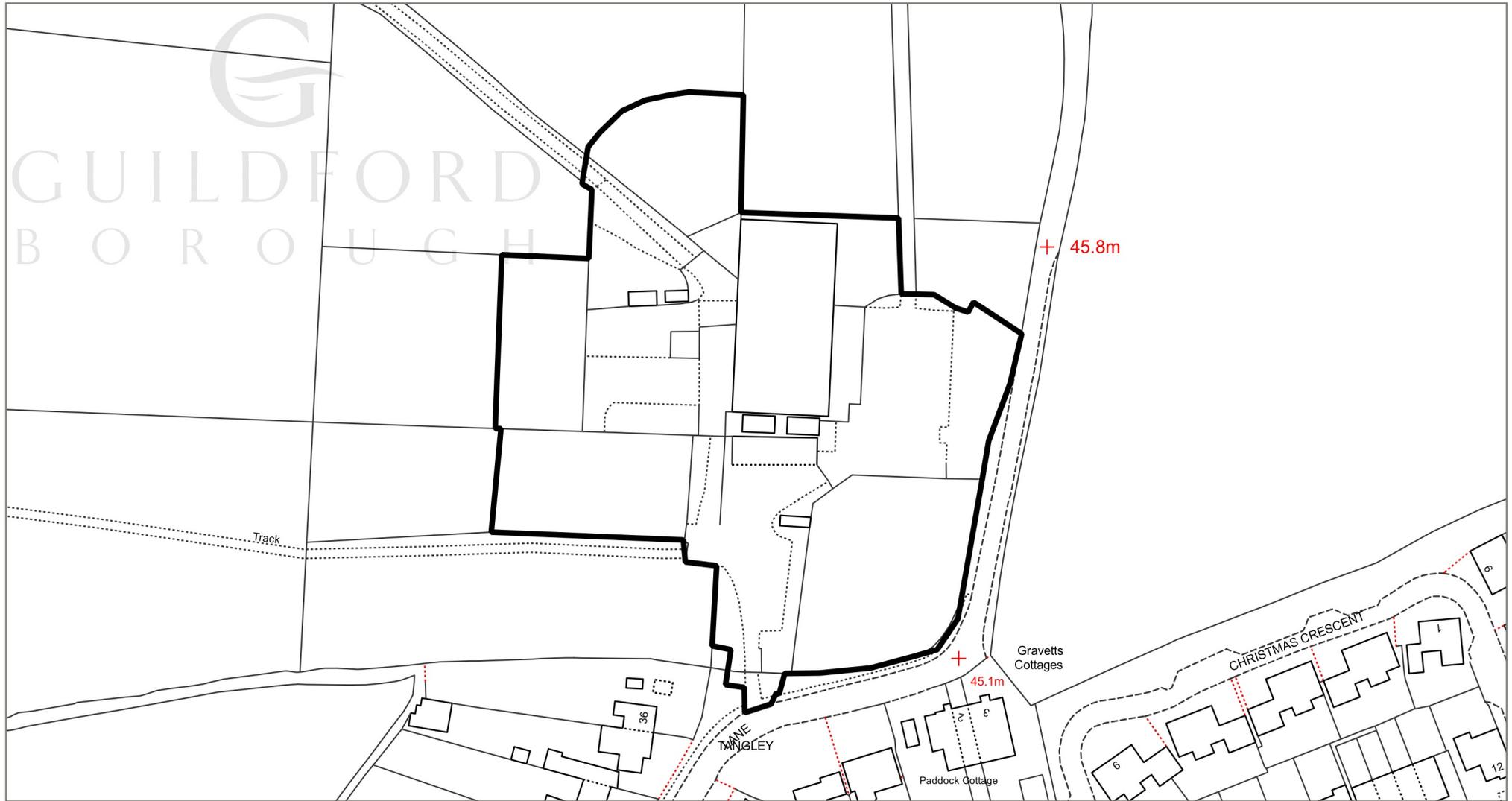


22/P/01757 - Gravetts Lane Stables, Tangley Lane, Worplesdon, Guildford



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Print Date: 11/03/2024



Not to Scale



GUILD F O R D
B O R O U G H

**22/P/01757 – Gravetts Lane Stables, Tangley Lane, Worplesdon
Guildford, GU3 3JY**



Not to scale

App No: 22/P/01757

8 Wk 29/02/2024

Deadline:

Appn Type: Full Application

Case Officer: Lisa Botha

Parish: Worplesdon

Ward: Worplesdon

Agent : Mr Andy Wells
Union 4 Planning

Applicant: Mr Chris Evans
Chris Evans Consultancy Ltd &
Sustainable Land Products Ltd
4 Riverview
Walnut Tree Close
Guildford
GU1 4UX

Location: Gravetts Lane Stables, Tangley Lane, Worplesdon, Guildford, GU3 3JY

Proposal: Demolition and replacement of Gravetts Lane Stables with nine residential units with associated parking and amenity space

Executive Summary

Reason for referral

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

Key information

This application seeks permission for the demolition and replacement of Gravetts Lane Stables with nine residential units with associated parking and amenity space.

The proposed development comprises two detached dwellings, and two rows of terraces comprising 2 x 4 bed units, 4 x 3 bed units and 3 x 2 bed units

Plot 1: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 2: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 3: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 4: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 5: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 6: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 7: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 8: 4 bed unit - (10.6m wide x 7.6m deep x 7.54m high)

Plot 9: 4 bed unit - (12.0m wide x 8.0m deep x 8.3m high)

Open bay garage: 11.95m wide x 6.35m deep x 5.8m high

Summary of considerations and constraints

The site is located within the Green Belt, is covered by an Article 4 Direction and is located 400m-5km from the Thames Basin Heaths Special Protection Area which is located just a little further to the north of the application site.

The Article 4 Direction restricts the following development which would otherwise be able to be carried out under permitted development:

- the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- the use of any land for any purpose for not more than 28 days in total in any calendar year, or which not more than 14 days in total may be for the holding of a market or motor car and motorcycle racing including trials of speed, and practicing for these activities, and
- the provision on the land of any moveable structure for the purpose of the permitted use being development comprised within Class A of Part 2 of Schedule 2 and Class B of Part 4 of Schedule 2 to the said Order and not being development comprised within any other class

The site lies outside the Urban area of Guildford as defined in the Adopted Local Plan.

The proposal represents inappropriate development in the Green Belt due to the height of the proposed dwellings and the location of Plots 1-3, however, it is

considered that very special circumstances that exist that clearly outweigh the identified harm. In this instance the proposal would bring:

- an environmental and visual benefit from the removal of outdated buildings and the provision of new sensitively designed dwellings, and the removal of three buildings (101 sq m) located in an isolated position to the west of the site which would improve the openness in this part of the Green Belt
- an environmental benefit of reducing the overall footprint and volume of built form and hardsurfacing on site
- A social benefit as a result of bringing a vacant site back into use and the provision of nine residential units which would go towards meeting the housing need in the Borough
- short-term economic benefit from the demolition on site and construction of the proposed dwellings
- long-term economic benefit from the economic activities of the future occupiers of the site
- environmental benefit from the enhancing biodiversity on site
- The proposed dwellings would not extend out into more open parts of the countryside
- The site is almost adjacent to the urban area of Guildford and so is not located in an isolated location and as such is considered to be located in a fairly sustainable location

No harm is identified to the character of the area as it is considered that the proposed development would have an appropriately rural character in a location which transitions between the urban area of Guildford and the Green Belt. The dwellings are considered to be well designed and would provide a mix of property types to reflect the identified need in the borough.

No harm to neighbouring amenity would occur due to the separation distances to neighbouring dwellings.

The existing vehicle access to the site would be utilised and upgraded and sufficient parking would be provided on site for any future occupants of the site as well as any visitors.

No objection is raised to the proposed development in terms of the impact on trees.

With regard to biodiversity, an Ecological Appraisal has been submitted and assessed. A number of recommendations have been made within the report, these, together with biodiversity enhancements are recommended to be secured by condition.

Sustainability measures have been taken into consideration as part of the proposed development and conditions are recommended to secure these.

A Unilateral Agreement will be sought to secure the necessary financial contributions in order to mitigate the impact of the development on the integrity of the Thames Basin Heaths Special Protection Area.

RECOMMENDATION:

That delegated powers are granted to the Executive Head of Planning Development to grant planning permission, subject to a Unilateral Agreement securing a contribution to the Suitable Alternative Natural Green Space and its Strategic Access Management and Monitoring and:

subject to the following condition(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: LP2 received 03/11/22, 208A, 200 A, 201A received 02/02/24, 202, 203, 204, 205, 206 207 received 19/01/24 and 2023/7519/004 revision P2 received 05/02/24 and 210, 211, 212, 213 received 08/03/24.

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

proper planning.

3. No development shall commence other than demolition until the existing buildings and their foundations identified on the demolition site plan drawing number 214 received 04/03/24 are demolished and all of the resultant demolition materials and debris that are not to be reused in the construction of the development hereby permitted shall be removed from the site.

Reason: In the interests of the character and appearance of the area, the openness of the Green Belt and to accord with the approved plans.

4. No development shall take place until a detailed Phase One survey, including historic investigation and details of ground conditions has been submitted to the Local Planning Authority to ascertain whether the site supports any soil or water contamination. If the Local Planning Authority considers that further investigation of the site is necessary, a detailed site investigation must be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. The investigation shall include relevant subsurface, soil gas and groundwater sampling together with the results of analysis and a risk assessment of the impact to receptors. Any remediation required shall be fully detailed to restore the site to a standard suitable for its approved use, including works to address any unsuspected contamination.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This pre-commencement condition is required to ensure that any risk is identified at an appropriate stage of the development.

5. Any remediation scheme submitted in accordance with the above condition shall be carried out as detailed in the submitted investigation. Documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the first occupation of the houses hereby permitted.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to ensure the height of the development is appropriate to the character of the area.

7. The approved Arboricultural Report, which included an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by Marky Welby Ltd dated 28th September 2022, must be adhered to in full, and may only be modified by written agreement from the LPA. No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. 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.

8. Prior to the commencement of any development above slab level works, a written schedule with details of the source/ manufacturer, colour and finish, OR samples on request of all external facing and roof materials. This must include the details of embodied carbon/ energy (environmental credentials) of all external materials. These shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using only those detailed.

Reason: To ensure that a satisfactory external appearance of the development is achieved and to ensure materials that are lower in carbon are chosen

9. No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water. It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: In order that the effects to the environment and to the

amenities of nearby residential properties during construction are minimised. This pre-commencement condition is required in order to ensure that consideration is given to the impacts of the construction of the development at an appropriate time.

10. Prior to the commencement of development above slab level, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used). 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.

11. No development shall take place above slab level until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the final dwelling hereby approved.

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

12. The development hereby approved shall not be first commenced unless and until the proposed vehicular access to Tangle Lane hereby approved has been constructed and provided with visibility zones in accordance with the approved plans 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. This pre-commencement condition is required to ensure highway safety is secured from the outset.

13. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority 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.

14. 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 with timer 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: In order to promote sustainable forms of transport.

15. 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.

16. No development shall take place above slab level until details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

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

17. No development shall take place until a written Site Waste Management Plan is submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details.

Reason: To ensure that the development includes the re-use of limited resources and to ensure that the amount of waste to landfill is reduced. This pre-commencement condition is required to ensure that waste is considered at an early stage of the development prior to demolition activities on site.

18. No development shall take place until a Non-licenced Methods Statement for great crested newts, written by a suitably experienced ecologist has been submitted to and approved in writing, by the Local Planning Authority.

Reason: In order to minimise the impacts of development on biodiversity. This pre-commencement condition is required to ensure that the construction of the Development does not impact Great Crested Newts, their breeding sites or resting places and as such these details needs to be secured prior to any works taking place on site.

19. No development shall take place above slab level until full details, of both hard and soft landscape proposals, including a landscape management plan and schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. This should include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The development shall be carried out in accordance with the approved details and 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 and to ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal or nature conservation significance.

20. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In the interests of visual amenity and to ensure the lighting does not adversely affect the behaviours of bats.

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 in certain circumstances
 - 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 alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

2. The applicant is advised that there will be a fee for each separate submission of information and details required to discharge the conditions.
3. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the

adjoining public highway and other areas of public realm. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

4. 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 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>

5. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike

charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

6. 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.
7. The development should be carried out in accordance with the Sustainable Design and Construction Supplementary Planning Document (March 2011) in order to ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.
8. Works related to the construction of the development, including works of demolition or preparation prior to building operations, shall not take

place other than between the hours of 08:00 and 18:00 Mondays to Fridays and between 08:00 and 13:30 Saturdays and at no time of Sundays or Bank or National Holidays.

Officer's Report

Site description.

The application site comprises the main part of the site which is accessed off Tangley Lane and extends northwards and comprises a number of detached outbuildings and large areas of hardsurfacing as well as sand schools; the application site also includes three small outbuildings further to the west which are accessed via the main part of the site.

The site is located within the Green Belt, is covered by an Article 4 Direction and is located 400m-5km from the Thames Basin Heaths Special Protection Area which is located just a little further to the north of the application site. The urban area of Guildford runs just to the south of the application site following the site allocation and now development of A22 at land north of Keens Lane.

Proposal.

This application proposed the demolition and replacement of Gravetts Lane Stables with nine residential units with associated parking and amenity space.

The initial application sought to provide 10 residential units on site, however, following concerns raised the proposed development was reduced to nine residential units and the design of the properties and layout has also been significantly amended during the course of the application.

The proposed development now comprises two detached dwellings, and two rows of terraces.

Plot 1: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 2: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 3: 2 bed unit - (5.2m wide x 9.4m deep x 8.2m high)

Plot 4: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 5: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 6: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 7: 3 bed unit - (5.55m wide x 10.9m deep x 8.9m high)

Plot 8: 4 bed unit - (10.6m wide x 7.6m deep x 7.54m high)

Plot 9: 4 bed unit - (12.0m wide x 8.0m deep x 8.3m high)

Open bay garage: 11.95m wide x 6.35m deep x 5.8m high

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
00/P/0102 1	Erection of a two bedroomed bungalow	Refused	N/A
99/P/0036 9	Relaxation of condition (ii) of planning permission 90/P/1439 allowed on appeal 29/08/91 for permanent retention of 14 stables to be used in connection with existing riding school and livery.	Approved with conditions	N/A
93/P/0006 4	Retention of menage	Refused	Appeal allowed without conditions
93/P/0006 3	Continued use of barn for agricultural and equestrian purposes (housing 12 horses).	Refused	Appeal allowed without conditions
90/P/0143 9	Erection of fourteen timber stables in two blocks with concrete base and yard	Refused	Appeal allowed

Consultations.

County Highway Authority: No objection on safety, capacity or policy grounds subject to conditions relating to visibility zones, layout, provision of covered bicycle stores and charging points for bicycles. (Officer note: an additional condition is recommended to secure fast charge electric vehicle points, however this is now a building regulations requirement).

Natural England: In accordance with an agreed position with Natural England, Natural England (NE) will not object to an Appropriate Assessment (AA) undertaken which concludes no adverse effects on the integrity of the TBHSPA due to measures being secured and required to be put in place through a legal agreement and accord with the provisions of the Development Plan and the adopted Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017. An individual consultation with NE will therefore not be required in these cases.

Operational and technical services: No objection as the vehicle can enter an exit the site safely in a forward gear and collect all waste and recycling on site.

Aboricultural Officer: No objection to the propose re-development of the site subject to a condition relating to tree protection being in place

Head of Environmental Health and Licensing: No objection subject to the imposition of conditions relating to contaminated land.

Thames Water: regarding foul and surface water - a condition is recommended prior to development on site requiring confirmation that foul waste surface water capacity exists off site to serve the development or an infrastructure phasing plan has been agreed or all foul water and surface water network upgrades required to accommodate the additional flows from the development have been implemented.

Surrey Police The development should achieve a Secure By Design Accreditation. (Officer note: An informative is recommended to advise the applicant of this.

Surrey Wildlife Trust: No objection subject to a condition securing a non-licensed

method statement prior to commencement of development.

Lead Local Flood Authority: The drainage scheme meets the requirements, subject to the imposition of conditions

Worplesdon Parish Council: Object for the following reasons:

- Inappropriate development within the green belt - no very special circumstances have been demonstrated
- No affordable housing is proposed (Officer note: the proposal is for less than 10 units and is not located in a Designated Rural Area where affordable homes would be required on sites providing more than 5 dwellings).
- Unrestricted urban sprawl detracting from the openness of the countryside in this location and undermining the separation between the urban and rural areas
- The development would be visually prominent from the A322 having an adverse impact on the rural character of the area
- Only a small area of land preventing the coalescence of the town with the conservation area of Worplesdon
- The site is agricultural rather than previously developed land (Officer note: the site was formerly in equestrian use before becoming vacant)
- The site is not on a designated brownfield site
- The application lacks essential environmental provisions (insufficient electric vehicle charging points, wildflower meadow and a local equipped area for play (LEAP)). Officer note: electric vehicle charging points are now secured at building regulations stage, the proposal would not meet the criteria for a LEAP and as such cannot be required, however a communal area is proposed to the west and in the east of the site. With regard to biodiversity a condition is recommended to ensure biodiversity enhancements on site).
- Development at this location would erode the newly created urban boundary which would have an adverse impact on this locality
- The site is located on article 4 land (Officer note: Article 4 land restricts certain development that would otherwise benefit from permitted development rights without express planning permission which enables the proposal to be assessed, in this instance the Article 4 was imposed for reasons of amenity)
- Flooding near the site entrance - assurances are required to ensure that proposed and existing dwellings would be protected (Officer note: a drainage strategy has been submitted dealing with the impact of the proposed development and no objections have been raised by the Local Lead Flood

Authority. The applicant is not required to mitigate against existing issues that may exist.)

- Poor sightlines and a narrow access to the site poses a safety risk particularly when vegetation grows rapidly during the growing season
- The allocation of the parking spaces are remote from the properties
- Concern that visitor parking would be abused and there is no alternative for parking in Tangley Lane
- Potential impact on the Thames Basin Heaths Special Protection Area (TBHSPA) (Officer note: a legal agreement will be secured to ensure a financial contribution to mitigate against the impact of the development on the TBHSPA.

Guildford Society: Objects for the following reasons:

- The site should not be considered as infilling as Gravetts Lane is a natural boundary for the Guildford Urban Area
- Any consent would set a precedent for future incursions into the Green Belt devaluing its value
- The site should be considered a source of employment

Third party comments:

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

- Inappropriate development within the Green Belt with no very special circumstances to clearly outweigh the harm to the Green Belt
- Intrusion into Green Belt land
- The site is not identified within the Local Plan for development
- Increase in traffic and carbon gases
- The site is covered by an Article 4 Direction (Officer note: this Direction simply limits certain development on the site that would otherwise be allowed under permitted development)
- The houses will be more spread out than the existing stable buildings resulting in a reduction in the openness of the Green Belt
- The existing stables have a rural appearance and are more in harmony with the landscape than the proposed houses (Officer: this comment was submitted before the scheme was amended changing the design of the proposed dwellings to having a more rural appearance)

- More boundaries are proposed that will disrupt and endanger wildlife living on the site or passing through it
- Safety concern using the vehicle access
- Brownfield land should be used
- Concerns regarding flooding (Officer note: a drainage strategy is proposed to deal with the impact of the proposed development, the applicant is not expected to deal with any existing issues that currently exist)
- Insufficient school places are available
- Insufficient infrastructure in place
- Impact on trees
- The area has been subject to a lot of development over the 15 years and neighbours deserve some peace (Officer note: an informative is recommended advising the applicant of the House of Construction under the Control of Pollution Act 1974 to reduce the impact on neighbouring residents)
- Overlooking and loss of privacy
- No need for further properties in the local area (Officer note: whilst the Council can demonstrate meeting its housing need over the plan period, this would not prevent windfall sites coming forward. Ultimately, market forces and demand will determine whether there is a need)
- The council has failed to consult with local residents (Officer note: Letters of notification were sent out to adjacent properties, a site notice was displayed at the site and the application was advertised in the Local Press Therefore, the statutory requirements have been met)
- Query whether the site is all under the ownership of the applicant (Officer note: The applicant has submitted Certificate B and served notice on the other owners of the site.)
- No visitor parking is proposed (Officer note: the scheme proposes visitor parking at the site)
- No net biodiversity gain is proposed (Officer note: a condition is recommended to secure an enhancement on the site)
- Artificial lighting will disrupt nocturnal wildlife and affect their behaviour (Officer note: a condition is recommended to control external lighting)
- Loss of an employment site (Officer note: Policy E5 seeks to promote a rural economy and to retain local services and community facilities, following consultation with the Council's policy team, it was confirmed that this policy is applicable to facilities meeting day-to-day needs in rural areas where there is usually a public benefit, as such it was not considered that this policy would be applicable to this proposal)

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 12: Achieving well-designed places

Chapter 13: Protecting Green Belt land

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

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

South East Plan 2009:

NRM6: Thames Basin Heaths Special Protection Areas

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

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 (2002). 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.

H1 Homes for All

P2 Green Belt

P4 Flooding, flood risk and groundwater protection zones

P5 Thames Basin Heaths Special Protection Area

D1 Place Shaping

D2 Climate Change, Sustainable Design, Construction and Energy

D3 Historic Environment

Guildford Borough Local Plan: Development Management Policies 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

Policy P6: Protecting Important Habitats and Species
Policy P7: Biodiversity in New Developments
Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness
Policy D5: Protection of Amenity and Provision of Amenity Space
Policy D12: Light Impacts and Dark Skies
Policy D14: Sustainable and Low Impact Development
Policy D15: Climate Change Adaptation
Policy D16: Carbon Emissions from Buildings
Policy D18: Designated Heritage Assets
Policy D19: Listed Buildings
Policy D20: Conservation Areas
Policy ID6: Open Space in New Developments
Policy ID10: Parking Standards for New Development

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Parking Standards for New Development SPD
Planning Contributions Supplementary Planning Document SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Green Belt SPD

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the Green Belt
- Very special circumstances
- Impact on character
- Technical Housing standards
- Impact on neighbouring amenity

- Compliance with the Strategic Housing Market Assessment
- Highway / parking considerations
- Impact on trees
- Biodiversity
- Waste and recycling
- Sustainability
- Contaminated Land
- Surface Water Drainage
- Thames Basin Heaths Special Protection Area and Appropriate Assessment
- Legal agreement requirements

Principle of development and impact on the Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

The NPPF identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In line with paragraph 154 of the NPPF, the construction of new buildings within the Green Belt should be regarded as inappropriate development. However, there are exceptions, including:

- 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development'.

The proposed development would result in a complete redevelopment of previously developed land. The site was formerly in equestrian use and as such was not in agricultural use, which would otherwise fall outside of the definition of previously developed land.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential

characteristic of the Green Belt. There is no definition of 'openness in the Framework although it is commonly taken to mean the absence of built or otherwise urbanising development. Caselaw has confirmed that there can be a visual dimension to openness but that is a matter of planning judgment. In this case, an assessment of openness requires a consideration of the scale of the development, its locational context and both its spatial and visual implications. In this case, the site is located in an otherwise open landscape with the land levels rising up from the south to the north with the barn being the most visually prominent building on the site. Trees along Tangley Lane visually provides a level of separation from the existing development along Tangley Lane itself. On the application site there are a limited number of trees which also provide a low level of screening of parts of the site from long distance views.

The application site comprises of a number of buildings on the main part of the site with the largest buildings being:

- Building F: 916 sq m with a maximum height of 6.44m
- Building G: 27.23 sq m with a maximum height of 2.87m
- Building H: 119 sq m with a maximum height of 6.38m

Various other smaller buildings are also located on the main part of the site, but these are significantly smaller than those mentioned above.

Three larger buildings are also located further to the west of the main part of the site and are proposed to be demolished with no replacement buildings being proposed in that location.

Western end buildings:

- Building L: 33.36 sq m with a maximum height of 3m
- Building M: 36.31 sq m with a maximum height of 3.5m
- Building N: 29.76 sq with a maximum height of 3.3m

The proposal seeks to demolish all of the buildings on the main part of the site as well as the three buildings further to the west of the site.

The proposal would result in:

- the existing level of hardsurfacing on the site being reduced by 1,017.3 sq m from 2,587.7sq m to 1,570.4 sq m
- a reduction in footprint by 369.2 sq m from 1,028.2 sq m to 668.0 sq m
- a reduction in the volume of built form on the site by 1,611.87 cubic metres from 5,6457.87 cubic m to 4,036 cubic metres

The proposed development would result in a significant reduction in terms of both footprint and in particular volume and would result in breaking down the massing of the existing built form on site, dominated by the large barn which extends from roughly centrally within the site up to the northern extent of the site. When viewed in isolation, the proposed built form would ensure that the development would not result in any greater impact on the openness than the existing development on site and in fact have a reduced impact. Similarly, the level of hardstanding present on site would be significantly reduced thereby reducing the existing impact on the Green Belt.

However, whilst there are a number of buildings across the main part of the site, the majority of the existing footprint and volume is contained within the largest building on site, the barn. Whilst ideally any new development should be sited on top of the existing footprint of built form on site, due to the nature of the barn and the desire to build family homes with private gardens, which is considered to be more appropriate in this rural location, (rather than a singular building of comparable scale), only plot 9 would be sited entirely within the footprint of the barn. However, plots 4-8 do overlap the footprint of the barn slightly with units 4-9 being positioned as closely as possible whilst allowing for vehicle movements within the proposed courtyard area, and maintains an existing vehicle access through the application site to the fields beyond which needs to be maintained. Plots 4-7 would be sited on existing hardsurfaced areas whilst their gardens would also extend into an area already covered in hardsurfacing, which, had until recently also housed four buildings which had been prematurely demolished prior to the submission of the application. For the purposes of clarity, these recently demolished buildings have not been considered as existing buildings when comparing the existing and proposed development on site.

The proposed garage block adjacent to Plot 8 would be sited on predominantly over of an existing area of hardsurfacing and where there is and has been used for

storage. The proposed garden area and shared amenity area to the rear of the garden of plot 8 is currently comprised of hardsurfacing and a fenced menage, and as such these elements of the proposal would not extend out into previously undeveloped parts of the site.

Plots 1-3 are located further to the south of the site in an area which is currently undeveloped and as such would spread development across the site.

It is important to note that whilst the proposed dwellings have all been carefully designed to avoid a suburban appearance, they remain two-storeys in height and as such would introduce built form across the site, all with a greater ridge height than the existing single-storey modest buildings on site and the barn by up to 2.5m and as such a greater volume of development is proposed at two-storey height in comparison with the existing built form.

In terms of the visual aspects of the Green Belt, the proposed development site is currently vacant with some buildings in need of some maintenance. Open, long distance views of the site could be achieved from the north and to the west of the site which is characterised by open fields; however there are no footpaths or roads to the north or west of the site, with the nearest footpath being 0.77km to the west of the existing barn. In any event, the demolition of the existing barn on the site would increase the visual aspect of the Green Belt through a reduction in the scale and bulk of development on site which would allow views through the buildings. Furthermore, views from the footpath of the site would be interrupted by existing trees; as such there are no long distance views that would be interrupted impacted upon as a result of the proposed development within the northern part of the site.

Whilst Plots 1-3 would decrease openness, this area of the site is less prominent due to its position on lower ground level and is largely screened by the existing trees along the boundary of the site with Tangle Lane. As such it is considered that these buildings would not impact on long distance views and are orientated with the narrowest elevation facing onto Tangle Lane enabling views into the site.

It is considered that the reduction in the footprint of development, overall volume and hardsurfacing would be a benefit of the proposal and would outweigh the harm from the slight spread of built form beyond the boundaries of the existing built form on site, which is also mitigated to some extent by the removal of three buildings located in an isolated position to the west. However, by virtue of the

proposed increase in height of the proposed dwellings across the site (between 1.1m and 2.5m higher than the existing barn) and the position of Plots 1-3 and their gardens, which would be situated on a previously undeveloped part of the site, it is considered that the proposal would have a greater harm to the openness of the Green Belt than the existing development. Therefore, and in accordance with the NPPF and Policy P2 of the Local Plan, the proposed development represents inappropriate development within the Green Belt and substantial weight is given to this identified harm to the openness to the Green Belt.

Very special circumstances

The NPPF goes on to state that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this instance the proposal would bring:

- an environmental and visual benefit from the removal of outdated buildings and the provision of new sensitively designed dwellings, and the removal of three buildings (totalling approximately 100 sq m) located in an isolated position to the west of the site which would improve the openness in this part of the Green Belt
- an environmental benefit of reducing the overall footprint and volume of built form and hardsurfacing on site
- a social benefit as a result of bringing a vacant site back into use and the provision of nine residential units which would go towards meeting the housing need in the Borough
- short-term economic benefit from the demolition on site and construction of the proposed dwellings
- long-term economic benefit from the economic activities of the future occupiers of the site
- an environmental benefit from the enhancing biodiversity on site

It is also notable that although Plots 1-3 would not be located on a previously developed part of the site, the dwellings would be located in between existing built form on the site and dwellings to the south of Tangle Lane on a lower ground level and screened in part by trees along the southern and eastern boundaries of the site and not encroach out into more open parts of the countryside.

It is also noteworthy that the site is not located within an isolated part of the Green Belt, with the urban area of Guildford located just to the south-east of Tangle Lane which borders a recently built out strategic housing site. As such, it is considered that the site is located within a fairly sustainable location.

Whilst harm to the Green Belt has been identified by virtue of its inappropriateness this needs to be weighed against the economic, social and environmental benefits outlined above.

When viewed as a whole, it is considered that the combination of benefits of the scheme outlined above would, on balance, outweigh the identified harm to the Green Belt.

Impact on character

The proposed development consists of nine residential units comprising of two detached dwellings and a car barn and two terraced rows. The scheme has been amended from the original submission to provide a less suburban and more appropriate rural design and layout with a mix of property designs to reflect what might be found within a Georgian farm complex, with a farmhouse, a threshing barn, a cart barn, a row of cottages and a small open barn.

The site is located at a transitional point between the urban area which borders the southern part of Tangle Lane and coincides with a recently built out residential development. A small number of dwellings just to the south of the application site remain within the Green Belt. The western side of Tangle Lane where two-storey residential dwellings front the road also remains within the Green Belt. To the north, east and west of the application site are predominantly open fields and as such the application site which lies just beyond the urban area.

The proposal would provide a low density development that would replace existing built form on the site. Whilst the existing barn and smaller outbuildings, menages and hardstanding associated with the vacant use of the site would not be features that would be out of character within a rural setting, neither would the proposed farmhouse and associated farm complex buildings proposed and as such would not be out of character in a rural setting. The buildings have been positioned in such a way as one might expect within a more historic farm complex with a courtyard

which has enabled the built form to be largely consolidated on or close to existing built form.

The land rises on the site from south to north and as such the buildings are proposed to be set further south to reduce their visual prominence from long distance views; however, the nearest footpath to the west is located 0.77km from the existing barn and trees would restrict views; as such the buildings would not be prominent in the landscape when viewed from the north, east or west of the site; but again such buildings would not be out of place in this setting in any event.

The buildings would be more visible from the entrance at Tangley Lane, with the trees along Tangley Lane providing screening for most of the site. The dwellings have been positioned within the site so that views into the site from Tangley Lane would not be abruptly ended but enable views through to the farmhouse and beyond so as to maintain its open character.

Each dwelling would have its own private garden with all boundaries to the residential curtilages of the dwellings comprising of vegetation, to again avoid a suburban appearance. The gardens have been largely contained within the existing developed parts of the site and as such would result in replacing large areas of hardsurfacing with soft landscaping.

The proposed parking for the dwellings has been carefully positioned to avoid any parking dominated frontages with parking set back from the frontages of the dwellings wherever possible or located within an open barn. Open space is also provided between plots 3 and 4 to maintain an open feel to the site. Landscaping also is proposed throughout the site to soften the appearance and provide a rural setting for the proposed development following the removal of hardsurfacing which covers most of the site.

The dwellings themselves have been designed with features that one would expect on the differing types of buildings proposed and the materials between the different buildings would also vary as a result which would add to the character of the proposed development. The dwellings themselves would all be two-storey in height ranging from 7.54m at Plot 8 to 8.9m, with the threshing barn being the tallest at 8.9m; however due to the nature of such buildings their proportions would be expected to be larger than domestic residences and to artificially limit the height of the building through the use of a crown roof would detract from the

design of the roof and the overall proportions of the dwelling.

The proposed dwellings and the farm house complex concept is considered to be an appropriate way to provide the necessary mix of dwelling types within a sensitive site on the transition between the urban and rural landscape. The dwellings are well designed with appropriate features which respect the rural setting of the site. The proposed development is therefore considered to be in keeping with the character of the area and no concern is raised in this regard.

Technical Housing standards

Each of the properties would meet the Technical Housing Standards in terms of overall floor area as well as bedroom sizes and minimum widths. Each property would have access to their own private garden which is considered to be of a sufficient size to be functional, with Plots 1-8 having an east to west orientation providing sunlight at throughout most the day. Plot 9 would have a north facing garden but extends to the east beyond the side wall of the dwelling which enable sunlight to hit the garden at all times of the day. Each garden would therefore be useable and each would have a pleasing outlook. It is also noteworthy that to the rear of Plot 8 would be a communal area which would provide a more functional area for supervised play for any children that would reside on the site. A further open space is also proposed to the north of Plot 4 which could be used by residents. As such no concern is raised in this regard as suitable living conditions would be provided for all future occupants of the site.

Impact on neighbouring amenity

The nearest neighbouring dwellings to the proposal are located on the southern side of Tangley Lane approximately 28m from the rear of Plot 1. Due to this separation distance, and the intervening trees it is not considered than any unreasonable loss of privacy, overbearing impact or overshadowing would occur to these neighbouring residents.

Similarly, a distance of 37m would be present between the front elevation of Plot 1 and the neighbouring dwelling, 35/36 Tangley Lane, again with intervening trees. This separation distance would ensure that no adverse impact on the residents of this neighbouring property would occur. The proposed development is therefore considered acceptable in this regard.

Compliance with the Strategic Housing Market Assessment

The Strategic Housing Market Assessment 2015 and addendum report 2017 identifies a need for a mix of 10% one bedroom, 30% two bedroom, 40% three bedroom and 20% four bedroom market homes.

The proposed development would provide a mix of just over 33% two bedrooms, 44% three bedrooms and 22% four bedrooms. Whilst no 1 bed units are proposed, the scheme would provide a mix of property sizes on the site with the majority of which would be three bed units, followed by two and four bed units in line with the need identified by the Housing Market Assessment. As such it is considered that the proposed mix across the site would adequately reflect the housing need, taking into consideration its transition between the urban area the rural landscape to the north of the site; and as such would comply with Policy H1 of the Local Plan.

Highway / parking considerations

A Transport Assessment was submitted with the application and identifies bus stops located 750m and 900m away from the site which provide services to the town centre, Guildford train Station, Woking and Aldershot, with Worplesdon and Guildford Stations located 4.7km and 5km away from the site providing regular services to London Waterloo, Portsmouth and Woking. The report details five collisions which have taken place within 5 years close to the site all of which has been attributed to human error and not to any deficiencies in the highway network and as such concludes that there are no existing road safety issues which are likely to be exacerbated by the proposed development. Whilst the proposed vehicle access to the site would be utilised, the arrangement would be revised to enable vehicles to safely enter and exit the site. Visibility splays of 33m have also been shown to be achieved. The report included a trip generation assessment and noted that the development would generate five, two-way trips in the AM peak and five two-way trips in the PM peak, with 48 two way trips likely between the hours of 07:00 and 19:00 and as such would be negligible and would not impact on the capacity of safety of the local highway network.

The County Highway Authority has confirmed that the proposal would not result in a significant increase in vehicular trips on the surrounding highway network when

compared to the existing extant use. They also confirmed that vehicles will also be able to enter and leave the site in forward gear, and that the visibility splays provided at the access will be provided in accordance with the results of the speed survey. A condition is recommended to ensure that visibility splays are achievable at all times.

The Council's Supplementary Planning Document for Parking Standards for New Development expects dwellings within rural areas to have 1.5 parking spaces per 2 bed units, 2.5 spaces for 3 bed units and 2.5 spaces per four bed units. The proposed 2 bed units would have two parking spaces each, whilst the 3 bed units would each have 2-3 spaces each whilst the 4 bed units would have three spaces. As such, the proposed parking provision would meet the expected parking standards. A single visitor space is provided just at the entrance to the site to serve Plots 1-3, whilst the courtyard area onto which the remaining units would face onto, would accommodate sufficient space for visitors to Plots 4-9.

The proposed development is therefore considered acceptable in this regard.

Impact on trees

An Arboricultural Assessment and Method Statement was submitted with the application and identifies two conifer groups, one group of ash seedlings, one dead oak and three small, low value hawthorn trees which would need to be removed to facilitate construction and provide a corridor for new services and utilities to enter the site.

The report states that all new buildings would be located outside of the root protection areas of retained trees, and as a result they can be adequately protected throughout construction. The upgrading of the site access will be carried out using a specialist no-dig type surface to minimise impact on the adjacent oaks. Tree protection is proposed.

The Council's arboriculturist has reviewed the submitted information and confirms that no objection is raised to the proposed development subject to the imposition of a conditions.

Whilst amended plans have been submitted during the course of the application, the proposed development would not extend into the tree protection areas and as

such the conclusions of this report remain valid.

Biodiversity

Policy P7 of the Local Plan states development proposals are required to seek maximum biodiversity gain on site balanced with delivering other planning priorities and to follow the mitigation hierarchy. Policy ID4 also states that new development should aim to deliver gains in biodiversity where appropriate.

An Ecological Appraisal has been submitted with the application which detailed that:

- the site had potential to support a number of protected species including badgers, bats, nesting birds, great crested newts and reptiles
- further surveys were recommended
- a Construction Environmental Management Plan should be submitted to include pollution prevention measures
- measures should be employed to allow mammals to escape from excavations
- a sensitive external lighting strategy should be implement to reduce impacts on bats
- enhancements to increase biodiversity could be made on site

A Protected Species Interim Report was submitted which looked at bat activity, eDNA surveys for great crested newts and reptile presence / absence surveys. Seven species of bat were recorded on site with the site being identified as being of local importance to commuting and foraging bats, where the off site boundary tree line is used for foraging and acts as a corridor. All samples for great crested newts were negative and no reptiles were recorded on site during the survey period. A number of recommendations were made regarding vegetation clearance on site and the submission of a precautionary working method statement to mitigate for the residual risk of harming reptiles during the construction phase of the proposal.

In order to help the planning system deliver long-term, meaningful conservation for great crested news, Naturespace Partnership launched the Naturespace District Licensing Scheme in partnership with national freshwater and amphibian non-governmental organisations as well as local planning authorities and now covers 60 local planning authorities (including Guildford). This scheme aims to speed up the delivery of development whilst providing the best outcome for newts.

Naturespace has reviewed the proposed development and has agreed that a non-licensed method statement would be appropriate in this instance. A condition is recommended to secure this information.

Surrey Wildlife Trust has reviewed the submission and also raise no objection subject to a condition securing a non-licensed method statement to ensure the construction of the development does not impact Great Crested Newts.

Waste and recycling

A turning head is proposed just opposite Plot 3 to enable the Council's refuse trucks to enter the site, turn and leave in forward gear. The Council's Operational Services team has reviewed the proposal and has raised no objection. A bin store is proposed just within the site on the western side of the access road where bins will be brought to be collected.

Sustainability

- the applicant has submitted a Sustainability Statement and an Energy Assessment. Both these statements relate to the originally submitted scheme for 10 dwellings. Following the submission of amended plans the scheme now proposed is for 9 units, however, the conclusions of these reports largely remains applicable. These reports detail that:
- materials will be locally sourced wherever possible to support the local economy, but also reduces the embodied carbon through lower associated transport emissions
- special attention will be given to maximising the use of recycled and secondary aggregates
- off-site and modular construction or prefabrication of complex building components will be explored to enhance the project material efficiency of the development
- the waste hierarchy as detailed in the Local Plan (eliminate waste, reuse waste materials, recycle / compost waste materials, recover energy and lastly disposal to landfill) will be followed with the opportunity to re-use and recycle materials from the site by manufacturing secondary aggregates from concrete crushed during demolition
- the appointed contractor will be required to develop and implement a Resource Management Plan to minimise waste through the implementation of smart

procurement processes such as selecting products and materials with reduces levels of packaging and durable construction materials and through the avoidance of stockpiling and over-supply

- SuDs drainage will be prioritized
- limiting all water-consuming products to a level that would enable betterment of Policy D2 1(d)'s quoted maximum consumption of 110 litres per occupant per day
- water meters will be fitted to the mains water supply to each dwelling, allowing any negative trends in consumption to be identified and mitigated
- the energy hierarchy will be implemented in relation to energy consumption (eliminate energy need, use energy efficiently, supply energy from renewable and low carbon sources and offset carbon emissions) with high levels of fabric insulation, energy efficient glazing, an efficient building services strategy and targeting low rates of air permeability being used
- use of air source heat pumps and roof-mounted photovoltaic panels
- the site has access to public transport networks via a footway to bus stops on Aldershot Road and Worplesdon Road with local amenities including a convenience store, dental practice, chemist and primary school reducing the need for travel by private motor vehicle
- each dwelling will be provided with an electric vehicle charging point and secure cycle store
- a diverse local community would result due to the range of property styles and varying dwelling sizes

A condition is recommended to secure the elements that are not covered by building regulations. A condition is also recommended to provide an electric bicycle charging point for each dwelling.

Contaminated Land

The Councils Environmental Health Officers noted that a historic map shows the presence of a pond until 1969 on the land adjoining east of Tangley Lane which is not present in subsequent maps, suggesting that the pond has been filled in. Due to its proximity of the proposed development a condition is recommended to carry out a Phase One survey to include a historic investigation and details of ground condition to ascertain whether the site supports any soil or water contamination and to ensure any necessary remediation is carried out.

Surface Water Drainage

A Drainage Strategy was submitted and notes that the redevelopment of the site will decrease the current level of impermeable areas. It goes on to state that following infiltration tests it was identified that soakaways would not be a suitable means for the disposal of surface water on the site and that the foul system can only be used to drain foul water from the development. Therefore it was concluded that a connection to the drainage ditch at the front of the site will be used for the disposal of surface water. The Lead Local Flood Authority has assessed the proposal and has raised no objection subject to the imposition of conditions which will ensure that a detailed surface water drainage system is provided and will ensure that the scheme is properly implemented and maintained throughout the lifetime of the development.

Thames Basin Heaths Special Protection Area and Appropriate Assessment

The application site is located within the 400m – 5km buffer zone of the TBHSPA. Natural England advise that new residential development in this 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 nine units on site and as such has the potential, in combination with other development, to have a significant adverse impact on the protected sites. The Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD in July 2017 which provides a framework by which applicants can provide or contribute to the delivery, maintenance and management of Suitable Alternative Natural Green Space (SANGS) within the borough and to Strategic Access Management and Monitoring (SAMM) which can mitigate the impact of development. In this instance the development requires a SANG and a SAMM contribution which should be secured by a Legal Agreement.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

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. In line with standing advice from Natural England, no objection is raised to an Appropriate Assessment undertaken which concludes that there would be no adverse impact on the integrity of the SPA due to measures being secured and required to be put in place through a legal agreement and accord with the provisions of the Development Plan and the adopted SPD 2017.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

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

Legal agreement requirements

The three tests set out in Regulation 122(2) and 123 of The Community Infrastructure Levy Regulations 2010 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.

The development is required to mitigate its impact on the TBHSPA; this would be through a financial contribution to SANGS and SAMM. This would accord with the TBHSPA Avoidance Strategy and the Planning Contributions SPD. Without this contribution the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The contribution is necessary, directly related to the development and reasonable and therefore

meets the requirements of Regulation 122.

Conclusion.

The proposed development would represent inappropriate development within the Green Belt, however, it is considered that very special circumstances exist which would bring social, environmental and economic benefits that would when viewed as a whole clearly outweigh the identified harm to the Green Belt by reason of inappropriateness. The proposal would not result in any adverse harm to the character of the area. No adverse impact on neighbour amenity, biodiversity or highway safety has been identified. No objection is raised with regard to the impact of the proposal on trees. Therefore it is concluded that the proposal would comply with the Policies within the Local Plan and advice and Policies within the NPPF and PPF and is therefore recommended for approval subject to conditions and a legal agreement to secure the financial contribution to mitigate against the impact of the proposal on the Thames Basin Heaths Special Protection Area.