



Contact Officer:

Sophie Butcher, Democratic Services Officer

5 July 2022

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 13 JULY 2022 at 7.00 pm.**

Whilst Committee members and key officers will be in attendance in person for the meeting, registered speakers as well as ward councillors registered to speak, may also join the meeting via MTeams. Ward Councillors, please use the link in the Outlook Calendar invitation. Registered speakers will be sent the link upon registration. If you lose your wi-fi connectivity, please re-join using the telephone number +44 020 3855 4748. You will be prompted to input a conference ID: 334 675 137#.

Members of the public may watch the live webcast here: <https://guildford.publici.tv/core/portal/home>

If you have Covid symptoms you should not attend the meeting.

Please note that a limited number of socially distanced seats will be available. Please contact the Democratic Services Officer to confirm. If registered speakers wish to attend in person, the seating will be allocated to them first.

Face masks will be required to enter the Council building and Council Chamber. You may wish to wear a facemask for the duration of the meeting, however, as long as a 2 metre social distance is maintained, the wearing of a facemask is not required.

Hand sanitisers will be available on arrival and departure, please use them regularly.

Yours faithfully

Tom Horwood

Joint Chief Executive

MEMBERS OF THE COMMITTEE

Chairman: Councillor Fiona White
Vice-Chairman: Councillor Colin Cross

Councillor Jon Askew	Councillor Liz Hogger
Councillor Christopher Barrass	Councillor Marsha Moseley
Councillor David Bilbé	Councillor Ramsey Nagaty
Councillor Chris Blow	Councillor Maddy Redpath
Councillor Ruth Brothwell	Councillor Pauline Searle
Councillor Angela Goodwin	Councillor Paul Spooner
Councillor Angela Gunning	

Authorised Substitute Members:

The Mayor, Councillor Dennis Booth	Councillor Susan Parker
Councillor Guida Esteves	Councillor George Potter
Councillor Graham Eyre	Councillor Jo Randall
Councillor Andrew Gomm	Councillor Tony Rooth
Councillor Jan Harwood	Councillor Will Salmon
Councillor Steven Lee	Councillor Deborah Seabrook
Councillor Nigel Manning	Councillor Cait Taylor
Councillor Ted Mayne	Councillor James Walsh
Councillor Bob McShee	Councillor Catherine Young

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

Our Mission:

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

Our Values:

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

Our strategic priorities:

Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 MINUTES (Pages 15 - 20)

To confirm the minutes of the meeting of the Committee held on 15 June 2022 as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 21 - 22)

All current applications between numbers 21/P/01496 and 21/P/02403 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

5.1 **21/P/01496 - 86 The Mount, Guildford, GU2 4JB** (Pages 23 - 32)

5.2 **21/P/02403 - Tranquility, 12 Conford Drive, Shalford, Guildford, GU4 8DX** (Pages 33 - 42)

6 PLANNING APPEAL DECISIONS (Pages 43 - 50)

Committee members are asked to note the details of Appeal Decisions as attached at Item 6.

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

NOTES:

(i) Procedure for determining planning and related applications:

1. A Planning Officer will present the Officer's Report virtually by sharing the presentation on Microsoft Office Teams as part of the live meeting which all committee members will be able to see online. For members of the public, able to dial into the meeting, copies of the presentation will be loaded onto the website to view and will be published on the Tuesday of the same week prior to the meeting. Planning officers will make it clear during the course of their presentation which slides they are referring to at all times.
2. Members of the public who have registered to speak may then address the meeting in accordance with the agreed procedure for public speaking (a maximum of two objectors followed by a maximum of two supporters). Public speakers must observe social distancing rules, if attending in person. If joining online, public speakers will be sent an invite by the Democratic Services Officer (DSO) via Microsoft Office Teams to attend online or via a telephone number and conference ID code as appropriate to the public speakers needs. Prior to the consideration of each application which qualifies for public speaking, the DSO will ensure all public speakers are online. If public speakers cannot access the appropriate equipment to participate, or owing to unexpected IT issues experienced they cannot participate in the meeting, they are advised to submit their three-minute speech to the Democratic Services Officer by no later than midday the day before the meeting. In such circumstances, the DSO will read out their speech. Alternatively, public speakers may wish to attend the meeting in person in the Council Chamber.
3. The Chairman gives planning officer's the right to reply in response to comments that have been made during the public speaking session.
4. Any councillor(s) who are not member(s) of the Planning Committee, but who wish to speak on an application, either in or outside of their ward, will be then allowed for no longer than three minutes each. It will be at the Chairman's discretion to permit councillor(s) to speak for longer than three minutes and will have joined the meeting remotely via MSTeams. [Councillors should notify the Committee Officer, in writing, by no later than midday the day before the meeting of their intention to speak and send the DSO a copy of their speech so it can be read out on their behalf should they lose their wi-fi connection.] If the application is deferred, any councillor(s) who are not member(s) of the Planning Committee will not be permitted to speak when the application is next considered by the Committee.
5. The Chairman will then open up the application for debate. The Chairman will ask which councillors wish to speak on the application and determine the order of

speaking accordingly. At the end of the debate, the Chairman will check that all members had had an opportunity to speak should they wish to do so.

- (a) No speech shall be longer than three minutes for all Committee members. As soon as a councillor starts speaking, the DSO will activate the timer. The DSO will advise when there are 30 seconds remaining and when the three minutes has concluded;
- (b) No councillor to speak more than once during the debate on the application;
- (c) Members shall avoid repetition of points made earlier in the debate.
- (d) The Chairman gives planning officer's the right to reply in response to comments that have been made during the debate, and prior to the vote being taken.
- (e) Once the debate has concluded, the Chairman will automatically move the officer's recommendation following the debate on that item. If it is seconded, the motion is put to the vote. The Chairman will confirm verbally which councillor has seconded a motion. A simple majority vote is required for the motion to be carried. If it is not seconded or the motion is not carried then the Chairman will ask for a second alternative motion to be put to the vote. The vote will be taken by roll call or by affirmation if there is no dissent

In any case where the motion is contrary to officer recommendation that is:

- Approval to refusal, or;
- Refusal to approval;
- Or where the motion proposes additional reasons for refusal, or additional conditions to be included in any planning permission. The following procedure shall be followed:
- Where the alternative motion is to propose a refusal, the proposer of the motion shall be expected to state the harm (where applicable) and the relevant policy(ies) to justify the motion. In advance of the vote, provided that any such proposal has been properly moved and seconded, the Chairman shall discuss with relevant officers and the mover and seconder of the motion, the reason(s), conditions (where applicable) and policy(ies) put forward to ensure that they are sufficiently precise, state the harm (where applicable) and support the correct policies to justify the motion. All participants and members of the public will be able to hear the discussion between the Chairman and the relevant officers and the mover and seconder of the motion. Following the discussion the Chairman will put to the Committee the motion and the reason(s) for the

decision before moving to the vote. The vote will be taken by roll call or by affirmation, if there is no dissent.

- (f) A motion can also be proposed and seconded at any time to defer or adjourn consideration of an application (for example for further information/advice backed by supporting reasons).
 - (g) Technical difficulties during the meeting. If the Chairman or the DSO identifies a failure of the remote participation facility and a connection to a Committee Member is lost during the meeting, the Chairman will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, provided that it remains quorate. If the Member who was disconnected is subsequently re-connected and they have missed any part of the debate on the matter under discussion, they will not be able to vote on that matter as they would not have heard all the facts.
6. Unless otherwise decided by a majority of councillors present and voting by roll call at the meeting, all Planning Committee meetings shall finish by no later than 10:30pm.

Any outstanding items not completed by the end of the meeting shall be adjourned to the reconvened or next ordinary meeting of the Committee.

7. In order for a planning application to be referred to the full Council for determination in its capacity as the Local Planning Authority, a councillor must first with a seconder, write/email the Democratic Services Manager detailing the rationale for the request (the proposer and seconder does not have to be a planning committee member).

The Democratic Services Manager shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. The matter would then be placed as an agenda item for consideration at the next Planning Committee meeting. The proposer and seconder would each be given three minutes to state their case. The decision to refer a planning application to the full Council will be decided by a majority vote of the Planning Committee.

GUIDANCE NOTE

For Planning Committee Members

Probity in Planning – Role of Councillors

Councillors on the Planning Committee sit as a non-judicial body, but act in a semi-judicial capacity, representative of the whole community in making decisions on planning applications. They must, therefore:

1. act fairly, openly and apolitically;
2. approach each planning application with an open mind, avoid pre-conceived opinions;
3. carefully weigh up all relevant issues;
4. determine each application on its individual planning merits;
5. avoid undue contact with interested parties; and
6. ensure that the reasons for their decisions are clearly stated.

The above role applies to councillors who are nominated substitutes on the Planning Committee. Where a councillor, who is neither a member of, nor a substitute on the Planning Committee, attends a meeting of the Committee, he or she is also under a duty to act fairly and openly and avoid any actions which might give rise to an impression of bias or undue influence.

Equally, the conduct of members of any working party or committee considering planning policy must be similar to that outlined above relating to the Planning Committee.

Reason for Refusal

How a reason for refusal is constructed.

A reason for refusal should carefully describe the harm of the development as well as detailing any conflicts with policies or proposals in the development plan which are relevant to the decision.

When formulating reasons for refusal Members will need to:

- (1) Describe those elements of the proposal that are harmful, e.g. bulk, massing, lack of something, loss of something.
- (2) State what the harm is e.g. character, openness of the green belt, retail function and;
- (3) The reason will need to make reference to policy to justify the refusal.

Example

The proposed change of use would result in the loss of A1 retail frontage at Guildford Town Centre, which would be detrimental to the retail function of the town and contrary to policy SS9 in the Guildford Local Plan.

Reason for Approval

How a reason for approval is constructed.

A reason for approval should carefully detail a summary of the reasons for the grant of planning permission and a summary of the policies and proposals in the development plan, which are relevant to the decision.

Example:

The proposal has been found to comply with Green Belt policy as it relates to a replacement dwelling and would not result in any unacceptable harm to the openness or visual amenities of the Green Belt. As such the proposal is found to comply with saved policies RE2 and H6 of the Council's saved Local Plan and national Green Belt policy in the NPPF.

Reason for Deferral

Applications should only be deferred if the Committee feels that it requires further information or to enable further discussions with the applicant or in exceptional circumstances to enable a collective site visit to be undertaken.

Clear reasons for a deferral must be provided with a summary of the policies in the development plan which are relevant to the deferral.

APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR CONSIDERATION BY THE PLANNING COMMITTEE

NOTES:

Officers Report

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site location plan;
- Site Description;
- Proposal;
- Planning History;
- Consultations; and
- Planning Policies and Considerations.

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in each report.

Written Representations

Copies of representations received in respect of the applications listed are available for inspection by Councillors at the plans viewing session held prior to the meeting and will also be available at the meeting. Late representations will be summarised in a report which will be circulated at the meeting.

Planning applications and any representations received in relation to applications are available for inspection at the Planning Services reception by prior arrangement with the Head of Planning Services.

Background Papers

In preparing the reports relating to applications referred to on the Planning Committee Index, the Officers refer to the following background documents:-

- The Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act and other current Acts, Statutory Instruments and Circulars as published by the Department for Communities and Local Government (CLG).
- Guildford Borough Local Plan: Strategy and Sites 2015-2034.
- The South East Plan, Regional Spatial Strategy for the South East (May 2009).
- The National Planning Policy Framework (NPPF) (March 2012)
- The Town and Country Planning (General Permitted Development) Order 1995, as amended (2010).

- Consultation responses and other correspondence as contained in the application file, together with such other files and documents which may constitute the history of the application site or other sites in the locality.

Human Rights Act 1998

The Human Rights Act 1998 (the 1998 Act) came into effect in October 2000 when the provisions of the European Convention on Human Rights (the ECHR) were incorporated into UK Law.

The determination of the applications which are the subject of reports are considered to involve the following human rights issues:

- 1 Article 6(1): right to a fair and public hearing

In the determination of a person's civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the hearing in certain circumstances (e.g. in the interest of morals, strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.)

- 2 Article 8: right to respect for private and family life (including where the article 8 rights are those of children s.11 of the Children Act 2004)

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

s.11 of the Childrens Act 2004 requires the Council to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. Furthermore, any services provided by another person pursuant to arrangements made by the Council in the discharge of their functions must likewise be provided having regard to the need to safeguard and promote the welfare of children.

- 3 Article 14: prohibition from discrimination

The enjoyment of the rights and freedoms set out in the ECHR shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

- 4 Article 1 Protocol 1: protection of property;

Every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions

provided for by law and by the general principles of international law. However, the state retains the right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

Councillors should take account of the provisions of the 1998 Act as they relate to the applications on this agenda when balancing the competing interests of the applicants, any third party opposing the application and the community as a whole in reaching their decision. Any interference with an individual's human rights under the 1998 Act/ECHR must be just and proportionate to the objective in question and must not be arbitrary, unfair or oppressive. Having had regard to those matters in the light of the convention rights referred to above your officers consider that the recommendations are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Costs

In planning appeals the parties involved normally meet their own costs. Most appeals do not result in a costs application. A costs award where justified is an order which states that one party shall pay to another party the costs, in full or part, which has been incurred during the process by which the Secretary of State or Inspector's decision is reached. Any award made will not necessarily follow the outcome of the appeal. An unsuccessful appellant is not expected to reimburse the planning authority for the costs incurred in defending the appeal. Equally the costs of a successful appellant are not borne by the planning authority as a matter of course.

However, where:

- A party has made a timely application for costs
- The party against whom the award is sought has behaved unreasonably; and
- The unreasonable behaviour has directly caused the party applying for the costs to incur unnecessary or wasted expense in the appeal process a full or partial award is likely.

The word "unreasonable" is used in its ordinary meaning as established in the courts in *Manchester City Council v SSE & Mercury Communications Limited 1988 JPL 774*. Behaviour which is regarded as unreasonable may be procedural or substantive in nature. Procedural relates to the process. Substantive relates to the issues arising on the appeal. The authority is at risk of an award of costs against it if it prevents or delays development, which should clearly be permitted having regard to the development plan. The authority must produce evidence to show clearly why the development cannot be permitted. The authority's decision notice must be carefully framed and should set out the full reasons for refusal. Reasons should be complete, precise, specific and relevant to the application. The Planning authority must produce evidence at appeal stage to substantiate each reason for refusal with reference to the development plan and all other material considerations. If the authority cannot do so it is at risk of a costs award

being made against it for unreasonable behaviour. The key test is whether evidence is produced on appeal which provides a respectable basis for the authority's stance in the light of *R v SSE ex parte North Norfolk DC 1994 2 PLR 78*. If one reason is not properly supported but substantial evidence has been produced in support of the others a partial award may be made against the authority. Further advice can be found in the *Department of Communities and Local Government Circular 03/2009* and now *Planning Practice Guidance: Appeals paragraphs 027-064 inclusive*.

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PLANNING COMMITTEE

* Councillor Fiona White (Chairman)
Councillor Colin Cross (Vice-Chairman)

- | | |
|----------------------------------|----------------------------|
| * Councillor Jon Askew | * Councillor Liz Hogger |
| * Councillor Christopher Barrass | Councillor Marsha Moseley |
| * Councillor David Bilbé | * Councillor Ramsey Nagaty |
| * Councillor Chris Blow | * Councillor Maddy Redpath |
| * Councillor Ruth Brothwell | Councillor Pauline Searle |
| * Councillor Angela Goodwin | * Councillor Paul Spooner |
| * Councillor Angela Gunning | |

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Colin Cross, Marsha Moseley and Maddy Redpath. Councillors Bob McShee and Deborah Seabrook attended as substitutes for Councillors Colin Cross and Maddy Redpath respectively.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

21/P/02246 – Orchard Walls, Beech Avenue, Effingham, Leatherhead, KT24 5PG
Councillor Liz Hogger declared a non-pecuniary interest in the above application.

Councillor Hogger stated that although she was a member of Effingham Parish Council, she does not comment or vote on any planning applications which come before the parish council. She did not therefore participate in the parish council's decision to object to this application.

Second, several of Councillor Hoggers friends and acquaintances in Effingham have objected to this application, but she played no part in their decision to object.

Councillor Hogger confirmed that neither of these issues would affect her own judgement, and would approach the discussion on the application with an open mind to all the arguments made.

PL3 MINUTES

The minutes of the Planning Committee meetings held on 27 April and 18 May 2022 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedure for determining planning applications.

PL5 21/P/02246 - ORCHARD WALLS, BEECH AVENUE, EFFINGHAM, LEATHERHEAD, KT24 5PG

The Committee considered the above-mentioned full application for demolition of the existing property and erection of 8 dwellings with a new access provided onto Beech Close.

Prior to consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Councillor Ian Symes (Chairman of Effingham Parish Council) (to object) and;
- Mr Tom Grimshaw (Applicant) (In Support)

The Committee received a presentation from Team Leader, Gemma Fitzpatrick. The Committee noted that the proposed development was located on a site known as Orchard Walls which was comprised of a detached house currently in Beech Avenue. The development was for 3 detached dwellings that would back onto Beech Avenue with a further detached chalet style dwelling known as plot 8 at the rear of the site. There would also be four two-bedroom chalet style dwellings in two pairs on plots 4, 5, 6 and 7. In October 2021, a previous application on this site was granted for six dwellings. The changes between the extant permission and this application related to plots 4 and 5 which were for detached bungalows and had now been subdivided. Plot 4 becomes plots 4 and 5 and plot 5 becomes plots 6 and 7. The principle of development on this site for residential use was accepted and had been allocated for up to six homes in the Effingham Neighbourhood Plan. Plot 1 was a detached traditional house adopting the Surrey vernacular style. Plots 2 and 3 were detached and the previous bungalows had been replaced by chalet style houses. The previous bungalows had been replaced by chalet style homes on plots 4 and 7. Plot 8 had been replicated from the previous scheme.

A new access was proposed off Beech Close, created between two large trees and would replace the existing access which was off Beech Avenue. The current access would be closed in and infilled with new planting of the Beech hedge which was an important characteristic of the site. The boundary wall was locally listed and had been conditioned to be retained forming part of the boundary wall to the development.

In response to comments made by public speakers, the Head of Place, Dan Ledger confirmed that the eight dwellings as proposed onsite as opposed to six dwellings, as recommended by the Effingham Neighbourhood Plan was not a reason of itself to refuse the application. The harm caused by the proposed development had to rather be demonstrated. In addition, the Committee noted that condition 19 was currently being updated to reflect the wording of the condition given on the earlier permission which related to the retention of the locally listed wall. This had been omitted from the supplementary late sheets.

The Committee discussed the application and noted sympathy with the Parish Council's objection to the application as well as local residents who believed that this scheme was denser than the previously approved one. Claims that the previously approved scheme was no longer financially viable was totally irrelevant and the Committee had to look at the application based upon its merits. Whilst the Committee acknowledged that the scheme was for two more dwellings, the six given in the Neighbourhood Plan was not an absolute cap. It was noted that the footprint of the built form onsite between the extant and existing scheme was almost identical. The main difference was that two of the three blocks were 1.5 metres higher than the approved scheme and was not considered a sufficient enough reason to refuse the application on those grounds. The Committee also welcomed the fact that the scheme delivered 50% two-bedroom market homes which was consistent with Effingham Neighbourhood Plan. Condition 19 would also ensure to maintain the listed or locally listed wall which would provide a boundary to the Conservation Area and retain the hedge. There was also plenty of parking onsite including visitor parking bays.

A motion was moved and seconded to approve the application which was carried.

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 21/P/02246 subject to the conditions and reasons as detailed in the report as well as the updated condition 19 to ensure the retention of the boundary wall.

PL6 21/P/02477 - 54 LIDDINGTON, NEW ROAD, GUILDFORD, GU3 3AH

The Committee considered the above-mentioned full application for renewal of permission 18/P/02393 (garden room with bed and shower room, retrospective) as full permission.

The Committee received a presentation from the Team Leader, Gemma Fitzpatrick. The application was before the Committee because one of the co-owners was a staff member at Guildford Borough Council. The proposed development was located in the Green Belt on Liddington, New Road. It was also a retrospective application as the garden room was already onsite and had been granted planning permission in 2019. It was for an ancillary outbuilding for living accommodation for a family member with particular special needs. Temporary planning permission was granted because the long-term needs of the individual at that time were unknown. The garden room had sleeping and bathroom facilities and provided a small area of living accommodation. It was a timber frame building with large floor to ceiling windows which provided frontage onto the garden with a single window facing onto the open land to the rest of the property. There were also other outbuildings of varying descriptions in other properties gardens.

Because the site was located in the Green Belt, it was considered inappropriate development. However, significant evidence had been provided by the applicant, which was sensitive and not available to the public. This information had been assessed by planning officers who concluded that in this situation, owing to the family member with particular special needs, the very special circumstances which would be necessary to outweigh the harm as a result of inappropriate development were identified in this case. The very special circumstance clearly outweighed the harm and permanent planning permission was recommended personal for the family's use only.

The Committee discussed the application and noted concerns raised as to why the Committee members had not been given sight of the sensitive and confidential information that related to the specifics of the case whilst accepting that it appeared reasonable to grant a special and personal approval in this case. The Committee noted comments that owing to it being a member of staff, they might not wish for their personal circumstances to become common knowledge. The Head of Place confirmed that if the Committee if after considering the case, wished to explore specific circumstances, then pink papers could be arranged.

The Committee also noted a query raised that there was a very similar structure next door which the Team Leader confirmed was a garden outbuilding that could have been built via permitted development.

The Committee agreed that the proposal was a very reasonable request and that it should be granted subject to it being permanent only for the personal use of that family.

A motion was moved and seconded to approve the application which was carried.

In conclusion, having taken account of the representations received in relation to the application, the Committee

RESOLVED to approve application 21/P/02477 subject to the conditions and reasons as detailed in the report.

PL7 22/P/00110 - 24 THE STREET, SHALFORD, GUILDFORD, GU4 8BT

The Committee considered the above-mentioned full application for proposed loft conversion to habitable accommodation, addition of upper floor window to the rear, insertion of roof lights in side element and single storey rear extension.

The Committee received one presentation for both applications 22/P/00110 and 22/P/00111. The applicant for both schemes was a member of staff at Guildford Borough Council and had therefore been referred to the Planning Committee. The application proposed the construction of a single storey rear extension, rear gable window with repairs to the rear gable elevation and internal alterations to a Grade II listed building in Shalford. The single storey extension had been designed to retain the existing first floor window, as well as this, the applicant was proposing to repair the rear gable elevation and were considered necessary. The Council's Conservation Officer had also attended a site visit and identified a significant degree of intervention was needed in regard to the structural condition of the rear elevation. The development enabled the repairs but also the opportunity to provide a window in the gable which would increase the natural light in the loft space. The extension would protrude out inline with number 22 The Street's built form, infilling some of the rear amenity space of the dwelling. The existing ground floor rear wall would be removed and access to the loft removed, and paddle steps constructed from one of the bedrooms to enable easier access to the loft space. The proposed gable window would be installed in between the existing historic beams and would limit the impact on the historic fabric of the building.

The Committee agreed that the proposal was acceptable in scale and design and would respect the scale and design of the existing building and the character of the surrounding area. In addition, the Committee agreed with that the proposed scheme represented less than substantial harm to the significance of the designated heritage asset and/or its setting. The harm to the significance of the designated heritage asset was outweighed by the public benefit identified.

A motion was moved and seconded to approve application 22/P/00110 which was carried.

In conclusion, having taken account of the representations received in relation to the application, the Committee

RESOLVED to approve application 22/P/00110 subject to the conditions and reasons as detailed in the report.

PL8 22/P/00111 - 24 THE STREET, SHALFORD, GUILDFORD, GU4 8BT

The Committee considered the above-mentioned Listed Building Consent application for proposed loft conversion to habitable accommodation with new stairs, addition of upper floor window to the rear, insertion of roof lights in side element and single storey rear extension.

The Committee received one presentation for both applications 22/P/00110 and 22/P/00111. The applicant for both schemes was a member of staff at Guildford Borough Council and had therefore been referred to the Planning Committee. The application proposed the construction of a single storey rear extension, rear gable window with repairs to the rear gable elevation and internal alterations to a Grade II listed building in Shalford. The single storey extension had been designed to retain the existing first floor window, as well as this, the applicant was proposing to repair the rear gable elevation and were considered necessary. The Council's Conservation Officer had also attended a site visit and identified a significant degree of intervention was needed in regard to the structural condition of the rear elevation. The development enabled the repairs but also the opportunity to provide a window in the

gable which would increase the natural light in the loft space. The extension would protrude out inline with number 22 The Street's built form, infilling some of the rear amenity space of the dwelling. The existing ground floor rear wall would be removed and access to the loft removed, and paddle steps constructed from one of the bedrooms to enable easier access to the loft space. The proposed gable window would be installed in between the existing historic beams and would limit the impact on the historic fabric of the building.

The Committee agreed that the proposal was acceptable in scale and design and would respect the scale and design of the existing building and the character of the surrounding area. In addition, the Committee agreed with that the proposed scheme represented less than substantial harm to the significance of the designated heritage asset and/or its setting. The harm to the significance of the designated heritage asset was outweighed by the public benefit identified.

A motion was moved and seconded to approve application 22/P/00111 which was carried.

In conclusion, having taken account of the representations received in relation to the application, the Committee

RESOLVED to approve application 22/P/00111 subject to the conditions and reasons as detailed in the report.

PL9 PLANNING APPEAL DECISIONS

The Committee noted and discussed the planning appeals.

The meeting finished at 7.56 pm

Signed

Date

Chairman

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GUILDFORD BOROUGH COUNCIL

PLANNING COMMITTEE INDEX

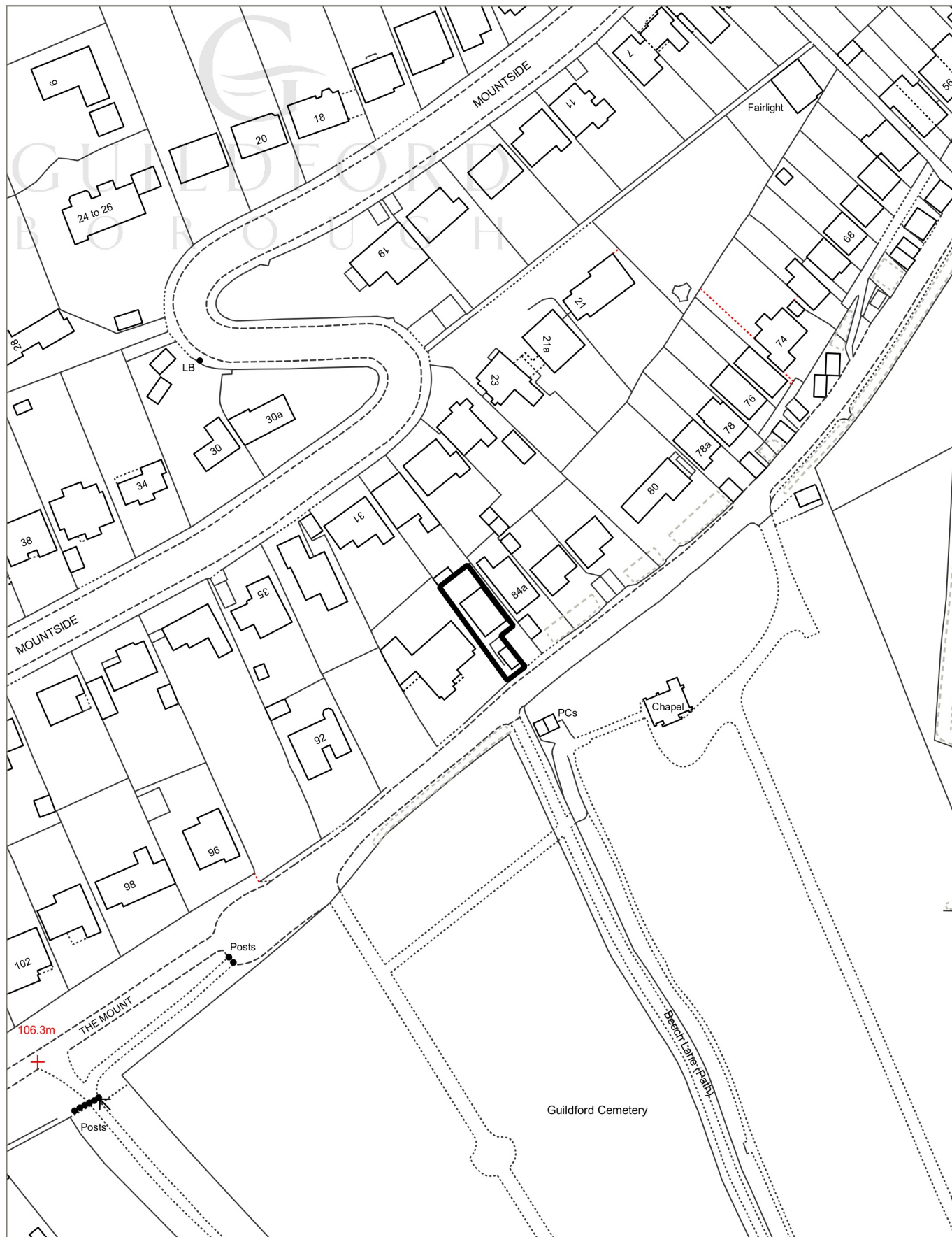
13/07/2022

Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Friary & St.Nicolas	Mr Gross, The Orthodox Foundation of St. Michael	86 The Mount, Guildford, GU2 4JB	21/P/01496	REF	P23.
5.2	Shalford	Mr Wood, JPW Osprey (Shalford) Ltd	Tranquility, 12 Conford Drive, Shalford, Guildford, GU4 8DX	21/P/02403	APPC	P33.

Total Applications for Committee 2

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21/P/01496 - 86 The Mount, Guildford



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Print Date: 30/06/2022

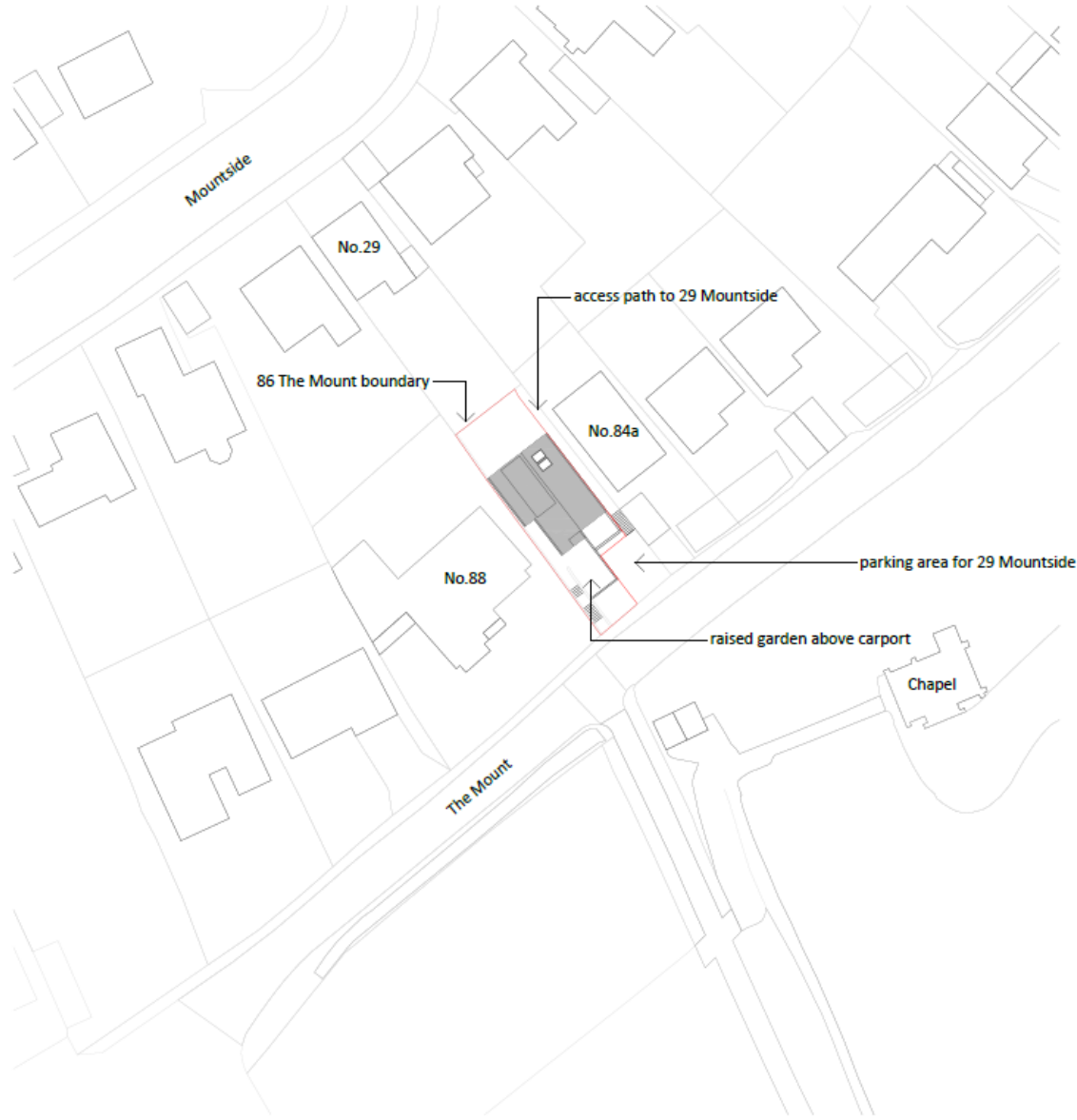


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GUILDFORD
BOROUGH

21/P/01496 – 86 The Mount, Guildford, GU2 4JB



Not to scale

App No: 21/P/01496 **8 Wk Deadline:** 30/08/2021
Appn Type: Full Application
Case Officer: Carolyn Preskett
Parish: Friary & St. Nicolas **Ward:** Friary & St. Nicolas
Agent : Mr Dutton **Applicant:** Mr Gross
MAAK architecture
91 Holmdene Avenue
London
SE24 9LD
The Orthodox Foundation of
St. Michael
86 The Mount
Guildford
GU2 4JB

Location: 86 The Mount, Guildford, GU2 4JB
Proposal: Construction of a new two storey dwelling (with room in the roof) with basement level and associated external works following demolition of existing bungalow and garage. (Amended plans received 05.11.21 to reduce height and remove roof terrace)

Executive Summary

Reason for referral

This application has been referred to the Planning Committee by Councillor Hunt for the following reasons:.

- the development may not be out of character with the existing development in the surrounding area which is varied and includes properties of a similar style.

Key information

The proposed development is for a three bedroom detached property with a prayer room and attic room in the roof following the demolition of the existing dwelling.

Summary of considerations and constraints

The proposed development due to its mass, scale and form would result in a form of development out of character with existing development in the surrounding area and would have an adverse impact on the neighbouring amenities of the neighbouring property 84a The Mount by virtue of overbearance.

The proposals are contrary to Policy D1 of the Local Plan and Policy G1(3) of the saved Local Plan.

The recommendation is for refusal.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposed development, due to its mass, scale and form, would result in a form of development out of character with existing development in the surrounding area. The proposal is therefore contrary to Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019) and policy G5 of the Guildford Borough Local Plan 2003 (as saved by the CLG direction 24/09/07), the National Planning Policy Framework (NPPF), and guidance in the Planning Policy Guidance (PPG) and Residential Design Guide: Supplementary Planning Guidance 2004.
2. The proposed development due to its mass, scale and form combined with its proximity to the neighbouring property 84a The Mount would have an adverse impact on the neighbouring amenities of this neighbouring property in terms of overbearance. As such the proposals are considered to be contrary to policy G1(3) of saved Guildford Borough Local Plan 2003.

Informatives:

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

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

- Pre-application advice was not sought prior to submission and : Amended plans were sought by the original case officer, however, the amended plans received did not overcome the concerns relating to the proposals.
2. This decision relates expressly to drawings Site Plan 17003_PL_005, Existing Floor Plan and Elevation 17003_PL_004, Location Plan received 5 July 2021, amended proposed site plan 002 REV B, amended proposed sectional elevations 009 REV B, amended proposed elevations 008 REV A, amended proposed floor plans 006 REV B, amended existing and proposed street elevation 003 REV C received 5 November 2021 and sunlight study sheets received 18 March 2022.

Officer's Report

Site description.

The site to which this application relates is located within the urban area of Guildford. The site is situated towards the upper end of The Mount, which is a steeply sloping road. The site comprises a detached bungalow with a detached subterranean garage set into the sloping ground below the dwelling. The dwelling forms part of a row of detached dwellings which follow a similar building line, set back and up from the road, on the northern side of The Mount. The surroundings comprise a mix of detached bungalows, chalet bungalows and two storey dwellings. On the opposite side of the road to the application site there is a cemetery and chapel. The plot slopes from road level (at the front of the site) up towards the rear of the plot.

Proposal.

Construction of a new two storey dwelling (with room in the roof) with basement level and associated external works following demolition of existing bungalow and garage. (Amended plans received 05.11.21 to reduce height and remove roof terrace)

Relevant planning history.

None relevant

Consultations.

Statutory consultees

County Highway Authority: Recommend conditions

Thames Water: Recommend conditions

Third party comments:

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

- plans misleading
- very large building on a very small plot
- high building with steeply pitched roof
- overshadowing
- overlooking
- potential concerns over parking area
- concerns over effect of excavation and construction work
- concerns over roof terrace (Officer note: The roof terrace has been removed from the plans)
- increase in traffic
- overdevelopment
- the designation of the 4th floor of the proposal as a prayer room is irrelevant
- back garden is minute
- concerns over multi occupancy
- out of character
- light pollution
- no soft landscaping

Following the receipt of amended plans 5 additional letters have been received reiterating the original comments and making the further points:

- the proposed plans still show four stories
- reduction in morning light
- overlooking
- plans show access over private land
- concerns over dimensions of parking area owned by another property
- lack of parking
- still overdevelopment of site
- top floor windows should be obscure glazed
- bulky dormer structure would tower over 82 and 84 The Mount

Planning policies.

National Planning Policy Framework 2019 (NPPF):

Chapter 1	Introduction
Chapter 2	Achieving sustainable development
Chapter 4	Decision Making
Chapter 5	Delivering a sufficient supply of homes
Chapter 12	Achieving well designed places
Chapter 15	Conserving and enhancing the natural environment

Guildford Borough Local Plan : Strategy and Sites 2015 - 2034 (adopted 25 April 2019)

D1	Place Shaping
----	---------------

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

G1	General Standards of Development
G5	Design Code
H4	Housing in Urban Areas
NE4	Species Protection

Supplementary planning documents:

Vehicle Parking Standards SPD (2006)
Surrey County Council Vehicular and Cycle Parking Guidance (2012)
Climate Change, Sustainable Design, Construction and Energy SPD 2020
Residential Design SPD 2004

Planning considerations

- the principle of development
- impact on scale and character of the existing site and surrounding area
- impact on neighbouring amenity
- living environment
- ecology and biodiversity
- sustainability
- highway and parking considerations

The principle of development

There is no objection to the principle of redevelopment. A replacement dwelling on this urban site is in accordance with the NPPF and new local plan.

Impact on scale and character of the existing site and surrounding area

The proposed development would replace the existing single storey dwelling on the site with a dwelling over four levels incorporating a basement and rooms in the roof. The access and parking area to the neighbouring property 29 Mountside would be retained. The existing dwelling is of low quality construction and appearance and has been vacant for some years.

The surrounding area is characterised by a mix of recently redeveloped houses over a number of floors, chalet bungalows and bungalows. The properties are on an elevated position above the road due to significant changes in levels. The proposed new dwelling would spread across the full width of the site and would provide accommodation over four floors. Whilst it is acknowledged that two neighbouring properties 88 and 90 The Mount have recently been redeveloped, the latter still to be finished, which have resulted in significantly larger properties than those they replaced, both sites are considerably larger in area and particularly width than the application site. Furthermore, the application site does not benefit from the same degree of screening as 88 The Mount and as such the scale and bulk of the proposals would appear more prominent in this location.

The proposed new dwelling would be of a poor and bland design which pays little respect to local characteristics. The large dormer on the side elevation gives the new dwelling an unbalanced appearance which is further exacerbated by the proposed roofscape and different eaves heights. The resulting property would appear top heavy and cramped on this narrow site when compared to other properties within the surrounding area. The side elevations of the proposed dwelling extend fully across the width of the application site with no spacing between the proposed dwelling and the boundaries. The side walls of the proposed dwelling are on the boundary with no space for any landscaping or boundary treatment to soften the appearance of the solid tall timber shingle clad side elevations which further demonstrates the cramped nature of the proposed development. In addition, the proximity of the proposed dwelling and its form would dominate the adjacent chalet bungalow which sits on lower ground. The proposed materials of timber shingle cladding for both the roof and the elevations, the steep roof slopes and the lack of any detail other than a steel clad dormer on the side elevation facing the side boundary with 88 The Mount combined with the prominent elevated position of the proposed development result in a development that is incongruous and out of keeping with the pattern of development within the immediate locality.

Whilst there is no objection in principle to a contemporary or non - traditional design in this location, the proposed design is not considered sympathetic to the locality. Since originally submitted the ridge height of the dwelling has been reduced in height by 800mm and the roof terrace has been removed. However, these amendments have not overcome the concerns raised.

The proposed new dwelling by virtue of its mass, scale and form would be out of character with existing development within the vicinity, contrary to Policy D1 of the local plan and policy G5 of the saved local plan.

Impact on neighbouring amenity

The neighbouring properties most affected by the proposals are 84a The Mount, 88 The Mount and 29 Mountside

84a The Mount

84a The Mount is a chalet bungalow and sits on lower ground than the application site. The maximum ridge height of the proposed dwelling would be 3.8m higher than the neighbouring property 84a The Mount. This considerable difference in the height of the two dwellings combined with the replacement dwelling being spread across the full width of the site and its overall scale and mass would result in an overbearing impact on 84a The Mount.

Sunlight study sheets have been submitted with the application covering summer, winter and autumn at morning, mid afternoon and evening illustrating there would be very little loss of sunlight to 84a The Mount resulting from the proposed development.

No windows are proposed in the side elevation of the new dwelling other than a high level window on the first floor (shown on the elevational drawing but not the floor plans) and two rooflights in the roof. As such, there are no concerns regarding overlooking or loss of privacy in regard to 84a The Mount.

88 The Mount

There are windows proposed in the side elevation of the proposed dwelling facing 88 The Mount (again floor plans and elevational drawings differ). The windows in the side dormer would serve the stairwell for the attic and the prayer room. These windows would be of limited width and their position such that any resulting loss of privacy to 88 The Mount would not be so great as to warrant a refusal of planning permission.

Sunlight study sheets have been submitted with the application covering summer, winter and autumn at morning, noon, mid afternoon and evening illustrating there would be no loss of sunlight to 88 The Mount resulting from the proposed development.

88 The Mount is positioned off the boundary and is on higher ground than the proposed dwelling. As such, there are no concerns in relation to overbearance in relation to 88 The Mount.

29 Mountside

29 Mountside is located to the rear of the application site. Whilst it is acknowledged that a bedroom window and a bathroom window would face towards the garden area of the 29 Mountside, the windows would face towards the very rear of the garden and due to the separation distances, on balance the proposal is not considered to cause material harm to the neighbouring amenities of 29 Mountside. In addition it is noted that there is screening along the boundary of the property which would further obscure views towards the neighbouring property to the rear. A condition for landscaping would have been recommended to ensure screening along the rear boundary within the application site had the proposals overall been considered acceptable.

Due to separation distances between the proposed dwelling and 29 Mountside there are no concerns relating to loss of light.

The proposed development would result in an overbearing impact on 84a The Mount and as such is contrary to Policy G1(3) of the saved local plan

Living environment

The proposed size of the new dwelling would meet with the DCLG's Technical Housing Standards - Nationally described Space Standards (March 2015) and the requirements of Policy H1 of the new local plan. The new dwelling would have a small garden but is considered adequate amenity space. As such it is considered that a satisfactory environment in terms of outlook, privacy and adequate garden / amenity space would be provided with a suitable internal layout.

Ecology and Biodiversity

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

Sustainability and green and blue infrastructure

The NPPF requires the planning system to shape places in a way that contributes to “radical reductions” in greenhouse gas emissions and states that plans should take a proactive approach to mitigating and adapting to climate change in line with the objectives of the Climate Change Act 2008. Policy D2 of the LPSS and the accompanying Climate change, sustainable design, construction and energy SPD sets out the Council's approach to achieving the overarching requirement from national policy. Part 3 of policy D2 requires non-major development proposals to submit sustainability information which is proportionate to the size of the development in the planning application, whilst part 11 specifies that planning applications must include adequate information to demonstrate and quantify how proposals comply with the energy requirements at paragraphs 5-10 of the policy. Part 9 sets a mandatory requirement that new buildings must achieve a reasonable reduction in carbon emissions of at least 20% measured against the relevant Target Emission Rate (TER) set out in the Building Regulations 2010 (as amended) (Part L).

The application is supported by a Climate Change, Energy and Sustainable Development Questionnaire. The submitted information confirms that the new dwelling would adopt high standards for energy performance with fabric first approach, complemented with zero-carbon technologies to minimise carbon footprint and installation of solar panels and a water efficiency of less than 110 litres per person per day in line with the Council's requirements. In addition, low impact materials would be prioritised within the construction.

The submitted questionnaire sets out that the proposal would seek to minimise the use of primary materials and reuse and recycle any demolition/excavation material where practicable.

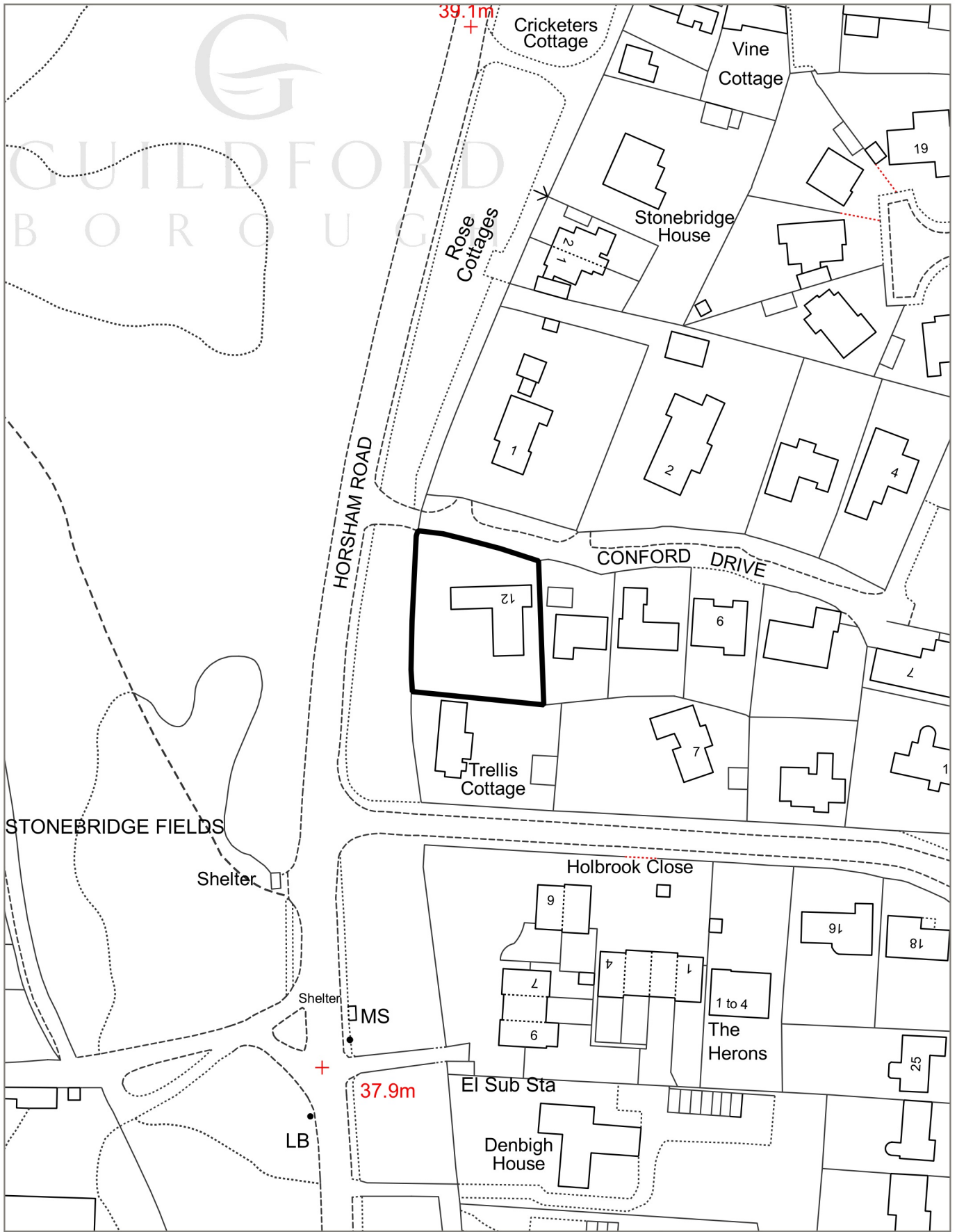
Overall, subject to the development being carried out in accordance with the submitted information, the proposal is found to be compliant with policy D2 of the LPSS 2015-2034 the Climate change, Sustainable design, Construction and Energy SPD 2020, and the requirements of the NPPF.

Highway/parking considerations

The existing access to the property would be retained and a new garage within the basement level is proposed with a car port to the front of the garage. Parking on the site for 29 Mountside would be retained as per the existing situation. An additional parking space over the existing situation would be provided.

The proposed development has been considered by the County Highway Authority who have assessed the application on safety, capacity and policy grounds and subject to the imposition of conditions relating to electric vehicle car charging points and cycle storage they have raised no objections.

21/P/02403 - Tranquillity, 12 Conford Drive, Shalford, Guildford



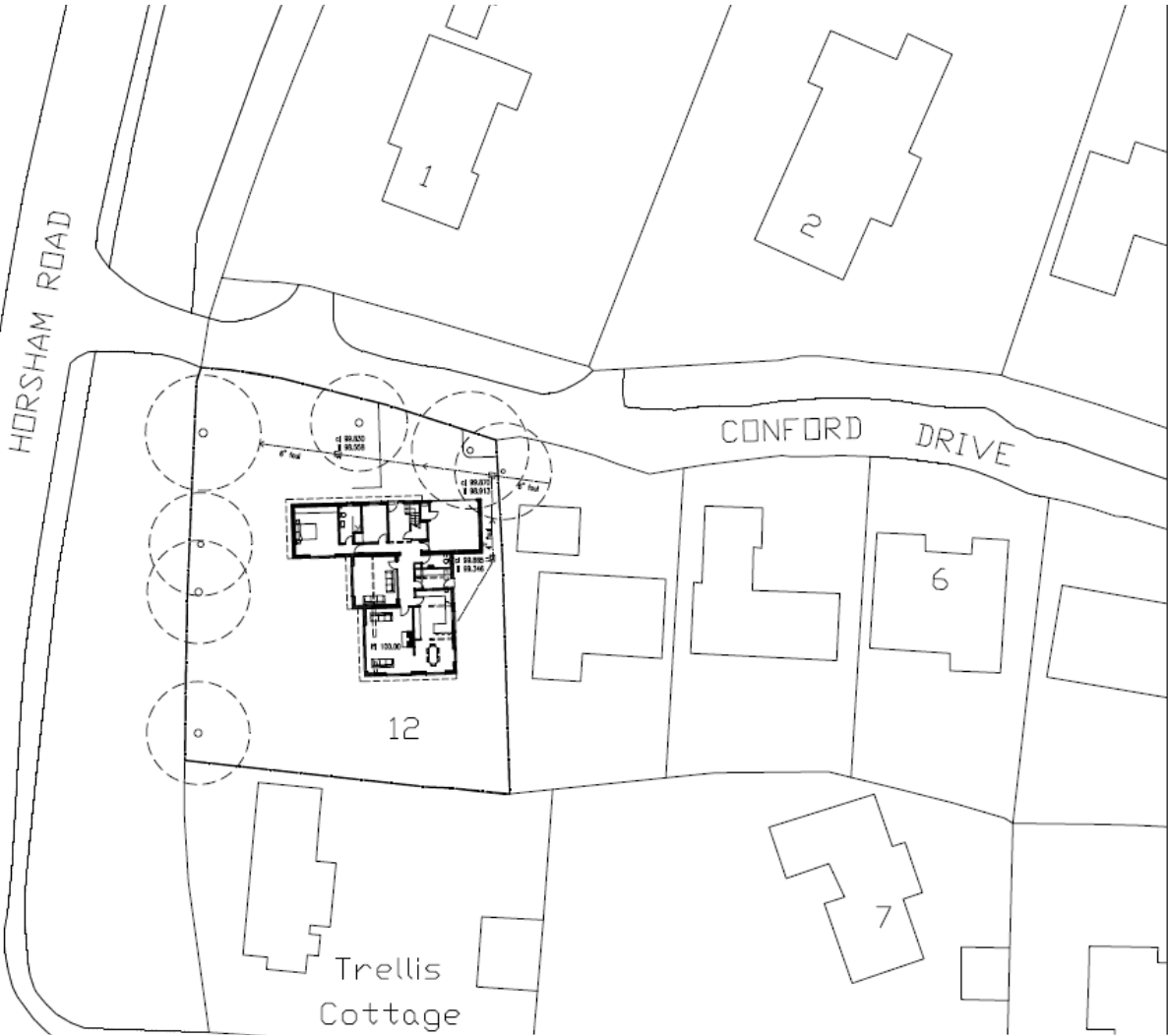
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Print Date: 30/06/2022



21/P/02403 – Tranquillity, 12 Conford Drive, Shalford, Guildford, GU4 8DX



Not to scale

App No: 21/P/02403
Appn Type: Full Application
Case Officer: John Busher

8 Wk Deadline: 18/07/2022

Parish: Shalford
Agent : Mr Paul Harrison
WLA Architecture LLP
34 Bridge Street
Leatherhead
KT22 8BZ

Ward: Shalford
Applicant: Mr Wood
JPW Osprey (Shalford) Ltd
Osprey House
Guildford Road
Little Bookham
KT23 4HB

Location: Tranquillity, 12 Conford Drive, Shalford, Guildford, GU4 8DX
Proposal: Side infill extension, side extension, and first floor extension, following removal and replacement of existing pitched roof

Executive Summary

Reason for referral

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

Key information

The application site is located on the southern side of Conford Drive in Shalford. Conford Drive is a private cul-de-sac containing twelve properties and is itself off the A281 Horsham Road. The drive has a mix of bungalows and two storey houses, however, it is noted that the majority are bungalows. The surrounding area is suburban and residential in character and it has been inset from the Green Belt.

The application site is a corner plot with its western boundary along the A281 and its northern boundary fronting onto Conford Drive. The plot is currently occupied by a modest sized bungalow with a pitched which has an integral garage. Some of the trees along the western and northern boundary of the site are covered by a Tree Preservation Order (TPO No 14 of 1974).

The proposal seeks to extend and remodel the existing bungalow. A first floor would be added to the property which would have a flat roof, accommodating four bedrooms. The dwelling would have a modern design and appearance, finished with wooden cladding at first floor and render at ground floor.

Summary of considerations and constraints

The proposal would fundamentally alter the character and appearance of the existing dwelling and would introduce a modern architectural style into the street. While the dwelling would be different to the neighbouring dwellings along Conford Drive, the proposal would overall be sympathetic to established scale, height and proportions of the surroundings. The design of the proposal, while different to existing, would not result in any particular or demonstrable harm to the character or appearance of the area.

The proposal would increase the bulk of built form adjacent to the side elevation of 11 Conford Drive and would result in some harm to its amenity. However, the harm has been assessed as low and would not be sufficient to result in the refusal of the planning application.

Overall, the proposal is considered to be acceptable and is therefore recommended for approval.

RECOMMENDATION:

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: 2575: 01, 02, 03, 04, 05, 06A and 07A.

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 ground floor level until details and samples of the proposed external facing 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, dormer windows, rooflights, doors or other forms of openings other than those shown on the approved plans, shall be inserted in the first floor elevations or roof of the development hereby permitted.

Reason: In the interests of residential amenity and privacy.

5. Before the first floor accommodation hereby approved is first occupied, the east facing landing window and south facing bathroom window (both at first floor level) shall be fitted in full with obscure glazing and retained as such for the lifetime of the development.

Reason: In the interests of residential amenity and privacy.

6. Access to the flat roof areas of the extensions hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not, at any time, be used as a balcony, roof garden, patio or similar amenity area.

Reason: In the interests of residential amenity and privacy.

7. No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan, all in accordance with British Standard 5837:2012, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until tree protection measures and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. The protection 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.

Informatives:

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

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

In this case pre-application advice was not sought prior to submission. However, the proposal was deemed to be acceptable as submitted and therefore the recommendation is to approve planning permission.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk.

3. The applicant is reminded that planning permission has been applied for extensions and modifications to the existing dwelling. Should the proposals require the 'complete' demolition of the existing property and its replacement with the dwelling set out on the proposed plans, this would not be covered by this permission and a new full application for planning permission would be required.

Officer's Report

Site description

The application site is located on the southern side of Conford Drive in Shalford. Conford Drive is a private cul-de-sac containing twelve properties and is itself off the A281 Horsham Road. The drive has a mix of bungalows and two storey houses, however, it is noted that the majority are bungalows. The surrounding area is suburban and residential in character and it has been inset from the Green Belt.

The application site is a corner plot with its western boundary along the A281 and its northern boundary fronting onto Conford Drive. The plot is currently occupied by a modest sized bungalow with a pitched which has an integral garage. Some of the trees along the western and northern boundary of the site are covered by a Tree Preservation Order (TPO No 14 of 1974).

Proposal

Side infill extension, side extension, and first floor extension, following removal and replacement of existing pitched roof.

The proposal seeks to extend and remodel the existing bungalow. A first floor would be added to the property which would have a flat roof, accommodating four bedrooms. The dwelling would have a modern design and appearance, finished with wooden cladding at first floor and render at ground floor.

Relevant planning history

None relevant.

Consultations

Shalford Parish Council: No objections.

Third party comments

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

- first floor additions and side infill will have an adverse impact on the amenity of neighbouring properties in terms of loss of light, privacy and overshadowing;
- adverse impact on views from existing neighbouring dwellings [Officer Note: The surrounding residents do not have a right to a view];
- the first floor has doorways which access onto a sundeck. This raises amenity concerns for neighbouring properties [Officer Note: This is incorrect. The plans do not show either first floor doors or sundecks. The applicant has agreed to a condition which would prohibit access onto the roof of the property (except for maintenance and emergency access)];
- concerns regarding the use of cladding and its safety [Officer Note: This is not a planning consideration.

- The materials and construction of the modifications to the dwelling will be controlled by Building Regulations];
- concerns over statements made on the application form;
- the proposal to replace a bungalow which is similar to those in the street, with a two storey flat roof structure would be out of keeping with the character of the area;
- the proposal would be harmful to the AONB and the prevailing sense of countryside [Officer Note: The site is not located within the AONB and is within a suburban setting, surrounded by residential development];
- the proposal would increase the number of bedrooms and therefore the parking demand [Officer Note: Sufficient parking for a five bedroom dwelling can be accommodated on site];
- the proposal would result in additional traffic movements onto the busy A281
- concerns about the road being blocked during construction and general disruption [Officer Note: Disruption is to be expected during any construction process, however, that in itself is not a reason to withhold planning permission. Conford Drive is a private road and any impact on access would need to be resolved by the parties involved]; and
- the proposal would result in the loss of a bungalow which are in short supply [Officer Note: There are no policies which protect the retention of bungalows].

Planning policies

The following policies are relevant to the determination of this application.

National Planning Policy Framework (NPPF)

Chapter 12. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019)

Policy D1: Place shaping

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

Policy G1: General standards of development

Policy G5: Design code

Supplementary planning documents

Residential Extensions and Alterations Guide 2018

Planning considerations

The main planning considerations in this case are:

- the impact on the character of the area and the host property
- the impact on neighbouring amenity
- impact on trees and vegetation
- parking and highways matters

The impact on the character of the area and the host property

Policy D1 'Place Shaping' of the Guildford Borough Local Plan and saved policies G1 'General Standards of Development', and G5 'Design Codes' require that all new development should respond meaningfully and sensitively to the character of the site whilst also responding respectfully to the scale, height and proportions of surrounding buildings. Guildford Borough Council's Supplementary Planning Document (SPD) 'Residential Extensions and Alterations' provides guidance to achieving high standards of design in support of local and national planning policy.

At present, Conford Drive consists mainly of bungalows. However, there are also two two-storey dwellings on the northern side of the drive, including 1 Conford Drive, which like the application site also fronts onto Horsham Road. While the dwellings are finished in similar materials such as tiled roofs and brick elevations and have pitched roofs, their design and appearance are not strictly uniform. In addition, the wider area also consists of various dwelling sizes and architectural styles from a timber framed cottage immediately to the south of the site to more modern developments. As such, there is no in principle objection to the 'replacement' of a bungalow with a two storey building.

The proposed extensions to the existing bungalow would change the building into a two storey dwelling, with a flat roof and of a modern design. It would be finished with timber cladding at first floor level and render to the ground floor. The new first floor element would be set off the common boundary with 11 Conford Drive by between five and seven metres and it would take the dwelling to a maximum height of 6.1 metres, compared to the existing at 4.7 metres.

In terms of the proposal integrating within the existing Conford Drive streetscene, it is considered that the principle of a two storey house on this plot is acceptable. This is because the drive already has two storey properties interspersed between the bungalows and a further two storey dwelling on this plot would only add to this existing mix. The gap to the side boundary with 11 Conford Drive at first floor level would also be appropriate and ensure that there continues to be enough space between the built form. It is acknowledged that the modern design would be dissimilar to the other properties along Conford Drive and the proposal would to a certain extent 'stand-out' as a result. However, the proposed design in itself is interesting and innovative, using a simple palette of materials and large openings to create a dwelling which would be contemporary in appearance. While the proposal would not be in keeping with the existing architecture along Conford Drive, it is considered that the modest scale of the proposal, together with design will ensure that the proposal would be a sensitive introduction into the streetscene, which although different in appearance, would be respectful of the scale, height and proportions of surrounding built form. It is therefore considered that there would be no particular harm to the character of this suburban cul-de-sac arising from the proposed development.

In terms of the impact on the wider area it is noted that while the site is well screened with trees during the summer months, it does become very visible when the existing trees have shed their leaves. The additional bulk and the modern design means that the proposal would be more prominent in views from Horsham Road. Due to the various setbacks at first floor level and the modest overall height, the proposal would not be excessive in its bulk or massing. The dwelling would also remain well set back from the highway, with the TPO trees and landscaping softening its appearance. The elevation fronting Horsham Road would be interesting, with two large windows at first floor level which would adequately break up the timber cladding. While the dwelling would be unlike most existing properties in the area, it would contribute to the mix of architectural styles rather than resulting in any particular harm.

While it is acknowledged that the design of this proposal has resulted in a relatively large number of objections from residents, as noted above, the fact that a modern architectural style is proposed is not a sufficient reason in itself to refuse planning permission. Harm still needs to be identified. It is noted above that the surroundings do not contain one particular style of architecture and as such, the proposal would add to, rather than detract from the character and appearance of the area and Conford Drive.

If planning permission is granted, it is recommended that conditions be imposed to secure the external materials to ensure that they are acceptable for the site and surroundings.

On this basis, the proposal is deemed to be consistent with policy D1 of the LPSS, policy G5 of the Local Plan 2003 and the Residential Extensions and Alterations Guide.

The impact on neighbouring amenity

The proposal has the most potential to impact on the amenity of the neighbouring dwellings to the east (11 Conford Drive) and to the south (Trellis Cottage on Poplar Road). The case officer has visited both of these properties as part of the assessment.

11 Conford Drive:

As noted above, 11 Conford Drive is the neighbouring property to the east of the application site. It is also a bungalow, with a detached garage to the front, which is placed close to the common boundary between the two properties. It is noted that the proposal would increase the bulk of the dwelling and would introduce a new first floor. As such, it is acknowledged that the relationship between the properties would be altered. However, the proposed first floor accommodation which would be adjacent to the side elevation of 11 Conford Drive (together with the small increase at ground floor level) would be set approximately five metres from the boundary and there would be a gap of eight metres between the side elevations of the properties. This should also be considered against the modest height of the proposal at six metres, as well as its depth of just 5.4 metres. While there is no doubt that the proposal would be visible from the kitchen / dining area of 11 Conford Drive, and would also result in some loss of light to this room, the harm caused would be at a low level and not sufficient to justify the refusal of the planning application. The front section of the first floor would be adjacent to number 11's garage and would be set seven metres from the common boundary and at an oblique angle to the kitchen / dining room window. As such, this element of the extension would not be harmful to the amenity of 11 Conford Drive.

Concerns have been raised about the possibility of the flat roofs being used as outdoor amenity space. The applicant has already confirmed that this would not be the case and prohibiting the use of these spaces could be secured by condition. The only window facing the side elevation of 11 Conford Drive would serve a landing area. This would be a very narrow window and could be obscurely glazed by condition.

Trellis Cottage:

Trellis Cottage is the neighbouring property to the south. It is a detached two storey dwellings with a large double height extension off its rear elevation.

The proposed first floor accommodation would be located approximately 17 metres from the boundary with Trellis Cottage and its rear elevation would contain two very narrow windows which would serve a bathroom and a bedroom. While the extension would be visible from Trellis Cottage, particularly from a number of vantage points within its rear garden, given the distance of separation, there would be no overbearing impact caused or a loss of light. For the same reasons and due to the nature of the proposed rear windows, there would also not be a loss of privacy to Trellis Cottage or its outdoor amenity space.

With the conditions noted above, the proposal is deemed to be acceptable in this regard.

Impact on trees and vegetation

Some of the trees along the western and northern boundary of the site are covered by a Tree Preservation Order (TPO No 14 of 1974). The Council's Tree Officer has visited the site in relation to a tree works application (22/T/00002) which approved the re-pollarding of six TPO trees that surround the property. The Officer notes that the proposed development work would not directly impact on the trees but there is potential for damage to roots etc if protection measures are not put in place. This includes, for example, the storage of materials in root protection areas, mixing of concrete and the possible movement of services. If the application is to be approved, due to the sensitivity and proximity of the trees, it is recommended that a condition be imposed which requires the submission of a detailed arboricultural method statement (AMS) and tree protection plan (TPP) before work starts on site.

With this condition in place, the proposal is deemed to be acceptable in this regard.

Parking and highways matters

It is noted that the proposed dwelling would have five bedrooms. The Council's adopted guidance requires two on-site parking spaces for a five bedroom dwelling. Like now, a large driveway would remain to the front of the property which could accommodate at least two parking spaces. As such, the proposal is acceptable in this regard.

Some residents have noted that due to the increase in the number of bedrooms the proposal would also result in additional vehicle movements onto Horsham Road which may pose a highway safety concern. While the proposal may result in an increase in vehicle movements when compared to the existing bungalow, the increase would not be material and would not result in any adverse impacts on the safety of the highway network which could be judged as being severe.

As such, the proposal is deemed to be acceptable in this regard.

Conclusion

It is acknowledged that the proposal would fundamentally alter the character and appearance of the existing dwelling and would introduce a modern architectural style into the street. While the dwelling would be different to the neighbouring dwellings along Conford Drive, the proposal would overall be sympathetic to established scale, height and proportions of the surroundings. The design of the proposal, while different to existing, would not result in any particular or demonstrable harm to the character or appearance of the area.

The proposal would increase the bulk of built form adjacent to the side elevation of 11 Conford Drive and would result in some harm to its amenity. However, the harm has been assessed as low and would not be sufficient to result in the refusal of the planning application.

Overall, the proposal is considered to be acceptable and is therefore recommended for approval.

Planning Committee

13 July 2022

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF)

March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact

Sophie Butcher (sophie.butcher@guildford.gov.uk)

1. Mr T Baumann

Land at the entrance to Effingham Place, Effingham, Leatherhead, KT24 5JT

20/P/01174 – The development proposed is erection of black painted metal, automated vehicle access gates and separate side pedestrian access gate on Effingham Place, set back a minimum of 15 metres from Lower Road.

Decision – Allowed

Planning Committee – 3 February 2021

Officer Recommendation – To Refuse

Decision - Refused

Summary of Inspector's Conclusions:

- The main issues are the effect of the proposed development on:
 - the Effingham Conservation Area;
 - the setting of a Grade II listed building; and
 - the character and appearance of the area, with particular regard to its effect on social cohesion.
- Effingham Place is a narrow, cul-de-sac and a private road which serves seven residential properties. At its far end there is a substantial Grade II Listed Building, Effingham Lodge, which has been subdivided to form two separate dwellings, Marlborough House and St Lawrence House. The appeal site comprises the roadway at the entrance to Effingham Place and a small area of adjacent land.
- I conclude that the proposed development would preserve and enhance the character and appearance of the ECA.
- It would therefore comply with Policies D1 and D3 of the Guildford borough Local Plan: strategy and sites 2019 (the LPSS), Saved Policies G5 and HE7 of the Guildford borough Local Plan 2003 (the LP) and Policies ENP-G2 and ENP-G3 of the Effingham Neighbourhood Plan 2018 (the ENP). These policies together require a high quality of design that responds to the distinctive local character, for the historic environment to be conserved and enhanced in a manner appropriate to its significance, for

development to enhance the special interest of the heritage assets, to preserve or enhance the character or appearance of the conservation area, respect the relationship with other buildings, reflect the layout and character of the historic settlement form of Effingham. It would also comply with the National Planning Policy Framework (the Framework) which requires great weight to be given to the asset's conservation.

- I have found no specific conflict with Saved Policy G1 of the LP which sets out general standards of development but does not directly relate to development affecting heritage assets.
- I conclude that the proposed development would not harm the setting of the listed building. It would therefore comply with Policies D1 and D3 of the LPSS, Saved Policies G5 and HE4 the LP and Policies ENP-G2 and ENP-G3 of the ENP. These policies together require a high quality of design, for the historic environment to be conserved and enhanced in a manner appropriate to its significance, for development to enhance the special interest of the heritage assets and their settings, respect the relationship with other buildings, reflect the layout and character of the historic settlement form of Effingham. It would also comply with the Framework which requires great weight to be given to the asset's conservation. For the reasons stated above, I have found no specific conflict with Saved Policy G1 of the LP.
- I conclude that the proposed development would not harm the character and appearance of the area, with particular regard to its effect on social cohesion. It would therefore accord with Policy D1 of the LPSS which seeks a high quality and inclusive design, that create safe and accessible spaces. It would also accord with the Framework and the NDG as referred to above.
- I conclude that the appeal should be allowed.

2. Mr Joseph Cooper and Ms C Brazil

Longacres, Outdowns, Effingham, Leatherhead, Surrey, KT24 5QR

20/P/00685 – The development proposed is the change of use of land to one Gypsy pitch with residential caravans, 1 day room and hardstanding for occupation by the applicants and their family.

Decision – Dismissed

Delegated Decision – Non-Determination

Summary of Inspector's Conclusions:

- Based on the Council's submissions, which have also been modified during the course of the appeal, the main issues in this appeal are;
- Whether the development is inappropriate development in the Green Belt
- Whether any other harm to the Green Belt results from the development
- The effects of the proposal on the character and appearance of the area
- The effects of the proposal on highway safety
- The need for and supply of such sites
- The personal circumstances of the appellants including the effects on the children.
- I attach substantial weight to the harm to the Green Belt that arises from its inappropriateness and the proposal would be contrary to Policy P2 of the Guildford Local Plan; Sites and Strategy 2015-2030 (LPSS) and the advice in the National Planning Policy Framework.

- Prior to the occupation of the site by the appellant, the photographic evidence submitted by the Council indicates that the site was open and free from buildings and structures. The existing and proposed use of the site involves the stationing of a number of caravans, vehicles, a dayroom and a playroom, as well as other domestic paraphernalia. Compared to its previous state, the proposed use would have a significantly deleterious effect on the openness of the site. In addition, the development would conflict with one of the main purposes of the Green Belt of assisting in safeguarding the countryside from encroachment. This gives rise to additional conflict with Policy P2 of the LPSS and the Framework.
- Due to the topography and presence of woodland in the surrounding land, it is generally agreed that there would be no wider negative effects on the landscape and the designations referred to above. However, the track and pathways nearby are used by members of the public and the structures and features of the site would have some negative effects on the character and appearance of the area from these more immediate parts of the surroundings, in conflict with Policy D1 of the LPSS and Policy ENP-G2 of the Effingham Neighbourhood Plan as well as saved policies G1 and G5 of the Guildford Local Plan 2003.
- The available visibility for drivers emerging from the junction of Outdowns with the A246 when measured using an X distance of 2.4m back from the carriageway edge at the minimum 1.05m driver's eye height is restricted to lower than the 120m, which is the County Council's stated requirement here. It is restricted to the west by a fence and vegetation and to the east by vegetation. Discussion at the Hearing concentrated on the visibility to the east, the 'leading' direction as vehicles approaching from that direction are closer to the edge of the carriageway and more critical for vehicles emerging from Outdowns.
- Visibility to the east is restricted by epicormic vegetation growing from the base of a tree, which is included within a Tree Preservation Order. The tree is apparently on private land and there is disagreement between the Council and the appellant about the extent of the private land and the highway boundary here. The Council considers that the private land extends towards the edge of the running surface of the road and so includes land over which the epicormic growth occurs, whilst the appellant casts doubt in the confidence that may be placed in the available information.
- Whilst I acknowledge that records indicate that there have been no personal injury accidents at this junction for over 10 years, I consider that the increase in the use of the junction brought about by the existing/intended use of the appeal site would represent a marked increase in the numbers of vehicles that use it. Whilst it would seem unlikely that the layout of the junction is likely to change in the near future and the existing properties will continue to use the road, I consider that the increase in the use of the unsafe junction would be significant and weighs substantially against the appeal scheme. The consequences of a collision here could have profound consequences and could affect the appellants and their family. Therefore, the development would be in conflict with Policy ID3 of the LPSS.
- There is agreement that the Council can demonstrate a suitable supply of such sites. However, the appellants stress that there is a general need for such sites and that the Council's provisions mean that sites may not be available for some years.
- The appellants and their family have submitted evidence of their healthcare needs, their educational needs and their family ties and commitments to the area. A number

of the family require health services which they gain access to from the appeal site. Four of the children attend school or pre-school locally and some have special/additional needs. In addition, care is provided for an elderly relative who lives a short distance from the appeal site. I have no doubt that moving from the appeal site would represent a significant disruption for the appellants family in continuing to gain access to healthcare, family commitments and particularly to the continued education and welfare of the children. I attach moderate weight to these matters in determination of this appeal and I have considered the effects on the children as a main consideration.

- The development is inappropriate in the Green Belt and the NPPF advises that inappropriate development should not be approved except in 'very special circumstances', which will not exist unless the harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other considerations. It adds that inappropriate development is, by definition, harmful to the Green Belt. I give substantial weight to this harm to the Green Belt. Furthermore, the development would have an unacceptably harmful effect on the openness of the Green Belt and one of its main purposes of keeping land permanently open. I attach significant weight to this harm.
- In view of the above matters, I consider that the harm identified is not clearly outweighed by the 'other considerations' relied on by the Appellant so as to justify granting permission, even for a temporary period of time. Consequently, a temporary permission would also conflict with relevant local and national policy. Dismissing the appeal would result in an interference in the human rights of the appellants and their family. However, that interference would be no more than is necessary to control the use of the site in the general public interest, bearing in mind the legitimate planning policy considerations, and would not be disproportionate in this case.
- In relation to the Public Sector Equality Duty, I consider that none of its aims would be furthered by granting planning permission, given the objections to it that I have identified.

3. Mr Dudley Mills (Kebbell Homes)

Land at Elmsleigh Farm, Send Barns Lane, Send, GU23 7BP

20/P/01885 – The development is the erection of 8 no dwellings, together with associated works.

Decision – Dismissed

Delegated Decision – Non-Determination

Summary of Inspector's Conclusions:

- The main issues are (a) the effects of the proposal on the character and appearance of the area, (b) whether affordable housing should be provided, and (c) refuse and recycling provision.
- The appeal site comprises a longitudinal parcel of land located to the rear of a similar shaped, albeit smaller frontage land at Elmsleigh Farm, which has the planning permission for 6 dwellings. The appeal site is mainly open land, with landscaping, but with no significant trees, and backs onto a stream. On either side of the site, there are gardens associated with residential development on Send Marsh Road and Elmsleigh House on Send Barns Lane.

- The site and its surroundings are located within a designated inset boundary of Send, having been removed from the Green Belt following the adoption of the Guildford Local Plan 2019 (the 2019 LP). Within the surrounding village, development mainly consists of frontage housing, with short tributary roads serving housing off these in some instances. It has a loose-knit urban grain, with a variety of dwelling types, plot sizes and shapes within a spacious and landscaped context. Many properties have long rear gardens and are within a surrounding context of fields, paddocks and landscaped areas. Together with the countryside backdrop to the village, this results in a distinctive local semi-rural character and appearance.
- The proposed development would result in the built form extending from Send Barns Lane towards the river. Individually, the dwellings would be attractively designed in a local vernacular form and style, with first floor tile hanging, steeply pitched roofs and strong roof gables. The revisions to the dwellings and plots 3 and 4 would result in a riparian landscaped buffer alongside the stream.
- However, many of the dwellings would be sited close to one another and where there is separation, this is dominated by hard surfaced carparking and turning, which would give rise to an overly dense form and layout of development. The overall coverage of building and hard surfaced areas, including the access road, would emphasise an overly developed nature of the proposal. Exceptions are the side gardens to the dwellings on plots 1 and 2, but their layout with dwellings with short or minimal back gardens, and wide side gardens accentuates a feeling of a development being 'squeezed-in'. Plot 3's dwelling, garden and boundary walls backing onto the estate road further emphasise a suburban estate style of development inappropriate to the identified character and appearance of the area.
- The proposed 8 dwellings would be a continuation of the permitted dwellings on the frontage. Access would be through this development and the proposed dwellings would be similar in design. However, the proposed residential development would be in a more isolated and exposed position, being located away from the frontage housing and surrounded by landscaped gardens and a stream, with field/paddock beyond this. Furthermore, the proposal would cumulatively result in a marked densely developed finger within a semi-rural context. As a result, the density of overall built form would be far greater than the surrounding area.
- On land off Send Hill, an appeal for 8 dwellings was allowed where there was two dwellings fronting the road and the remainder, behind, served by an estate road. However, the site is located in a different part of Send and the development has a less dense quality with a significant stretch of public open space and rear garden on one side of its estate road. The siting of dwellings close to one another and hard surfacing in between in some cases does though serve to illustrate the adverse over-developed impacts of the proposal before me. In any case, every proposal has to be considered on its particular planning merits.
- Furthermore, there are no other examples of such dense linear extended residential developments with an associated long access drive and as such, the development would be incongruous when compared to the surroundings. For all these reasons, the development would lack an attractive and identifiable character and would have a significant urbanising harm on character and appearance in conflict with Policy D1 of Guildford Local Plan (the 2019 LP) 2015-2034, adopted 2019, Saved Policy G5 of

the Guildford Local Plan (the 2003 LP), adopted 2003 and Send 1 of the Send Neighbourhood Development Plan (NP), made 2021.

- Policy H2 of the 2019 LP sets out affordable homes will be required on sites providing 11 or more homes and that 40% of these homes shall be affordable. If both the 6-dwelling permitted and proposed 8 dwelling sites had come forward as a single entity, this would have resulted in the need for affordable housing provision. The supporting text to Policy H2 states that developments that seek to avoid the requirements of this policy by failing to make the most efficient use of land or by artificially subdividing the land into smaller sites will not be permitted.
- Since at least the time of the 2017 permission for six dwellings, the appeal and frontage site have been in the same ownership. The approved layout plans showed the future possibility of the continuation of the access to serve the appeal development. Irrespective of whether the 2017 /2018 permissions have been lawfully established, there has been a delay in fully building out the permitted dwellings.
- The Green Belt designation of the appeal site was removed with adoption of the 2019 LP and the appeal site now sits within the designated inset boundary of Send. The proposal to remove the appeal site from the Green Belt has been in the public domain since 2014. It is understandable that the Council would want to guard against an attempt to avoid affordable housing obligations. However, any proposal to develop both sites together for housing would run the risk of refusal on Green Belt grounds until the local plan inspector had made his recommendations which would have been after the 2018 application was prepared and submitted. The 6 dwelling permitted scheme allowed for access to future development on the appeal site, but this is understandable to take account of future changes in local and national policy when they formally take place. On this basis, there is no evidence before me that a cynical and contrived subdivision of land took place to avoid the affordable housing policy requirements.
- For all these reasons, it has not been demonstrated that affordable housing provision should be made and therefore, there is no conflict with Policy H2 of the 2019 LP.
- All the dwellings would be provided with storage facilities for both waste and recyclable materials and the revised servicing details show refuse vehicle turning area and tracking. The latest tracking plan, FD 19 -1701 056 D, shows manoeuvring for a standard dimensioned service vehicle. The shown storage points for resident's refuse/recycling bins for plots 3, 4 and 5 would not be within the required 5m collection zone of an operating vehicle. However, such requirements are guidance, and some minor changes could be made to improve the accessibility of the collection areas to bin collectors. A suitably worded planning condition could be imposed to secure this.
- The distance that these residents would have to trail their bins to the collection points would also be beyond the 5m collection limit but if they did not, their bins would not be collected and therefore, there is strong motivation for residents to place bins in the designated area. There are two vehicle parking spaces at the end of one limb of the refuse vehicle manoeuvring area and there would be a need for private vehicles not to be parking within the manoeuvring area shown on the

tracking plan. However, residents would be wanting their bins to be collected and therefore, similarly self-policing should avoid any problematic car parking.

- For all these reasons, there would be acceptable refuse and recycling facilities to serve residents in compliance with Policy D1 of the 2019 LP.
- The proposal, for 8 dwellings, would make a small boost to housing supply early in the plan period of the 2019 LP and would provide a mix of six 3-bedroom and two 4-bedroom dwellings. The local plan inspector for the 2019 LP placed significant weight on the early delivery of housing within the first five years of the plan period. Residents would be within reasonable walking distance of Send Village centre with its range of facilities and services, including convenience store, school and medical centre. Such considerations would modestly weigh in favour of the proposal.
- The proposal would boost housing supply, in a small way, in the early period of the 2019 LP, in a location with reasonable access to services and facilities and would provide a mix of different residential units meeting housing requirements of the development plan. However, there would be harm to the character and appearance of the area in conflict with design policies of the 2019 LP, 2003 LP and NP. Such harm would be significant and overriding for the reasons previously indicated, and there would be conflict with the development taken as a whole.
- There are economic and social benefits in favour of the proposal. However, the National Planning Policy Framework indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The proposal would fail to achieve this because it would not be visually attractive due to poor architecture and layout and would be being unsympathetic to local character. The Council has a 5 Year Housing Land Supply (5YHLS), although this is not a maximum target to be achieved. For all these reasons, there are no material considerations of sufficient weight or importance to determine that the decision should be taken otherwise than in accordance with the development plan. Therefore, planning permission should be refused.
- In relation to the mitigation of the impact of the development on the TBHSPA, there has been no objections from the Council. As there are substantive reasons to dismiss the appeal, there has been no need to consider the acceptability of it within this decision.
- For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed, and planning permission is refused.

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