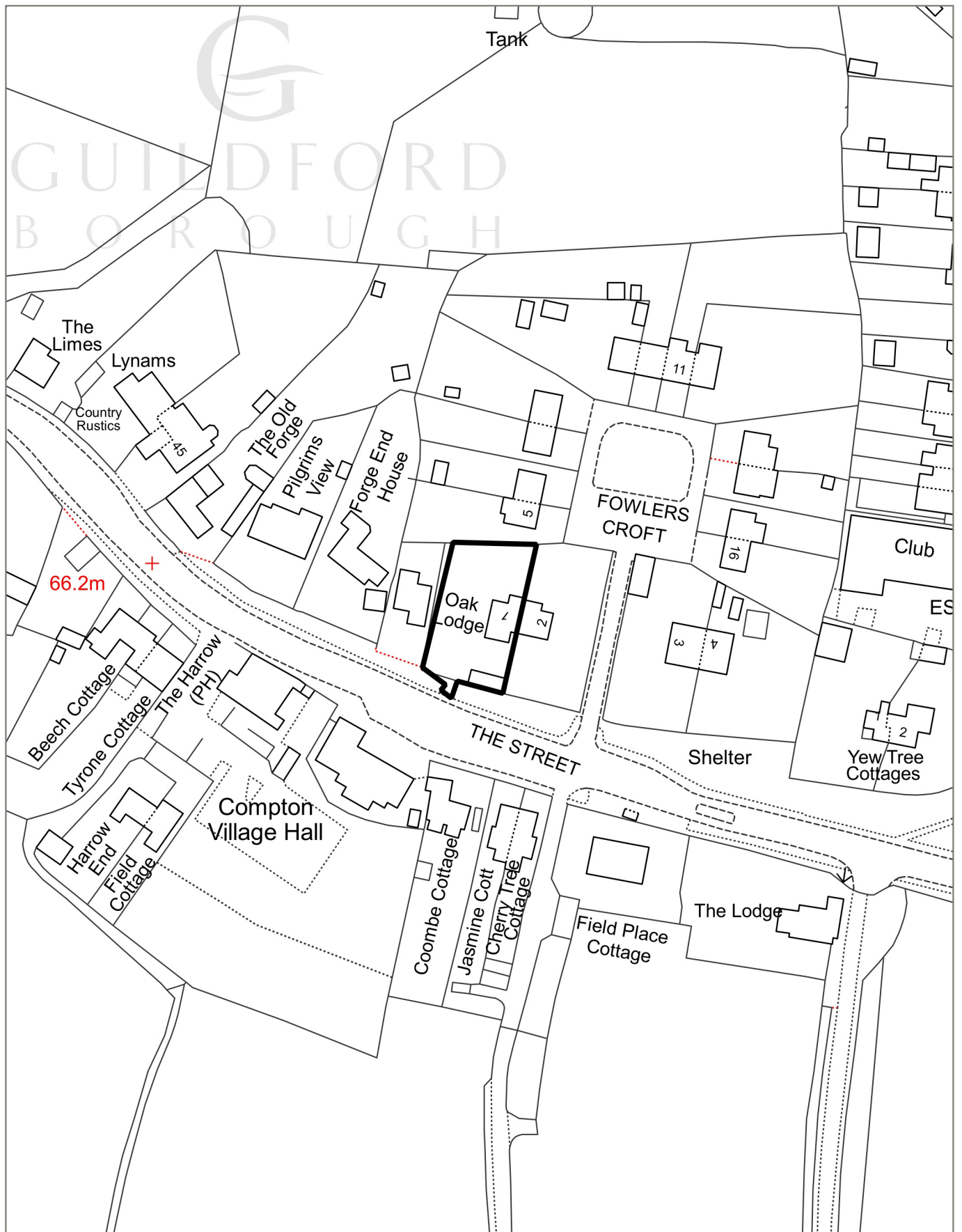


# 22/P/01330 - 1 Fowlers Croft, Compton, Guildford



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Print Date: 12/12/2022

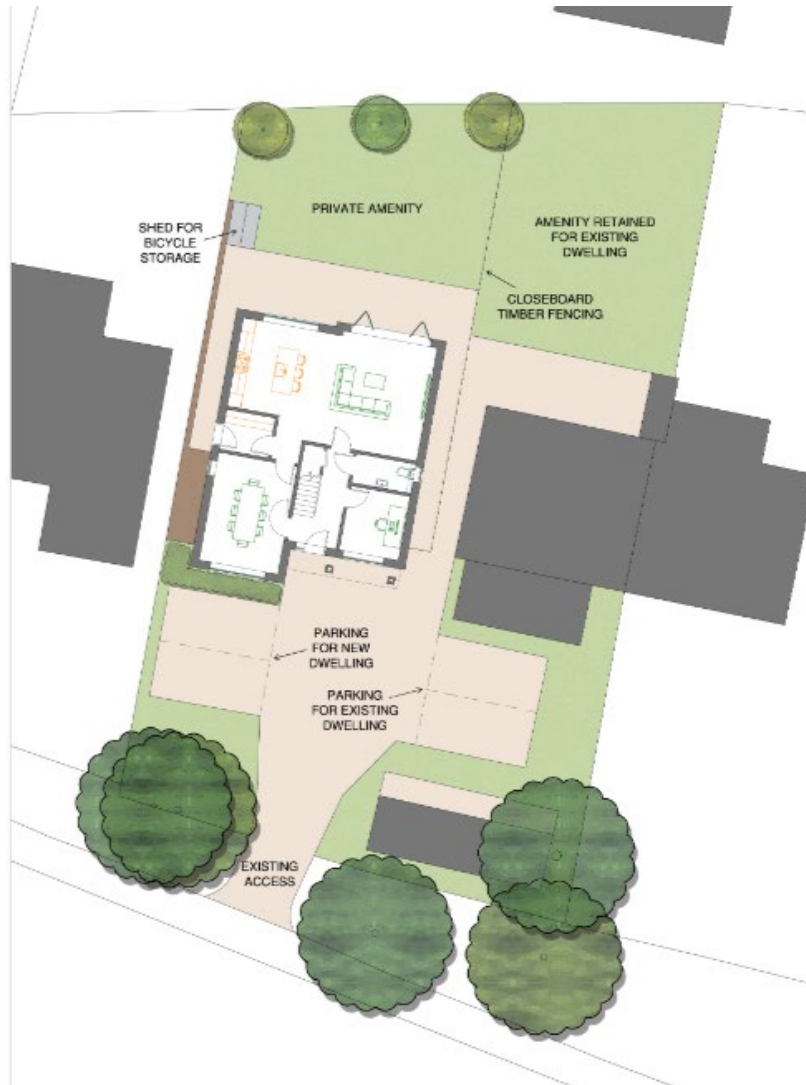


Not to Scale



GUILD FORD  
BOROUGH

22/P/01330 – 1 Fowlers Croft, Compton



Not to scale

**App No:** 22/P/01330  
**Appn Type:** Full Application  
**Case Officer:** Kieran Cuthbert  
**Parish:** Compton  
**Agent :** Mr Kent  
Amasia Architects Ltd  
Lower Barn  
Weston Farm  
The Street  
Albury  
GU5 9BZ

**8 Wk Deadline:** 23/09/2022

**Ward:** Shalford  
**Applicant:** Mr Hirani Hirani  
Hirani Properties Investments  
Ltd  
22 Hillfield Avenue  
Wembley  
London  
HA0 4JS

**Location:** 1 Fowlers Croft, Compton, Guildford, GU3 1EH  
**Proposal:** Subdivision of the existing plot and erection of a detached two-storey dwelling with rooms in the roof.

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee because Cllr Nagaty has raised concerns regarding the impact on the character of the area and the size of the development for the plot.

#### **Key Information**

The proposal is for a two-storey detached dwelling with a habitable loft space located on a site in the centre of the Compton Village in the Green Belt and within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). The proposed site would be created by the subdivision of the existing plot in which No 1 is situated.

The dwelling would have a height of 8.9 metres, follow the common building line and have a shared vehicular access with the donor property.

The dwelling would have 5 bedrooms and two parking spaces.

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

The application site is within the Green Belt however has been assessed to amount to limited infilling in Compton Village under exception e) of paragraph 149 of the NPPF.

The proposal is within the Compton Village Conservation Area. The dwelling is of a similar scale to both adjacent neighbouring dwellings and is set in the same building line. It has similarities to both neighbouring properties including front facing gable end roofs and front sloping pitched roofs. It would also be constructed in similar materials to the neighbouring dwellings. The dwelling would have architectural details to ensure that the variety in buildings, which is a feature of the area would be respected.

This is an important characteristic as the Conservation Officer noted that part of the prevailing character of dwellings in the centre of Compton is the subtle unique qualities with no two dwellings on the street scene completely matching. As such whilst similar the proposal will appear sufficiently unique as to not disrupt this important characteristic.

There are no amenity concerns due to the siting of the dwelling and lack of side windows as well as the dwelling being among other similar style residential developments.

The County Highway Authority have raised no objections to the proposed works. Parking would be sufficient for a dwelling of this scale and access would be shared, so there would be no additional crossover.

The dwelling would comply with adopted space standards and have sufficient daylight due to each principal room having at least one large window.

Whilst there is not loss of biodiversity there is no example of measures for biodiversity enhancements and as such a condition will be included should the application be approved for the provision of bird and bat boxes at the site.

Due to the siting of the development in the village there are no AONB or AGLV concerns

**RECOMMENDATION:**

**(i) That a S106 agreement be entered into to secure:**

**A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area**

**(ii) That upon completion of (i) above, the application be determined by the Executive Head of Planning**

**The application should be granted subject to conditions.**

**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: AAL-22-128-P04 received on 29/07/2022 and AAL-22-128-P01 REV A, AAL-22-128-P02 REV A and AAL-22-128-P03 REV A received on 11/10/2022.

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

3. No development shall commence until levels details including the existing and proposed ground, finished floor, ridge height and hard surfaced areas levels, a datum point and spot heights of the adjoining building(s) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved levels.

Reason: To obtain a satisfactory form and scale of development and safeguard the visual amenities of the locality. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

4. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

5. The hardstanding area hereby permitted on the frontage shall have a permeable (or porous) surfacing which allows water to drain through, or surface water shall be directed to a lawn, border or soakaway, so as to prevent the discharge of water onto the public highway and this should be thereafter maintained.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users

6. Prior to first occupation, details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details and thereafter maintained for the duration of the development.

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

7. The development hereby permitted shall not be occupied until bird nesting and roosting boxes have been installed on the building or in any trees on the site and thereafter maintained.

Reason: In order to preserve and enhance the natural environment including protected species

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

9. The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter maintained.

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

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

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

11. Prior to the commencement of development above the slab level details and samples of the proposed external facing and roofing materials including colour and finish shall be 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.

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

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

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

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

### **Informatives:**

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or [buildingcontrol@guildford.gov.uk](mailto:buildingcontrol@guildford.gov.uk)
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
  - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

Pre-application advice was not sought prior to submission and the application was acceptable as submitted.

### **Officer's Report**

#### **Site description.**

The site forms part of the side garden on No1 Fowlers Croft in the centre of the Compton Village Area to the south west of Guildford. The area is primarily residential with many detached dwellings. The site is within the Green Belt, within the Compton Conservation Area and in an Area of Outstanding Natural Beauty and Area of Great Landscape Value.

The site is within the 5km - 7km buffer zone of the Thames Basin Heath Special Protection Area. It is outside of the Compton Air Quality Management Area (AQMA).

## Proposal.

The proposed site would be created by the sub division of the existing plot in which No 1 is situated.

The dwelling would have a height of 8.9 metres and total footprint of 104sqm.

The dwelling would have 5 bedrooms and two parking spaces.

## Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
17/P/02199	Formation of new access and driveway.	Approve 08/12/2017	N/A

## Consultations.

### Statutory consultees

County Highway Authority: No concerns however requested conditions should the application be approved for vehicle charging points and for access to be completed prior to occupation.

### Non-statutory consultees

Environmental Health: No Concerns

Surrey Hills Area of Outstanding Natural Beauty Officer: The proposal appears somewhat cramped however due to it's siting in the village centre is not an AONB concern.

### Parish Council:

Compton Parish Council have the following concerns:

- Overdevelopment
- Out of character
- Loss of light/ overshadowing impact

## Third party comments:

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

- Sewerage and drainage capacity and access (**Officer Note: This is a matter that would be dealt with under Building Regulation and is not a planning consideration**)
- Loss of light/ overshadowing impact
- Loss of privacy/ overlooking
- Land stability (**officer comment: there would be very limited cut and fill works that would affect adjoining buildings, a levels condition would be suitable to provide further details**)
- Vehicular crossover on Surrey County Council land thus possible access issues (**Officer Note: The Highway Authority who are based at Surrey County Council have been consulted and raised no concerns regarding this**).
- Breach of a covenant (**officer comment: this is private civil matter**)
- Overdevelopment
- Out of character
- Risk to highway safety – vehicular access near a blind bend



- Noise and disturbance during construction and occupation
- Inadequate visitor car parking
- Contractor car parking

### **Planning policies.**

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

Chapter 2: Achieving sustainable development  
 Chapter 4: Decision Making  
 Chapter 5: Delivering a sufficient supply of homes  
 Chapter 11: Making effective use of land  
 Chapter 12: Achieving well-designed places  
 Chapter 13: Protecting Green Belt land.  
 Chapter 16: Conserving and enhancing the natural environment.

#### Guildford Borough Local Plan: Strategy and Sites 2019 (LPSS)

Policy S1: Presumption in favour of sustainable development  
 Policy H1: Homes for all.  
 Policy P4: Flooding, flood risk and groundwater protection zones  
 Policy D1: Place shaping.  
 Policy D3: Historic Environment  
 Policy D2 Climate Change, sustainable design, construction and energy  
 Policy ID3: Sustainable transport for new developments.  
 Policy ID4: Green and blue infrastructure  
 Policy P1: Surrey Hills Area and Outstanding Natural Beauty and Area of Great Landscape Value  
 Policy P2: Green Belt  
 Policy P5: Thames Basin Heath Special Protection Area

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

G1 General Standards of Development  
 G5 Design Code  
 HE7 New Development in Conservation Areas  
 NE4 Species Protection

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.5 years based on most recent evidence as reflected in the GBC LAA (2022). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

#### Guildford Borough Council: Development Management Policies June 2022 (LPDMP)

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

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

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

Policy H8: New Homes

Policy P6/P7: Biodiversity in New Development

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy D18: Conservation Areas

#### Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Planning Contributions SPD 2017

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD

Residential Design Guide SPD 2004

Vehicle Parking Standards SPD 2006

#### **Planning considerations.**

The main planning considerations in this case are:

- principle of development and impact on the Green Belt
- impact on the conservation area
- design and appearance
- the impact on neighbouring amenity
- highway and parking considerations
- sustainable development
- amenity and space standards
- impact on diversity
- Thames Basin Heath Special Protection Area (SPA) mitigation
- legal agreement requirements (SANG/SAMM)

#### The Principle of Development and Impact on the Green Belt

The site is in Compton which is within the Green Belt.

Policy P2 sets out that development proposals within the Green Belt would be considered in accordance with the NPPF; paragraph 149 of the NPPF 2021 states that the construction of new buildings would be deemed inappropriate unless for some limited exceptions the purpose of e) limited infilling in villages. Under Policy P2, this exception is further defined as (c)i. "limited infilling within the identified settlement boundaries, as designated on the Policies Map,"

Compton Village has an identified settlement boundary, and the site of the proposal is in the central area of Compton Village. The supporting text of policy P2 outlines that limited infilling includes the infilling of small gaps within built development and that it should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside or local environment.

The proposed dwelling would be sited between two existing dwellings in a small gap in an existing line of development.

As such considering that the site is within the Compton settlement area and sits in a natural gap of development and the proposal is for a single additional dwelling it can be considered limited infilling.

As such, the principle of a new dwelling on the site is acceptable. Provided it complies with the above listed planning policies and has no adverse impact on the area.

### Impact on the Conservation Area

Statutory provisions:

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 199 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 199-205 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The site is within the Compton Conservation Area. The Compton Conservation Area covers the centre of Compton Village which is an attractive English Village containing the locally listed village hall and former public house. The conservation area is the central hub of the village and is made up of varying styles of dwellings. The conservation area is primarily residential in nature.

1 Fowlers Croft is a residential dwelling in the centre of the conservation area. The dwelling itself is not statutory or locally listed however, it does make up part of the varying street scene of the centre of village Compton. The proposed would add a new dwelling to the street scene and as such alter the appearance of the village centre.

The dwelling would be of a similar scale to both adjacent neighbouring dwellings and is set in the same building line. It has similarities to both neighbouring properties including front facing gable end roofs and front sloping pitched roofs. It would also be made from similar materials to the neighbouring dwellings. The dwelling would have features in the architectural detailing would differentiate it from adjoining buildings in the streetscene. This is an important characteristic as the Conservation Officer noted that part of the prevailing character of dwellings in the centre of Compton is the subtle unique qualities with no two dwellings on the street scene completely matching. As such whilst similar the proposal would appear sufficiently unique as to not disrupt this important characteristic.

As such no material harm to the designated heritage asset has been identified and having due regard to Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 permission should be granted.

### Design and appearance

The site would be in a natural gap in development between Oak Lodge and 1 Fowlers Croft in the centre of Compton village.

Some concerns have been raised that the dwelling would appear cramped in the surround area. However, the officer has reviewed the site plan and the proposed dwelling would have a site width greater than that of the existing Oak Lodge site, the plot shape and size is comparable to plots in the wider village and its neighbours, with space for a front and rear garden whilst respecting the building line. The proposal would also lead to a reduction in the rear garden space of 1 Fowlers Croft however the reduced garden would be comparable in size to the garden of Oak Lodge. Whilst larger dwellings in larger plots are found nearby in the centre of Compton there are many similar sized dwellings with similar plots both to the proposed dwelling and resultant plot size of 1 Fowlers Croft. As such there are no concerns regarding the plot size.

It is noted that the proposed new dwelling would be located 2500mm from the dwelling on Oak Lodge and 2185mm from 1 Fowlers Croft (building to building measurement). The officer noted that along The Street there were many similar gaps between dwellings and many semi-detached dwellings. As such the somewhat proximity of the dwellings would not appear out of character and the gap is sufficient to prevent a terracing affect.

### Impact on neighbour amenity

The neighbouring properties most affected are Oak Lodge and 1 Fowlers Croft

The proposed would by its nature lead to an increase in the built form next to the shared boundaries of each neighbouring dwelling. 1 Fowlers Croft has no windows on this side and as such there would be no detrimental overshadowing impact to this dwelling. Oak Lodge has some side windows facing the proposed however these serve hallways and a bathroom and as such the overshadowing impact here would not have a detrimental impact, as this would affect non-habitable rooms.

The dwelling would only slightly extend beyond the rear elevation line of both neighbouring dwellings however this would not be to a level which would cause a detrimental impact on either dwelling. The Residential Extensions and Alterations SPD has guidance to measure the overshadowing impact, in this case the new house would not breach the 45-degree angle, furthermore the first floor would be inset from the shared boundary with Oak lodge to reduce the overshadowing impact.

The proposed dwelling would have first floor side windows which could potentially overlook neighbouring side windows. These windows do not serve principle rooms and as such can be obscure glazed through a condition. The ground floor also includes a side window on the eastern elevation and one on the western elevation. These side windows would not overlook any side windows of either neighbouring dwelling and as such are considered acceptable.

The first floor rear windows would overlook the rear gardens of adjoining buildings, this an existing relationship and the proposal would not have a greater impact than the existing situation.

### Highway and Parking Considerations

The proposed site plan shows that the existing access would be retained with two parking spaces provided for both 1 Fowlers Croft and the application site. Space would also be allotted for a joint driveway allowing for vehicles to turn around on site.

The County Highway Authority have raised no objections to the proposed works in terms of the impact on highway safety and capacity.

The level of parking provided is considered sufficient for dwellings of this size and meeting the minimum parking standards in the Vehicle Parking Standards SPD 2006

There would be no additional parking for visitors, there would be a condition to require a Construction Transport Management Plan to manage this when construction is in progress. Following occupation given this is for one new home, any increase in parking demand would not be so great as to cause obstructive car parking on surrounding roads, to warrant refusal.

Cycle parking details have also been provided under plan AAL-22-128-P04 which given the storage shed's modest scale and design would be acceptable. The site plan shows that the cycle storage would be set in the rear garden of the dwelling.

No details have been provided regarding refuse collection. This can however be provided by condition.

### Sustainable Development

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraphs 154 through climate change adaptation, provision of green infrastructure and reduction of greenhouse gas emissions. Paragraph 157 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS is the Council's policy to require new development to take sustainable design and construction principles into account, including by adapting to climate change, and reducing carbon emissions and is supported by the Climate Change, Sustainable Design, Construction and Energy SPD 2020.

The application includes the climate and sustainability questionnaire where the applicant has given clear detailed answers on some of the measures intended to mitigate the environmental impact of the proposed dwelling.

Whilst the applicant has stated that materials would be recycled where possible and has answered positively in regards to waste minimisation, only very limited information regarding waste has been provided. As such a waste minimisation plan would be conditioned to ensure the waste hierarchy has been addressed.

The dwelling would be south facing promoting solar heating and trickle ventilation would be incorporated to allow for passive cooling. The site would also include water butts to collect rainwater and would incorporate water reduction features and energy saving appliances.

To ensure a reduction in water usage a condition for compliance with policy D2 in terms of minimum water efficiency standards of 110 litres per occupant per day would be included.

In regards to carbon reduction measures, it is noted that the proposal would be built under new building regulation standards which require a 31% reduction in Carbon which would negate the need for a condition specifically regarding this. However, it is still required that the applicant demonstrate ways in which energy efficiency is being addressed. As such a condition would be included regarding this.

### Amenity and Space Standards

Paragraph 130(f) of the NPPF 2021 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D1(4) of the Guildford Borough Local Plan 2015-2034 states that all new development is expected to have regard to and perform positively against the recommendations set out in the latest Building for Life guidance and conform to the nationally described space standards (MHCLG).

The dwelling well exceeds the minimum space standards required for a property of the proposed number of bedrooms and storeys and would exceed the bedroom size requirements.

The existing plot would be divided in half and as such the outdoor amenity space of the existing dwelling would be halved. The existing plot is however large. As such the resultant rear garden space for both 1 Fowlers Croft and the application dwelling would be of a size roughly equal or greater to the footprint of the dwellings they serve. Each property would also have a modest amount of frontal green space.

As such the officer is satisfied each dwelling would have sufficient outdoor amenity space.

The plans show that each principal room on the ground and first floor would be served by at least one large window and as such there is an appropriate amount of natural light provided and as such no concerns related to living conditions.

The loft bedroom is served by two rooflights. Given the room's size, the rooflights of the adjoining rooms and side window of the adjoining staircase the officer does not consider there to be a lack of sufficient light or outlook to this room.

### Impact on Biodiversity

Policy ID4 of the LPSS, 2015-2034, requires a net gain in biodiversity to be achieved in connection with any new development.

The dwelling would be constructed over existing hardstanding. As such the erection of the dwelling would not result in a loss of habitat. The proposed dwelling would also make use of the existing garden of 1 Fowlers Croft and as such the site would not encroach across currently open land.

Whilst there is no loss of biodiversity there is no example of any enhancements as such a condition would be included should the application be approved for the addition of bird and bat boxes at the site. This amount of net gain is considered appropriate for a development of this scale.

#### Impact on the AONB & AGLV

The proposal sits in the centre of a residential area surrounded by other developments and as such there are no AONB or AGLV concerns.

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

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

The SANG and SAMM amounts are as follows:

SANG - £10,239.60

SAMM - £1,363.93

In line with standing advice from Natural England, as part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy.

#### Legal agreement requirements

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

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

As the application would result in the net gain of 1 new residential unit, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. The contributions are required to improve existing SANGS and ensure they are maintained in perpetuity; the SANGS is existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development. In conclusion, the Council is of the opinion that the legal agreement would meet the three tests set out above.