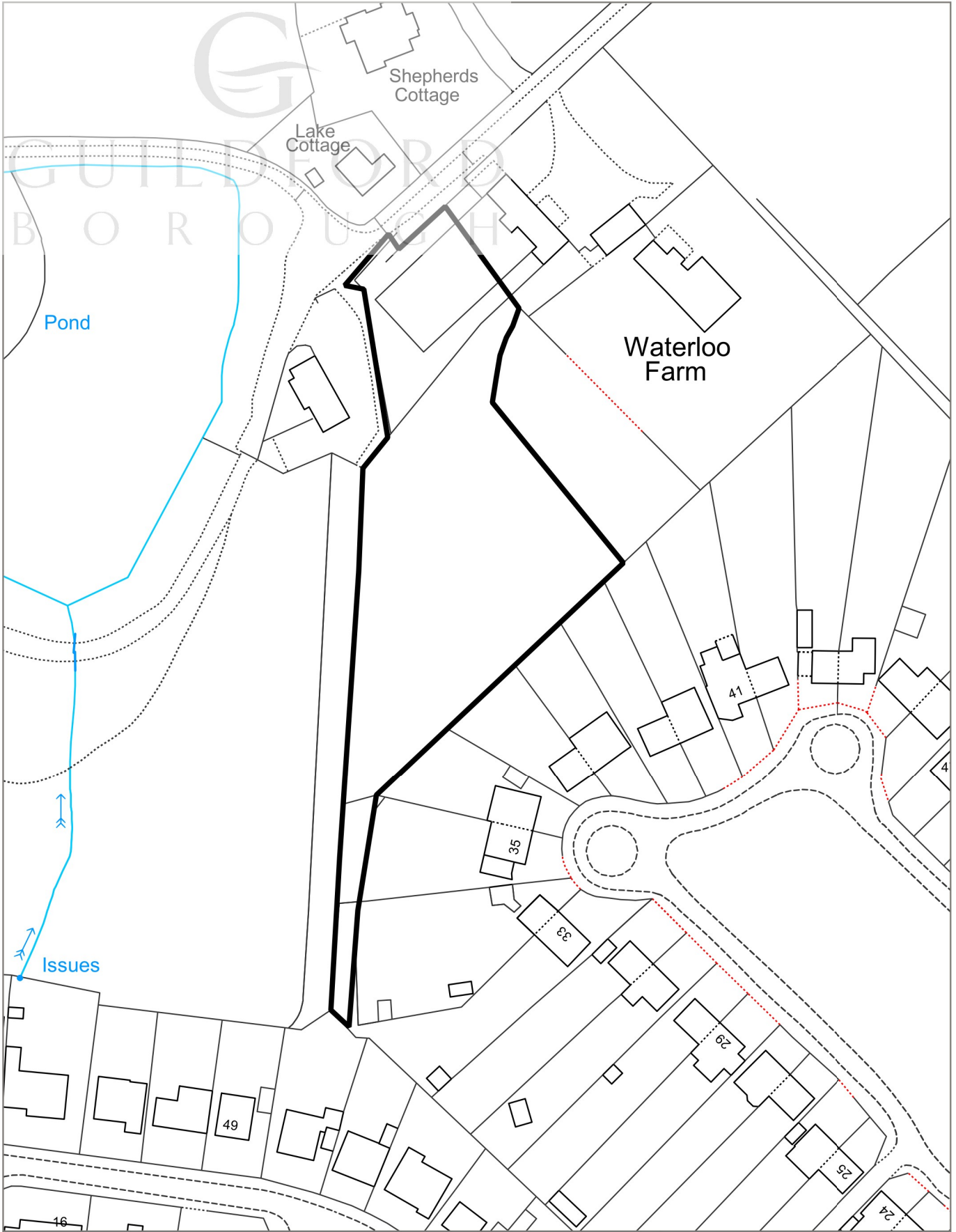


# 19/P/02096 - Waterloo Farm, Ockham Road North, West Horsley, Leatherhead



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Print Date: 11/05/2023



Not to Scale



GUILD FORD  
BOROUGH

**19/P/02096 – Waterloo Farm, Ockham Road North, West Horsley  
Leatherhead, KT 24 6PE**



**Not to scale**

**App No:** 19/P/02096  
**Appn Type:** Full Application  
**Case Officer:** Carolyn Preskett  
**Parish:** West Horsley  
**Agent :** Mr. Richard Goodall  
Advoco Planning Limited  
14 Oak Hill  
Alresford  
Hampshire  
Alresford  
SO24 9LB

**8 Wk Deadline:** 19/05/2023

**Ward:** Clandon & Horsley  
**Applicant:** Mr. and Mrs. CPB Roe  
Waterloo Farm  
Ockham Road North  
West Horsley  
KT24 6PE

**Location:** Waterloo Farm, Ockham Road North, West Horsley, Leatherhead, KT24 6PE

**Proposal:** Proposed erection of one single storey detached dwelling and four two storey detached dwellings with garaging, associated landscaping and modification of existing access. (amended description)(as amended by plans received 4 March 2023)

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee because more than 20 letters of objection have been received, contrary to the Officer's recommendation.

#### **Key information**

The proposed development is for five detached dwellings.

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

The principle of the proposed development within allocated site A39 is found to be acceptable.

The proposed housing mix would be in general conformity with policy H1 of the Local Plan 2019 and WH4 of the West Horsley Neighbourhood Plan.

The proposal would not have a detrimental impact on the character and appearance of the area. It would not cause a harmful impact on neighbouring amenity or highway safety. The proposal is also considered to be acceptable in terms of impact on trees, ecology and sustainability.

The applicant has submitted a Unilateral Undertaking to secure SANG and SAMM which is currently being checked by the Council's Legal Department.

The application is recommended for approval.

### **RECOMMENDATION:**

**Subject to a Unilateral Undertaking Agreement securing SANG and SAMM the decision is to:**

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans.

- 0115 REV 02 AMENDED SITE ACCESS received 21 April 2022

The following plans received 4 March 2023

- 0101 REV 02 AMENDED BLOCK PLAN
- 0112 REV 01 AMENDED SITE LAYOUT
- 0211 REV 08 AMENDED UNIT 1 PLANS
- 0212 REV 08 AMENDED UNIT 2 PLANS
- 0213 REV 09 AMENDED UNIT 3 PLANS
- 0214 REV 07 AMENDED UNIT 4 GF PLAN
- 0215 REV 02 AMENDED UNIT 4 1ST FLOOR PLAN
- 0216 REV 02 AMENDED UNIT 4 ROOF PLAN
- 0217 REV 08 AMENDED UNIT 5 GF PLAN
- 0218 REV 08 AMENDED UNIT 5 FIRST FLOOR PLAN
- 0219 REV 03 AMENDED UNIT 5 ROOF PLAN
- 0310 REV 06 AMENDED STREET ELEVATION
- 0311 REV 06 AMENDED UNIT 1 ELEVATIONS
- 0312 REV 07 AMENDED UNIT 2 ELEVATIONS
- 0313 REV 07 AMENDED UNIT 3 ELEVATIONS
- 0314 REV 06 AMENDED UNIT 4 ELEVATIONS
- 0315 REV 02 AMENDED UNIT 4 ELEVATIONS
- 0316 REV 05 AMENDED UNIT 5 ELEVATIONS
- 0317 REV 05 AMENDED UNIT 5 ELEVATIONS

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

3. No development shall take place above slab level until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

4. Prior to the commencement of development, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon technology shall be achieved. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

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

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

Reason: In the interests of visual and/or residential amenity.

6. 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.

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 in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

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

8. No development shall take place until a scheme for the provision of surface water drainage works from the site (including surface water from the access/driveway), including measures to prevent the discharge of water onto the public highway and incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be brought into first occupation until the approved surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained.

9. The following package of measures shall be implemented at the applicants expense through a S278 Agreement in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development:-  
Speed reduction measures, including the extension of the 30mph speed limit, speed humps, priority give-way and all related signage shall be introduced on Ockham Road North, such details to be first agreed with the Local Planning Authority following consultation with the County Highway Authority but generally in accordance with Drawing No. HTP/2028/06/E Sheets 1 to 3.

Reason: The above 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 visibility zones have been provided in accordance with the approved plans, Drawing No. 2028/01 Sheets 1 and 2 and Drawing No. 2028/04, thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: The above 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. The development hereby approved shall not be first occupied unless and until a vehicular passing pass has been provided on the access track to/from the site in accordance with the approved plans and thereafter shall be retained and maintained for its designated purpose.

Reason: The above 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.

12. 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, Drawing No. 0112 Rev 1, 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: The above 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.

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

Reason: The above 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.

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

Reason: The above 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.

15. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The above 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.

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

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

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

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

#### **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.



In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
4. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.  
Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.  
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

7. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment – this will be at the developer's own cost.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
9. The proposed speed limit change under condition 1, shall require the provision of a Traffic Regulation Order prior to first occupation of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made

## **Officer's Report**

### **Site description.**

The application site relates to an area of residential land located to the south-west of the main residential farmhouse and the associated ancillary barn (which benefits for planning permission to convert into two dwellings). The site is accessed via a private road leading from Ockham Road North and adjoins the Horsley Camping and Caravan Site to the south-west and residential properties along Nightingale Crescent to the south.

The site is located within the 400m to 5km buffer zone of the Thames Basin Heaths Special Protection Area.

The site forms part of the policy A39 site allocation.

### **Proposal.**

Proposed erection of one single storey detached dwelling and four two storey detached houses with garaging, associated landscaping and modification of existing access.(amended description) (as amended by plans received 4 March 2023)

**Relevant planning history.**

<b>Reference:</b>	<b>Description:</b>	<b>Decision Summary:</b>	<b>Appeal:</b>
22/P/01114	Erection of a pair of semi detached houses as a barn, 1x3 bed and 1x2 bed (plots 3 and 4)	Approved 05/10/2022	N/A
18/P/01885	Provision of 4 dwellings through a combination of conversion and extension of existing barn and new build, along with the extension of the existing coach house to provide additional ancillary domestic accommodation in connection with the domestic use of Waterloo Farm, construction of new pool house and formation of new access and creation of new gates.	Approve 28/03/2019	N/A
15/P/01965	Certificate of lawfulness for an existing development to establish whether planning permission 10/P/01550 for the conversion of redundant barn (currently used for ancillary residential purposes) into one residential unit and one live/work unit (approved 22/12/2010) has been lawfully implemented within the time required by Condition 1 and planning obligation required by Condition 11 and that Conditions 3 and 4 are not conditions precedent of that permission.	Refuse 25/04/2016	N/A
14/P/00012	Outline application for the erection of three detached dwellings (access only to be considered).	Refuse 27/02/2014	N/A
10/P/01550	Conversion of redundant barn (currently used for ancillary residential purposes), into one residential unit and one live/work unit (additional plans received 22/09/10).	Approve 23/12/2010	N/A

## **Consultations.**

### Statutory consultees

County Highway Authority: Recommend conditions

Natural England: No objection to the Appropriate Assessment.

Environment Agency: Flood Risk Standing Advice

### Thames Water:

Waste Comments: no objection based on the information provided

Water comments: with regard to surface water drainage, Thames Water have advised that if the developer follows the sequential approach to disposal of surface water that they would have no objection.

Surrey Wildlife Trust: A re-consultation was made following the receipt of amended plans and SWT recommend that a suitably qualified ecologist surveys the site prior to determination as the submitted documents are now more than three years old. (Officer note: The delays in determining this application lie with the LPA and not the applicant. Officers have requested the reports and are currently awaiting their receipt. It is noted that SWT did not object to the original plans as there was no evidence of protected species habitats on site and as such the proposed development it was concluded would not harm in this regard, however, a number of recommendations were made in order to ensure development is ecologically sensitive and respectful to the site)

### Internal consultees

Environmental Health: No objection.

Recycling and Waste: Objection to original plans. No swept path analysis has been provided, nor details of where homeowners will present their bins or where bins will be stored. (Officer note: Recycling and Waste have been reconsulted on the amended plans and chasing emails have been sent. No response has been received)

### West Horsley Parish Council: objection on the following grounds

- Design and Access Statement incomplete (Officer note: The full document was uploaded to the website after this comment)
- access track to the site in private ownership
- concerns over flooding and site should not be considered in isolation
- conflict with A39 as no self build or custom building plots are provided
- suburban form of development in a distinctly rural area
- scale of the buildings is large, of greater height and footprint than existing development on adjoining site to south
- Unit 5 proposes an annexe capable of independent use
- insufficient boundary clearances to respect long established gardens of adjacent built form
- loss of privacy
- poor layout
- no proposals to enhance or improve the pedestrian routes to the local station and shops.
- conflict with Policy ID3 of the Local Plan
- no details of avoidance or mitigation have been submitted contrary to Policy P5 of the Local

#### Plan

- conflict with Policy WH2 of the Neighbourhood Plan
- cramped appearance
- large areas of hardstanding, with parking provision dominating the street scene
- piecemeal approach to the development will result in remainder of the site being uncharacteristically higher density to meet allocated site target
- does not reflect local distinctiveness
- loss of important trees without any replacement planting
- does not reflect required housing mix on the site
- biodiversity concerns
- conflict with dark skies policies

Following the receipt of amended plans the Parish Council have made further comments:

- although the applicant has made small changes to the design and layout these serve only to address points 2.17 and 2.18 of our original objection dated 16 January 2020. All major concerns raised in that communication remain unaltered.
- proposals still considered to be in breach of Policies A39, D1, ID3 and P5 of the LPSS 2019 and Policies WH2, WH3, WH12, WH13, WH14 and WH15 of the West Horsley Neighbourhood Plan

#### Amenity/Preservation Societies

##### Horsley Countryside Preservation Society: Object.

The development when combined with recently approved dwellings at Waterloo Farm represents development creep without any overall plan for the site allocation A39. The site is subject to unacceptable flood risk from a combination of high groundwater table and the lack of surface water run-off, the proposal would raise new homes clear of floodwater by 1.5 metres which will shift the local flooding problem elsewhere thereby setting a precedent for the rest of the allocated site. The housing mix is not compliant with the neighbourhood plan. The proposed homes are totally out of keeping with the size and scale of the adjacent properties on Nightingale Crescent, the cottages opposite and the former agricultural buildings adjacent to Waterloo Farm. It would create a dominant built environment in a rural edge of village setting. No information to explain how light pollution will be prevented in this sensitive location.

##### Camping and Caravan Club: no objection but raise the following comments

- noise and disruption during construction
- ensure private track not blocked during construction to ensure safe access and egress to the campsite at all times

Third party comments:

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

- wildlife concerns
- flooding
- noise and disruption during construction
- loss of light
- loss of privacy
- increase in traffic
- overlooking
- size and scale of buildings out of character

- light pollution
- land should not be taken out of the Green Belt
- inaccuracies in plans
- housing mix and tenure contrary to Local Plan Policy H1, SHMA requirements and West Horsley Neighbourhood Plan WH4
- loss of biodiversity
- future access for maintenance and upgrading of on site trunk sewers
- no affordable housing
- landowners should not be allowed to break up larger sites in order to avoid or reduce planning obligations
- poor public transport
- inadequate infrastructure
- lack of designated rural status
- important rural tourism amenity will become unviable
- concerns over safe access to the site
- traffic safety concerns
- no safe pedestrian access
- no biodiversity net gain
- devalue neighbouring properties
- overbearing impact

Following the receipt of amended plans 9 additional letters have been received reiterating the original comments and making the further points:

- pollution
- struggling already with noise of building work currently being done just beyond this site
- loss of trees
- undesirable precedent
- Planning policies
- inaccuracies in description and supporting documents
- very suburban appearance
- close boarded fencing unnecessarily urbanised this edge of village site

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

Chapter 5: Delivering a sufficient supply of homes.

Chapter 11: Making effective use of land.

Chapter 12: Achieving well-designed places.

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

Chapter 15: Conserving and enhancing the natural environment.

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

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan.

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA 2022. In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

H1	Homes for all
D1	Place shaping
D2	Climate change, sustainable design, construction and energy
ID3	Sustainable transport for new developments
ID4	Green and blue infrastructure

Guildford Borough Council: Development Management Policies (LPDMP) March 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted on 22 March 2023 and the policies are given full weight.

Policy P6:	Protecting Important Habitats and Species
Policy: P7	Biodiversity in New Developments
Policy D4:	Achieving High Quality Design and Respecting Local Distinctiveness
Policy D5:	Protection of Amenity and Provision of Amenity Space
Policy D7:	Public Realm
Policy D11:	Noise Impacts
Policy D12:	Light Impacts and Dark Skies
Policy D14:	Sustainable and Low Impact Development
Policy ID10	Parking Standards

South East Plan, 2009:

NRM6 Thames Basin Heath Special Protection Area

West Horsley Neighbourhood Plan, 2016-2033:

WH2: Design Management in the Village Settlement.  
 WH3: Design Management within Rural Areas  
 WH4: Housing Mix.  
 WH12: Green and Blue Infrastructure  
 WH13: Sustainable Urban Drainage  
 WH14: Biodiversity.  
 WH15: Dark Skies.

Supplementary planning documents:

Residential Design Guide SPD 2004  
 Climate Change, Sustainable Design, Construction and Energy SPD (2020)  
 Parking Standards for New Development Supplementary Planning Document March 2023  
 Thames Basin Heaths Special Protection Area Avoidance Strategy, 2017.  
 Surrey County Council Vehicular and Cycle Parking Guidance, 2018.  
 National Design Guide, 2019.

**Planning considerations.**

The main planning considerations in this case are:

- the principle of development
- the impact on the character of the area
- living environment
- the impact on neighbouring amenity

- highways/parking considerations
- impact on trees
- drainage
- sustainability
- Thames Basin Heaths Special Protection Area
- Legal agreement requirements

#### The principle of development

Paragraphs 119 and 120 of the NPPF state that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.

The site is located within an area of West Horsley which has been inset from the Green Belt as part of the adopted Local Plan: Strategy and Sites 2015-2033. The spatial strategy for the future development of the application site and the land surrounding it is set out in Policy A39. The policy notes that the larger site, totalling 8 hectares, is allocated for approximately 120 homes (C3).

Policy H1 of the LPSS 2015-2034 states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location. Policy WH4 of the West Horsley Neighbourhood Plan seeks a mix of one, two and three bed open market homes. The proposed development is for 1 two-bed unit, 2 three-bed units and 2 four bed units. Given the size of the application site, the location of the site and the overall provision of dwellings across the wider allocated site, the mix would be in general conformity with the requirement of the SHMA and Policy WH4 when combined with these factors and as such is considered to be acceptable.

The site is located within the designated Inset boundary of West Horsley, having recently been removed from the Green Belt following the adoption of the new Local Plan. As the site is not within the Green Belt there is no requirement to assess the proposal against the restrictive Green Belt policies.

As such, the principle of residential development on the site is acceptable.

#### The impact on the character of the area

WH2 of the West Horsley Neighbourhood Plan requires development proposals to maintain local character and countryside views through good design reflective of the locality, high quality materials, buildings of sympathetic scales, the retention of established healthy trees, and the avoidance of a parking dominated frontage.

The character and appearance of the surrounding area is largely residential, comprising traditional detached and semi detached units. The application site currently forms a maintained mown grass area serving the large farmhouse.

The proposal would result in the construction of five detached dwellings with associated access and landscaping. The proposed dwellings would be of significant scale individually and would all feature garaging. An integrated single garage for Unit 1, an attached single garage for units 2 and 3 and a detached double garage to the front of units 4 and 5. Unit 1 at the entrance to the proposed cul de sac would be single storey leading to the additional four two storey dwellings.



The proposed palette of materials would consist of red multistock facing brickwork, traditional patterned clay tile hanging to upper floor, plain clay tiled roof, white painted timber and aluminium windows and doors. The materials are considered to be acceptable and appropriate in this semi rural location. The properties would have good separation distances between each other. A condition is recommended in the event planning permission is forthcoming to secure additional information regarding external materials. A further condition regarding external lighting is also recommended to ensure that light spillage is kept to a minimum in line with Policy WH15 of the Neighbourhood Plan.

The proposal would result in a higher density of development than that of the surrounding area, with uncharacteristically small gardens for units 1 and 2 in particular, however, the density proposed is appropriate given Policy A39 of the LPSS and the provision of approximately 120 homes on the wider site.

Subject to the necessary conditions, the proposed development would not have a harmful impact on the character of the surrounding area, in compliance with policy WH2 of the West Horsley Neighbourhood Plan 2018, policy D4 and D7 of the LPDMP, policy D1 of the LPSS and the NPPF.

#### Living environment

Policy H1(3) of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the creation of one, two bedroom, single storey dwelling, two, three bedroom, two storey dwellings and two, four bedroom, two storey dwellings. The internal floor area of all dwellings would exceed the maximum requirement for such dwellings as set out in the national space standards. The space standards set out further requirements in terms of bedroom sizes and dimensions and it is found that the dwellings would also meet with these requirements.

The rear external amenity space to be provided with each unit is relatively small, considering the size of the accommodation, the smallest of which would serve units 1 and 2. These smallest gardens align with a hedge to their rear boundaries whilst the other units that would have larger gardens would have trees outside of their ownership immediately adjacent to their rear boundaries. Officers have raised concerns in relation to these trees and the potential pressure on them to be removed once the properties were occupied. The trees are outside of the control of the applicant and would be outside of the control of future occupiers. In addition some of these trees are ash trees and therefore there is potential for them to be removed in the near future due to die back. The trees wispy form and high canopies would also reduce their ability to overshadow gardens. As such , the proximity of the proposed dwellings to these trees is not considered so significant as to warrant a refusal of planning permission on grounds of overshadowing.

#### The impact on neighbouring amenity

The proposal would be located in close proximity to a number of residential properties, the south-east of the site adjoins the rear boundaries of a number of dwellings along Nightingale Crescent, to the north, separated by the access road, are two residential dwellings and to the north-east at the time the application was originally made in 2019 was an existing barn within the grounds of Waterloo Farm but for which planning permission was recently granted for four new dwellings on that site.

### Nightingale Crescent

Unit 5 is the closest proposed dwelling to the properties along Nightingale Crescent. Its design features a single storey double garage which would run along the shared boundary between the site and Nightingale Crescent. The main two storey dwelling would be positioned away from the boundary and would not have its primary living accommodation facing towards the neighbouring dwellings and as such the proposal would not result in any significant loss of privacy to these neighbours. The proposed dwelling and existing dwellings would be well separated with the proposal to the north of Nightingale Crescent, therefore, the proposal would not result in material harm to light levels received and combined with existing boundary treatments would not lead to an overbearing impact.

### Lake Cottage/Sheperds Cottage

These properties are nearest to Unit 1 of the proposed scheme, at the closest point Lake Cottage would be approximately 17 metres from the side elevation of Unit 1 and Sheperds Cottage approximately 46 metres. The separation distance would prevent any materially harmful overbearing impact or loss of light to these dwellings. The proposed unit 1 following the receipt of amended plans would be single storey with only one ground floor level window in the side elevation serving the dining room facing these properties, therefore, there are no concerns regarding the privacy of these neighbours. Whilst the proposal would generate additional traffic which would use the access road, this currently serves the Horsley Camping and Caravanning Club and the additional traffic is not considered to cause detrimental levels of noise from a modest increase in the intensity of the site.

### Permitted dwellings at Waterloo Farm ref 22/P/01114

Planning Application 22/P/01114 was granted planning permission in October 2022 and as such the potential impact of the proposed scheme on the approved dwellings needs to be considered. The private rear gardens for the two dwellings to be formed on the site of the existing barn would be immediately adjacent to the frontage of Unit 1 of the proposed scheme. Unit 1 following the receipt of amended plans would be single storey and as such concerns relating to overlooking have been overcome.

As such, the proposals would be in accordance with Policies D5 and D7 of the LPDMP 2023 and the requirements of the NPPF, 2021.

### Highways/parking considerations

The proposed dwellings would all feature garaging and external parking spaces, the two and three bedroom units would accommodate three cars, one within a garage and two externally, whilst the 4 bed units could accommodate four vehicles, two within a detached garage and two externally. The proposed parking arrangement and provision would exceed the Council's Maximum Parking requirements and is therefore found to be acceptable in this regard.

The County Highway Authority have reviewed the application and requested further information for assessment before they could be satisfied that the proposal would have no adverse impact on highway capacity or safety. The access track to/from the site is relatively straight and benefits from sufficient forward visibility. A passing place would be provided along the access track. Swept path analysis demonstrates that a car towing a caravan can use the passing place effectively. Given the limited number of trips associated with the proposal and the achievable forward

visibility, the provision of one passing place is deemed acceptable by the CHA in this location. Speed calming measures and an extension of the 30mph speed limit would ensure that the achievable visibility where the access track meets Ockham Road North is acceptable. It is not considered that the proposed development would result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal will not have a material impact on highway safety.

The applicant has agreed to a package of speed reduction measures including the extension of the 30mph speed limit, speed humps, priority give way and all related signage on Ockham Road North. The traffic calming measures would be secured through a s278 agreement at the applicant's expense. In addition to a condition relating to the implementation of the traffic calming scheme, conditions relating to a vehicle passing place, electric vehicle charging points, bicycle storage and charging facilities and a Construction Transport Management Plan are also recommended in the event planning permission is forthcoming.

Therefore, the proposal would be in accordance with Policy ID3 of the 2019 Local Plan and the NPPF 2021 in this regard.

#### Impact on trees

The Council's Arboricultural Officer has reviewed the proposed scheme and is satisfied that the proposed tree retention and removals within the red line of the development are arboriculturally acceptable.

However, concerns have been raised in regard to the proximity of the plots 3, 4 and 5 in relation to the adjacent maturing Oak and Ash trees situated within the Camping and Caravanning Club site. The proximity of tall trees has the likely potential to cause anxiety for future occupiers, particularly as the proposed garden spaces are relatively modest. Leaf fall and detritus are symptomatic of trees growing in the built environment and a part of the natural life cycle of trees but again can cause conflict with new occupiers. These trees have yet to reach full maturity, and as stated within the British Standard 5837, (Trees in relation to design, demolition and construction) consideration for a tree's ultimate growth (height and width) should be taken into account so as to reduce the need for frequent remedial pruning or other maintenance. The applicant has addressed the issues relating to trees outside of the application site and states that they would be out of the control of any future occupiers of the development and as such could not reasonably apply pressure for these to be removed and upon purchase would be aware of their protection. In addition, the shorter gardens of the development would align with a highish hedge whilst the taller trees would align with the slightly deeper gardens. Also some of the trees are ash trees as may well need to be removed in the future due to die back. These ash trees are also quite wispy in form and have high canopies, both of which would limit their ability to overshadow gardens.

As such, the proposal would comply with policy P6 of the LPDMP 2023 and the requirements of the NPPF, 2021.

#### Bin storage

The recycling and waste officer has been reconsulted on the amended plans but has not responded. Each property has an adequate bin storage and SCC Highways have not objected to the layout.

A condition is recommended in the event planning permission is forthcoming to ensure appropriate bin storage and waste collection would be achieved.

### Flooding and Drainage

The application site is located in flood zone one regarding river flooding, however, the Environment Agency maps show that the southern corner of the site is within an area with a medium to low risk of surface water flooding. As the proposal would result in the creation of hardstanding which would contribute to increased run-off, the site would change from having an impermeable area of 0% to 41%, the applicants have submitted a technical note which proposes two potential options for drainage. However, as no drainage scheme has been set and further investigations are required by the guidance in the technical note, were the application found to be acceptable a condition is recommended to be added to ensure the submission of a surface water drainage scheme to ensure that this surface water flooding risk is dealt with appropriately.

### Sustainability

Policy D2 of the LPSS requires proposals to include information that sets out how sustainable design and construction practice would be incorporated. Policy D2 requires that minor developments should submit information proportionate to the size of the development in the planning application. All new buildings are to achieve a 20% reduction in carbon emissions through sustainable design, using a fabric first approach, following the energy hierarchy. The information is required in order for decision makers to assess whether the climate change and sustainable development requirements set out in planning policy have been met. As the Climate Change SPD states: "If the required information is not provided at the right time, it is likely that decision makers will be unable to conclude that the proposal is compliant with planning policy and planning permission will be refused."

The applicants have provided a completed climate change questionnaire with the application, policy D2 requires applications for development to include information setting out how sustainable design and construction practice will be incorporated, including the level of information to be provided. The degree of information required within this statement is expected to be proportionate to the scope of the development. This application comprises 5 new dwellings.

The application has highlighted the following points:

- Committed to ensure reuse and/or recycling of existing and surplus materials during construction;
- Committed to sourcing local and use local companies where possible;
- Committed to products being sustainably sourced ;
- Layout and size of openings to maximise natural daylight;
- Inclusion of permanent window and door ventilation;
- inclusion of water efficiency measures
- Committed to the inclusion of water butts for rainwater collection.

With regard to sustainable life styles cycle parking areas for the new properties are proposed and electric vehicle charging points.

The application is not accompanied by a new build SAP calculation. However, it is considered that a satisfactory carbon reduction from the Target Emission Rate can be achieved and a suitably worded condition is recommended to achieve this. The applicant has agreed to a pre commencement condition.

The applicant in both the design of the plans and climate change questionnaire have shown consideration to producing a sustainable design and construction. As such the officer is satisfied that the proposal would comply with policy D2 of the LPSS 2015-2034 and Policy D14 of the LPDMP (2023).

### Biodiversity and protected species

The application has been accompanied by a Biodiversity Statement which sets out the impact of the proposal on protected species and identifies opportunities for biodiversity net gains in line with the requirements of the Neighbourhood Plan, the Local Plan and the NPPF. There is no evidence of protected species habitats on site and as such the proposed development would not harm in this regard, however, a number of recommendations are made in order to ensure development is ecologically sensitive and respectful to the site. Surrey Wildlife Trust have been consulted on the amended plans and have commented on the age of the submitted Biodiversity Statement which relates to site surveys from October 2019. Surrey Wildlife Trust have recommended that these surveys are undertaken again.

The excessive delays on this application are down to the LPA and not the applicant. The applicant has been asked for updated ecological surveys.

As such, a condition is recommended in the event planning permission is forthcoming to ensure the recommendations of the submitted Biodiversity Statement and any updates on this survey are implemented to ensure the development is ecologically sensitive and respectful of the site. In terms of biodiversity enhancements the recommendations for this are also set out within the submitted Biodiversity Statement and a condition is recommended to secure biodiversity net gain.

Therefore, the impact of the proposal on the biodiversity and protected species would be compliant with policies P6 and P7 of the LPDMP 2023.

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

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

As part of the application process the Council has undertaken an Appropriate Assessment (AA) in line with Standing Advice from Natural England, 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.

The applicant has agreed to enter into a legal agreement to secure the necessary mitigation against the harm caused by the development to the integrity of the Thames Basin Heaths Special Protection Area.

### 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 5 new residential units, in order for the development to be acceptable in planning terms, a legal 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.

### **Conclusion.**

The principle of the proposed development within allocated site A39 is found to be acceptable. The proposed housing mix would be in general conformity with policy H1 of the Local Plan 2019 and WH4 of the West Horsley Neighbourhood Plan.

The proposal would not have a detrimental impact on the character and appearance of the area. It would not cause a harmful impact on neighbouring amenity or highway safety. The proposal is also considered to be acceptable in terms of impact on trees, ecology and sustainability. The application is therefore recommended for approval.