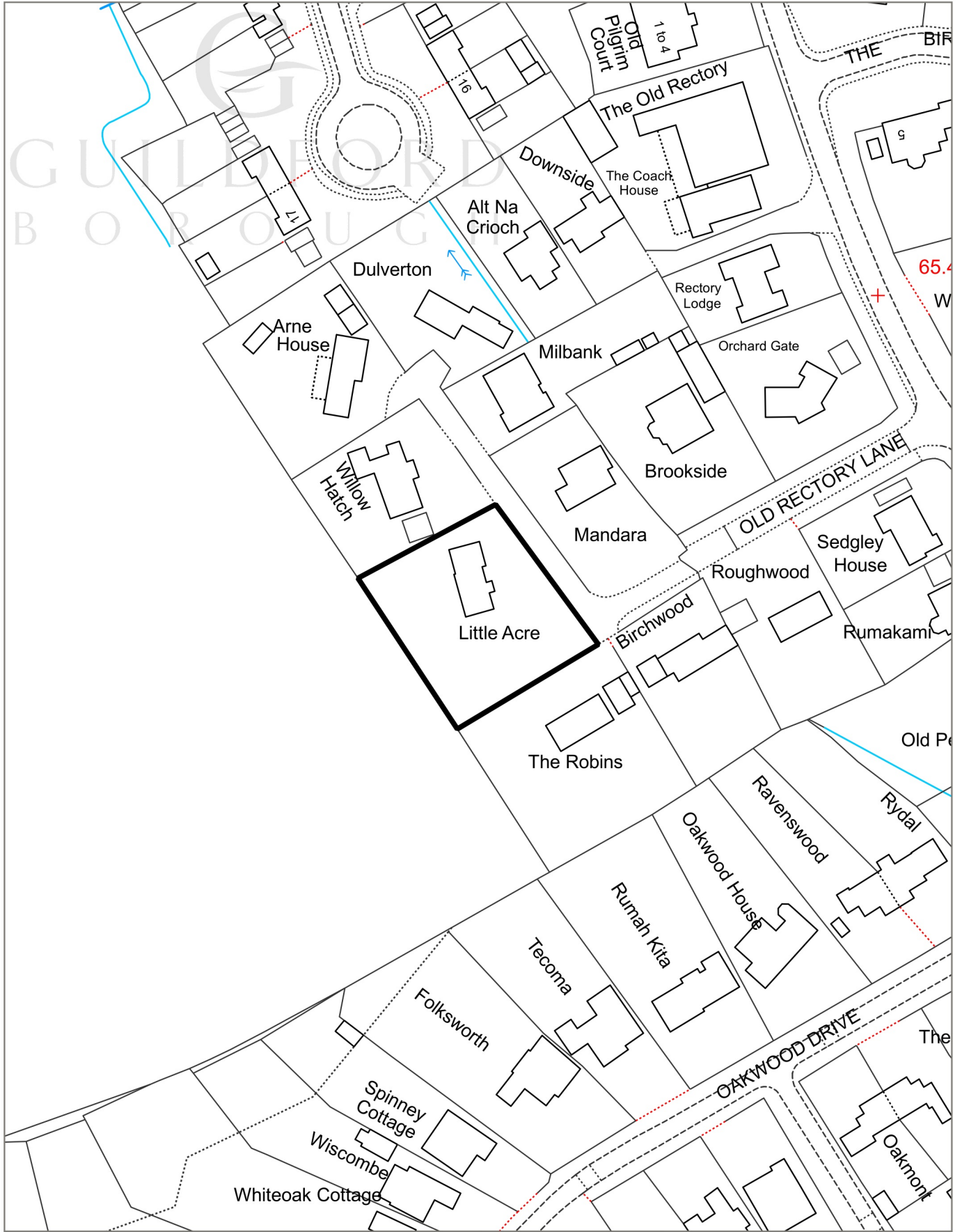


22/P/00461 - Little Acre, Old Rectory Lane, East Horsley, Leatherhead



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Not to Scale



GUILDFORD
BOROUGH

22/P/00461 – Little Acre, Old Rectory Lane, East Horsley, Leatherhead



Not to scale

App No: 22/P/00461

8 Wk Deadline:06/05/2022

Appn Type: Full Application

Case Officer: Morgan Laird

Parish: East Horsley

Ward:Clandon & Horsley

Agent : Mr. Kiely
Kiely Planning Limited

Applicant: Mr. Stocks
c/o Agent (Kiely Planning
Ltd)
208 High Street
GU1 3JB

208 High Street
Guildford

Location: Little Acre, Old Rectory Lane, East Horsley, Leatherhead,
KT24 6QH

Proposal: Erection of two detached dwellings with associated parking
and landscaping following demolition of the existing house.

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 proposal is for the replacement of an existing detached three-bedroom dwelling with two five-bedroom dwellings.

Both the existing and replacements would have two storeys although the replacements would have rooms within the loft spaces and a total height increase of 679mm compared with the existing dwelling.

Each new dwelling would have space for at least 3 vehicles with large driveways and garages.

New access would be provided for one of the new dwellings whilst the other would be served by the retained existing access.

Total footprint of existing = 102 sqm

Total footprint of each proposed = 168 sqm

Summary of considerations and constraints

It is considered that it has been satisfactorily demonstrated that the proposed dwellings will comply with the East Horsley Neighbourhood Plan and would not negatively impact the character or scale of the area.

Furthermore, there would be no negative impact on neighbouring amenity or highway safety resulting from the proposals.

The application site is located outside Flood Zones 2 and 3 and is not susceptible to flooding as detailed in the supporting Technical Note and reviewed by the Environment Agency.

Subject to the recommended conditions there would be no adverse impact on the ecology of the site or surroundings. Subject to a s106 obligation to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

Therefore, subject to the conditions and the completion of a s106 Obligation to secure the necessary SANG and SAMM contributions, the application is deemed to be acceptable and is recommended for approval.

RECOMMENDATION:

(i) That a S106 obligation be secured:

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 Development Management 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: 001, 002, 003, 004 & 005 received on 11/03/2022

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

3. No development shall take place 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. This is a pre-commencement condition as it goes to the heart of the planning permission.

4. No development shall take place until full details, of both hard and soft landscape proposals which include the retention of the hedgerow along the highway boundary and a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

5. No development shall take place beyond slab level until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for user prior to the occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

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

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

7. 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 Supplementary Planning Guidance "Climate Change, Sustainable Design, Construction and Energy SPD (2020)"

8. The development hereby permitted shall not be occupied until bird nesting and roosting boxes have been installed on the building or in trees on the site in accordance with details which shall have been submitted to and approved in writing by the local planning authority. This should be done in accordance with the preliminary

ecological appraisal dated 05/11/2021 from Environmental Business Solutions Ref DS/0821/01.

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

9. 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 exit 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.

10. No development shall take place beyond 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.

11. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

12. Prior to first occupation, the development hereby approved shall be carried out in accordance with the approved details of the measures and recommendations detailed in the preliminary ecological appraisal dated 05/11/2021 from Environmental Business Solutions Ref DS/0821/01.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

13. The development shall be carried out in accordance with the approved details of the measures and recommendations detailed in the bat roost survey from Environmental Business solutions dated 12/11/2021.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

14. The development as approved shall proceed in accordance with the mitigation methods outlined in the approved Arboricultural Report provided by DPA Arboricultural Consultants dated February 2022.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees.

15. 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

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
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 is a large plot with a two-storey dwelling on Old Rectory Lane off Ockham Road South in the southern side of Horsley. The site is within the East Horsley Village Area and as such is inset from the Green Belt. The site is within Flood Risk Zones 2 and 3 however there are no other planning constraints on the site.

Proposal.

Erection of two detached dwellings with associated parking and landscaping following demolition of the existing house.

The proposed dwellings would replace a single two storey dwelling with two larger two storey dwellings on the same plot which would be split into two separate plots. The northern side plot would retain the existing access as its primary access whilst the southern plot would have a new access point. The proposed dwellings would each have a larger footprint than the existing dwelling and have a slightly larger height.

Relevant planning history.

No Relevant Planning History

Consultations.

Statutory consultees

County Highway Authority: The site is located on a private road outside of the highways authority's jurisdiction. However, the Highways Authority have stated that the proposed is unlikely to increase vehicular trips in the area as to cause any concern.]

Affinity Water Company: no comment received.

East Horsley Parish Council Object on the following grounds:

- Excessive scale and bulk
- Overdevelopment of the site
- Flood concerns [Officer Note: this has been addressed below, where it was concluded through a technical note prepared by Motion and reviewed by the Environment Agency that the site is not susceptible to flooding].
- Impact on sewage [Officer Notice: Affinity Water Company were consulted but no response was received.]
- Adverse impact on neighbour amenity
- Restrictive covenant on site to prevent more than 1 dwelling per plot [Officer Note: This is not a planning consideration. It should be stated that planning permission cannot override covenants, and this is a matter for the applicant to address outside of the planning process]

Third party comments:

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

- Concerns regarding sewage build up [Officer note: Affinity Water Company were consulted and no response was received].
- Parking concerns during construction [Officer note: there is separate legislation in place to control construction traffic and operation, and requesting further details on how this would be managed would not be proportionate to the scale of the application].
- Larger than surrounding properties
- Overbearing concerns

- Dwellings will appear dominant.
- Overlooking concerns to living room and bedroom
- Hedging only provides limited screening [Officer note: the intention would not be for hedging to screen the entire development, and it does not currently fully screen the existing dwelling].
- Hedging likely to be lost during construction or through loss of light post construction [Officer note: the proposal includes only the removal of a small area of hedging for the new access and the rest would be protected through the measures outlined in the arboricultural report].
- In contravention with P2 of the Guildford Borough Council Local Plan 2019 [Officer note: This policy relates to sites within the Green Belt. As the proposed site is not within the Green Belt this is not relevant.]
- Concerns regarding increased flooding [this is addressed in the submitted Flood Risk Assessment and technical note, which have been reviewed by the Environment Agency who withdrew their objection].
- Overdevelopment and adverse impact on character
- Far more traffic on site given the increase in bedrooms [Officer note: the County Highway Authority who considered that the development would not result in a significant increase in vehicular trips].
- Damage to road (Officer Note: This is not a planning consideration. Road maintenance falls outside of planning considerations)
- Restrictive covenant on site to prevent more than 1 dwelling per plot [Officer note: This is not a planning consideration. It should be stated that planning permission cannot override covenants and this is a matter for the applicant to address outside of the planning process]
- Development too large with little garden space.
- Pollution and carbon generated from development likely to be of concern [Officer note: details of the proposed sustainability measures have been supplied and addressed below].
- Contravene with the East Horsley Local Plan EH-H8 regarding infilling
- Contravene with the East Horsley Local Plan EH-EN5 regarding flooding
- Three storey dwellings would be out of character with bungalow and two storey dwellings in area [Officer note: the proposed dwellings would be two storeys with rooms in the roof as opposed to three-storeys].
- Dwelling too close to neighbouring property.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5. Delivering a sufficient supply of homes

Chapter 12. Achieving well-designed places

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

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

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019.

Policy H1 Homes for all
Policy P4 Flooding, flood risk and groundwater protection zones
Policy D1 Place shaping
Policy D2 Climate Change, Sustainable design, construction and energy
Policy ID3 Sustainable transport for new developments
Policy ID4 Green and Blue Infrastructure

Guildford Borough Council: Development Management Policies March 2023

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

Policy 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 D8: Residential Infill Development
Policy D14: Sustainable and Low Impact Development
Policy D15: Climate Change Adaptation
Policy D16: Carbon Emissions from Buildings
Policy ID10: Parking Standards for New Development

East Horsley Neighbourhood Plan 2017 - 2033

EH-EN5 Flooding
EH-H7 East Horsley Design Code
EH-H8 Residential Infilling

Supplementary planning documents:

Residential Design Guide (2004)
Parking Standards for New Development SPD March 2023
Climate Change, Sustainable Design, Construction and Energy SPD (2020)
Thames Basin Heaths Special Protection Area SPD 2017

Planning considerations.

The main planning considerations in this case are:

- principle of development
- design and appearance
- the impact on neighbouring amenity
- highway and parking considerations
- sustainable development
- amenity and space standards
- impact on biodiversity
- impact on bats and birds
- impact on Trees
- Thames Basin Heaths Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- Legal agreement requirements

Principle of Development

The site is located within the designated Inset boundary of East Horsley, having recently been removed from 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.

With regard to housing mix, with only two new two storey dwellings proposed, it is considered that the proposed provision of two detached 5-bedroom houses would comply with the requirements of the East Horsley Neighbourhood Plan.

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

The site also sits within the SPA 400m - 5km buffer zone and as such assuming the application would be acceptable, a SANG/SAMM contribution would be required.

Design and appearance

The proposed dwellings would replace a single, two storey dwelling with two larger two-storey dwellings with loft spaces which would be utilised as an additional bedroom/study.

The main issues to be assessed concern design and appearance of the development would be with respect to the addition of an extra dwelling to the plot. Old Rectory Lane area has a variety of housing types. Whilst there are bungalows, there is a predominance of two storey dwellings like the existing dwellinghouse on the application site. Dwellings are of varying scales some of which sit on smaller plots to that of the existing dwelling.

In regard to the impact on the existing plot, it is noted the plot is wider than many of those surrounding, most notably those of Milbank and Willow Hatch. However, by splitting the plot into two separate plots the resultant plots sizes would be on the smaller scale for Old Rectory Lane. Notwithstanding this, the officer has reviewed the siting of the surrounding dwellings and noted that the separation distance between each new dwelling would be in line with the separation distances between most of the dwellings on Old Rectory Lane as Little Acre is presently set more spaciouly from its neighbouring properties than most of the dwellings in the area.

Plot 2 would be set 2.5 metres away from the north side boundary and Plot 1 would be set 5.7 metres from the southern boundary with the proposed dwellings being set 2.9 metres from each other. Each dwelling would also be set at least 12 metres back from the main road with rear garden spaces of at least 12 metres depth each. As such even with the changes made by the splitting of the existing plot in half, each dwelling would sit comfortably in the resultant plots and would not appear cramped.

The site like many of those along Old Rectory Lane is surrounded by large hedges and trees which act as high screening to obscure the view of the frontage of the dwelling. Given the height of the hedges, the most prominent features of the new dwellings in terms of both scale and design would be the roofs. Both new dwellings would be the same height, being just over 679mm higher than the existing building but with each dwelling to have a significantly larger footprint than existing.

The impact of the frontages would be modest given the high screening surrounding the property which outside of the hedging to be removed for the new access, would not be altered. The retention of the hedges also would serve to maintain the visual amenity of the site, as well as maintain the character of the East Horsley Village in accordance with Policy EH-EN2 of the East Horsley Neighbourhood Plan. Given the importance of these hedges for the preservation of the character of the area and for the visual amenity of the site, it is considered necessary to impose a condition requiring these to be retained.

The design of the dwellings would be in keeping with the area owing to the front facing gables and hipped roof frontage and use of slate roofing tiles, rendered walls, tile hanging and mock tudor detailing. These features would fit in with the rural village style of many of the dwellings in East Horsley, as well as those along Old Rectory Lane.

The existing dwelling has a pitched roof with a single storey flat roof garage, while the proposed would be hipped with a crown roof top and front gables which would be set down from the main ridge lines. The flat roof of each dwelling would only cover a small amount of the rooftop in comparison to the scale of the dwellings themselves with a square area of 30sqm each (the square area of each dwelling would be approximately 170sqm and as such the flat roof area would only cover 17% of the roof area.). Whilst flat roofs are discouraged and the officer did note that there are no other examples of crown roofs in the surrounding area, the flat roof elements would be mostly hidden by the proposed pitched elements and gable ends. As such the flat roof would only be visible from above the dwelling and as the dwelling would be higher than each neighbouring property by 950mm, this would not be a concern. As such the impact of this roof type would be minor and acceptable.

The East Horsley Design Guide gives seven points that new dwellings should be designed in compliance with. The design guide states that developments which do not contravene with these points should be supported.

The officer has reviewed the plans and has found no conflict with the Design Code as the proposed would be two storeys tall with rooms in the roof, within character of the area and have appropriate boundary clearance and treatments. Of specific note, the dwellings would be of a modern but traditional design, with materials and architectural features that are sympathetic to development in the surrounding area. Some of

the points of the design code relate to parking and amenity which will be assessed below.

Policy EH-H8 of the East Horsley Neighbourhood Plan supports residential infill development where there would be no material adverse impact on neighbouring amenity, the site is substantially surrounded by existing development and the size and massing of new residential development would be no greater than that of surrounding property. Similarly, Policy D8 of the LPDMP requires residential infill development to integrate well with surrounding development and respond positively to the existing character and identity of the local area with frontage development proposals to have regard to existing plot sizes, urban grain, building matters, form and scale of buildings and spaces, appearance and landscape and boundary treatments.

The impact on neighbouring amenity is addressed below. The site is bordered by residential development on both sides and sits within an established residential area. As noted above, the proposed dwellings would sit comfortably on the plots and would not appear cramped or unduly prominent. While the dwellings would have a larger footprint than the existing dwelling, they would not be discernibly larger than others in the surrounding area with design features that are sympathetic to the surrounding built form. Accordingly, the proposed development would be consistent with Policy EH-H8 of the Neighbourhood Plan and Policy D8 of the LPDMP.

Whilst the residents have raised concerns regarding two properties in one existing plot, the resultant development would be sympathetic to the area and due to the design choices including the roof form, architectural features, building materials and retention of boundary treatments, would be in keeping with the character of the area and not appear unduly prominent from the streetscene. The proposed would comply with Policies EH-H7 and EH-H8 East Horsley Neighbourhood Plan, as well as Policy D1 of the LPSS and Policies D4 and D8 of the LPDMP.

Impact on neighbour amenity

The neighbouring properties most affected would be Willow Hatch and The Robins.

The dwellings on Old Rectory Lane generally sit with gaps between neighbouring properties. Whilst the existing plot would be split in half, reasonable separation between dwellings would be maintained. Plot 1 would be approximately 15 metres from their closest neighbour

(excluding plot 2), The Robins. Plot 2 would be approximately 9 metres from Willow Hatch and would be separated from the main dwelling by the garage which is roughly 3 metres from the dwelling. Given these distances, there would be no overbearing concerns with the development. While the proposed dwellings would be taller than the existing dwelling and closer to the shared boundary, there would not be an unacceptable loss of light to The Robins or Willow Hatch due to the significant separation distances.

Both plots 1 and 2 would be sited fairly close together in comparison with the surrounding dwellings with a separation distance of 2.930m. However, both would have similar depths and be sited in line with each other and as such there would be no impact to the rear windows of either site.

Whilst first floor side windows would be proposed on both dwellings, in both dwellings these would serve en-suite bathrooms. Provided these are finished with obscured glazing and non-opening above 1.7 metres in height from the floor level, there would be no overlooking concerns to Willow Hatch, The Robins or internally. The rooflights within the loft spaces would serve a bedroom/games room but owing to their height and positioning on the roof slope, there would be no direct views of neighbouring properties. Accordingly, there would be no overlooking concerns.

Overall, it is considered that the proposed development would not result in an unacceptable impact on the amenity of adjoining properties, which would comply with Policies D5 and D8 of the LPDMP and Policy EH-EH8 of the East Horsley Neighbourhood Plan.

Amenity and Space Standards

Paragraph 127(f) of the NPPF 2019 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).

Both dwellings would exceed the minimum space standards required for properties with their number of bedrooms and storeys and both exceed the bedroom size requirements.

The proposed private amenity space would be south-westerly facing and rectangular in shape, and the space has been designed to allow effective and practical use by residents. A 1.8m close boarded fence would be erected between the plots to provide privacy to both properties.

The proposal would provide acceptable onsite amenity, in compliance with Policy D1 of the LPSS, Policy D5 of the LPDMP and the NPPF.

Highway and Parking Considerations

The proposed site would be made up of two five-bedroom properties. The Parking Standards for New Development SPD sets out the expected parking standards for dwellings within a village. For a 5-bed dwelling the expected number of parking spaces would be 2.5 per unit. Given the size of the plots and proposed parking areas for both plots, there would be sufficient space to comply with this.

Policy EH-H7 of the East Horsley Neighbourhood Plan sets out that sufficient off-street parking shall be provided for all dwellings, in order to ensure there is no on-street parking at the development. Garages should also be positioned to the side of the dwelling to avoid over cluttering the frontage. As noted above, the proposal would provide adequate on-site parking spaces to avoid the accumulation of on-street parking. The proposed garages would be integrated into the dwellings and situated to the side and setback from the main frontage. They would not appear unduly prominent or crowd the frontage of the dwellinghouses.

The County Highways Authority have raised no objections to the proposed works subject to conditions.

Objections have been received from the local residents regarding increased traffic and the low visibility of the existing corner which leads on to the site.

It is noted that the site is near a narrow bend in the road, which was raised as a concern by objectors as they considered that this could result in highway safety concerns through increased vehicle movements and during construction. The existing access would be maintained for one dwelling, which would not increase the potential highway safety impact. The proposed new access would be situated to the southern edge of the highway boundary, with improved visibility along Old Rectory Lane. Accordingly, the proposed development would not result in a greater impact on highway safety.

No details have been raised regarding cycle parking and refuse collection. As such both issues would be conditioned should the application be approved.

Overall, it is considered that the proposed development would comply with Policy ID3 of the LPSS, Policy ID10 of the LPDMP and Policy EH-H7 of the East Horsley Neighbourhood Plan.

Flood Risk

The site is within Flood Risk zones 2 & 3. The applicant has provided a full flood risk assessment.

The Environmental Agency has been consulted as part of this proposal. Initially objections were raised, but these were resolved through the submission of further information and the objection was subsequently withdrawn. The Applicant submitted a technical note which evidences that the site is not located within Flood Zone 2 or 3 and the site would not be subject to any flood risk.

The Environmental Agency did note that while the modelling provided did show that the site is not affected, the access route from the site to the main road is covered by the 1% annual exceedance probability (AEP) plus 24% allowance for climate change and therefore safe access/egress will need to be considered. While flood depths within the site would be shallow (circa 0.02m), flooding on the access/egress route is expected and should be considered. On review of the technical note provided by the Applicant, the modelling undertaken for a 1%AEP with the climate change allowance, it is apparent that the site access would not in fact be within this area. In this flood event the flooding would occur along Old Rectory Lane and would not spread into the site.

The officer has reviewed the information and considered the feedback received from the Environmental Agency and is satisfied that there is no risk of flooding at the site

Therefore, the proposed development would comply with policy P4 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and the provisions of the NPPF 2021.

Sustainable Development

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraph 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. Policies D14 - D16 of the LPDMP set out a number of sustainable development requirements, including how a 'fabric first' approach would be taken, how embodied carbon emissions would be reduced, what energy efficiencies would be used, what water efficiencies would be used and how the building would respond to climate change and overheating. The Applicant has submitted a completed Climate Change, Energy and Sustainable Development Questionnaire, which sets out the following proposed measures:

- The use of renewable materials, recycling and secondary aggregates, and other recycled and reused materials will be considered if available.
- Demolition building materials will be re-used where possible.
- Unused mineral waste will be sent for reuse or recycling where possible.
- Locally sources materials will be used where possible.
- Materials will be sustainably sourced.
- The development will comply with Building Regulations.
- Orientation of the proposed dwellings takes into account solar receipts.
- EV charging points to be provided for each dwelling.

- Use of either air source heat pumps or solar panels.

The climate change questionnaire outlines a number of measures that would positively contribute to greater sustainability of the development. In order to achieve the purpose of Policies D2 of the LPSS and Policies D14 - D16, conditions would be imposed (should permission be granted) requiring a minimum water efficiency standard of 110 litres per occupant per day, the installation of an EV charging point and for details of the embodied carbon of materials. To comply with Policy D14 of the LPDMP, a condition would be imposed that requires the Applicant to provide a Site Waste Management Plan prior to determination as the proposal include the demolition of the existing dwelling. It is considered acceptable to not impose a condition requiring a minimum TER reduction as the Building Regulations are currently more onerous than Local Plan standards. Imposing a condition requiring this would therefore not be efficient or necessary. Subject to the imposition of these conditions, the proposal would comply with Policy D2 of the LPSS and Policies D14 - D16 of the LPDMP.

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 preliminary appraisal found that there was possibly the presence of bats on the site and as such a bat survey would be required, furthermore bird breeding surveys would also be required if the works to the surrounding trees or existing dwelling would be done during bird breeding seasons. Further information has also been requested regarding the protection of the surrounding trees.

These details have all been provided as outlined below.

The report includes some mitigation methods and suggests bird and bat boxes be included. These mitigation methods outlined will be included through a condition should the application be approved.

As such with these protection measures in place the proposed works as a whole would not lead to a net loss in biodiversity. The introduction of bird and bat boxes will encourage a biodiversity net gain appropriate for a development of this size.

Impact on Bats and Birds

A Bat Roost Survey has been provided by Environmental Business solutions.

The survey found no evidence of bat activity on site however did lay out some mitigation measures and compensation as to allow for a total net gain in biodiversity.

The survey also stated that works should be done outside of nesting season however if this is not possible and ecologist will be required to inspect individual buildings to confirm there are no nesting birds on site. These measures would be implemented through a condition if the application is approved.

Impact on Trees

DPA Arboricultural consultants have provided an Arboricultural Report dated February 2022. The report goes over the possible constraints and concerns however concludes that trees do not present a planning constraint to the site and any amenity concerns would be offset by the planting of new trees.

The report goes into more detail regarding possible mitigation and as such the mitigation details in this report too would be conditioned should the application be approved.

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.

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. This agreement would be secured should the application be approved.

Conclusion

There will be no adverse impact on the character of the area, neighbouring amenity or highway safety resulting from the proposals.

The application site is located outside flood zones 2 and 3 and is not susceptible to flooding as detailed in the supporting technical note and reviewed by the Environment Agency.

Subject to the recommended conditions there would be no adverse impact on the ecology of the site or surroundings. Subject to a s106 agreement to secure the necessary SANG and SAMM contributions, the development would not impact on the Thames Basin Heaths Special Protection Area.

Therefore, subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMM contributions, the

application is deemed to be acceptable and the application is recommended for approval.