



GUILDFORD
BOROUGH

James Whiteman
Managing Director

www.guildford.gov.uk

Contact Officer:

Sophie Butcher, Committee Officer
Tel: 01483 444056

23 January 2018

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 31 JANUARY 2018 at 7.00 pm.**

Yours faithfully

James Whiteman
Managing Director

MEMBERS OF THE COMMITTEE

Chairman: Councillor Marsha Moseley
Vice-Chairman: Councillor Tony Rooth

Councillor Richard Billington
Councillor Philip Brooker
Councillor Adrian Chandler
Councillor Nils Christiansen
Councillor Colin Cross
Councillor David Elms
Councillor Matt Furniss

Councillor Angela Gunning
Councillor Liz Hogger
Councillor Susan Parker
Councillor Caroline Reeves
Councillor Paul Spooner
Councillor Jenny Wicks

Authorised Substitute Members:

Councillor David Bilbé
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Mike Hurdle
Councillor Sheila Kirkland
Councillor Julia McShane
Councillor Tony Phillips

Councillor Mike Piper
Councillor David Quelch
Councillor Jo Randall
Councillor David Reeve
Councillor Pauline Searle
Councillor James Walsh

QUORUM 5



Guildford Borough Council

Millmead House, Millmead, Guildford, Surrey GU2 4BB

THE COUNCIL'S STRATEGIC FRAMEWORK

Vision – for the borough

For Guildford to be a town and rural borough that is the most desirable place to live, work and visit in South East England. A centre for education, healthcare, innovative cutting-edge businesses, high quality retail and wellbeing. A county town set in a vibrant rural environment, which balances the needs of urban and rural communities alike. Known for our outstanding urban planning and design, and with infrastructure that will properly cope with our needs.

Five fundamental themes that support the achievement of our vision:

- **Our Borough** - ensuring that proportional and managed growth for future generations meets our community and economic needs
- **Our Economy** - improving prosperity for all by enabling a dynamic, productive and sustainable economy that provides jobs and homes for local people
- **Our Infrastructure** - working with partners to deliver the massive improvements needed in the next 20 years, including tackling congestion issues
- **Our Environment** - improving sustainability and protecting our countryside, balancing this with the needs of the rural and wider economy
- **Our Society** - believing that every person matters and concentrating on the needs of the less advantaged

Your Council – working to ensure a sustainable financial future to deliver improved and innovative services

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

Mission – for the Council

A forward looking, efficiently run Council, working in partnership with others and providing first class services that give our society value for money, now and for the future.

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

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

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

3 MINUTES (Pages 1 - 12)

To confirm the minutes of the meeting of the Committee held on 3 January 2018 as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 13 - 14)

All current applications between numbers 17/P/00529 and 17/P/02363 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

5.1 **17/P/00529 - Land adjacent to The Granary, Grange Road, Tongham, GU10 1DJ** (Pages 15 - 48)

5.2 **17/P/01209 - Surrey Downs Sun Club, Edgeley Holiday Park, Farley Green Road, Farley Green, Albury, Guildford, GU5 9DW**
(Pages 49 - 68)

5.3 **17/P/01223 - Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE** (Pages 69 - 82)

5.4 **17/P/01458 - Pilgrim Wood, Sandy Lane, Guildford, GU3 1HF**
(Pages 83 - 98)

5.5 **17/P/01990 - Vines Farm, Mill Lane, Pirbright, Woking, GU24 0BS**
(Pages 99 - 112)

5.6 **17/P/02102 - Poplar Cottage, Ryde Close, Ripley, Woking, GU23 6BD**
(Pages 113 - 120)

5.7 **17/P/02363 - Fair Winds, Manor Close, East Horsley, Leatherhead, KT24 6SB** (Pages 121 - 128)

6 PLANNING APPEAL DECISIONS (Pages 129 - 140)

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

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you make a representation to the meeting you will be deemed to have consented to being recorded. By entering the Council Chamber, you are also consenting to being recorded and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding webcasting of meetings, please contact Committee Services on 01483 444102.

NOTES:

(i) Procedure for determining planning and related applications:

1. A Planning Officer will present the Officer's report.
2. Members of the public who have registered to speak may then address the meeting in accordance with the agreed procedure for public speaking (a maximum of two objectors followed by a maximum of two supporters).
3. The Chairman gives planning officer's the right to reply in response to comments that have been made during the public speaking session.
4. Any councillor(s) who are not member(s) of the Planning Committee, but who wish to speak on an application, either in or outside of their ward, will be then allowed for no longer than five minutes each. It will be at the Chairman's discretion to permit councillor(s) to speak for longer than five minutes. [Councillors should notify the Committee Officer, in writing, by no later than midday the day before the meeting of their intention to speak.]
5. The Chairman will then open up the application for debate.:
 - (a) No speech shall be longer than three minutes for all Committee members;
 - (b) No councillor to speak more than once during the debate on the application;
 - (c) Members shall avoid repetition of points made earlier in the debate.
 - (d) The Chairman gives planning officer's the right to reply in response to comments that have been made during the debate, and prior to the vote being taken.
 - (e) Once the debate has concluded, the Chairman will automatically move the officer's recommendation following the debate on that item. If it is seconded, the motion is put to the vote. A simple majority vote is different for the motion to be carried. If it is not seconded or the motion is not carried then the Chairman will ask for a second alternative motion to be put to the vote.

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

- Approval to refusal, or;
- Refusal to approval;
- Or where the motion proposes additional reasons or additional conditions.
- In advance of the vote, provided that any such proposal has been properly moved and seconded, the Chairman shall adjourn the meeting to allow officers; the mover of the motion and the Chairman to discuss the reason(s), conditions (where applicable) and policy(ies) put forward to ensure that they are sufficiently precise, state the harm (where applicable) and support the correct policies to justify the motion. Following any adjournment, upon reconvening the Chairman will put to the Committee the motion and the reason(s) for the decision before moving to the vote.

- (f) A motion can also be proposed and seconded at any time to defer or adjourn consideration of an application (for example for further information/advice backed by supporting reasons).
6. Meetings of the Planning Committee shall end by 10:30pm except:
- Where it appears to the Chairman that the remainder of the Agenda can be completed expeditiously thereafter or where a debate on a specific matter has not been completed by 10:30pm; or
 - Where the Committee decides that specific matters should be considered at that meeting

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

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

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

GUIDANCE NOTE For Planning Committee Members

Reason for Refusal

How a reason for refusal is constructed.

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

When formulating reasons for refusal Members will need to:

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

Example

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

Reason for Approval

How a reason for approval is constructed.

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

Example:

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

Reason for Deferral

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

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

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

NOTES:

Officers Report

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

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

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

Written Representations

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

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

Background Papers

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

- The Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act and other current Acts, Statutory Instruments and Circulars as published by the Department for Communities and Local Government (CLG).
- Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) policies in so far as they conform with the National Planning Policy Framework (NPPF) (March 2012). Policies H1, H10, S1, GT4, RE7, HE11 and U1 are no longer in effect.
- The South East Plan, Regional Spatial Strategy for the South East (May 2009).
- The National Planning Policy Framework (NPPF) (March 2012)
- The Town and Country Planning (General Permitted Development) Order 1995, as amended (2010).
- Consultation responses and other correspondence as contained in the application file, together with such other files and documents which may constitute the history of the application site or other sites in the locality.

Human Rights Act 1998

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

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

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

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

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

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

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

- 3 Article 14: prohibition from discrimination

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

- 4 Article 1 Protocol 1: protection of property;

Every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. However, the state retains the right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

- 5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

Councillors should take account of the provisions of the 1998 Act as they relate to the applications on this agenda when balancing the competing interests of the applicants, any third party opposing the application and the community as a whole in reaching their decision. Any interference with an individual's human rights under the 1998 Act/ECHR must be just and proportionate to the objective in question and must not be arbitrary,

unfair or oppressive. Having had regard to those matters in the light of the convention rights referred to above your officers consider that the recommendations are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Costs

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

However, where:

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

The word "unreasonable" is used in its ordinary meaning as established in the courts in *Manchester City Council v SSE & Mercury Communications Limited 1988 JPL 774*. Behaviour which is regarded as unreasonable may be procedural or substantive in nature. Procedural relates to the process. Substantive relates to the issues arising on the appeal. The authority is at risk of an award of costs against it if it prevents or delays development, which should clearly be permitted having regard to the development plan. The authority must produce evidence to show clearly why the development cannot be permitted. The authority's decision notice must be carefully framed and should set out the full reasons for refusal. Reasons should be complete, precise, specific and relevant to the application. The Planning authority must produce evidence at appeal stage to substantiate each reason for refusal with reference to the development plan and all other material considerations. If the authority cannot do so it is at risk of a costs award being made against it for unreasonable behaviour. The key test is whether evidence is produced on appeal which provides a respectable basis for the authority's stance in the light of *R v SSE ex parte North Norfolk DC 1994 2 PLR 78*. If one reason is not properly supported but substantial evidence has been produced in support of the others a partial award may be made against the authority. Further advice can be found in the *Department of Communities and Local Government Circular 03/2009* and now *Planning Practice Guidance: Appeals paragraphs 027-064 inclusive*.

PLANNING COMMITTEE

* Councillor Marsha Moseley (Chairman)
The Deputy Mayor, * Councillor Tony Rooth (Vice-Chairman)

- | | |
|---------------------------------|------------------------------|
| * Councillor Richard Billington | * Councillor Angela Gunning |
| * Councillor Philip Brooker | * Councillor Liz Hogger |
| * Councillor Adrian Chandler | * Councillor Susan Parker |
| * Councillor Nils Christiansen | * Councillor Caroline Reeves |
| * Councillor Colin Cross | * Councillor Paul Spooner |
| * Councillor David Elms | * Councillor Jenny Wicks |
| * Councillor Matt Furniss | |

*Present

Councillors , were also in attendance.

PL101 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

PL102 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

17/P/01148 – The Paddocks, Rose Lane, Ripley, GU23 6NE

Councillor Jenny Wicks declared an interest in the above application owing to the fact that she was a Governor at Ripley Court School whose playing fields adjoined the application site. Owing to the perception of bias, Councillor Wicks would leave the meeting for the duration of the consideration and decision made in relation to the above application.

PL103 MINUTES

The minutes of the Planning Committee held on 29 November 2017 were approved and signed by the Chairman.

PL104 ANNOUNCEMENTS

Procedure for determining planning and related applications

The Chairman reminded the Committee that the procedure for determining planning and related applications was located on the second page of their agenda for reference.

The Planning Committee was quasi-judicial and the Committee must base their decisions upon the Local Plan 2003 and the National Planning Policy Framework (NPPF).

In this regard, in accordance with the requirements to make fair, open, balanced and objective decisions for each application on its merits, free of politics and previous ideas, councillors were required to read the officer's report, any late sheet reference and consider the representations made by public speakers at the committee meeting before reaching its decision.

The Chairman reminded the Committee there was no restriction on a Member holding a provisional view on an issue (pre-disposition) but there was a problem if she/he acted with a closed mind on a subject pre-determination.

PL105 17/P/01209 - SURREY DOWNS SUN CLUB, EDGELEY HOLIDAY PARK, FARLEY GREEN, ALBURY, GUILDFORD, GU5 9DW

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

- Ms Mary Ann Von Radowitz (Albury Parish Councillor) (to object)
- Ms Sandra Dennis (to object)
- Mr Jeremy Lambe (Agent) (in support)

The Committee considered the above-mentioned full application for change of use from naturist site to holiday use, and the re-layout of Edgeley Park Sun Club area for eight Holiday Lodge pitches to replace 16 timber 'chalet' structures, pavilion building, workshop, swimming pool, tarmac games court and removal of 2.0m high fencing, together with environmental improvements.

The Committee was informed that the proposed siting of eight Holiday Lodge pitches was located at the south eastern end of Edgeley Park Sun Club. It was bordered to the east and south by agricultural land, trees and other mature vegetation. The site was also located in the Green Belt, Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV).

The Committee noted that some of the existing structures had fallen down or been demolished such as units 8, 9, 12, 13 and 14. The swimming pool and squash courts had also become dilapidated and overgrown. The largest existing structure onsite was the pavilion at 4.5 metres high, 7.2 metres wide and 15 metres long. By comparison, the new Holiday Lodges would be 4.4 metres high, 12.2 metres long and 6.7 metres wide. Additional conditions had been applied in respect of materials to be used, lighting, trees and landscaping. Access to the site would be gained via the existing access to the holiday park.

The re-development of the site on previously developed land in the Green Belt was not considered by the planning officer to cause demonstrable harm to the density, character or appearance of the existing site. The proposed eight Holiday Lodge pitches would result in a consolidation of built form on a previously developed site, which would remove the existing unsightly structures and include the implementation of a Woodland Management Plan. The proposal was envisaged to benefit the rural economy and wider Surrey Hills AONB, which was supported by wider government national policy. No objections had been received in relation to Highways or neighbouring amenities. The application was also deemed acceptable in terms of ecology, trees and landscaping.

In response to comments made by a public speaker, the Planning Development Manager confirmed that a S106 Agreement was not applicable in respect of this application, as the proposal did not constitute separate individual dwelling units. Furthermore, the Committee was advised that the site, due to its location, did not require any financial contributions towards Thames Basin Heaths Special Protection Area mitigation measures.

The Committee discussed the application and noted concerns raised in relation to the siting of the 8 Holiday Lodges in a sensitive part of the site that abutted the AONB. In addition, the area was known to suffer from flooding problems and it was evident that no flood risk assessment had been undertaken. The Committee also wished to receive clarification on the difference between residential use and holiday caravans and the duration in which holiday caravans can be inhabited for during a given year. It was confirmed by the Planning Development Manager that the licence for caravan's onsite applied to their recreational use only for Edgeley Lodge. Currently not more than 286 caravans should be onsite and at the last count, 217 caravans

were onsite. The Committee could apply additional conditions if minded to specify the duration of usage, which shall apply to the Holiday Lodges.

On that basis and for the reasons as detailed above, a motion was proposed and seconded so that the Committee could attend a site visit owing to the sensitive location of the eight Holiday Lodges next to the AONB and potential flood risk, which was put to the vote and carried.

Having taken account of the representations received in relation to this application, the Committee

RESOLVED to defer application 17/P/01209 so that the Committee could attend a site visit on Tuesday 30 January at approx. 9:30am. The application would then be considered by the Planning Committee at its next meeting on Wednesday 31 January 2018 at 7pm.

PL106 17/P/02016 - CROOKSBURY HILL, SMUGGLERS WAY, THE SANDS, FARNHAM

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

- Mr Michael Powell (to object)
- Mr Jason Butcher (Seale and Sands Parish Council) (to object)

The Committee considered the above-mentioned full application for infrastructure improvements on small layby and track to allow timber haulage vehicle access for forestry operations.

The planning officer informed the Committee that the application site was located to the west of Smugglers Way, in the Green Belt, in an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The setting was largely rural with some residential properties located nearby. There was already an access point at Smugglers Way but was narrow and provided poor entry onto the carriageway. The existing track would therefore be re-surfaced with compacted stone and the splay onto Smugglers Way enlarged to enable access for haulage vehicles. When the works were completed, new barriers and bollards would be installed. The details of these works would need to be submitted to the Planning Authority prior to installation as required by the additional condition recommended on the Supplementary Late Sheets. As requested by the County Highway Authority a 1 metre wide concrete strip would be installed between the carriageway and the new access. The large splay would also necessitate the removal of up to nine trees.

The proposal was considered to be an engineering operation and therefore was considered not to represent inappropriate development in the Green Belt by the planning officer. No harmful impact to its openness would result. The enlarged access requiring the removal of up to nine trees would result in no material harm to the character or appearance of the surrounding area. The County Highways Authority had stated that Smuggler's Way was a public highway and therefore it was not possible or warranted to restrict the types of vehicles that used it. In the planning officer's view, the changes would improve the access and make exit and entry to the site much safer. In addition, the applicant had agreed to limit the number of timber vehicle movements to 8am – 5pm, Monday – Friday only, which would be controlled by the additional condition as detailed on the supplementary late sheets. The proposal was therefore deemed acceptable and recommended for approval.

The Committee discussed the application and was supportive of the additional conditions 6 and 7 which offered assurance to residents about the frequency of timber haulage vehicle movements and that the entrance barrier would be replaced. In addition, the Committee agreed

that the details concerning the replacement entrance barrier would be subject to discussion with the local ward councillor as well as the type and coverage of material being used in the entrance to the site. This was owing to the sensitive nature of the sites location next to the AONB and AGLV. Informatives had already been included, that specified the size of timber haulage vehicles to be used and that the Surrey Wildlife Trust should inform the local residents of any proposed works. The Committee noted that the Surrey Wildlife Trust were currently exploring whether smaller timber haulage vehicles could be specified for use on this site.

On that basis, a motion was proposed and seconded to approve the application, which was put to the vote and carried.

Having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 17/P/02016 subject to the conditions and reasons as detailed in the report and the additional conditions and informative detailed below:

6. Timber lorry movements to the site shall only take place between the hours of 8am and 5pm Monday to Friday.

Reason: To protect the character and appearance of the area and the amenity of neighbouring residents.

7. No development shall take place until details of the proposed permanent replacement entrance barrier(s) (and any associated works required for its installation) have been submitted to and approved in writing by the Local Planning Authority. The permanent replacement entrance barrier(s) shall be installed upon the completion of the timber harvesting operations and retained thereafter.

Reason: To protect the character and appearance of the area.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

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

2. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the

Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. 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-communitysafety/flooding-advice

3. The applicant 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; to ensure the tactile crossings are aligned. The permission hereby granted shall not be construed as authority to carry out any 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 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-communitysafety/flooding-advice.

4. The applicant shall use reasonable endeavours to make greater use of smaller timber haulage vehicles as part of the proposal.

5. The applicant shall endeavour to give surrounding residents at least one month's prior notice of the commencement of operations on the site.

6. The applicant is reminded that the proposal includes the removal of a maximum of nine trees to the front of the site to accommodate the proposed enlarged splay.

PL107 17/P/02146 - MOORLAND CHASE, 82 POTTERS LANE, SEND, WOKING, GU23 7AL

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

- Mr Keith Cogan (to object)
- Mrs Karen Lord (to object)

The Committee considered the above-mentioned full application for erection of open lean-to to the existing agricultural barn, installation of ten external lights, addition of windows on elevations and insertion of roof lights (part retrospective application) (amended plan and additional information received on 29/11/2017 showing external lights on east elevation and mezzanine floor plan).

The Committee noted the additional conditions detailed on the supplementary late sheets, which controlled the hours of usage of the external lighting as well as requiring that the lighting details were submitted to the Planning Authority prior to their installation. In addition, an additional informative had been recommended whereby the applicant had agreed to reduce the

number of external lights from three to two and would be included in condition 4. The access to the barn had already been dealt with as part of the appeal proposal 14/P/0388.

The planning officer informed the Committee that the application site was located to the west of Potters Lane, Send, in the Green Belt and outside of the settlement area. The new windows and rooflight's referred to in the report had already been approved via a non-material planning application. The barn was approved by the Planning Inspector in 2014 and had been built out as well as the lean-to extension; however, the external lights were not yet in place. The lean-to was to be used for the ancillary storage of equipment for the farm such as tractors and was located to the side of the barn and farm's boundary. The eastern elevation was the most sensitive as it faced onto Potters Lane. However, the security lights proposed were domestic in style, controlled by motion sensors and only to be used between the hours of 6am – 8pm, which was secured by condition as detailed on the supplementary late sheets. The lights would be angled towards the ground and would not result in any harm to neighbouring amenity given that the closest neighbour was 55 metres away. Environmental Health had also assessed the likely impact of the proposed lights and concluded that they would not be problematic or cause any form of light pollution.

In conclusion, it was the planning officer's view that the lean-to proposed was only to be used in connection with the agricultural barn and was modest in size. The lean-to would not result in any harmful effect on the character or appearance of the surrounding area. The lights proposed were domestic in style and given the distance of 55 metres to the closest properties, no material harm to neighbouring amenity would result and therefore the application was recommended for approval.

In response to comments made by public speakers, the Planning Development Manager confirmed that no enforcement action had been undertaken at the application site. It was also important to note that the lean-to and security lighting were the only proposals for consideration by the Committee. The barn and access had already been approved.

The Committee discussed the merits of a site visit and agreed that it was not required in respect of the domestic lights proposed, especially given that they would be activated by motion sensors and were at a significant distance away from residential properties at Potters Lane. The Committee was however concerned that the site plan map submitted was not accurate and was inconsistent with the land registry site plan map. The Committee therefore agreed that the application was deferred so that further information could be ascertained in this regard.

A motion was proposed and seconded so that the Committee could attend a site visit, which was put to the vote and lost.

A motion was proposed and seconded so that the Committee could receive further information on the site plan map, which was put to the vote and carried.

Having taken account of the representations received in relation to this application, the Committee

RESOLVED to defer application 17/P/02146 in order to clarify the proposed access way; access rights/ownership in respect of the access way and whether the correct forms (certificate A or B) was signed in supporting this submission.

PL108 17/P/00920 - GUILDFORD PLAZA (FORMER BURYMEAD HOUSE), PORTSMOUTH ROAD, GUILDFORD, GU2 4DH

The Chairman reminded the Committee that owing to the deferral of this application on 1 November 2017, Councillor Nils Christiansen, who was not present at that meeting would

therefore not be able to participate in the debate or decision reached in relation to this application.

This application was deferred at the Planning Committee meeting held on 1 November 2017 to enable planning officers to negotiate with the developer over reducing the overall scale of the proposed building along the Portsmouth Road frontage, particularly its height and the detrimental impact it would have upon the Grade II* listed St Nicholas Church, the Wycliffe Building and wider vistas.

The Committee considered the above-mentioned full application for proposed assisted living accommodation for older people (Sui Generis) comprising 100 apartments, communal facilities including residents lounge, guest suite, health and well-being facilities, café/restaurant, staff offices, basement car parking, cycle parking, bin storage, plant room, associated hard and soft landscaping, and groundworks (amended description, amended plans and documents received 17/08/2017) (additional elevational drawings received).

The planning officer informed the Committee that a number of additional representations had been received, as detailed in the supplementary late sheets, regarding two specific points in relation to the heritage assessment.

The Committee noted that the application site was located in the urban area of Guildford, close to the town centre as well as Bury Street and Portsmouth Road. The site had previously been occupied by a large building called Burymead House, which was demolished in anticipation of the redevelopment of the site. The application had been deferred to enable officer's to negotiate with the applicant over the reduction of the scale and height of the proposed building along Portsmouth Road as well as its impact upon nearby heritage assets such as St Nicholas Church and the Wycliffe Building.

The following changes had been secured with the applicant; block A had been reduced by one storey which was 3.2 metres in height and six storeys as opposed to seven. The removal of a storey had therefore resulted in a reduction in the number of duplex units from 105 to 100. The size of the basement had been reduced to improve the deliverability and viability of the scheme resulting in the relocation of the cinema to the lounge area. The wellness and treatment spaces had also reduced in size and upper terrace landscaping revised to improve lighting to the lounge area. All other aspects of the application remained as originally proposed.

In the planning officer's view, the applicant had worked hard with officers to further reduce the size of the scheme. The proposed reduction in size of Block A had resulted in a meaningful reduction to the streetscene along Portsmouth Road. The impact upon the heritage assets had also been reduced by the removal of a storey from the proposed development. The viability of the scheme had been independently assessed and officers remained satisfied that the applicant was unable to provide affordable housing in line with policy requirements without impacting upon the requirements of viability.

The Committee discussed the application and agreed that it was a difficult site, which had been left empty for a significant period of time. Any development over two-storeys would have an impact upon neighbouring residents. The Committee recognised that the site had always been industrial in nature, firstly inhabited by a brewery, then a large office building and extant permission for a large office building that was not in keeping with the area.

The Committee fully supported the proposed reduction in size of the building, which had resulted in a significant improvement in the Portsmouth Road elevation now only being five storeys' in height from street level as well as the landscaping proposed opposite the cottages, Alms Houses and Georgian building on the corner of Bury Street. The Committee was satisfied that the new architect had taken into account Guildford Design Panel's comments on the original scheme. Officers were personally thanked by a councillor for all of their hard work and

efforts in achieving the changes the Committee required. The amended scheme therefore incorporated lots of articulation and most importantly pitched roofs, which helped to integrate the roofscape views from outside of the town thereby reducing the overall impact compared to the significant amount of flat roof originally proposed. The detailing of the brickwork and windows was also of a high quality. The Committee agreed that the ward councillor should be involved in the landscaping to be implemented and any samples submitted in advance of construction, should the application be approved.

The Design and Conservation Team Leader stated that the reduction in height of Block A had improved the view vastly from the town to the mount and countryside beyond. The impact upon St Nicholas Church tower had also been improved and the development now sat very much in the background of the tower.

The Committee discussed their concern regarding the lack of provision of affordable housing and what clawback mechanism was in place so that any surplus monies gained could be put towards the Council's own affordable housing provision. The Planning Development Manager confirmed that negotiations were currently ongoing with the applicant regarding clawback and that any decision made in this regard would be achieved in liaison with the ward councillor. The Committee agreed that clawback monies should be provided and was included as part of the S106 agreement.

On that basis, a motion was proposed and seconded to approve the application, which was put to the vote and carried.

Having taken account of the representations received in relation to this application, the Committee

RESOLVED:

- (i) That a S106 agreement be entered into to secure:
- A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area
 - Highway improvement contributions
 - Land dedicated of 4 square metres (1m deep x 4m wide) fronting Portsmouth Road, (or other alternative sized land as may be agreed) for the purposes of siting a bus shelter.
 - Car club provision
 - Claw back mechanism in relation to affordable housing and timing of the development
 - Clause to restrict the age limit of occupants

If the terms of the S106 are significantly amended as part of ongoing S106 negotiations this is to be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

- (ii) That upon completion of (i) above, the application be determined by the Director of Planning and Regeneration. The preliminary view is that the application should be granted subject to conditions.

PL109 17/P/01148 - THE PADDOCKS, ROSE LANE, RIPLEY, GU23 6NE

Councillor Jenny Wicks left the meeting for the duration of the debate and decision made in relation to this application, owing to the perceived bias by virtue of being Governor at Ripley Court School.

The Committee considered the above-mentioned full application for temporary planning permission until December 2019 for the use of land as a gypsy and traveller caravan site to include the provision of a total of eight caravans (no more than four of which shall be static caravans), new utility block, shed, stable block and associated hardstanding (retrospective application).

The planning officer informed the Committee that the application was for a retrospective temporary change of use of land as a gypsy and traveller caravan site until December 2019. The Planning Inspectorate had already granted temporary planning permission in 2015 for a smaller number of caravans. Access to the site was via Rose Lane to the south of Ripley High Street. The site was surrounded by agricultural land and a commercial building, in the Green Belt, outside of the settlement area and outside of Ripley Conservation Area. The proposed scheme was 22 metres deeper than the approved scheme due to the additional caravans, provision of a stable block and larger utility building. Although the site was being extended, it was within the current site allocation in the emerging Local Plan to be adopted.

It was recognised by the planning officer that the proposal represented inappropriate development in the Green Belt harming its openness as well as causing harm to Ripley's Conservation Area. However, it was also considered that the site would not appear overly cramped or developed, even with the extension to the site; the resulting harm would be temporary in nature until December 2019 and also coincided with the likely adoption of the Local Plan for Guildford. Significant weight was given to the fact that the site would accommodate nine children who required a base from which to go to school and have access to local healthcare facilities. It was important to note, that should the application be approved, planning obligations needed to be met which if not carried out would result in a refusal of the application.

The Committee discussed concerns raised in relation to the fact that it was a retrospective application that would extend the temporary period of occupancy of the land beyond that agreed by the Planning Inspectorate as well as expanding the use of the site itself.

The Committee considered that it was a difficult and sensitive application given the sites location in the Green Belt and Conservation Area. However, it was also recognised that the proposal would provide temporary use of the land as a gypsy and traveller caravan site up until the point when the new Local Plan was likely to be adopted in December 2019. The Local Plan when adopted would then help meet the objectively assessed need of the traveller and gypsy community. The Committee noted that weight had been attributed to the fact it was a retrospective application, however the additional harm caused by the sites extension was reduced due to the Planning Inspectorate's approval of the previous temporary application for use of the land.

On that basis, a motion was proposed and seconded to refuse the application, which was put to the vote and was tied, therefore the Chairman used her casting vote in accordance with the officer's recommendation to approve the application and the vote was carried.

Having taken account of the representations received in relation to this application, the Committee

RESOLVED that with a s.106 agreement in place to mitigate the harm to the Thames Basin Heaths SPA, that a temporary permission until December 2019 should be granted.

In the event that a satisfactory planning obligation has not been completed by 2 March 2018 the Planning Development Manager be authorised to REFUSE the application for the following reasons:

The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat and disturbance to the protected species within the protected areas. As such the development is contrary to the objectives of policies NE1 and NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/07) and conflicts with saved policy NRM6 of the South East Plan 2009. For the same reasons the development would fail to meet the requirement of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.

PL110 DEVELOPMENT MANAGEMENT PERFORMANCE FOR 2017

The Committee considered the report outlining the performance of the Development Management Team for 2017. Of particular note was the increased revenue generated by the new pre-application advice service, which was proving popular with over 550 submissions received in the last year.

The performance statistics were consistently good and reflected the high standard of work undertaken by the planning team. In terms of government national targets set for determination of majors, minors and householders and other applications, targets were consistently exceeded.

At the start of 2017, a high number of appeals were granted by the Planning Inspectorate, however a high number of appeals were equally dismissed, so the ratio was balanced in Guildford Borough Council's favour.

A number of high profile appeal cases were considered in 2017 such as the Howard of Effingham School, Guildford Railway Station, land at Wisley Airfield and Land at Manor Farm, all of which had taken significant officer resource to manage efficiently and effectively. The results of the appeal cases were expected towards the end of January/start of February.

The Committee noted that we needed to improve upon on the quality of decisions made on major applications. Too many appeals that we refuse were being allowed at appeal. The Planning Advisory Service had been in touch and had made it clear that they do not wish to make LPA's standards authorities unless absolutely necessary and would prefer authorities to improve rather than be designated.

Validation of applications in 2017 remained strong with the majority of applications validated within 2-4 working days.

The Planning Enforcement Service would be undergoing an external review shortly with a report expected in late Spring/early Summer 2018.

Staffing across the Development Management team remained strong with little change and movement which made a big difference to the service and continuity of service.

The Committee noted that there was the possibility of many more major schemes being submitted this year in addition to the larger strategic sites ear marked by the new emerging local plan.

The Chairman and Committee thanked the Development Management Team for all of their hard work throughout 2017 especially in light of the high profile appeal cases that were excellently managed.

PL111 PLANNING APPEAL DECISIONS

The Committee noted the appeal decisions.

The meeting finished at 9.11 pm

Signed

Chairman

Date

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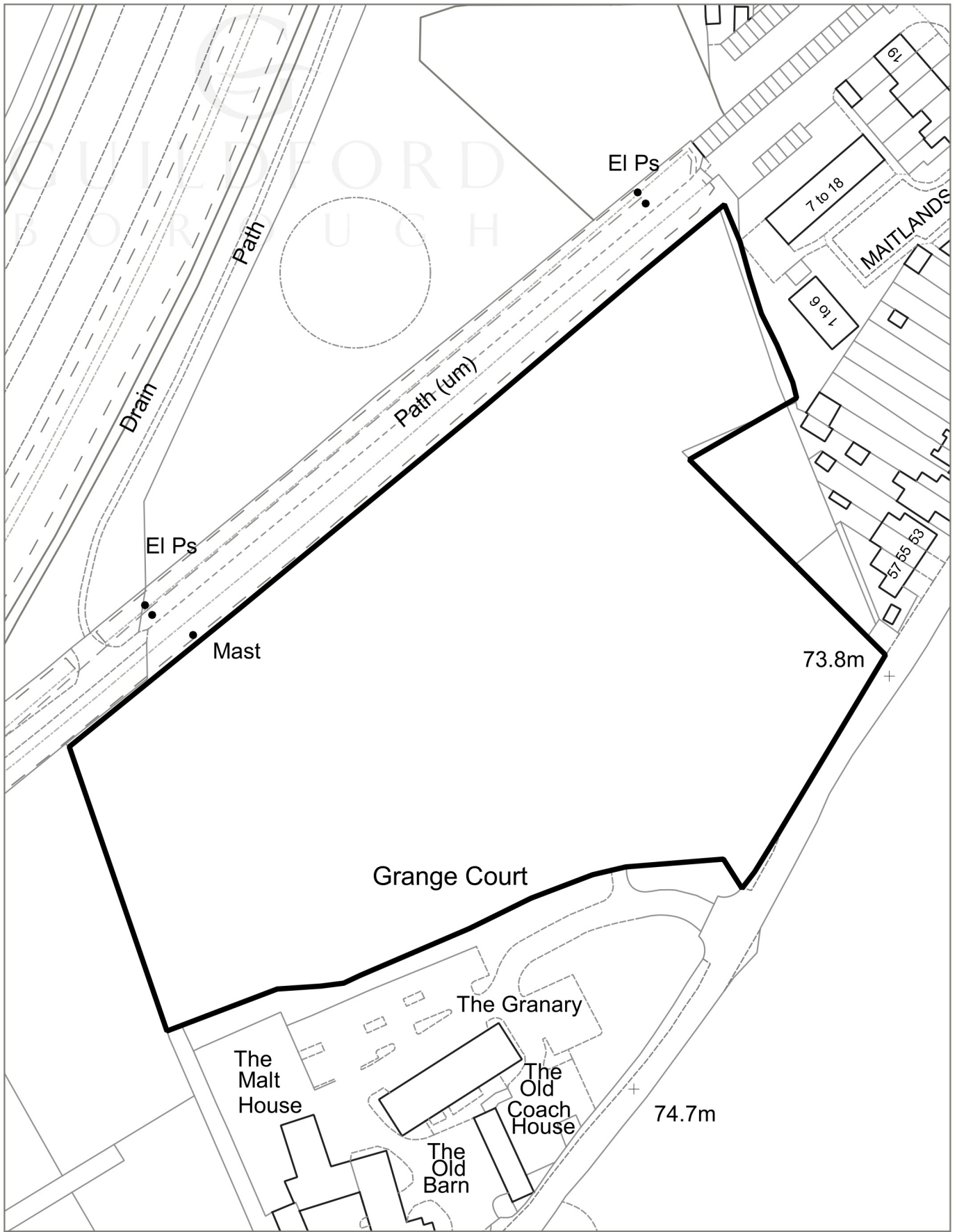
GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX
31/01/2018

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5.1	Ash South & Tongham	Gleeson Developments Ltd	Land adjacent to The Granary, Grange Road, Tongham, GU10 1DJ	17/P/00529	S106	15.
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.2	Tillingbourne	Haulfryn Group Ltd, Clarion House	Surrey Downs Sun Club, Edgeley Holiday Park, Farley Green Road, Farley Green, Albury, Guildford, GU5 9DW	17/P/01209	APPC	49.
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.3	Lovelace	Mr G Chambers, Hill House	Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE	17/P/01223	APPC	69.
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5.4	Pilgrims	Goldenage Healthcare Ltd, Pilgrim Wood	Pilgrim Wood, Sandy Lane, Guildford, GU3 1HF	17/P/01458	REF	83.
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.5	Pirbright	Mr Freeman, Vines Farm	Vines Farm, Mill Lane, Pirbright, Woking, GU24 0BS	17/P/01990	APPC	99.
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.6	Lovelace	Mr & Mrs Warwick, Poplar Cottage	Poplar Cottage, Ryde Close, Ripley, Woking, GU23 6BD	17/P/02102	REF	113.
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.5	Clandon & Horsley	Mrs Larter	Fair Winds, Manor Close, East Horsley, Leatherhead, KT24 6SB	17/P/02363	APPC	121.

Total Applications for Committee 7

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17/P/00529 - Land Adjacent To The Granary, Grange Road, Tongham



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Print Date: 17/01/2018



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GUILDFORD
BOROUGH

17/P/00529 – Land adjacent to the Granary, Grange Road, Tongham

Indicative Layout



App No: 17/P/00529
Appn Type: Outline Application
Case Officer: Hannah Yates
Parish: Tongham
Agent :

8 Wk Deadline: 05/02/2018

Ward: Ash South & Tongham
Applicant: Mr Jackson
Gleeson Developments Limited
Sentinel House
Harvest Crescent
Ancells Business Park
Fleet
GU51 2UZ

Location: Land adjacent to The Granary, Grange Road, Tongham, GU10 1DJ
Proposal: Outline application for the erection of up to 50 dwellings and associated access, car parking and open space (all matters reserved except access)(proposed site plan and noise assessment report amended 20/12/2017).

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 site comprises an undeveloped open area of grassland located outside the urban area of Ash and Tongham within Countryside beyond the Green Belt. The site is also within the Black Water Valley strategic open gap and within the 400m - 5km zone of influence of the Thames Basin Heaths Special Protection Area. The site is accessed off Grange Road, which is a small no-through D class road containing an existing cycle route.

The application seeks outline permission for the erection of up to 50 dwellings, where all matters are reserved except access. Details of the proposed scheme are as follows:

- Density – 26 dwellings per hectare
- Vehicle access would be achieved from a single point on Grange Road
- A number of pedestrian accesses are proposed along the north west boundary of the site connecting to Tongham Woods
- The indicative layouts indicate there would be sufficient space on site to accommodate a Local Area of Play (LAP), as well as an area of amenity green space

A scheme for residential development was approved on a similar site on the other side of Grange Road in 2015 under application reference 14/P/02398.

Summary of considerations and constraints

The site is within the Countryside Beyond the Green Belt and the Black Water Valley Strategic Open Gap which are covered by saved Local Plan policies RE4 and R11. Both policies do not comply with the NPPF and therefore only carry limited weight due to this lack of consistency.

The site is in a sustainable location and the development would deliver 50 units that would contribute significantly to meeting the Councils identified housing need; 18 of these would be affordable. The development would not materially impact on the amenities enjoyed by occupants of nearby existing residential properties, would not give rise to conditions prejudicial to highway safety, would not impact on protected species, would not increase the risk of flooding to adjoining properties and would not cause or result in any future occupants being subjected to materially harmful amounts of noise or emissions.

The development would change the character of the area, would extend the urban area and would result in less than substantial harm at the very lower end of the scale to the setting of a Grade II listed building within Grange Court. These matters must be weighed against the benefits of the proposal.

A number of benefits have been identified including;

- Delivery of additional market and affordable housing;
- Economic benefits.

While the development would result in some limited harm, the conflicts identified are not significant and do not outweigh the benefits of the development. Subject to the conditions and S106 agreement committing to the Heads of Terms noted below, the application is deemed to be acceptable and is recommended for approval.

RECOMMENDATION:

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

- **the delivery of 35% of the units as affordable housing**
- **a contribution to a suitable off-site SANG**
- **payment of the Strategic Access Management and Monitoring (SAMM)**
- **a contribution towards bus stop improvements on Manor Road**
- **a contribution to an improvement scheme for the A331/A31 junction**
- **contributions to education provision including early years, primary and secondary education**
- **a contribution towards improvements to Tongham Railway open space**

If the terms of the S106 are significantly amended as part of ongoing S106 negotiations this is to be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of (i) above, the application be determined by the Director of Planning and Regeneration. The preliminary view is that the application should be granted subject to conditions.

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

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout, and scale, hereinafter called "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 2015.

3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan ref. 1665_01 date stamped 08/03/2017 and ITB11401-GA-005 Rev B contained within the submitted Transport Statement ref. JDW/ZB/SJH/ITB11401-001R dated 14/02/2017.

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

5. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Grange Road has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. ITB11401-GA-005 Rev B contained within the submitted Transport Statement ref. JDW/ZB/SJH/ITB11401-001R dated 14/02/2017, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre commencement condition in order to secure the access and suitable visibility splays first.

6. The development hereby approved shall not be first occupied until the provision of pedestrian access points to Tongham Wood, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The agreed access points shall retained and maintained in perpetuity.

Reason: To encourage travel by means other than private motor vehicles.

7. The development hereby approved shall not be first occupied unless and until the highway improvement works have been constructed in accordance with the approved plans, Drawing No. ITB11401-GA-006 contained within the submitted Transport Statement ref. JDW/ZB/SJH/ITB11401-001R dated 14/02/2017, and there after shall be permanently maintained.

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

8. The approved Travel Plan, JDW/SJH/ITB11401-002A,R, shall be implemented upon first occupation. Thereafter it shall be maintained and developed to the satisfaction of the Local Planning Authority.

Reason: To encourage travel by means other than private motor vehicles.

9. 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) measures to prevent the deposit of materials on the highway
- (g) 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: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the management of construction traffic needs to be considered before construction commences.

10. The development hereby approved shall not be commenced until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:
- a) A design that satisfies the SuDS Hierarchy and includes the results from the infiltration testing and a full ground investigation
 - b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS

- c) Evidence that the proposed solution will effectively manage the 1 in 1 1 in 30 & 1 in 100 +CC% allowance for climate change storm events, during all stages of the development (Pre, Post and during) following the principles of “Land to the West of Grange Road, Tongham, Flood Risk Assessment Gleeson Developments Ltd, February 2017 Ref. – 16-019 FRA Rev A Sept 2017” discharging from the site at a rate no greater than 5l/s
- d) Details how of how discharge mechanism offsite will be protected from blockage
- e) Details of management and maintenance regimes and responsibilities to include details on how either a swale or a Cellular tank will be accessed for maintenance purposes
- f) Details of how exceedance flows will be managed
- g) A construction phase plan that details how the SuDS elements will be protected during construction
- h) Drawings ready for construction to include long and cross sections of each SuDS element, a labelled drainage layout detailing pipe levels and diameters

The development shall then be carried out in accordance with the approved details.

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site. It is considered necessary for this to be a pre-commencement condition because the satisfactory drainage of the site goes to the heart of the planning permission.

11. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme approved under condition 10.

Reason: To ensure the Sustainable Drainage System is designed to the technical standards.

12. No development shall take place until written confirmation has been obtained from the local planning authority that the Council has secured Suitable Alternative Natural Green Space (SANG) and no dwelling shall be occupied before written confirmation has been obtained from the local planning authority that the works required to bring the land up to acceptable SANG standard have been completed.

Reason: This is required as a pre-commencement condition as the development is only acceptable if the impact on the Thames Basin Heaths Special Protection Area can be mitigated. This is reliant on the provision of SANG. Avoidance works associated with development need to be carried out prior to the occupation of the development so that measures can cater for increased number of residents to avoid adverse impact on the Thames Basin Heaths Special Protection Area.

13. Prior to the submission of the first Reserved Matters application, the unit and tenure mix of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority. Subsequent Reserved Matters applications shall comply with the agreed unit mix.

Reason: In order to create sustainable and mixed communities.

14. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development. It is considered necessary for this to be a pre-commencement condition because the location of archaeological remains may influence the layout of the site.

15. The development hereby approved shall only proceed in accordance with the Reptile Enhancement and Mitigation Strategy recommendations contained within Sections 4.6 to 4.16 (inclusive) of the Reptile Survey dated 2016 by The Ecology Partnership.

Reason: To prevent adverse impacts on protected species resulting from the proposed development works.

16. No development shall take place until a Sensitive Lighting Management Plan has been submitted to and approved in writing by the Council. The development shall then be carried out in accordance with the approved details.

Reason: To prevent adverse impacts on protected species, in particular bats, resulting from the proposed development works. It is considered necessary for this to be a pre-commencement condition because the management of lighting needs to be considered prior to any lighting being added to the site.

17. All trenches left open overnight in relation to the construction of the development hereby approved should include a means of escape for any animals that may fall in.

Reason: To prevent adverse impacts on protected species, resulting from the proposed development works.

18. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Council. The LEMP should be based on the proposed Recommendations and Enhancement measures specified in Paragraphs 4.29 to 4.37 (inclusive) of the Preliminary Ecological Appraisal dated July 2015 by the Ecology Partnership and should include adequate details of the following:
- Description and evaluation of features to be managed and created including measures to compensate for loss of grassland habitats
 - Location and management specification of land to be retained as a buffer adjacent to the Ancient Woodland
 - Location and management specifications for enhanced reptile habitat
 - Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings.
 - Aims and objectives of management
 - Appropriate management options to achieve aims and objectives
 - Prescriptions for management actions
 - Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity
 - Ongoing monitoring and remedial measures.

The development shall then be carried out in accordance with the approved details.

Reason: To prevent adverse impacts on protected species, in particular bats, resulting from the proposed development works. It is considered necessary for this to be a pre-commencement condition because the strategy for management of ecology interests needs to be established prior to work commencing on site.

19. No development shall commence until:
- a) A plan has been submitted to the Local Planning Authority showing a line of protective fencing around all trees to be retained on or adjacent to the development site. The fencing shall be in accordance with the current recommendations within the British Standard BS5837:2012 'Trees in relation to design, demolition and construction -Recommendations'.
 - b) A site meeting has taken place where a representative from the Local Planning Authority has inspected and approved the protective fencing. Once approved no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition to ensure the construction does not have any adverse impact on the retained trees.

20. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - Arrangements for liaison with the Council's Environmental Health Team
 - All works and ancillary operations which are audible at the site boundary, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on
 - Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.
 - Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period. It is considered necessary for this to be a pre-commencement condition because the management of construction needs to be considered before construction commences.

21. No development shall take place, until an energy statement has been 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 10 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon energy 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 Sustainable Design and Construction SPD 2011. It is considered necessary for this to be a pre-commencement condition because the incorporation of low/zero carbon technologies needs to be considered at the design stage.

22. 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 'Sustainable Design and Construction' 2011.

23. No development shall take place until a scheme for protecting the proposed dwellings from noise from traffic on the adjacent roads has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Authority shall be completed before any permitted dwelling is occupied, and retained.

Reason: To prevent adverse impacts on the future occupants of the approved dwellings. It is considered necessary for this to be a pre-commencement condition because the mitigation measures need to be considered at the design stage.

24. No development shall take place until details of the proposed Local Area for Play (LAP), have been submitted to and approved in writing by the Local Planning Authority. Such details shall include layout, surfacing, fencing and details of any equipment. The development of this area shall be carried out in accordance with the approved details prior to the occupation of the 26th dwelling, or in accordance with a timescale that has first been agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory provision of play space. This is required to be a pre-commencement condition to ensure satisfactory playspace is agreed and provided in a timely manor, ensuring it can be used by the occupants of the proposed development.

Informatives:

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

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

Pre-application advice was not sought prior to submission, however Guildford Borough Council worked pro-actively with the applicant. This was done by seeking further information in relation to an appropriate layout ensuing the number of properties proposed could be acceptably laid out on the site, landscape impacts, SuDs, trees, noise and air quality. The submitted information overcame the initial concerns raised in relation to these issues.

2. Highways informatives:

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 to install dropped kerbs.
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs

The permission hereby granted shall not be construed as authority to carry out any 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 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.

3. Thames Water informatives:

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

4. 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

Officer's Report

Site description.

This site measuring 1.91 hectares is located outside the urban area of Ash and Tongham within Countryside beyond the Green Belt. The site is also within the Blackwater Valley strategic open gap and within the 400m - 5km zone of influence of the Thames Basin Heaths Special Protection Area.

The site comprises an undeveloped open area of grassland which is relatively flat and irregularly shaped rising slightly towards part of the southern boundary of the site alongside Grange Road. To the north east are residential properties fronting Grange Road and to the east of the site on the opposite side of the road is a currently open grassland site with an extant outline consent for up to 50 dwellings under planning reference 14/P/02398. To the south of the site are the commercial units within Grange Court, which consist of offices within converted barns, one of which is Grade II listed, and another of which is locally listed. Further beyond to the south west are open fields/paddocks. To the north and north west is the publically accessible Tongham Woods, a small part of which is designated as ancient woodland, beyond Tongham Woods lies the A331. The boundaries of the site are generally marked by hedgerows, fencing and some trees.

Grange Road is a small no-through D class road containing an existing cycle route. The only current access into the site is a field gate from the commercial Grange Court to the south.

Proposal.

Outline application for the erection of up to 50 dwellings and associated access, car parking and open space (all matters reserved except access).

The submitted plans do include a number of site layouts but these are indicative only. The application is also supported by a Design and Access Statement, a Built Heritage Statement, a Landscape and Visual Appraisal, a Flood Risk Assessment, a Transport Statement, a Travel Plan, a number of Ecology Assessments, an Archeology Assessment, an Arboricultural Assessment and Method Statement and, an Air Quality Assessment and a Noise Assessment.

Density – 26 dwellings per hectare.

Vehicle access would be achieved from a single point on Grange Road.

18 of the houses would be affordable (36%), and full details of the mix will be secured through the S106 in general accordance with need identified in the SHMA.

The indicative layouts indicate there would be sufficient space on site to accommodate a Local Area of Play (LAP), as well as an area of amenity green space.

Relevant planning history.

On site:

13/P/01936 - Outline application for the erection of 56 houses with access off Grange Road. Withdrawn 08/05/2013 following concerns raised in relation to:

- The proposal failing to demonstrate that the site could accommodate 56 dwellings
- insufficient evidence there would be no harm to ecology
- Insufficient evidence in relation to how the level of development proposed would impact on Tongham Wood, part of which is ancient woodland
- Inadequate flood risk assessment, particularly in relation to on site testing and SuDs
- Development was not supported by a Transport assessment

On neighbouring site on the other side of Grange Road:

14/P/02398 - Outline application for the erection of up to 50 dwellings and associated access, car parking and open space. Approved 16/07/2015

Consultations.

Statutory consultees

Highway Authority, Surrey County Council: No objection subject to S106 contributions towards bus stop improvements on Manor Road and improvements to the A31/A331 junction. Also conditions requiring appropriate visibility splays at the new access onto Grange Road, implementation of the agreed travel plan, parking and turning for vehicles and parking for cycles and a Construction Transport Management Plan; as well as a grampian condition requiring the improvement works to Grange Road prior to occupation. [Officer note: As layout is a reserved matter, the parking and turning cannot be added as a condition on the outline permission].

Lead Local Flood Authority, Surrey County Council: We are satisfied that the amended proposed drainage scheme meets all requirements set out in policy and can recommend outline planning permission is granted. We would however recommend that should outline planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Natural England: No objection subject to:

- The provision that a suitably worded Grampian condition is appended to any permission granted (with explicit reference to the Ash Lodge Drive SANG).
- The Grampian condition should also stipulate that no development will commence or occupancy take place until the SANG is signed off by your authority and is open for public use.
- The above points are with the understanding that the SANG is within the relevant catchment area to capture the development, see the Thames Basin Heaths SPA Delivery Framework.

Thames Water: No objection with regards to sewerage infrastructure capacity. Informatives recommended in relation to surface and ground water.

Internal consultees

Head of Environmental Health and Licensing: No objection in relation to noise impacts, air quality or contamination subject to conditions requiring noise mitigation as detailed in submitted noise report, all recommended mitigation measures from the Air Quality Assessment, provision of electric vehicle charging points, a Construction Environmental Management Plan and hours of work.

Head of Parks and Countryside: The proposed development is located within a 10 minute walking distance of Tongham Railway, which is a publicly accessible countryside site. The proposed development will increase the use of Tongham Railway for dog walking and general recreational purposes. S106 contributions are required for improvements to footpaths and drainage features, and for new bins, benches and fencing.

Housing Development Manager: The applicant is proposing 36% affordable housing (18 of 50 units). In relation to the indicative mix shown, it should be more weighted in favour of affordable rent. [Officer note: the mix and tenure of the affordable units will be controlled by a planning obligation in discussions with the Housing Development Manager].

Recycling and Waste Management: Layouts provided do not currently meet requirements, however it is noted that the layout is indicative only at this stage. [Officer note: Suitable arrangements will be secured through the Reserved Matters].

Non-statutory consultees

Education, Surrey County Council: No objection subject to contributions to mitigate the impact on local education provision.

Archaeology, Surrey County Council: No objection subject to a condition securing the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Surrey Wildlife Trust: No objection subject to conditions securing development proceeding in accordance with the submitted reptile enhancement and mitigation strategy, a sensitive lighting management plan for bats, appropriate protection and mitigation for badgers during the

construction period and a Landscape Ecological Management Plan (inclusive of the maintenance of the buffer zone to the adjacent ancient woodland).

Waverley Borough Council: No objection.

NHS North East Hampshire and Farnham CCG: No objection due to the scale of development proposed.

Parish Council

Tongham Parish Council: Object for the following reasons -

- Increasing concerns on local infrastructure from small and medium developments in the area
- Cumulative effect on schools, doctors surgeries, dentists, churches, play schools, toddler groups and highways
- Grange Road is a narrow lane, which contains a number of parked cars. Currently cars park on both sides of the road in the evenings. The development would result in a minimum of 100-150 cars which will exacerbate the current situation
- Erosion of green space
- Concerned there are not enough local jobs to support employment of any new residents. All new residents will then have to commute, adding to congestion
- Planning permission has been refused on the site previously [Officer note: Application 13/P/01936 was recommend for refusal, however was withdrawn prior to a formal decision being made. The concerns raised are summarised above in the planning history section, and as can be seen were predominantly to do with insufficient supporting information rather than any in principle concerns]

Third party comments:

39 letters of representation have been received. The objections and concerns raised are summarised below:

- Cumulative impact with other approved developments in the area
- Tongham is overcrowded
- Proposal takes away the village status of Tongham [Tongham is part of the urban area of Ash and Tongham, as identified in the Local Plan]
- Insufficient infrastructure - schools, healthcare
- Services under strain
- Congestion on surrounding roads - Particularly The Street
- Impact on the Ambulance Station from congestion
- Grange Road is too narrow for the proposal, particularly with cars parked in the road as existing
- Grange Road is frequently used by walkers, cyclists and horse riders, causing safety concerns
- Access not possible for lorries, larger emergency vehicles
- The development should not be permitted without the approved improvements to Grange Road, secured under 14/P/02398 (extant scheme on the other side of Grange Road)
- Questions over adequacy of the submitted Transport Assessment [Officer note: the Highway

Authority have examined the submitted information, and have raised no concerns over the submitted assessment. The County officer is aware of the specific on site conditions]

- View from Tongham Woods would be spoilt
- Loss of view to the old railway line
- Loss of view to the AONB from Tongham Wood
- Loss of Green spaces and trees [Officer note: No trees are to be removed as part of the development]
- Loss of the Blackwater Valley Strategic Gap

Brownfield sites should be developed first

- Possibility that the proposed groundwater run-off could be routed through the Tongham Woods (avoiding the properties on Maitlands Close). This would cause damage to both mature and new planting
- Potential impact of the houses on adjacent businesses [Officer note: A Noise Impact assessment has been submitted showing the existing noise constraints of the site, which shows the houses should not be subjected to unreasonable levels of noise. Environmental Health do not raise any objection on this basis]
- Noise pollution from the A331 causing unacceptable impact to occupiers of new properties
- Noise and pollution from construction works
- Impact on ecology
- Inaccurate information provided with the application, the site area is not as stated and the number of units applied for is different within the application form [Officer note: Site area has been checked and is as stated. The error within the application form has been corrected]
- Overly dense form of development for the urban fringe location
- Surface water flooding [Officer note: the Lead Local Flood Authority have examined the submitted information, and have raised no objection subject to conditions]
- Although the Flood Risk Assessment states that Thames Water have indicated that they will adopt the pumping station proposed for this site, the level of the water table may result in drainage gradients too low to maintain self-cleaning velocities into the pumping station [Officer note: the Thames Water have examined the submitted information, and have raised no objections]

Planning policies.

National Planning Policy Framework (NPPF):

Core planning principles

Chapter 4. Promoting sustainable transport

Chapter 6. Delivering a wide choice of high quality homes

Chapter 10. Meeting the challenge of climate change, flooding and coastal change

Chapter 11. Conserving and enhancing the natural environment

Chapter 12. Conserving and enhancing the historic environment

South East Plan 2009:

NRM6 Thames Basin Heaths Special Protection Area

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

G1 General Standards of Development

G5 Design Code

G6 Planning Benefits

G12 Location of Development

H11 Affordable Housing

RE4 Countryside Beyond the Green Belt

HE4	New Development which affects the Setting of a Listed Building
HE6	Locally Listed Buildings
NE2	Sites of Special Scientific Interest
NE4	Species Protection
R2	Recreational Open Space in Large Resid.
R11	Blackwater Valley
M4	Provision for Buses
M6	Provision for Cyclists and Pedestrians

Supplementary planning documents.

Sustainable Design and Construction SPD 2011
Planning Contributions SPD 2017
Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Residential Design SPG 2004
Vehicle Parking Standards SPD 2006
Landscape Character Assessment
Surrey County Council Vehicular and Cycle Parking Guidance 2011
Manual for Streets 2007

Emerging Local Plan.

Policy A29 of the Submission Local Plan, of which this site forms a part of, is allocated for approximately 1750 homes.

Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging local plans. The Submission Local Plan was submitted for examination in December 2017, and currently carries limited material weight at this time.

Evidence base:

The Land Availability Assessment (LAA) 2016
The Land Availability Assessment addendum 2017
Strategic Housing Market Assessment
Green Belt and Countryside Study

Planning considerations.

The main planning considerations in this case are:

- planning policy context
- the principle of development
- housing need and the mix of dwellings proposed
- the impact on the landscape and the character of the area
- the impact on nearby heritage assets
- the impact on highway safety and the level of parking
- the impact on neighbouring amenity
- the impact on trees and vegetation
- the risk of flooding and the proposed surface water drainage strategy
- the impact on the Thames Basin Heaths Special Protection Area
- the impact on biodiversity and protected species

- noise and air quality
- other issues
- legal agreement requirements

Planning policy context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the area includes the Guildford Local Plan 2003 (as saved) and Policy NRM6 of the South East Plan 2009.

The Development Plan predates the publication of the NPPF and paragraph 212 of the NPPF advises that “the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication.”

Where there is conflict between the Development Plan and the NPPF paragraph 215 of the NPPF states that “weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The report will identify areas where there is conflict between the NPPF and the Development Plan.

In the determination of this application it would be appropriate for the Council to give greater weight to its Development Plan policies, in so far as they accord with the NPPF, and give significant weight to other primary material considerations such as the NPPF.

The principal of development

The application site is located within the Countryside Beyond the Green Belt (CBGB). Policy RE4 of the Local Plan advises that development within CBGB will not be permitted except in a limited range of circumstances, and this does not include residential development. The application site is also located within the Blackwater Valley Strategic Open Gap which is covered by saved policy R11 of the Local Plan. This policy states that built development would not be permitted unless it is ancillary to agriculture, forestry or recreation. Both these policies are restrictive and seek to reflect the controls that are applicable to Green Belt development. They form part of the Development Plan, which is the starting point for decision-making, and decisions should be in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) is a significant material consideration. The overriding objective of the NPPF is to deliver sustainable development and there is a clear presumption in favour of approving sustainable development. While the NPPF continues to give strong weight to the protection of the Green Belt, such protection does not extend to other areas of countryside. The NPPF therefore draws a clear distinction between Green Belt land, which to be protected, and other countryside where the objective is one of recognising intrinsic character and beauty rather than outright restriction on development. The presumption in favour of sustainable development applies equally to development in the countryside as it does in urban

areas. Policies RE4 and R11, in so as they restrict development, are clearly in conflict with the policy of the NPPF. The restrictive nature of these policies, in particular policy RE4, is a contributing factor to the under delivery of housing and the weight to be attached to these policies must be reduced. In addition it is noted that the Council has not been able to identify a five-year housing land requirement or a five-year supply of housing as required by the NPPF.

Paragraph 215 of the NPPF makes clear that the weight to be given to local policies should be determined having regard to the degree of consistency with the Framework. Given these policies are not consistent with the NPPF, and as the Council is unable to demonstrate a five-year supply of housing land, both policies should be given limited weight in the determination of this application in so far as they seek to prevent development. The Council should apply the presumption in favour of sustainable development on this site. This means granting planning permission unless the adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits of the development.

Housing need and the mix of dwellings proposed

The NPPF requires local planning authorities to prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. Guildford sits within the same Housing Market Area as Waverley and Woking. The final West Surrey SHMA, published in September 2015, identifies the full objectively assessed housing need (OAN) for Guildford as 693 homes a year for the period 2013-2033. In March 2017 the Council published the West Surrey Strategic Housing Market Assessment: Guildford Addendum Report 2017 which provides an update to the SHMA and advises that due to changes in the underlying data the OAN for Guildford is now 654.

The Council cannot demonstrate a five-year housing land supply. The Council's Annual Monitoring Report 2016 states that the current housing land supply is 2.1 years. The reduction in the OAN has increased the five-year supply to approximately 2.4 years, however this remains a significant shortfall. Guildford Borough Council has a considerable need for both market and affordable housing and therefore the benefits of the additional housing should be accorded significant weight in favour of the proposed development.

The application includes the provision of 50 dwellings, and the application form states that 18 of these will be affordable which equates to 36%. The application is in outline and a mix of dwellings has been identified in the application form, however this mix is not in line with the need identified within the SMAA. Through the application process, it has been indicated through various layouts provided, that a mix broadly in line with the SMAA will be provided. To ensue this comes forward, a condition had been recommended. There is no information in the submission regarding when the housing is planned to be delivered, however the development would have the potential to make some contribution to the Council's 5-year supply of housing and this carries significant weight in favour of the proposed development.

Impact on the landscape and character of the area

Impact on the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV)

The relevant Surrey Hills AONB Management Plan Policy in this case is LU5, which states "development that would spoil the setting of the AONB by harming public views into or from the AONB, will be resisted".

The Surrey Hills AONB is located approximately 545 metres south east of the site at its closest point. The most prominent part in relation to this site is the Hogs Back Road (A31), which is considerably elevated.

The proposal would not have any significant impact on views out of the AONB due to intervening built development, landscape features and contouring. Even though the development on the site would be visible from some parts of the AONB, it would be seen as extension of existing developed areas, and therefore not harmful in these long range views.

With regards to views into the AONB from public vantage points, the development would feature in views from the adjacent Tongham Woods. However, however the approved development on the other side of Grange Road would also feature in these views. It is therefore considered there is no material harm to the setting of the AONB from the proposed development, resulting in no conflict with the Surrey Hills AONB Management Plan or saved Local Plan policy RE5.

The AGLV is located approximately 215 metres to the east of the site, on the eastern side of The Street, and forms a landscape buffer to the AONB. Policy RE6 seeks to ensure development within the AGLV will protect the distinctive character of the area. As the site is located outside of the AGLV, there is no conflict identified with policy RE6.

Other landscape and character considerations

The site falls within the Blackwater Valley Rural-Urban Fringe as defined by the Guildford Landscape Character Assessment (GLCA) and Guidance. The main part of this character area is located on the other side of the A331, where the River Blackwater lies and the A331 itself fragments the landscape. The site is adjacent to the Tongham Urban-Rural Fringe Character Area where abundant horse paddocks characterise the urban edge, along with areas of scrub vegetation. The site is located between residential development and commercial units, and is reflective of these assessments and it is not considered to make a significant contribution to the setting of the Tongham.

The application site comprises grassland, with vegetation and fencing along the site boundaries, and is located in an area that is semi-rural in character to the south west of the urban area of Ash and Tongham. Travelling south along Grange Road, as you move beyond the terraced properties out of the existing urban area, there is a change in character to more sporadic low density development. This character is likely to change in the near future as a site on the other side of Grange Road has an extant outline permission for 50 dwellings.

The application proposes the erection of up to 50 residential units which results in the introduction of a significant quantum of additional residential development to a site that is currently undeveloped. This would inevitably change the character of this part of Tongham, however only a minor adverse impact is identified as the site is relatively contained having a limited presence in the wider landscape. The most recent indicative Site Plan does demonstrate that this level of development could be accommodated on this site without causing significant harm to the character of this part Tongham.

The indicative layout shows good spacing between dwellings, which are also set back from the internal roads allowing space for landscaping. The development would deliver a gross density of approximately 26 dwellings per hectare. This density is comparable with those surrounding the site, and allows for a landscaping buffer around the edges of the development ensuring it has an acceptable appearance from both Grange Road and Tongham Woods. This landscaping buffer also allows for an appropriate transition from urban to rural, that respects and is sensitive to this location on the edge of Tongham.

In terms of form, a mix of detached, semi-detached, terraced properties and flats are detailed on the indicative layout. The buildings are shown to be predominantly two-storey with some of the buildings having a second floor of accommodation in the roof space. The surrounding area is mixed in character and scale with detached, semi detached and terraced houses along Grange Road of varying ages and design. Houses are generally two-storey but there is some two and a half and three-storey development as you move north into Tongahm. The overall mix of house types and inclusion of some 2.5 storey development proposed under this application is considered to be acceptable.

The applicant has therefore demonstrated that the site is capable of accommodating the level of development proposed without resulting in unacceptable harm the character or appearance of the area.

Indicative site plan

The indicative site plan is considered to follow good urban design principles, with the following positive features:

- layout is generally formed around perimeter blocks
- strong building line maintained along Grange Road
- landscaped buffers to north, west and southern site boundaries, also serving as amenity green space
- space for provision of LAP
- positive frontage onto open spaces

The submitted indicative site plan has demonstrated it would be possible to site 50 dwellings on site without causing significant harm to the character of the area.

The impact on Heritage Assets

Impact on listed and locally listed buildings

The application site is within close proximity to a number of heritage assets and shares a level of inter-visibility. This includes the buildings within the historic Grange Farm group, comprising a Grade II listed barn and a number of locally listed buildings including two barns, Grange Farm House and boundary walls. The applicant has submitted a Built Heritage Statement which has taken into account the assets identified above.

Statutory provisions:

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall

have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework at paragraph 129 sets out that the Local Planning Authority 'should identify and assess the particular significance of any heritage asset.

They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraphs 128 - 135 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

Local Plan provisions:

Saved Local Plan policy HE4 generally complies with the overall aim of the NPPF, and seeks to protect the setting of a listed building, however, it does not contain the same direct reference to the need to balance harm against the public benefit. In this respect it does not carry full weight. Saved policy HE6 also generally complies with the NPPF, seeking to protect non designated heritage assets and their settings.

The significance of the group of listed and locally listed buildings lies predominately in the relationships between the buildings as an historic farmstead.

The significance of the grade II listed barn can also be found in the 17th century historic fabric and in particular in the early timber frame. The site forms part of the wider setting of these buildings, and therefore to understand the impact on the significance of the heritage assets, it is important to look at the contribution that setting makes to the group, in particular the grade II listed barn which is the only designated heritage asset in close proximity to the site.

The listed barn has been converted to offices, as has the rest of the complex and a new building built to the north which acts as a barrier between the historic farmyard and the application site. The farmyard has been tarmacked and is used for car parking which has also altered the site itself which appears much more domestic than agricultural and the functional relationship between the buildings and the land has been lost. The visual relationship between the farm buildings and the farm house on the opposite side of the road to the south of the site is still apparent, as is the historic functional relationship and this will not be altered by the proposal. The construction of the A331 has also dramatically altered the wider landscape and character of the area, further eroding the historic agricultural setting of these buildings.

The proximity of the proposed development would, however, cause some harm to the setting. This harm is considered to be at the very lower end of 'less than substantial' for the reasons already discussed. The application is in outline, allowing the chance to secure appropriate boundary treatments and landscaping between the two sites. The Conservation Officer raises no objection to the application on this basis.

In accordance with paragraph 134 of the NPPF this harm should be weighed against the public benefits of the proposal which will be done at the end of the report.

Impact on archaeology

The application has also been submitted with an archaeological desk based assessment which aims to identify and assess the significance of any Heritage Assets with archaeological significance that may be affected. The report identifies that the site is likely to have been agricultural land for many centuries. The proposed development has the potential to impact on unknown archaeological remains of local to regional importance.

However as potential archaeological remains of national importance are not identified, overall the archaeological impact of the proposed development is considered unlikely to be significant or widespread.

The Country Archaeologist has considered the assessment submitted and supports the conclusions of the report and recommends a planning condition be imposed on any consent granted to secure further investigation. This will provide for the opportunity to influence the design and logistics of the development and accommodate any Archaeological Assets worthy of preservation in situ within the detailed development proposal.

Highway and parking issues

Paragraph 32 of the NPPF states that 'all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

As part of the proposal, the applicants have submitted a detailed Transport Statement and additional Travel Plan Statement dated 05/05/2017. These have been reviewed the County Highway Authority.

Access and highway safety

The application is in outline, however access is for consideration now. As shown on i-Transport drawing no. ITB11401-GA-005 Rev B, it is proposed to provide vehicular access to the site in the form of a simple priority junction onto Grange Road, which forms the south eastern frontage to the site. Visibility splays of 2.4m x 43m are shown to the north and south of the proposed site access. Grange Road is subject to a 30mph speed limit and is lightly trafficked. To inform the submitted Transport Statement, traffic speed monitoring was undertaken outside of Grange Road cottages where results showed traffic travelling below the speed limit. Therefore, in accordance with Manual for Streets, visibility splays of 2.4m x 43m are appropriate and will be secured by condition.

Grange Road is currently very narrow in places with informal on street parking, therefore to facilitate the development some localised improvements are required.

The improvements include traffic calming measures through a priority to oncoming vehicles scheme, formal parking laybys along the frontage of 19 - 57 Grange Road, a formal parking layby to the front of 2 Grange Road, dropped kerbs, access widening and tactile paving to aid pedestrians across existing vehicle accesses to 2-8 Grange Road and Lambourne Way. All these highway works are detailed within i-Transport drawing no. ITB11401-GA-006.

Pedestrian access is proposed alongside the vehicular access, in the form of new section of footway between Grange Court and Grange Road Cottages. There is no footpath to the front of Grange Road Cottages, and therefore the road here would be a shared surface for vehicles and pedestrians. With the addition of the identified development traffic generation, the traffic flow outside of Grange Cottages will be circa 70 and 75 two way movements in the morning and evening peak hours respectively. The Manual for Streets identifies a threshold of around 100 vehicles per hour as being acceptable for shared use, and as such the traffic flows on Grange Road in the vicinity of Grange Cottages will be within this threshold.

A number of pedestrian/cycle accesses are also provided along the north west boundary of the site which links into the adopted highway network through the local path network through Tongham Woods. The network of paths within Tongham Woods provide access to the north towards 'The Moors' underpass under the A331, as well as access to the north and east via Lambourne Way/ Garbetts Way, which in turn lead to Grange Road and the centre of Tongham and its local facilities. This provides pedestrians and cyclists an alternative to coming out of the site on Grange Road, and having to share the surface with vehicles.

Surrey County Council (SCC) have assessed the proposed access and highway improvement works and consider they are acceptable, providing the required visibility in both directions consistent with the speeds recorded on Grange Road. The access can also accommodate the largest vehicles that are anticipated to access the development on a regular basis. SCC have also considered the pedestrian access strategy which is considered to be acceptable. Conditions will be added to secure both vehicle and pedestrian accesses, and a grantian condition will be added relating to the highway improvement works.

In addition to the above, the proposed access has been designed to work on its own, or with the approved access arrangements for the extant permission on the other side of Grange Road which involves the widening of part of Grange Road.

Highway network and highway safety

The submitted TS considers the impact of the development on a number of junctions in the vicinity of the site, taking into account cumulative impacts of committed development (development with planning permissions that have not been built out). It demonstrates that the surrounding junctions will not be significantly affected by the proposed trips generated from the development, and there will not be any noticeable impact on the day to day operation of the local highway network. Given the location of the development in relation to the A31/A331 junction a contribution is required to go towards improving this junction. Subject to this contribution being secured through the S106, in accordance with paragraph 32 of the NPPF, there would be no serve impact on the transport network.

SCC have concluded that the submitted TS demonstrates that the surrounding junctions will not be significantly affected by the proposed trips generated from the development.

Sustainability and travel planning

The application has been submitted with a Travel Plan Statement, the main objective of which is to provide a long-term strategy for encouraging residents and visitors to reduce their dependency on travelling as single occupancy car drivers in favour of more sustainable modes such as public transport, car sharing, walking and cycling. The Travel Plan Statement also includes electric vehicle charging points for each property and an information pack available for the occupiers of each property.

The site is approximately 235 metres from the Tongham Local Centre, and is therefore well located to provide access to this centre. Ash and Aldershot Railway Stations are in close proximity to the site, approximately 3.2km and 3.7km away respectively.

The closest bus stops provide access to a number of surrounding towns and villages and are located to the north of the site on Poyle Road, approximately 350m walking distance from the centre of the site (approximately 4 minutes walk). Additional bus stops are located on The Street and Manor Road to the north of the site. These bus stops are located some 470m walking distance (approximately 6 minutes' walk) and some 730m walking distance (approximately 9 minutes' walk). To further encourage the use of nearby bus stops, a S106 contribution is required to provide bus shelters and real time passenger information at the bus stops on Manor Road.

SCC have agreed the submitted Travel Plan Statement, which will be conditioned.

It is therefore concluded that the development will not cause a severe impact on the surrounding highway network subject to mitigation secured through the S106 and conditions. The proposed development therefore complies with saved Policy G1(2) of the Guildford Borough Local Plan 2003 and Chapter 4 of the National Planning Policy Framework.

The impact on neighbouring amenity

The proposal has the potential to impact on a limited number of properties due to its separation from the majority of nearby neighbours.

While a small number of neighbouring properties enjoy an outlook across the site which is of some amenity value, the loss of these views alone cannot be considered to be harmful. These properties, and others in the area, may experience additional noise from a residential use of the site but this would not be to such an extent that it would materially affect the enjoyment of their properties.

57 Grange Road

The application site is adjacent to this neighbour, and is located on the north east side of this dwelling. At its nearest point the dwelling is located approximately 11.5 metres from the site boundary. The indicative site layout shows residential properties following the same building line as this neighbour. Due to the distance, there would be no loss of light, overbearing impact or loss of privacy.

The site access is for consideration under this application and is located approximately 30 metres from this neighbouring dwelling, and at this distance, with the presence of some intervening landscaping, there would be no materially harmful impact in terms of noise and disturbance from traffic using the access.

1-6 Maitlands Close

The flats at 1-6 Maitlands Close are located adjacent to the site boundary to the north east of the site, standing a minimum of 8.75 metres from the site. The indicative site plan shows 2-3 storey flats closest to this shared boundary, located a minimum of 12 metres away. Due to the existence of boundary planting, and the distance that is possible between the two, it has been demonstrated that 50 units can be located on site without causing harm to the occupiers of these flats by reason of overlooking, loss of privacy or loss of light.

No other neighbouring properties will experience any detrimental impacts due to the distance from the site.

Having regard to all of the above it is concluded that 50 units could be added to this site, without any material impact on the amenities of nearby neighbours. Accordingly the proposal is considered to be in line with saved policy G1(3) of the Guildford Local Plan 2003.

Impact on trees and vegetation

The application site does not contain any trees, however there are a number of trees and hedgerows along the site boundaries. In addition, the site is located approximately 17 metres from Tongham Wood on the other side of a footpath, a portion of which is classified as Ancient Woodland.

The application has been submitted with an Arboricultural Development Report, which states no trees are to be removed. The report details that a number of the Root Protection Areas of the retained trees go into the site, however the indicative layout plan has demonstrated it is possible to keep all development outside of these areas with the inclusion of a landscape buffer around the edge of the majority of the site. The indicative layout has also demonstrated it would be possible to site the proposed dwellings far enough away from the crowns of the trees, ensuring no impact from the trees on the future occupiers of the proposed development.

A section of hedge along the Grange Road frontage is to be removed to facilitate the development. Whilst the removal of this hedge is regrettable, there would not be any materially harmful impact on the character of the area with the implementation of a good landscaping scheme.

There will be no impact on the nearby Ancient Woodland, where a distance of 17 metres stands between the two. As such the recommended 15m buffer (Natural England Standing advice 2014) between development and ancient woodland edges, is already present.

The Council's Arboricultural Officer raises no objection to the proposal on the basis of the submitted Arboricultural information, and recommends conditions relating to protective fencing and an on-site meeting prior to works commencing.

In conclusion, the application has demonstrated there would be no harm to retained trees and therefore the proposal complies with Local Plan policy G1(12).

The risk of flooding and the proposed surface water drainage strategy

The application site is located in Flood Zone 1 and as such is at a low risk of fluvial flooding. The application is supported by a Flood Risk Assessment that includes Surface Water Drainage Strategy for the site. Intrusive on site investigation work and percolation tests have been carried out across the site in order to establish prevailing soil infiltration rates. The results revealed little or no infiltration. Thames Water has agreed that, in the absence of alternative options, they are prepared to accept a restricted surface water discharge of 5 l/s to the public surface water sewer. The application proposes to attenuate the balance of flows on site within an open off line swale feature along the north western boundary or within a below ground cellular attenuation system/structure beneath the proposed shared driveways and access roads.

Calculations for both systems have been provided for all storm events up to the 1:100 year event, with an additional 40% allowance for climate change.

The Flood Risk Assessment and Surface Water Drainage Strategy has been considered by the Lead Local Flood Authority who have advised that, subject to conditions to secure the detailed design of a SuDS scheme, the development would not increase the risk of flooding to other properties and that the proposed development would not be at an unacceptable risk of flooding. Details of the maintenance of the SUDS system are also to be secured by condition.

With regard to foul drainage, Thames Water has advised they have no objection in relation to sewerage infrastructure capacity.

Having regard to all of the above it is concluded that, subject to suitable conditions, the development would not increase the risk of flooding to adjoining properties or result in unacceptable flood risk to the future occupants of the development and would comply with the objectives of policy G1(7) of the Guildford Local Plan 2003 (as saved).

The impact on the Thames Basin Heaths Special Protection Area

The application site is located within 3.5km of the Thames Basin Heaths Special Protection Area (TBHSPA) the closest part of which is the Ash Range's SSSI. Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use.

The application proposes a net increase of up to 50 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

The Council has adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Greenspace (SANG) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development. In the case of larger scale developments there is an expectation within the strategy that these development should deliver bespoke SANG rather than relying on contributions to existing SANG's; this ensures that SANG capacity can be retained for smaller developments where the provision of SANG is not practical. While this development is of a large scale it is not of such significance that it could be expected to deliver a bespoke SANG. Moreover the site is in close proximity to a SANG that was granted permission to mitigate the impact of a development of 400 homes at Ash Lodge Drive. The SANG has spare capacity and it is appropriate for this

development to contribute this adjoining SANG. The final value of the contribution would be determined by the final housing mix of the development.

Natural England raise no objection to the development, subject to securing a grampian condition requiring the Ash Lodge Drive SANG to be secured prior to the commencement of development. Given that there is a prospect of a SANGS capacity becoming available within the lifetime of a planning permission it is considered reasonable to impose a Grampian style planning condition.

It is therefore concluded that subject to the completion of a legal agreement and the addition of a planning condition the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of the Habitats Regulations 2017.

The impact on Biodiversity and Protected Species

The site currently comprises grassland and includes one field bound by hedgerows, scrub, trees and wet ditches. The applicant has submitted a Preliminary Ecological Appraisal, a Bird Survey, Bat Activity Surveys and a Reptile Survey in support of the application. The key findings are as follows:

- The habitats on site are dominated by semi improved natural grassland habitats which is considered to be common and widespread and of interest at site level only
- The submitted Reptile Survey Report identifies the presence of suitable habitat and confirmed presence of a low population of slow worm within the footprint of the proposed development
- Bat activity surveys indicate that up to 6 species of bats are using the proposed development site for foraging or commuting, however, no active roosts were identified
- Badgers are likely to be using the site for foraging
- Site clearance should be timed to avoid the bird nest season

Surrey Wildlife Trust have reviewed the application and have advised that subject to a number of conditions to secure sensitive management, and avoidance and mitigation measures in respect of reptiles, bats, badgers and birds; and the provision of Landscape and Ecological Management Plan to ensure an appropriate buffer is maintained to the adjacent Ancient Woodland, the impact the development would not adversely impact on these species.

Accordingly the proposal is in accordance with the objectives of saved Policy NE4 of the Guildford Local Plan and the objectives of section 11 of the NPPF.

Noise and Air Quality

Noise

The site is in close proximity to the A331, and this forms the key noise constraint. In addition, the site is adjacent to commercial offices.

A Noise Assessment has been submitted which seeks to establish the existing sound levels across the site and confirm any mitigation requirements by using a combination of onsite noise survey and noise modelling software.

The submitted report produced by MEC in conjunction with the Acoustic Air report demonstrates that acceptable residential noise levels can be achieved by the use of mitigation measures including close board fencing of rear gardens, glazing and acoustic vents. All of these measures are commonplace in developments near to noise sources such roads and on this basis, Environmental Health raise no objection subject to conditions securing this mitigation.

Air Quality

The site is in close proximity to the A331, where road traffic is the main air pollutant source in the vicinity of the proposed site and nearby sensitive receptors.

An Air Quality Assessment has been submitted which seeks to examine the impact of development traffic road emissions from the proposed development on existing receptors located within the AQMA, and future receptors at the proposed site. The key traffic related pollutants considered are nitrogen dioxide (NO₂) and particulate matter (PM₁₀).

Environmental Health have raised no objection to the development on the basis of air quality stating that the submitted assessment does not predict the annual mean NO₂ and PM₁₀ to exceed at the proposed receptor location. The development traffic is also assessed to have negligible impact on the existing annual mean NO₂ and PM₁₀. However the report recommends a number of mitigation measures relating to a dust management plan, site monitoring in accordance with dust management plan, standard of operating vehicle and machinery, delivery and waste management plan. Appropriate conditions securing this are therefore recommended.

Other issues

Sustainability

The Council's Sustainable Design and Construction SPD 2011 requires that all dwellings achieve as a minimum a water efficiency standard of 110 litres per occupant per day and a 10 percent reduction in carbon emissions through the use of on site low and zero carbon technologies. This will be secured through the Reserved Matters application.

Legal Agreement Requirements

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

Regulation 123 of CIL Regulations states that a planning obligation may not constitute a reason for granting planning permission where the obligation provides for the funding or provision of an infrastructure project or type of infrastructure and five or more separate planning obligations for the funding or provision of that project or type of infrastructure have been entered into..

Affordable Housing

Policy H11 of the saved Local Plan states that an element of affordable housing will be sought by negotiation with developers on all housing developments of 10 or more dwellings, or residential sites of 0.4Ha or more irrespective of the number of dwellings. At least 30 percent will be sought on any unidentified sites in excess of the above thresholds which may come forward during the plan period. This is expanded upon in the Council's Planning Contributions SPD which requires the development to provide 35 percent of the proposed units as affordable. Policy H11 indicates that, in applying this requirement, regard will be had to a range of factors including site suitability, the need for affordable housing and any other material planning or marketing considerations.

The supply of affordable housing is a key priority for the Council and at present, there is an acute need for such housing in the borough.

The proposal will provide 18 affordable units as part of the development, full details of the mix and tenure will be secured through consultation with the Housing Manager.

Thames Basin Heaths Special Protection Area

The development is required to mitigate the impact on the development on the Thames Basin Heaths Special Protection Area through contributions to SANG and SAMM. Without this contribution the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The contribution is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

While Regulation 123 of the CIL Regulations seeks to prevent the pooling of financial contributions from planning obligations this relates only to an obligation which "provides for the funding or provision of relevant infrastructure".

In this instance the contributions are required to improve existing SANGs and ensure they are maintained in perpetuity; the SANGS are existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development. Accordingly the contributions are not for the provision of infrastructure and therefore Regulation 123 does not prevent collecting these contributions or having regard to the obligation in decision making. The SAMM contribution does not relate to infrastructure and this also falls outside the scope of Regulation 123.

Highway improvements

The County Highway Authority have requested contributions for improvements to the A31/A331 junction and upgrades to nearby bus stops. These contributions are required in order to promote sustainable travel to and from the site, in an attempt to reduce the use of motor vehicles in and around the town centre. On this basis, the contributions are necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Education

The development is likely to place additional pressure on school places in the area. Surrey County Council have requested contributions towards early years, primary and secondary school provision. The development should mitigate these impacts.

Surrey County Council as the education authority has provided a list of projects which contributions would be allocated to for all three areas, and these are considered to be reasonable and directly related to the development.

Parks and recreation

The application will increase pressure on local parks and this impact should be mitigated. A project has been identified and costed at Tongham Railway, and this is considered to be reasonable and directly related to the development.

Heads of Terms

Having regard to all the above, in the event that the application was to be approved the following should be secured by a Planning Obligation:

- 18 affordable housing units (full details of the mix and tenure will be secured through consultation with the Housing Manager);
- a contributions towards SANG and SAMM in line with the adopted tariff;
- a contribution of £42,000 towards bus stop improvements on Manor Road;
- a contribution of £75,000 towards the A331/A31 improvement scheme;
- a contribution of £33,653 towards early years education;
- a contribution of £151,145 towards primary education;
- a contribution of £157,827 towards secondary education; and
- a contribution of 21,300 toward improvements to Tongham Railway open space.

The cumulative impact with other developments

Concern has been raised about the cumulative impact of development in the Ash and Tongham area on local infrastructure, specifically in respect of highways, schools and healthcare, however, each application must be considered on its merits. Planning permission should only be refused where it can clearly be demonstrated that the impact of the proposal is unacceptable. In this instance, the development can make a contribute to some improvements to sustainable transport objectives and would increase school capacity. The CCG have stated that the scale of the proposal is too small to seek contributions as any impact would be minor, being absorbed by existing healthcare provision.

Balancing exercise and conclusions

In accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (as amended), it is important to conclude as to whether the proposed development is in accordance with the Development Plan which includes saved policies of the 2003 Local Plan. As identified in the body of the report, there are conflicts with policies G5, RE4 and R11. The relevant conflict relates to how the proposal would diminish the rural character of the site. The conflict with RE4 and R11 has been given very little weight due to their lack of compliance with the NPPF. It can therefore be concluded that the proposed development does not accord with the development plan read as a whole.

Benefits of the proposal

The proposed development would deliver market and affordable housing that would contribute to meeting the housing need of the borough. The benefits of the housing should carry weight in favour of this application, particularly taking into account Guildford's 5 year land supply. The benefits of the proposed housing should therefore be afforded **significant** weight in the planning balance.

The development would also result in increased economic activity in and around the local area and would result in the creation of jobs during the construction period. In line with the NPPF, **modest** weight should be placed on the need to support economic growth.

Harm arising from the proposal

The development would introduce a significant quantity of residential development, including parking, roads and other related residential paraphernalia to this currently rural site. The development would have an urbanising impact on this part of the countryside that would diminish the rural character of the site and is given **moderate** weight.

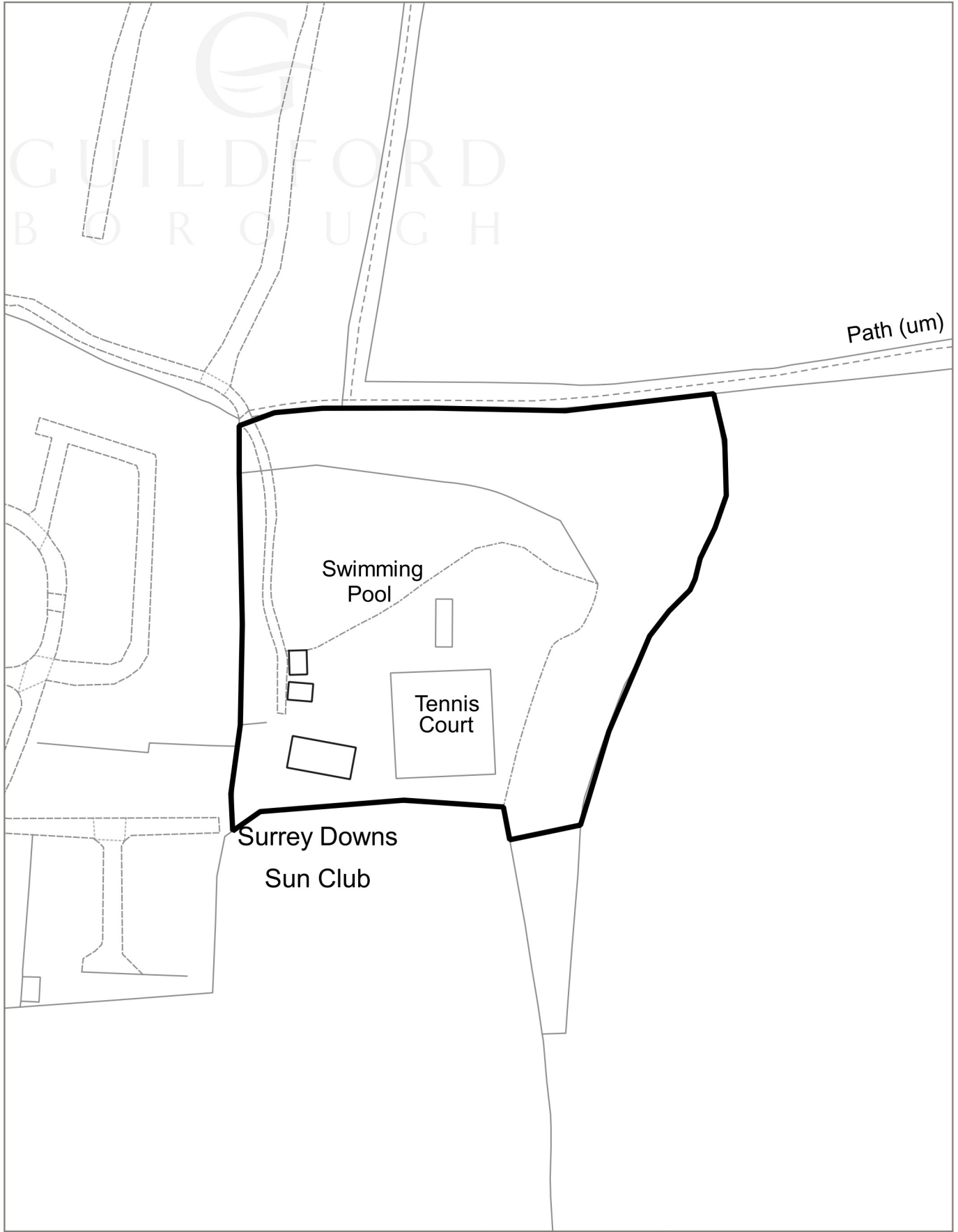
The proposed development would cause less than substantial harm at the very lower end of the scale to the wider setting of adjacent heritage assets within Grange Court. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard must be given to preserving the identified heritage assets and their settings and as such **considerable importance and weight** is afforded to this harm. Whilst it is acknowledged that considerable importance and weight is given to any harm to designated heritage assets, it should also be noted the level of harm in this case is very low due to changes to the setting over time.

The Council acknowledges there would be some minor harm from the erosion of the rural character of the area, and less than substantial harm at the very lower end of the scale to nearby heritage assets. However, there are significant benefits which would arise from delivery of housing where the Council does not have a five year housing land supply and where demand for additional units is well documented.

The application would provide a net gain of 50 residential units, which would make a significant contribution to housing supply. The conflicts identified are not significant and do not outweigh the benefits of the development. Subject to the conditions and S106 agreement committing to the Heads of Terms noted above, the application is deemed to be acceptable and is recommended for approval.

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17/P/01209 - Surrey Downs Sun Club, Edgeley Holiday Park, Farley Green Road, Farley Green, Albury, Guildford



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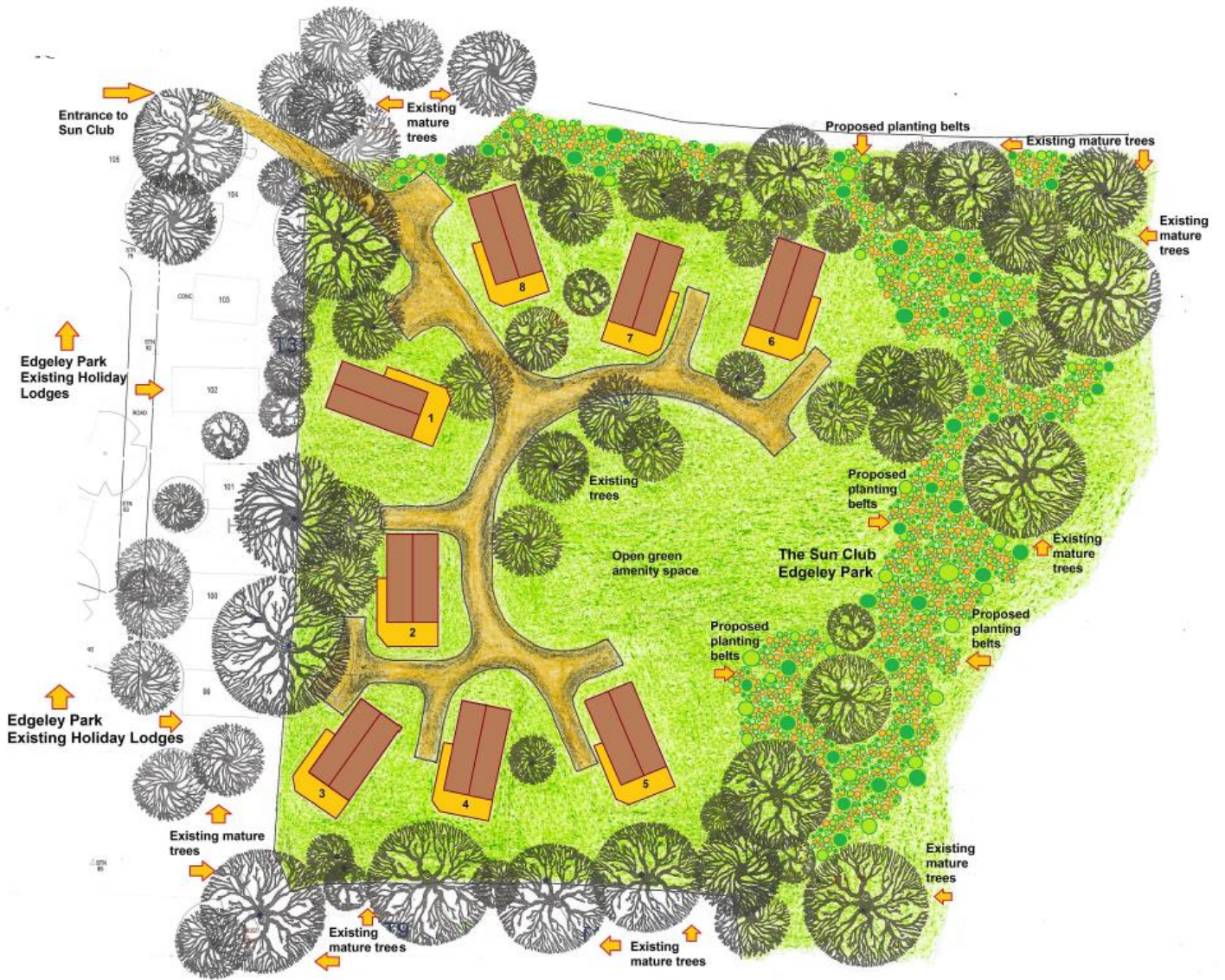


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GUILD FORD
BOROUGH

**17/P/01209 – Surrey Downs Sun Club, Edgeley Holiday Park,
Farley Green Road, Farley Green,
Albury, Guildford**



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App No: 17/P/01209 **8 Wk Deadline:** 02/02/2018
Appn Type: Full Application
Case Officer: Michael Parker
Parish: Albury **Ward:** Tillingbourne
Agent : Mr Lambe **Applicant:** Haulfryn Group Ltd
Lambe Planning & Design Ltd
Galeri
Victoria Dock
Caernarfon
LL55 1SQ
Clarion House
Norreys Drive
Maidenhead
SL6 4 FL

Location: Surrey Downs Sun Club, Edgeley Holiday Park, Farley Green Road, Farley Green, Albury, Guildford, GU5 9DW

Proposal: Change of use from naturist site to holiday use, and the re-layout of Edgeley Park Sun Club area for 8 Holiday Lodge pitches to replace 16 timber 'chalet' structures, pavilion building, workshop, swimming pool, tarmac games court and removal of 2.0m high fencing, together with environmental improvements.

Update to report

Reason for deferral

This application was deferred at the Planning Committee meeting on 3 January 2018, to allow Members to undertake a site visit. The site visit is scheduled for 30 January 2018.

Clarification regarding holiday use

In planning law there is no distinction between a holiday or seasonal use and a permanent residential use at a caravan site. This is the same principle applied to someone who, for example, wishes to rent out their second home during the summer as a holiday let. In planning terms there is no material difference in use between someone living there full time or a number of different people using the premises on a short term basis during the summer months. Therefore planning permission would not be required.

If planning permission was granted the proposal would still require a site licence from the Local Planning Authority. As per the current site licence on the wider site it is possible to condition that the mobile homes are only used for holiday purposes, irrelevant of the conditions attached to the planning permission. That is a matter to be considered during the licence application.

Based on the above, officers do not consider that a condition which restricts the use of the mobile homes for a holiday use is strictly necessary.

Notwithstanding the above, were members still minded to condition the use of the site to holiday purposes the applicant has indicated that they would be willing to accept a restrictive condition. Officers recommend the following condition were members minded to approve the application subject to a restrictive condition:

- (i) the caravans (lodges) are occupied for holiday purposes only;
- (ii) the caravans (lodges) shall not be occupied as a person's sole, or main place of residence;
- (iii) the owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation. The register required in (iii) above shall normally be collected by the caravan site licence holder or his/her nominated person.

Flooding

Another matter raised at the previous committee by members was that the site has known flooding issues. Officers can confirm that the application site is not located in Flood Zone 2 or 3 and the site is not designated on the Council's mapping system at being at risk from surface water flooding.

Additional information submitted by the applicant

In order to provide some further clarity and assurance to members regarding the current management and activity of Edgeley Caravan Park additional information has been provided. This information has been summarised below. The additional documents/information has been made available on the public file, which can be accessed from the Council's website at <https://www.guildford.gov.uk/searchforaplanningapplication>.

Holiday Occupancy issues:

- as set out above the applicant has no objection to a planning condition which restricts the proposal to holiday occupancy
- the applicant confirms that any person who purchases a Holiday Caravan (Lodge) enters into a legal agreement (BH&HPA and NCC approved) with Haulfryn Group. The Agreement clearly states: "This Agreement does not permit you to use the caravan as a permanent residence. The address given must be the only or main residence of the caravan owner to which all correspondence relating to the caravan will be sent. You will be required to provide documentary evidence of residence at the address given."
- in connection with the strict measures of control that the applicant (Haulfryn Group) already has in place to ensure holiday use only of the Holiday Lodges, copies of the following documents have been submitted by the applicant.
 - Licence Agreement for a Holiday Caravan Pitch which is issued by Haulfryn Group to all Holiday Caravan owners. This clearly states that the Holiday Caravans are for Holiday and recreational purposes only and are not to be used for permanent residential purposes.
 - sample letter from Haulfryn Group to all Holiday Caravan owners - the letter is issued on an annual basis and is used to update the Haulfryn Group database each year. Proof of a permanent residential address has to be provided on an annual basis to Haulfryn, if it is not, the Licence Agreement would be jeopardised.

- confirmation of account details sheet for Holiday Lodge owners to complete and supply the proof of permanent residential address to Haulfryn Group.
- if a breach of the Holiday Licence Agreement takes place, potentially this will then lead to termination of the Licence Agreement and legal action being taken by Haulfryn Group, to ensure the Holiday Licence Agreement is being adhered to. Haulfryn Group already has a detailed policy in place for all of their Holiday Parks, for the checking and recording proof of address for Holiday Home Owners. These checks are undertaken on an annual basis to ensure compliance.

Business operating from Edgeley Park:

- businesses are not allowed to operate from Edgeley Park, if there has been any evidence of a businesses being operated, action has been taken by Haulfryn Group to ensure this does not occur.
- regular checks are continually made by the Park Management and Haulfryn Group Head Office regarding this.
- at 5 January 2018, Companies House Records show there have been 6 dissolved businesses previously registered at Edgeley Park, and 6 businesses that were 'active', 5 of these businesses are no longer registered at Edgeley Park, as lodge ownership has changed.
- there is only 1 active business that has been identified at Edgeley Park and it is understood that this is in relation to a lodge owner that rents out the holiday lodge for holiday rentals - hence why it is registered at the Park.

Electoral Roll:

- further checks are being undertaken by Haulfryn Group regarding this aspect, to ensure compliance with their Holiday Licence Agreements.
- following checks that have been undertaken so far, there have been records of six people being registered, however three of these relate to the previous owners of the Park (the Poyner family) who do not live at Edgeley Park and have not done so for many years, two other people registered no longer own holiday lodges on the Park. Further checks are being undertaken by Haulfryn to establish who the 6th person is.

Holiday Lodge Rentals at Edgeley Park:

- Hoseasons manage the bookings for Holiday rentals at Edgeley Park (<http://www.hoseasons.co.uk/lodges/edgeley-country-park-edge>).
- Haulfryn Group also operate a sub-letting rental scheme for Holiday Lodge owners at Edgeley Park, to rent out their holiday lodges for short break holidays (weekends, mid-week and weekly letting).
- Hoseasons has provided data which demonstrates the average occupancy throughout the year (January to December) for holiday rentals during 2016 was 81% and during 2017 it was 78%. The average length of stay for holidaymakers for the last three years 2015, 2016 and 2017 has been 6.22 days. Holiday rental bookings and the number of holidaymakers visiting Edgeley Park have been steadily increasing over the last three years.
- approximately 1000 Holiday bookings were taken for Edgeley Park during 2017, reviews from holiday makers can be found with Revoo review.
- change over days at Edgeley Park are Mondays and Fridays and clean linen deliveries are undertaken every Thursday by Aeroserve laundry services. A dedicated linen store is located at Edgeley Park, together with a maintenance store. A photograph denoting the linen store and inventory store has been submitted by the applicant.
- the above information clearly demonstrates the level of holiday rentals undertaken at Edgeley Park and that it is a Holiday Park.

Employment and local companies used in connection with the Holiday Park:

- there are a minimum of 20 local companies used by Edgeley Park, ranging from cleaning companies, catering companies for events on park, electrical contractors, through to flooring companies for undertaking refurbishment of holiday lodges.
- Edgeley Park employs 11 full time staff, 2 part time staff and 3 seasonal staff. With the upgrading of the Sun Club area, the Park would employ one additional full time member of staff and one part time member of staff - therefore there are clearly additional employment opportunities
- there would also be the knock on effect to the Cleaning Maintenance Company to service the holiday lodges, as well as local contractors and suppliers who would continue to be utilised and would benefit from the proposal.
- Edgeley Park also supports Albury Bowls Club and sponsors Ewhurst Junior Football Club. The Park has twice previously sponsored Leaver's Hoodies for St Cuthbert Mayne Primary School, which demonstrates the Park's local involvement.

Appendix 1 - Original committee report

Executive Summary

Reason for referral

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

Key information

Change of use from naturist site to holiday use, and the re-layout of Edgeley Park Sun Club area for 8 Holiday Lodge pitches to replace 16 timber 'chalet' structures, pavilion building, workshop, swimming pool, tarmac games court and removal of 2.0m high fencing, together with environmental improvements.

Key figures:

Existing structures and other development (all to be removed from the site):

- 16 chalets - typical dimensions: 2.43 m to 2.98 m high, 3.6 to 5.7m wide heights (6 chalets no longer on site)
- Pavilion - 4.45 m high, 7.24 m wide and 15.35 m long
- 1 swimming pool - 8 m wide and 15 m long
- Tarmac Games Court - 22 m wide and 25.5 m long
- Solar Panels Area - 4.5 m wide and 11.5 m long (no longer on site)
- 4 further additional ancillary structures
- total floor area of all structures and other development - 1212 sqm

Proposed works:

- 8 x holiday lodges - typical dimensions: 4.2m to 4.4m high, 12.9 m to 14.6 m long, 6.7 m to 7.3m wide
- all of the proposed lodges would be mobile structures, meeting the definition of a caravan (mobile structure) as defined in The Caravan Sites and Control of Development Act 1960 / The Caravan Sites Act 1968 (amended by Statutory Instrument No 2374 1st October 2006.
- total area of proposed pitches - 653.9 sqm (558.1 sqm reduction in total area)

- proposed lodges are for holiday use only

Existing Edgeley Holiday Park site:

- total lodges - 240 lodge pitches on the existing site - below the 286 permitted by the site licence
- existing lodges are for holiday uses only

Summary of considerations and constraints

The application constitutes the appropriate redevelopment of a previously developed site in the Green Belt. There would be no material change of use of the site. The proposal has been designed in such a way so as to ensure that there is not demonstrable harm to the rural and low density character and appearance of the existing site or the character of the surrounding area or wider AONB and AGLV landscape.

In fact the proposal would result in the consolidation of built form within this previously developed site, would include the removal of the existing unsightly and poorly maintained buildings, structures and hardstanding and include the implementation of a woodland management plan. The proposal would therefore enhance the appearance of the site. The additional of 8 new holiday lodges would also benefit the rural economy of the surrounding area and wider Surrey Hills AONB which is supported by the NPPF.

No objection is raised to the proposal in terms of highways and neighbouring amenity. Subject to conditions the application would also be acceptable in terms of ecology, trees and landscaping.

The application is therefore recommended for approval.

RECOMMENDATION:

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Proposed Layout Plan (LPD/0517/ESC/PLP1), Proposal no.1652, 2523, 2524, 2522, 2521, 78 17 070, 74 17 0710 and 3774-210 B received on 26 June 2017.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning and to ensure that the proposal has an acceptable impact on the visual amenities of the site and surrounding area.

3. The development hereby approved shall only be implemented by the demolition of all of the existing buildings, structures and hardstanding identified in drawing no. LPD/0517/ESC/ML/ELP2 date stamped 26/06/2017 and shall include the removal of foundations. All of the resultant demolition materials and debris that are not to be reused in the construction of the development hereby permitted shall be removed from the site.

Reason: In the interests of the character and appearance of the area and to comply with Green Belt policy.

4. No construction of the proposed hardstanding shall take place until details and samples of the proposed surfacing 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.

5. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in the submitted phase one ecological assessment, reptile survey, badger survey and reptile survey.

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

6. The development must accord with the Arboricultural Report prepared by Lockhart Garratt dated November 2015. No development shall start on site until the protective fencing and other protection measures shown on the Tree Protection Plan in the Arboricultural Method Statement have been installed. At all times, until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the pre-appointed consulting arboriculturalist, this will be agreed at the pre-commencement meeting.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

7. No development shall commence, other than the demolition and removal of the existing structures and hardsurfacing, until further details of the proposed soft landscaping scheme, including plant/tree types and their location, details of any hard landscaping (other than the access road) and any means of enclosure, and a maintenance plan for the landscaping (including information regarding the Woodland Management Plan), has been submitted to and agreed in writing by the Local Planning Authority.

The agreed hard and soft landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented in full prior to the occupation of the development hereby approved. Any changes from the approved scheme shall be approved in writing by the local planning authority prior to implementation. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The landscaping shall also be maintained in accordance with the agreed maintenance details.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality and to protect the character of the Conservation Area and setting of adjacent listed buildings.

8. No development shall take place, other than the demolition and removal of the existing structures and hardsurfacing, until a scheme of ecological enhancement measures designed to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority in line with the recommendations of the submitted ecology reports. The ecological enhancement measures shall be implemented in full prior to the occupation of the development hereby approved, unless otherwise set out within the agreed scheme.

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

9. No external lighting shall be installed on the site or affixed to any permanent buildings/structures within the site other than the Woodland 800 lighting, as referenced in the Planning, Design and Access Statement, which shall be installed in accordance with the Bollard Location Plan ref. LPD/0517/ESC/PLP1/LB dated November 2017.

Reason: In the interests of visual amenity and to mitigate against harm to protected species.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

In this case pre-application advice was not sought prior to submission and additional information was required to overcome concerns, these were sought and the applicant agreed to submit the information during the course of the application.

2. The below requirements have been requested by the Council's Environmental Health Team:
 - the area subject of this application will require a site licence under the Caravan Sites and Control of Development Act 1960, once Planning Permission has been granted. The area is currently outside of the licensed area for Edgeley Park. The applicant should contact the Head of Health and Community Care Services to apply to for the site licence.
 - the development and layout of the proposed area should be in accordance with the Council's site licence conditions for recreational caravan parks, a copy of the conditions is available at <https://www.guildford.gov.uk/article/17595/Caravan-site-licences>.
 - it is noted that the proposal is to connect the new lodges to the existing foul drainage system. From our records the Council has previously received complaints relating to the operation of the treatment plant. The applicant should ensure the existing treatment plant has sufficient capacity for the treatment of waste from the new homes.
3. 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.

Officer's Report

Site description.

The site relates to a small area of land situated at the south-eastern end of the Edgeley Holiday Park. The site is a lies immediately to the south of an existing public footpath. To the east and south is agricultural land. The site is bordered by trees and other mature vegetation.

The site is in the Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV).

Proposal.

Change of use from naturist site to holiday use, and the re-layout of Edgeley Park Sun Club area for 8 Holiday Lodge pitches to replace 16 timber 'chalet' structures, pavilion building, workshop, swimming pool, tarmacadam games court and removal of 2.0m high fencing, together with environmental improvements.

Key figures:

Existing structures and other development (all to be removed from the site):

- 16 chalets - typical dimensions: 2.43 m to 2.98 m high, 3.6 to 5.7m wide heights (6 chalets no longer on site)
- Pavilion - 4.45 m high, 7.24 m wide and 15.35 m long
- 1 swimming pool - 8 m wide and 15 m long
- Tarmacadam Games Court - 22 m wide and 25.5 m long
- Solar Panels Area - 4.5 m wide and 11.5 m long (no longer on site)
- 4 further additional ancillary structures
- total floor area of all structures and other development - 1212 sqm

Proposed works:

- 8 x holiday lodges - typical dimensions: 4.2m to 4.4m high, 12.9 m to 14.6 m long, 6.7 m to 7.3m wide
- all of the proposed lodges would be mobile structures, meeting the definition of a caravan (mobile structure) as defined in The Caravan Sites and Control of Development Act 1960 / The Caravan Sites Act 1968 (amended by Statutory Instrument No 2374 1st October 2006.
- total area of proposed pitches - 653.9 sqm (558.1 sqm reduction in total area)
- proposed lodges are for holiday use only

Existing Edgeley Holiday Park site:

- total lodges - 240 lodge pitches on the existing site - below the 286 permitted by the site licence
- existing lodges are for holiday uses only

Relevant planning history.

94/P/01562 - Relocation and/or rebuild of all existing facilities to adjoining/ overlapping site and erection of a two metre high timber fence along the northern boundary and use of land for social and recreational naturism. Approved 28/03/1995.

94/P/00087 - Application for a Certificate of Lawfulness for use of land and buildings as a naturists centre for social and recreational naturism. Approved 08/12/1994.

Consultations.

Internal consultees

Head of Environmental Health and Licensing:

"If the application is approved I would recommend the following conditions/informatives are attached to the planning consent.

1. The area subject to this application will require a site licence under the Caravan Sites and Control of Development Act 1960, once Planning Permission has been granted. The area is currently outside of the licensed area for Edgeley Park. The applicant should contact the Head of Health and Community Care Services to apply to for site licence.
2. The development and layout of the proposed area should be in accordance with the Councils site licence conditions for recreational caravan parks, a copy of the conditions is available at <https://www.guildford.gov.uk/article/17595/Caravan-site-licences>.
3. I note the proposal is to connect the new lodges to the existing foul drainage system. From our records the Council has previously received complaints relating to the operation of the treatment plant. The applicant should ensure the existing treatment plant has sufficient capacity for the treatment of waste from the new homes."

[Officer note: this cannot be conditioned but will be recommended as an informative]

Non-statutory consultees

Surrey Hills Area of Outstanding Natural Beauty Officer:

"The main AONB issue is whether the proposed significantly larger but fewer holiday lodges would be seen from the open landscape to the east and especially from the neighbouring public footpaths. I was pleased to see on my site visit that the proposed lodges would be located in the approximate area of the previous development back from the open landscape to the east.

The replacement of much of the scrub on this eastern side is not objectionable provided the proposed planting belts are substantial and form a solid screen comprising native species. I would therefore ask that either as part of this application or by imposing a planning condition be imposed the submission and approval of a tree retention and landscaping scheme be required."

[Officer: the submitted arboricultural report and proposed impact has been assessed by the Council's Arboricultural Officer as set out above. A condition is recommended to secure the tree protection details and also to secure an appropriate landscaping scheme.]

Parish Council - objects to the proposal

- the land proposed in this application, 17/P/01209 is not within the site license area. Proposal therefore contrary to policy T6 of the Borough Council Local Plan 2003. [Officer note: as set out above by the Council's Licensing Team a new site licence would be required for this site. The matter of policy T6 is addressed within the main assessment below]
- detrimental impact on AONB and wider landscape due to its visual impact
- detrimental impact on Green Belt
- concerns regarding existing site licensing and the use of the lodges all year round [Officer note: the enforcement of existing licensing is not a material planning consideration. A further site license is required for this site. For information the current site licence for Edgeley Park is a recreational caravan park license, which excludes full time residence of the caravans.]

Third party comments:

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

- loss of existing trees
- impact on climate of village due to loss of trees [Officer note: no evidence has been provided to show this impact. Trees will be retained and a landscaping scheme would be secured by condition]
- already large number of lodges on the park
- concerns regarding the permanent residential use of the existing holiday park [Officer note: this matter is not a consideration for this application]
- impact on Green Belt - inappropriate Green Belt development
- impact on wider landscape
- impact on local traffic and road network
- further impact on existing sewer capacity
- impact on neighbouring amenity
- site is greenfield

Planning policies.

National Planning Policy Framework (NPPF):

Core planning principles

Chapter 1. Building a strong, competitive economy

Chapter 3. Supporting a prosperous rural economy

Chapter 6. Delivering a wide choice of high quality homes

Chapter 7. Requiring good design

Chapter 9. Protecting Green Belt land

Chapter 10. Meeting the challenge of climate change, flooding and coastal change

Chapter 11. Conserving and enhancing the natural environment

Chapter 12. Conserving and enhancing the historic environment

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

G1	General Standards of Development
G5	Design Code
RE2	Development Within the Green Belt
NE1	Potential Special Protection Areas
NE3	Local and Non-Statutory Sites
NE4	Species Protection
NE5	Dev. Affecting Trees, Hedges & Woodlands
T6	Static Recreational Caravans and Chalets in the Countryside
RE5	Area of Outstanding Natural Beauty AONB
RE6	Area of Great Landscape Value AGLV

Supplementary planning documents:

SPG - Residential Design 2004
SPD - Vehicle Parking Standards 2006
SPD - Sustainable Design and Construction 2011
SPD - Planning Contributions 2011

Emerging Local Plan:

Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging local plans. Work is ongoing on the emerging Guildford Local Plan. One round of formal public consultation on the Local Plan Strategy and Sites took place over the summer of 2014, followed by a further (Regulation 19) consultation in June-July 2016. A targeted consultation was undertaken in the summer of 2017 following further changes to the draft Local Plan. The draft Local Plan was submitted for examination in December 2017. Given the early stage in the local plan process, it carries very limited material weight at this time.

Planning considerations.

The main planning considerations in this case are:

- EIA development
- the principle of development
- the impact on the scale and character of the existing site and surrounding area
- impact on Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV)
- the impact on amenity
- highway/parking considerations
- impact on trees and vegetation
- impact on ecology
- other matters

EIA development

No formal EIA screening opinion request has been received for this specific application. The proposed development represents Schedule 2 development as it is located within the Surrey Hills AONB. Accordingly, as it has not been the subject of a screening opinion or screening direction, paragraphs (5) and (6) of regulation 6 apply as if the receipt or lodging of the proposal were a request made under regulation 6(1). The Council is therefore required to adopt a screening opinion as to whether the development is one for which an Environmental Impact Assessment is required.

Consequently the Council has undertaken a screening opinion of the proposal under application reference 17/S/00011. On 1 December 2017 the Council adopted a screening opinion where it concluded that the proposed development represents Schedule 2 development as set out within the 2017 Regulations. However, having taken into account all of the relevant criteria as set out by Schedule 3 of the 2017 EIA Regulations it is not considered that the development would result in significant environmental effects requiring Environmental Impact Assessment in this instance.

The Formal Screening Opinion under 17/S/00011 therefore states "It is the opinion of the Local Planning Authority that the proposed development subject of planning application 17/P/01209 are not EIA development". As such no Environmental Statement is required with this application.

Principle of development

The site area relates to land previously used by the Sun Club and included 16 chalet type structures, a pavilion, tarmacadam games court area, a swimming pool and solar panels area. Whilst the tarmacadam and pool areas have now been covered over by vegetation there is still evidence of its former location and the majority of the other units within the site are still standing. Officers are therefore satisfied that the site can be defined as previously developed land for the purposes of the NPPF and that the proposed development does not extend beyond the land found to be previously developed land.

In terms of the change of use of the site, whilst officers acknowledge that there is a change of use from a naturist site to the siting of holiday lodges this is not considered to constitute a material change of use of the site. The site was previously used for recreational and holiday uses including camping. The proposal would result in the continued use of the site for recreational and holiday purposes.

Impact on openness of the Green Belt and paragraph 89 of the NPPF:

As the proposal is considered to be previously developed land the NPPF allows for the complete redevelopment of the site whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

It is acknowledged that all the existing buildings on the site are single storey, with the majority of them being low profile buildings, other than the pavilion building.

However the proposed holiday lodges are, for the purposes of planning, considered to be temporary structures because they meet the definition of a caravan and therefore the size and scale of the proposed lodges is specifically excluded from the paragraph 89 assessment. As such the comparison of development is between that of the existing buildings/structures and hardstanding on the site and the spread of development against that of the proposed access roads and hardstanding for the 8 pitches.

The proposal would be commensurate in terms of spread of development when compared to the layout and extent of the existing structures and tarmacadam and swimming pool area with a significant amount of the site still retained as woodland or open green amenity space.

The amount of hardstanding proposed has been kept to a minimum with just a single track proposed in a horseshoe pattern with parking areas for each lodge. The provision of 8 pitches is considered to be of a low density nature given the overall size of the site and they have been well spaced out.

It is therefore considered that the proposal would be commensurate with the existing level of development when also taking into account hard surface infrastructure and as such the proposal would not have a greater impact on the openness of the Green Belt and the purposes of the Green Belt than the existing development. The proposal therefore constitutes appropriate Green Belt development.

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

The site would be an expansion of the existing Edgeley Park complex, where the character is one of holiday lodges within well landscaped and treed plots. The proposal would continue this character with limited hardstanding, just for access and parking and a significant amount of soft landscaping and trees around the plots and wider site. Given the location of this site immediately adjacent to the holiday park, the fact that there is an existing access and holiday/recreational use at the proposal site and the fact that it is already owned and used by the holiday park staff this is considered to be a logical and appropriate place to locate additional pitches.

The current site is in a poor state with many of the buildings in a poor condition, the hardstanding areas overgrown and much of the trees and woodland currently unmanaged. The proposal would include the removal of all of the existing buildings, structures and hardstanding on the site and consolidation of the spread of development across the site to allow a substantial soft landscaping scheme for a large proportion of the site, including a Small Woodland Management Plan. It is considered that this would significantly improve the visual appearance of the site, whilst also retaining the semi-rural character of the existing site.

In terms of the impact on the surrounding area the proposal is considered to have a relatively minor scale, with the development set well back from the boundaries, particularly the eastern boundary which adjoins an open agricultural field. The site is well screened by existing mature trees and other vegetation which border the northern, eastern and southern boundaries. This screening would be retained by the proposal ensuring the site is not readily visible from the wider area. The Landscape and Visual Appraisal (LVA) submitted by the applicant concludes that there would not be a significant view from the adjacent public footpath and the development would improve the overall appearance of the site. As such the proposal would have no material impact on the character of the surrounding area.

During the course of the application further details regarding the proposed external lighting has been submitted. The only lighting would be twelve 0.8m high timber lighting bollards, located adjacent to each of the car parking spaces and along parts of the access road. The lighting would be low energy and low wattage to ensure that there is not significant light spill or artificial lighting within the site.

A condition is recommended to secure the implementation of an acceptable landscape plan, including details of the Woodland Management Plan. A condition is also recommended to secure the proposed external lighting to ensure that it does not impact on the visual amenity of the site.

Impact on the AONB and AGLV

In terms of the wider impact on the special landscape character of the Surrey Hills AONB and AGLV as set out above the site is already well screened by mature trees and vegetation along its boundaries. Particularly the northern and eastern boundaries which can be viewed from the public footpath that runs along the northern boundary of the site and continues to the north-east. The proposal would retain the majority of the existing trees and vegetation as well as provide a significant amount of additional soft landscaping. This would ensure that the proposal does not appear prominent or incongruous within the existing landscape. As part of the submission the applicant has included an LVA which concludes that it is 'highly unlikely that significant adverse effects upon the local landscape character will arise from this development, even taking account of the very high sensitivity of its setting to change'.

The Surrey Hills AONB Planning Adviser has raised no objection to the scheme, subject to conditions to ensure an adequate landscaping scheme and retention of important trees. Officers also consider that a condition to secure further details of the landscaping and its maintenance would be reasonable and necessary.

As such, and subject to a landscaping condition and external lighting condition, it is considered that the proposal would successfully conserve the special landscape character of the AONB and AGLV.

Impact on amenity

Neighbouring amenity:

Given the location of the site with open farmland to the south, east and north the only potential impact would be to the existing holiday lodges to the west of the site.

It is considered that the proposed lodges would be located far enough away from these lodges so as to ensure that there would not be an unacceptable impact to the occupants of the neighbouring lodges in terms of loss of light, overbearing impact, loss of privacy or noise and disturbance.

Amenity of future occupants:

Given the location of the site with agricultural land adjoining it on three sides and the existing park to the west it is considered that there would be no impact on the future occupants due to noise and disturbance. Given the nature of the proposed lodges and the distance away from the existing lodges to the west it is considered that the proposal would not result in an unacceptable impact on future occupants in terms of overbearing impact, loss of light and loss of privacy.

Highways/parking considerations

The application site would make use of an existing access that joins on to the existing roads within Edgeley Park. There would be no new access on to public highways. The number of lodges proposed is of a low number compared to the 240 lodges on the existing Edgeley Park site. Further the existing lawful use of the site is a material consideration where a recreational/holiday use could carry on at the site without further planning permission. Given the size of the site it is not considered that the proposed siting of 8 holiday lodge pitches would result in a substantial or detrimental increase in traffic movement compared to the lawful use.

As such it is considered that the proposal would not result in a highway safety or capacity issue.

It is considered that each lodge would have adequate car parking for their size. Refuse collection would be managed by Edgeley Park.

Impact on trees and vegetation and landscaping

The Council's Arboricultural Officer has assessed the submitted arboricultural report. Whilst some mature trees would be removed to facilitate the development officers are satisfied that the this loss would not be unacceptable given the number of trees to be retained and the amount of additional planting proposed.

A condition is recommended to ensure the submission of a much more detailed landscaping scheme prior to commencement of the development.

Impact on ecology

The applicant has submitted a phase 1 ecological assessment as well as the required additional bat, reptile and badger surveys required to fully assess the impact of the proposal. It concluded that there is evidence of the existing of a number of protected species included bats, reptiles, badgers and also potential for birds, dormouse and roe deer.

Avoidance and mitigation measures are recommended to avoid impacts upon these protected species during construction and recommended ecological enhancements are also proposed. Based on the submitted information officers are satisfied that implementing the recommendations will ensure that there are no significant impacts upon protected species and that the proposals will be in conformity with relevant legislation and policy.

A condition is recommended to ensure that the proposal is carried out in accordance with the recommended mitigation measures.

A condition is recommended to secure further information regarding the installation of the recommended ecological enhancement measures throughout the site. Landscape ecological enhancement measures proposed should be incorporated within the submitted landscaping scheme, which has already been discussed above. A condition to restrict the external lighting to the submitted lighting scheme is recommended to ensure that protected species are adequately protected.

Other matters

It is noted that Policy T6 of the saved Local Plan 2003, which relates to static recreational caravans and chalets in the countryside states that planning permission will not be granted for new or extension to existing static recreational caravan or chalet sites in the countryside.

Since the adoption of the saved Local Plan 2003 the NPPF 2012 has been published. This is a material consideration when assessing a planning application. Policy T6 does not accord with the NPPF in that the NPPF at paragraph 28 strongly supports economic growth in rural area as well as supporting access to the countryside, which this proposal will do. As such it is considered that policy T6 carries very limited weight in the assessment of this application.

The provision of additional holiday lodges would also benefit the rural economy of the Surrey Hills and the wider borough through potential job creation and increased spending in the local economy. Information submitted by the applicant shows that each pitch could potentially generate spending of between £6,721 and £25,708 per year in to the local economy. This is considered to be a material consideration which adds weight in favour of the application.

Consideration has been given to recommending a condition that restricts the use of the site to holiday and recreational purposes. In this case the proposal is acceptable on Green Belt grounds and there is no distinction in planning between a holiday and recreational use for a caravan when compared to a residential use. Therefore officers do not consider that such a condition would be reasonable or necessary in this case. The proposal also requires a separate site licence which would clearly set out the allowed use and limitations of the lodges.

Conclusion.

The application constitutes the appropriate redevelopment of a previously developed site in the Green Belt. There would be no material change of use of the site. The proposal has been designed in such a way so as to ensure that there is not demonstrable harm to the rural and low density character and appearance of the existing site or the character of the surrounding area or wider AONB and AGLV landscape.

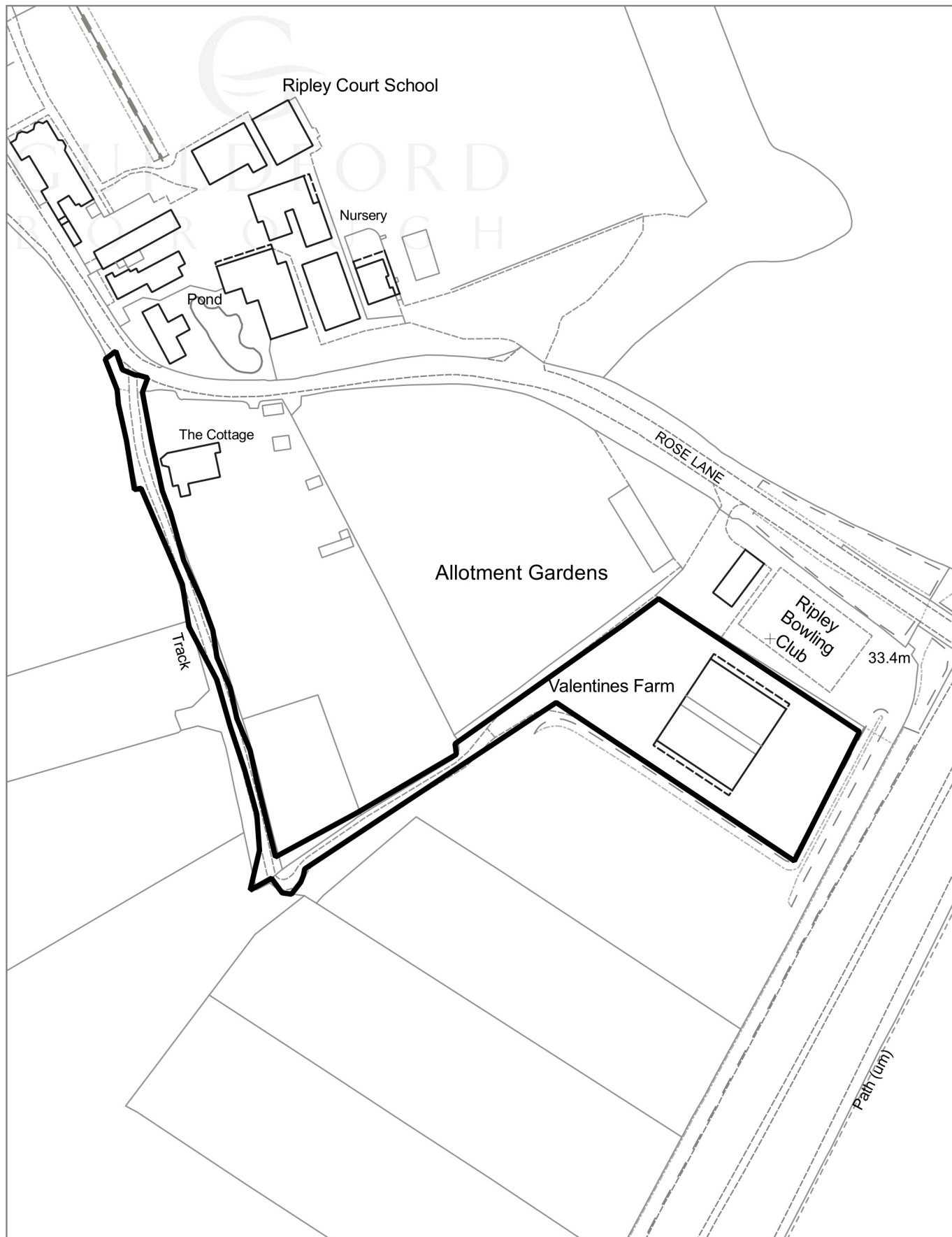
In fact the proposal would result in the consolidation of built form within this previously developed site, would include the removal of the existing unsightly and poorly maintained buildings, structures and hardstanding and include the implementation of a woodland management plan. The proposal would therefore enhance the appearance of the site. The additional of 8 new holiday lodges would also benefit the rural economy of the surrounding area and wider Surrey Hills AONB which is supported by the NPPF.

No objection is raised to the proposal in terms of highways and neighbouring amenity. Subject to conditions the application would also be acceptable in terms of ecology, trees and landscaping.

The application is therefore recommended for approval.

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17/P/01223 - Valentines Farm, Rose Lane, Ripley, Woking



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This map is for identification purposes only and should
not be relied upon for accuracy.

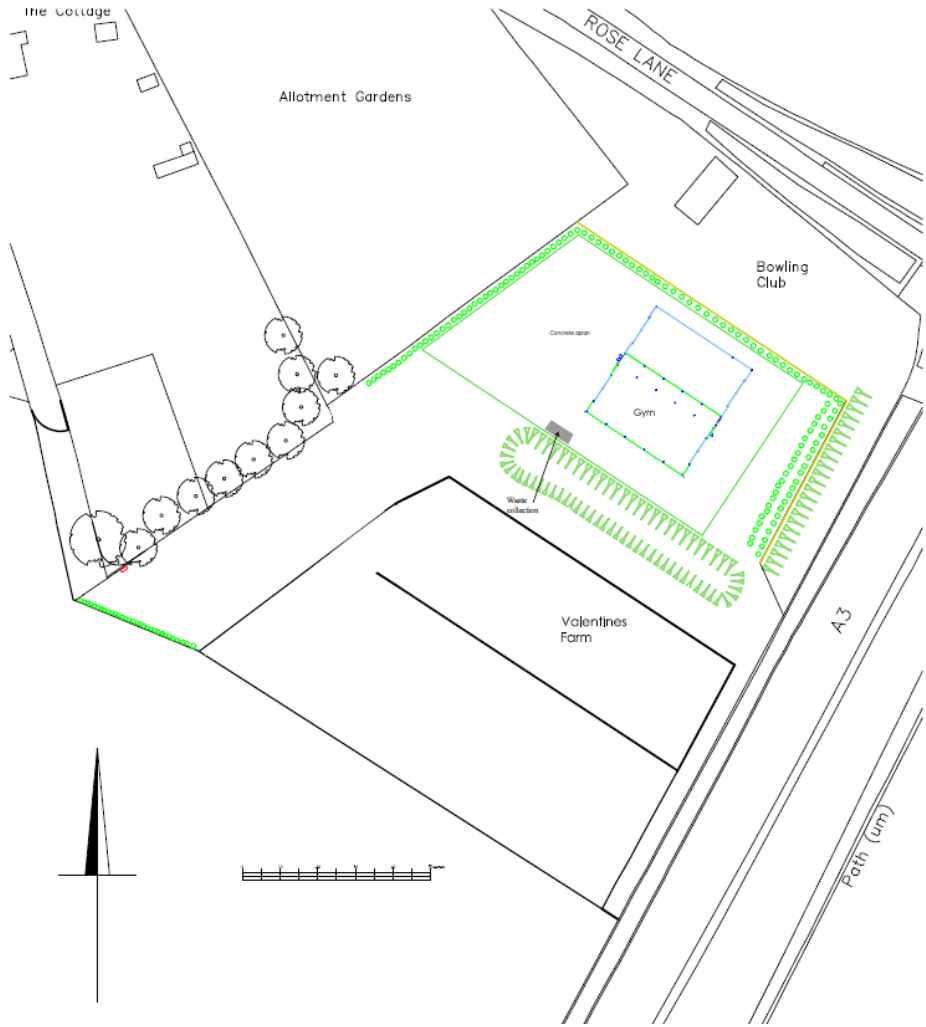
Print Date: 17/01/2018



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17/P/01223 – Valentines Farm, Rose Lane, Ripley



App No: 17/P/01223
Appn Type: Full Application
Case Officer: John Busher
Parish: Ripley
Agent : Mr N Cobbold
Bell Cornwell Chartered Town
Planners
Oakview House
Station Road
Hook
RG27 9TP

8 Wk Deadline: 01/08/2017
Ward: Lovelace
Applicant: Mr G Chambers
Hill House
Woodside Hill
Gerrards Cross
SL9 9TD

Location: Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE
Proposal: Variation of condition 4 of planning application 16/P/01101 approved 16/11/16 to allow the premises to be used for gym classes.

Executive Summary

Reason for referral

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

Key information

The proposal is for a variation of condition four of planning application 16/P/01101 which currently restricts the use of the existing building to a children's gym / activity play centre only. The variation seeks to allow the use of the building for adult gym classes.

The proposal would utilise the existing building and no alterations are proposed to its external elevations. The proposed adult gym classes would take place between the hours of 6-8am and 6-8pm on weekdays and 11am-1pm on weekends.

The use would employ one to two staff members per class and there would be no more than 10 people attending each class. 20 parking spaces would be provided to the front of the building, on the existing area of hardstanding.

Summary of considerations and constraints

This proposal is a variation of condition application made under s.73 of the Town and Country Planning Act 1990. The National Planning Practice Guidance states that the authority must only consider the amended conditions which are the subject of the application and that it is not a complete re-consideration of the application.

In this case, the re-use of the existing building for Class D type uses has already been established and approved by the Local Planning Authority. The proposal seeks simply to change the end use from a children's gym to a space to facilitate adult gym classes.

The only matters to be considered are the changes which would result from the new use which include any additional impacts on the amenity of surrounding properties, traffic and highways implications and any further harm to the Green Belt.

As part of the application, the applicant has submitted a noise survey which concludes that customers accessing and using the gym in the most sensitive times of the morning, would not result in any harm to the amenity of neighbouring residents. The Council's Environmental Health Officer has assessed the Noise Report and accepts its findings and raises no objection to the proposal.

The different use of the building would not result in any greater harm to the character of the area or to the Green Belt over and above what has already been established. While the proposal may result in an increase in vehicle movements to the site, the County Highway Authority have not raised any objections.

RECOMMENDATION:

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

1. The development hereby permitted shall be begun before 15 November 2019 - being the expiration of three years from the date of the original permission (reference 16/P/01101).

Reason: To comply with Section 91(1) 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 approved shall be carried out in accordance with plans approved for application 16/P/01101.

Reason: To ensure that the development is carried out in accordance with the approved plans, and in accordance with policy G1 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated 24/9/07).

3. The use hereby approved shall be confined to the south-western half of the building only and there shall be no storage of materials or equipment associated with the business outside of the building at any time.

Reason: To protect the character and appearance of the countryside and the openness and visual amenity of the Green Belt.

4. The premises shall be used for instructor / coach led gym classes and for no other purpose (including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)).

Reason: So that the Local Planning Authority can have control over future uses of the building, in order to protect the character and appearance of the area, the Green Belt and the amenity of surrounding properties.

5. The building shall not be occupied for the approved use until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include measures to reduce the quantity of hardstanding on the site. The approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the building for the approved use and it shall be retained thereafter.

Reason: In the interests of visual amenity of the area and to protect the openness of the Green Belt.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity of the area.

7. Prior to the installation of any external lighting (including security lighting), details shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of neighbouring properties and the openness and visual amenity of the Green Belt.

8. The use hereby permitted shall not operate other than between the hours of 6am-8pm Monday to Friday and between the hours of 11am-1pm on Saturday and Sunday.

Reason: To safeguard the residential amenities of neighbouring properties.

9. There shall be no more than 10 participants and two members of staff for each class undertaken as part of the use hereby approved.

Reason: The noise impact assessment is based on the above number of participants and any increase could result in greater impacts on the amenity of neighbouring properties.

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 additional information was required to overcome concerns raised by the Council's Environmental Health Officer. Following the receipt of this information, the proposal was deemed to be acceptable.

Officer's Report

Site description

The proposal relates to an existing steel framed building, located off Rose Lane in Ripley. The building is accessed by an existing track leading from Rose Lane, running adjacent to The Cottage. The site adjoins the A3 to the south east, open fields to the south and north east and a residential property to the west. The barn currently has planning permission for use as a children's gym / active play centre, however, as far as Officers are aware, that use has not been commenced. The barn was previously in agricultural use, mainly for the storage of hay bales and other machinery.

The site is located within the Green Belt, outside of an identified settlement area. It is located adjacent to, but outside, Ripley Conservation Area.

Proposal

Variation of condition 4 of planning application 16/P/01101 approved 16/11/16 to allow the premises to be used for gym classes.

Condition 4 states the following: 'the premises shall be used as a children's gym / active play centre only and for no other purpose (including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)'.

The applicant seeks to alter the wording of the condition to read: 'the premises shall be used for gym classes rather than as a commercial free weights gym/leisure centre and for no other purpose (including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)'.

It is now proposed that the barn would be used for developing fitness by practicing and training gymnastics movements, weight lifting and cardio elements. Equipment would consist of pull-up rigs, medicine balls, dumbbells and free weights. It is noted that there would be no reliance on rows of treadmills or weight machines like in commercial gym models.

The proposal would operate between the hours of 6-8am (pre-work) and 6-8pm (post-work) on weekdays and 11am-1pm on weekends. It is noted that classes would be one hour in duration and there would be no more than 10 people attending per class. Staffing would be one to two coaches per class.

As noted above, the previous application allowed the change of use of the barn into a children's gym / activity centre. The following table provides a comparison between the two uses (i.e. the approved and proposed).

	Approved (Children's Gym)	Proposed (Gym Classes)
Hours of operation	9am-7.30pm (weekdays) and 9am-5pm (weekends)	6-8am and 6-8pm (weekdays) and 11am-1pm (weekends)
Parking	20 spaces	20 spaces
Staffing	6 staff	1-2 staff per class
Clients	18 per class	No more than 10 per class

[Officer Note: It is noted that the original submission indicated that class sizes would be limited to 16 persons. However, the Noise Impact Assessment submitted by the applicant more recently, indicates that class sizes would be limited to 10 persons. Given that information is more up-to-date and is used as a basis for the noise survey, it is this number which has been used to assess the application].

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
16/P/01101	Change of use from B1(c) light industrial to D2 gym (596 sq m and 459 sq m ancillary storage).	Approve 16/11/2016	N/A
14/P/00045	Change of use of building to a B1(c) light industrial use and ancillary storage, including external timber/concrete cladding to one half of the building; installation of solar panel array on building roof.	Approve 12/11/2014	N/A
12/P/01921	Change of use of barns to B1(c) light industrial and ancillary storage.	Refuse 09/04/2013	DISM 12/11/2013
08/P/02011	Change of use of barn to the South West of the site for the processing of timber products and the construction of garden buildings, external changes	Refuse 04/02/2009	ALLC 29/10/2009

to barn incorporating timber paneling and roof lights & resurfacing of the first 20 metres of access track. (Description amended 14/01/09).

Consultations

Statutory Consultees

County Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

Internal Consultees

Head of Community Care Services (Environmental Health): Taking into account the Noise Impact Assessment submitted by the applicant, no objections are raised.

Parish Council

Ripley Parish Council: Object. The Parish Council note that the increase in vehicle movements which would be an inevitable outcome of the development would be detrimental to the rural nature of the site. Excessive vehicle movements in the early morning or late evening are incompatible with the access via Rose Lane. There is no good reason that this proposed change of use should be allowed.

Third party comments

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

- impact on the Green Belt
- impact on Ripley Conservation Area
- the site should be in agricultural use only
- there is no need for such a use in Ripley
- impact on highway safety and capacity
- impact on residential amenity due to noise from cars and the hours of use
- dust from vehicles using the access

Planning policies

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

National Planning Policy Framework (NPPF)

Achieving sustainable development - core planning principles
Chapter 3. Supporting a prosperous rural economy
Chapter 7. Requiring good design
Chapter 9. Protecting Green Belt land

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

G1	General Standards of Development
G5	Design Code
RE2	Development Within the Green Belt
RE9	Re-Use & Adaptation of Rural Buildings
HE10	Dev Which Affects the Setting of a CA

Planning considerations

The main planning considerations in this case are:

- background
- the principle of development and compliance with policy RE9
- impact on the Green Belt
- rural economy
- highway/parking considerations
- the impact on neighbouring amenity
- the impact on the character of the area
- conclusion

The principle of development

The current application is made under s73 of the Town and Country Planning Act 1990, which allows conditions imposed on planning applications to be either varied or removed in their entirety. In this instance, the proposal is for the variation of condition four of application 16/P/01101, the requirements of which have already been set out above.

Paragraph 21a-031-20140306 of the National Planning Practice Guidance states that 'in deciding an application under section 73, the local planning authority must only consider the disputed conditions that are the subject of the application - it is not a complete re-consideration of the application'.

As such, the only matter which can be considered as part of this application is the resulting impact of the variation of condition four (i.e. the changes set out in the proposal section above), on the Green Belt, the amenity of neighbouring residents, highways etc. Other matters which have already been established, such as the principle of the development are not issues which can be considered.

The proposal will be assessed on this basis below.

Impact on the Green Belt

Paragraph 90 of the NPPF says that the re-use of permanent and substantial buildings in the Green Belt is not 'inappropriate' provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

The building is already in place, and no alterations are proposed to its external appearance. Three sides of one half of the building would remain open and un-clad and this is similar to previous proposals and stems from an Inspectors comment in relation to 08/P/02011 where it was stated that the cladding of only one half of the building would not have any harmful impact on the openness of the Green Belt.

On this basis and taking the previous appeal decisions into account, the proposal would not result in any harm to the openness or visual amenity of the Green Belt. As the building is already in existence, the development would also not conflict with the purposes of including land within the Green Belt. It is noted that a large area of hardstanding already exists to the front and sides of the building. While this may have been required for the previous B1(c) use, there appears to be no requirement for it for the D1 use. The hardstanding does have some harm to the openness of the Green Belt and a way to remedy this was suggested in the original report for application 16/P/01101, which was a condition that required the reduction in the amount of hardstanding on the site.

As such, the proposal to amend condition four would not result in any greater harm to the Green Belt or its openness.

Rural economy and town centre use

The proposed D1 use would be a main town centre use and the application site is not located within an existing centre. The NPPF states at paragraph 24 that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. However, paragraph 25 goes on to state that 'this sequential approach should not be applied to applications for small scale rural offices or other small scale rural development'.

In addition, the rural economy chapter of the NPPF states that to promote a strong rural economy, Local Plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings.

The proposal is considered to be a relatively small scale development, which would occupy only half of the existing barn. Given this, as advised in paragraph 25 of the NPPF, a sequential test is not required in this instance. The proposal would also be generally compliant with the rural economic aims of the NPPF as it would allow for business use in the area through the conversion of an existing building. The economic benefits of the scheme are a positive aspect of the development that should be considered in the balance.

Highway / parking considerations

A number of local residents have raised concerns regarding the impact of the proposal on highway safety grounds, including those relating to the relationship of the site and Ripley Court School. Whilst these concerns are noted, the NPPF states that:

"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

There is an existing access to the land leading from Rose Lane and as with the prevailing use of the building and the existing approval, this would be used as the main access for the proposed use.

While both the approved and proposed uses would generate an increase in vehicle movements compared to the existing situation, it would not create a severe impact on the highway network in terms of its capacity. No objections were raised by the County Highway Authority in this regard.

For the previous approval, it is noted that a speed survey was undertaken at the County Highway Authority's request and the results indicate that there is a sufficient level of visibility in both directions given the actual speed of vehicles on Rose Lane. The County Highway Authority also noted that the change of use would result in a significant reduction in the number of LGV movements associated with the site. This is also the case for the subject application. No highway safety concerns have been raised by the County Highway Authority.

It should also be noted that the proposal is a less intensive use than the previous approval, with less staff and considerably shorter opening hours. This would result in a reduced number of vehicle movements to the site, compared to the approved application.

Given the above, the Council cannot demonstrate that the residual cumulative impacts of the proposed development would be severe. On this basis, despite the concerns that have been raised locally, a reason for refusal on highway safety, access or capacity grounds could not be substantiated in this instance.

In terms of parking, there is ample space available on the hardstanding to the front of the building to cater for staff and visitor needs and no objections are raised to the proposal in this regard.

In view of the above, the proposal is deemed to be compliant with policy G1 of the saved Local Plan and the NPPF in this regard.

Impact on neighbouring amenity

The proposed use itself would be unlikely to result in any harm to the amenity of surrounding properties. The barn is over 165 metres from neighbouring dwellings including The Cottage and the mobile homes on The Paddocks and any activities which take place would be from within the building. The site is adjacent to the A3 and there is therefore already a reasonably high existing background noise level. Given this separation distance there would be no unacceptable impact from the proposed use of the building on the amenities enjoyed by the occupants of The Cottage or the mobile homes, in terms of noise.

It is acknowledged the access track to the site does run along the side and rear boundary of The Cottage and along the side boundary of the mobile homes. During the weekdays, the proposed use would operate between the hours of 6-8am and 6-8pm. When originally submitted, the Council's Environmental Health Officer raised concerns regarding noise and disturbance from vehicles accessing the site, particularly in the period from 6 to 7am. Following this, the applicant submitted a detailed Noise Impact Assessment. The assessment has used measured noise levels from vehicle pass-bys to predict the noise level impact on the existing residential development due to the pass-bys associated with the proposed gym during the early daytime and night-time periods.

For the day-time period the submitted survey indicates that the predicted noise rating level falls below the existing background sound level at the closest receptor. As such, it is concluded that during the day-time use, mitigation measures are not required. The night-time assessment has been undertaken for the period between 06:45 and 07:00 which is considered to be the worst case scenario when one class departs and another arrives.

The assessment indicates that criteria stipulated in the World Health Organisation Guidelines would not be exceeded immediately outside of the facade of the closest receptors. As such, it is concluded that no mitigation measures are required. The assessment concludes by acknowledging that while noise would be noticeable from the site, it would not be intrusive or result in such an impact that would have a perceived change in quality of life.

The Council's Environmental Health Officer (EHO) has assessed the proposal and has reviewed the applicant's submitted Noise Impact Assessment. The EHO has accepted the findings of the report and on this basis raises no objection to the proposal on noise, disturbance or amenity grounds.

To reflect the fact that day-time use of the building would not result in an harm to neighbouring amenity, it is not considered necessary to limit hours of use during this time. As such, condition four of the permission seeks to limit the hours between 6am to 8pm Monday to Friday and between 11am and 1pm on Saturday and Sunday. Given the outcome of the Noise Impact Assessment, this is deemed to be reasonable. In addition, a condition is recommended which limits the number of participants per class to 10 (plus up to two staff members), as set out in the applicant's Noise Impact Assessment.

Therefore, the proposal would not have a detrimental impact on neighbouring amenity and accords with policy G1(3).

The impact on the character of the area

Compared to the original approval, the current proposal would not result in any material changes to either the building or the site, which would have an impact on the character of the area.

While the proposal may result in increased levels of car parking on the site, the applicant's submission estimates that the demand would be in the region of 20 spaces. The existing hardstanding could accommodate many more spaces than this and is therefore considered to be excessive in size. Given that the existing hardstanding does not contribute positively to the setting of the conservation area or to the character and appearance of the rural surroundings, a condition is recommended that a landscaping strategy should be submitted which provides details for the reduction in the size of the hardstanding.

Taking into account this condition it is therefore considered that the proposal is compliant with policy G5 and HE10 of the saved Local Plan.

Conclusion

As noted above, this is an application which is made under s.73 of the Town and Country Planning Act 1990. The proposal seeks to vary a condition of a previously approved application (16/P/01101) and the only matter which can now be considered is the resulting impact of the variation of the condition. The principle of using the building for commercial purposes has already been established.

The proposal seeks to change the use of the building from a children's gym to a gym which provides classes to adults. The change would result in different operating arrangements (including the hours of use) and these have been set out above.

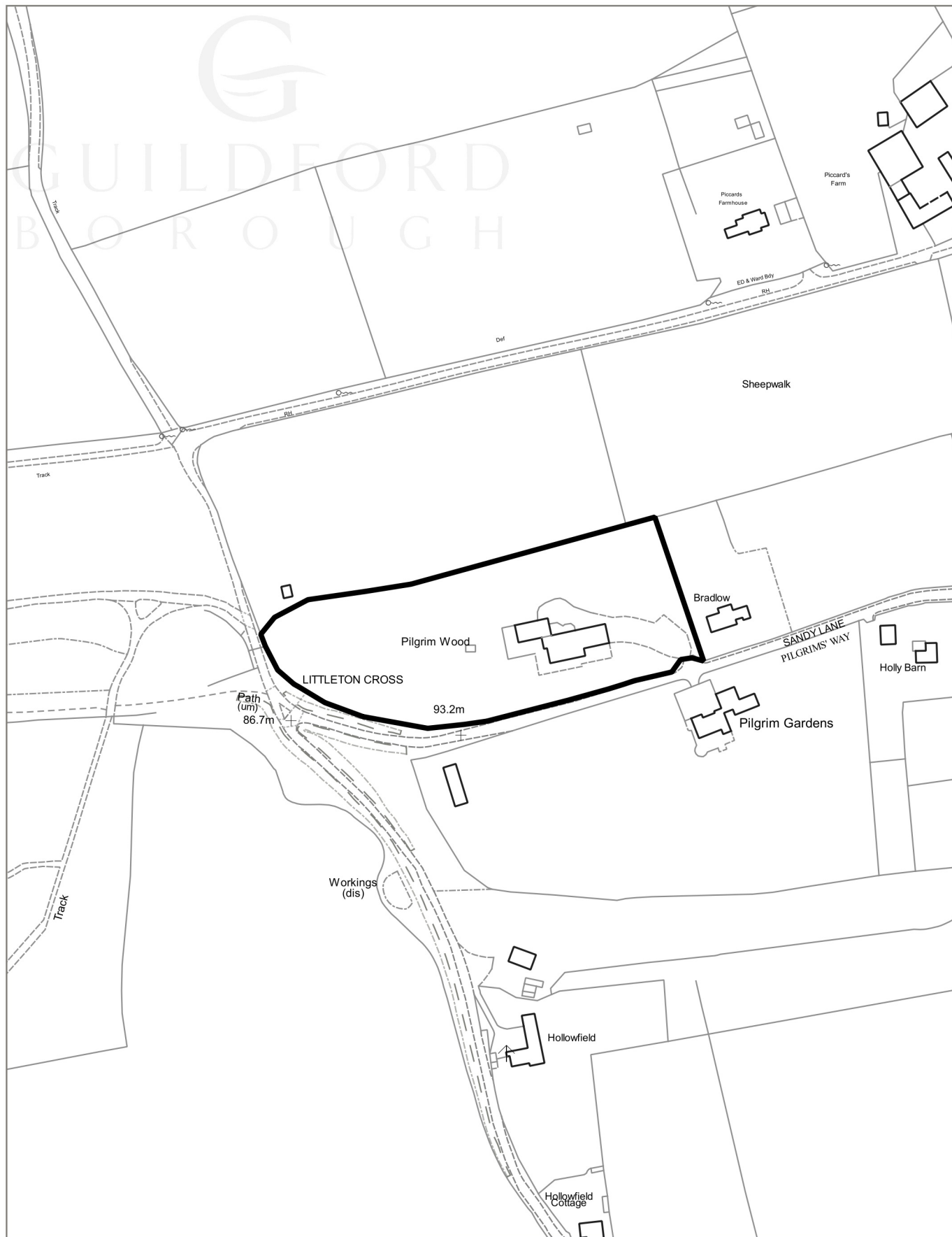
While the proposed hours of use would result in activity on the site earlier in the morning, the applicant has submitted a Noise Impact Assessment which confirms that the proposal would not result in such harm to the amenity of neighbouring properties that would justify the refusal of the application. This position is supported by the Council's Environmental Health Officer.

No objections are raised by the County Highway Authority and compared to the approved application, there would be no greater harm caused to the character or appearance of the area.

The proposal is therefore deemed to be acceptable and is recommended for approval, subject to conditions.

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17/P/01458 - Pilgrim Wood, Sandy Lane



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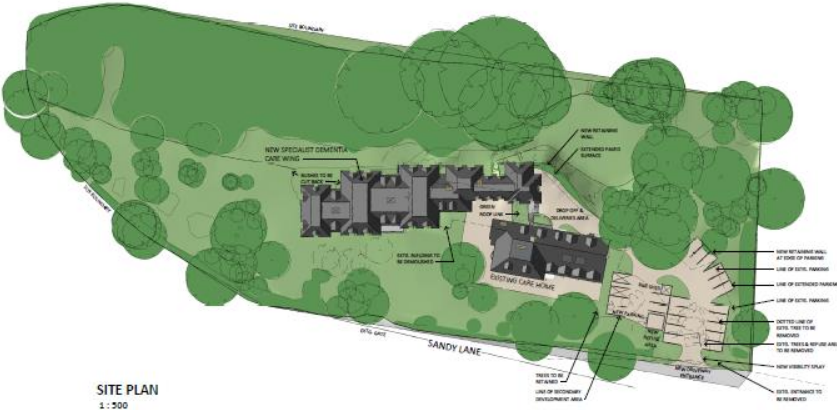
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17/P/01458 – Pilgrim Wood, Sandy Lane, Guildford



App No: 17/P/01458 **8 Wk Deadline:** 02/02/2018
Appn Type: Full Application
Case Officer: Charlotte McSharry
Parish: Artington **Ward:** Shalford
Agent : Mr. Mike Bunyan **Applicant:** Mr. Keshel Lakhani
Carless & Adams Partnership Goldenage Healthcare Ltd
Pilgrim Wood
6 Progress Business Centre Sandy Lane
Whittle Parkway Guildford
Bath Road GU3 1HF
Slough
SL1 6DQ

Location: Pilgrim Wood, Sandy Lane, Guildford
Proposal: Proposed erection of a three storey new specialist dementia wing with basement following demolition of existing care home wing, improvements to existing vehicular access and landscaping enhancements.

Executive Summary

Reason for referral

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

Key information

Proposed erection of a three storey new specialist dementia wing with basement following demolition of existing care home wing, improvements to existing vehicular access and landscaping enhancements.

Existing Floor Area: 1,266 sq.m.
Proposed Floor Area: 3,002 sq.m.

The proposal would result in a 142% increase in floor area.

Existing bedrooms: 32
Proposed retained bedrooms: 22
Proposed bedrooms: 34
Total bedrooms: 56

Proposed car parking provision: 22

Existing staff numbers: 38 full time equivalent
Proposed staff numbers: 44 full time equivalent

A number of supporting documents have been provided as part of this application:

Planning Statement prepared by TPS
Design and Access Statement prepared by Carless Adams and Partnership
Landscape and Visual Assessment prepared by Deacon Design
Arboricultural Survey and Planning Integration Statement prepared by Quaife Woodlands
Transport Statement prepared by Bellamy Roberts
Travel Plan prepared by Bellamy Roberts
Drainage Strategy prepared by NJP Consulting
Ecological Assessment prepared by Ecolulus

Summary of considerations and constraints

The Council accepts that it is unable to demonstrate a five year supply of deliverable housing land (including C2 use), as required by paragraph 47 of the NPPF 2012. Whilst the proposal would provide 24 additional care home beds to meet identified need, the harm to the Green Belt by reason of inappropriateness and the harm to openness are not outweighed by other considerations (very special circumstances). Additionally the effect on the character of the site and surrounding area, including the AONB and AGLV, would significantly and demonstrably outweigh the benefit of a net gain in residential care beds. Insufficient information has also been provided to satisfy Surrey County Council SuDS department on potential drainage issues.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposed development as a result of the cumulative uplift in floor area, together with the overall size, width, scale and bulk, would result in a disproportionate addition to the original building. The proposal therefore constitutes inappropriate development in the Green Belt which is harmful by definition. Furthermore, there would be a harmful impact on the openness of the Green Belt by virtue of the introduction of built form where none currently exists and from the overall size, scale, bulk and mass of the proposed link building. No very special circumstances have been demonstrated that would outweigh the harm to the Green Belt and it is not considered that any exist. The proposed development would therefore fail to comply with policy RE2 of Guildford Borough Local Plan (as saved by CLG Direction 24/09/2007) and Chapter 9 of the NPPF 2012.
2. Due to the overall size, proportions, scale, bulk and mass, the proposal would constitute overdevelopment and have an unacceptable impact on the existing context and character of the site and surrounding area, including the Area of Outstanding Natural Beauty and the Area of Great Landscape Value. As such the proposal is unable to comply with policies G1, G5, RE5 and RE6 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/07) and the NPPF.

3. Insufficient information has been provided to assess whether the proposed development would provide suitable sustainable drainage systems (SuDS). With the limited level of information provided, the proposal is unable to demonstrate compliance with paragraph 103 of the National Planning Policy Framework 2012 and Ministerial Statement on SuDS.

Informatives:

1. This decision relates expressly to drawing(s) A-637 01 Rev A, 100 Rev A1, 101 Rev A2, 102 Rev A2, 103 Rev A2, 104 Rev A2, 105 A2, 110 Rev A1, 111 Rev A1, 112 Rev A1, 113 Rev A1, 114 Rev A1, and DD141L01 received 19 July 2017.
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 potential issues and suggested amendments to overcome concerns. However, the application has not been submitted in accordance with that advice, the application was considered to be unacceptable and no further amendments were sought.

Officer's Report

Site description.

The application site comprises Pilgrim Wood Residential Care Home, which is located within the Green Belt, Area of Outstanding Natural Beauty (AONB), Area of Great Landscape Value (AGLV) and within the 400-5km Thames Heath Basin SPA buffer zone.

The existing care home facility is accommodated within a 1920s converted country house which has been adapted and extended to provide a total of 32 beds, 29 of which are single bedrooms and 3 shared bedrooms. The site is registered with the Care Quality Commission for 35 residents.

The property is accessed off the public highway, Sandy Lane, which runs along the southern boundary of the site. The existing building is located in the south east corner of the site. There are changing levels across the site, with the existing home on higher ground and a sheer drop to the north. Due to the topography of the site, the care home is visible within the landscape. There are mature trees within and surrounding the site, included woodland designated as Ancient Woodland. The land ownership of Pilgrim Wood extends to approximately 1.27 hectares.

Residential properties 'Bradlow' and 'Pilgrim Gardens', lie to the east and south respectively.

Proposal.

Proposed erection of a three storey new specialist dementia wing with basement following demolition of existing care home wing, improvements to existing vehicular access and landscaping enhancements.

Relevant planning history.

07/P/02338 - Erection of a two storey extension to west elevation with new laundry at basement level (revision to 07/P/01030 approved 28/02/07 comprising alteration to lift shaft, addition of parapet end to hair salon roof and omission of boiler room door). Approved with Conditions.

07/P/01030 - Erection of a two storey extension to west elevation with new laundry at basement level - Approved with Conditions.

06/P/01931 - Installation of a two pitched roof dormer windows to front elevation, to replace existing rooflights - Approved with Conditions

03/P/00749 - Dormer in existing rear elevation to form a corridor - Approved with Conditions.

98/P/00028 - Extension to enlarge three existing bedrooms with roof terrace over, five dormer windows and extension to dining room - Approved with Conditions.

95/P/00998 - Conversion of existing basement storage area into residential accommodation for elderly residents with construction of new staircase enclosure and conservatory - Approved with Conditions.

93/P/01133 - Extension to provide new kitchen and conversion of existing kitchen to provide extended dining area - Approved with Conditions.

89/P/01780 - Single storey extension with below ground storage area to provide 8 additional residents rooms with ancillary facilities (as amended 27/02/90) - Approved with Conditions.

Consultations.

Statutory consultees

County Highway Authority: No objection subject to suitable conditions.

Surrey SuDS: Objects. Insufficient information provided to support the drainage strategy.

Surrey County Council Adult Social Care: Fully supports the application.

Environment Agency: Unable to make a detailed assessment of the application proposal due to workloads, but notes that new development should be connected to the public mains where possible (with the prior written approval of the statutory undertaker).[Officer note: If any further representation is received from the EA, this will be reported on the late sheets for Planning Committee].

Natural England: Objects on the loss / damage of the ancient woodland.

Forestry Commission: Following a site visit the FC now raise no objection to the proposal on the condition that a detailed management plan is drawn up for the remaining ancient woodland.

Thames Water: No objection, subject to suitable conditions.

Non-statutory consultees

Surrey Downs Clinical Commissioning Group: Supports the application.

Surrey Hills Area of Outstanding Natural Beauty Officer: Objects on the following grounds:

- National and local planning policies give great weight to the conserving the landscape and scenic beauty of this protected landscape.
- The site is within a vulnerable part of the Surrey Hills AONB and AGLV.
- Extensive development would be visible from Sandy Lane, the North Downs Way, a long distance trail and from other viewpoints within the AONB to the north.
- The Landscape and Visual Appraisal and Design and Access Statement rely upon existing trees to provide screening, however, these are transient features of landscapes.
- Future pressure to remove trees having an overshadowing or overbearing impact on the northern elevation. Existing treed ridge, with limited buildings along it, makes a major contribution to the character of the Surrey Hills AONB - see Surrey Hills Management Plan Policy LU2.
- Light pollution concerns
- Insufficient parking
- Uncharacteristic design in the Surrey Hills.
- White washed walls would be highly visible in the setting - more muted colours would reduce the visual impact of the building when viewed against a darker treed backdrop.
- Excessive number of dormer windows which exacerbate concerns over scale.

CPRE (Campaign to Protect Rural England) Surrey: Objects on the following grounds:

- Light pollution
- Out of character with the area
- Highly visible in the landscape
- Prominent building
- Impact on the AONB

Artington Parish Council: Objects on the following grounds:

- Excessive length and three storey height of building
- Prominent position on a high ridge in the landscape
- Highly visible from Sandy Lane, North Downs Way and other AONB viewpoints
- Light pollution
- Non-compliant with the NPPF and Guildford Borough Council's Draft Local Plan

Amenity groups/Residents associations

Guildford Society: Objects on the follow grounds:

- Disproportionate extension
- Inappropriate development in the Green Belt
- Impact on openness of the Green Belt
- Impact on the Surrey Hills AONB and AGLV
- Insufficient very special circumstances

Third party comments:

22 letters of support have been received outlining the following positive comments:

- Much needed facility in the local area
- Increasing ageing population
- High quality of care, service and support
- Purpose-built for dementia care
- Innovative, forward thinking facility
- Safe and comfortable specialist environment
- Enhance existing service / upgrade to facilities
- Heart of the community
- Continued partnership with local school
- Ensures viability and long term future of care home
- Sympathetic design in keeping with the existing building
- Enhanced landscaping scheme
- Screened by trees from longer views

Planning policies.

National Planning Policy Framework (NPPF)

Achieving sustainable development - core principles

Chapter 6. Achieving a wide choice of high quality homes

Chapter 7. Requiring good design

Chapter 9. Protecting Green Belt land

Chapter 11. Conserving and enhancing the natural environment

South East Plan 2009

NRM6 Thames Basin Heaths Special Protection Area

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

G1 General Standards of Development

G5 Design Code

RE2 Development within the Green Belt

RE5 Area of Outstanding Natural Beauty AONB

RE6 Area of Great Landscape Value AGLV

Supplementary planning documents

Sustainable Design and Construction SPD 2011

West Surrey Strategic House Market Assessment (SHMA) Guildford Addendum 2017

Vehicle Parking Standards SPD 2006

The Surrey Hills AONB Management Plan 2014-2019

Emerging Local Plan

Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging local plans. Work is ongoing on the emerging Guildford Local Plan. One round of formal public consultation on the Local Plan Strategy and Sites took place over the summer of 2014, followed by a further (Regulation 19) consultation in June-July 2016. The Guildford Borough Submission Local Plan: Strategy and Sites (2017) was submitted to the Secretary of State for Local Government on 13 December 2017 for independent examination. Given the early stage in the local plan process, it carries very limited material weight at this time.

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- the impact on the Green Belt
- the impact on the scale and character of the existing site
- the impact on the character of the area
- the impact on the AONB and AGLV
- the impact on neighbouring amenity
- highway and parking considerations
- trees
- flood risk / drainage
- 'Very Special Circumstances' - Balancing Exercise

The principle of development and impact on the Green Belt

The NPPF states that to deliver a wide choice of high quality homes, local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community, including older people (paragraph 50). The National Planning Practice Guidance (NPPG) adds that older people have a wide range of different housing needs, ranging from suitable and appropriately located market housing through to residential institutions (Use Class C2) and that local planning authorities should count housing provided for older people, including C2 residential uses, against their housing requirement.

The NPPF which provides the most up to date policy on development in the Green Belt, attaches great importance to this designation, and the construction of new buildings is generally regarded as inappropriate development, unless the development falls within one of the exceptions listed in paragraph 89 of the NPPF. This includes *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*. The proposal is for a building which would be attached to the existing care home facility via a small glazed link. The proposed floor area of the new building is greater than the existing building; therefore it cannot be considered that the extension would be proportionate in size to the original building. The floor area uplift over the existing is significant at 142%. Therefore the proposal would not benefit from this exception. The supporting application documentation argues that the development would fall within one of the other listed exceptions; *'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development'*.

Annex 2: Glossary of the NPPF 2012 makes clear that 'previously developed land' is land which is or was occupied by a permanent structure, including the curtilage of the developed land, although it should not be assumed that the whole of the curtilage should be developed. The proposed area of development, the subject of this application, largely comprises the principal garden area of Pilgrims Wood Care Home. As such, the land is within the curtilage of developed land and may fall within the definition of PDL. Therefore it needs to be considered whether partial redevelopment would have a greater impact on the openness of the Green Belt than the existing development.

The proposal includes the demolition of approximately 438 sq.m. of built form and the construction of 2,174 sq.m. Approximately 827 sq.m. of the existing building would be retained, which would result in an overall proposed floor area of 3,002 sq.m. compared with the existing 1,266 sq.m. building. This represents a significant uplift in floor area terms of 142%. The proposed development would impinge on the openness of the Green Belt, not least because buildings (despite their proposed siting next to the existing care home) would be introduced into an area where no built form currently exists, by adding to the intensity of the built form.

With regard to the impact on openness, this is not primarily a measure of how visible the extended care home building would be from public vantage points or whether it is visually intrusive but whether it reduces the openness of the Green Belt due to physical presence and size. In this respect, having regard to the built form and intensification of the use of the land, this would reduce the openness of the Green Belt in this location which does not comply with Chapter 9 of the NPPF 2012.

For the reasons above, the proposed development would not fit into one of the exceptions within paragraphs 89 or 90 of the NPPF, and therefore the application is considered to be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As set out in the Planning Practice Guidance, housing need alone is unlikely to outweigh harm to the Green Belt such as to amount to very special circumstances. The 'very special circumstances' presented by the applicant are dealt with in the preceding sections of this report.

Impact on the existing site and surrounding area, including the AONB and AGLV

The proposed development would significantly change the character of the existing site from a grassed communal garden area to an area consumed by built form.

The existing building is two and half storeys, with accommodation contained in the roof. The proposal would result in a three and a half storey building, with rooms contained in the roof and a total of four floors of accommodation. The overall proposed building length at approximately 62 metres and width at approximately 15.2 metres, would dwarf the footprint of the existing modestly sized care home. Consideration has been given to the distribution and proportion of windows, use of gabled features over dormers, as well as edge quoining and external materials (white washed render, brick and a slate tiled roof) to match the existing building. However, the linked building would have different elevational proportions with a much higher eaves level than the existing building and a comparatively shallower roof depth which, coupled with the additional basement floor proposed, would create a building of significantly greater scale. It is not considered that the brick plinth around the bottom of the building would reduce the visual scale of the building. Despite the articulation to the linked building, the development would be unduly dominant, particularly from the north elevation.

Sandy Lane steadily rises westward, away from the urban area of Guildford, and becomes distinctly more rural in character. Due to the location of Pilgrim Wood at the western end of Sandy Lane and the sloping topography of the land to the north, the existing building and proposed area of development is in an elevated position, open to views from the surrounding area. For these reasons the application site is considered to be within a vulnerable part of the Surrey Hills AONB and AGLV on the outskirts of Guildford. The significant increase in the building mass through the 62 metre length extension would be capable of being visible from Sandy Lane, the North Downs Way and from other viewpoints in the AONB. The submitted Landscape and Visual Appraisal relies upon retained trees to provide screening. However, trees are a transient feature of landscapes and the impact on the surrounding area, including the AONB and AGLV, cannot rely upon the existing trees remaining during the life of the development. Once the development is built there may be subsequent pressure from occupiers, their families and the care home operator to remove trees having an overshadowing or overbearing impact on the northern elevation or to open up views, which would lead to the large building being conspicuous on the ridgeline when viewed from the north.

For the reasons outlined above it is considered that the proposal would have an unacceptable impact on the character and appearance of the existing site and surrounding area. Therefore, the proposal is unable to comply with policy G1, G5, RE5 and RE6 of the Guildford Borough Local Plan (as saved by CLG Direction 24/09/2007) and paragraph 115 of the National Planning Policy Framework (NPPF) 2012.

The minimal repositioning and extension of the existing parking area and vehicular access to improve visibility, is considered acceptable in the context of the site and surrounding area; however this does not overcome the concerns raised above.

Impact on neighbouring amenity

Given the separation distances to neighbouring residential properties, the position of the new link building in the western end of the site and retention of the existing access onto Sandy Lane and car parking layout, it is not considered that the proposal would impact on the amenity of the neighbouring occupants in terms of noise and disturbance from activities at the site, including delivery vehicles entering and exiting the site.

On this basis, the proposal is deemed to be compliant with policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007).

Parking and highway considerations

The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety or operation of the adjoining public highway. The County Highway Authority therefore has no objection, subject to suitable conditions.

With regard to parking the Vehicle Parking Standards set out a requirement for a maximum of 1 space per 5 residents. This would equate to 11.5 spaces for 56 beds. The current application shows 22 parking spaces which is above the requirement and as such there is no objection on this ground. The access has good visibility in both directions and the amount of traffic generated by the proposed development, being a care home for the elderly with specialist dementia care, has not been found by the Highway Authority to result in any highway safety concerns. The proposal accords with the Guildford Borough Local Plan 2003 policies G1(1) and G1(2).

Trees

The proposed development site comprises of a number of trees both close to and on the boundary. No individual trees on site are afforded Tree Preservation Order protection nor is the site within a Conservation Area, however, there is land designated as Ancient Woodland.

The British Standard, BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, sets out in some detail how trees on development sites should be managed. It is generally accepted the Category A (high quality) and Category B (moderate quality) trees are considered potential constraints on any development proposal whereas those belonging to Category C (low quality) are considered to be generally less important. The proposal requires the removal of seven B-grade trees and two B-grade groups. It is the opinion of the Council's Tree Officer that the loss of six of the individual trees and the two groups will not have a significant impact on the character and appearance of the surrounding landscape due to their limited contribution, and the retention of the larger boundary trees.

A more significant tree, the English Oak, T86, is proposed to be removed to accommodate the proposed changes to the existing access drive. This tree is visible to users of Sandy Lane and its loss will be noticeable, however the retention of T82 does mean that the loss of T86 is reduced in visual terms. The Landscape Strategy Plan which is within the Landscape and Visual Appraisal document includes potential tree planting locations within the development site. These proposals go some way to mitigate the unavoidable tree loss if the development is permitted.

The proposed development would border the Ancient Woodland. Natural England's Ancient Woodland standing advice sets out how development can impact Ancient Woodland and suggests a minimum 15 meter buffer zone between the woodland and development. As part of this application, and following the standing advice from Natural England, the Forestry Commission and the Council's Tree Officer undertook a site visit to assess the impact on the Ancient Woodland. Given the specific circumstances of this case and quality of the ancient woodland adjacent to the development, both the Forestry Commission and the Council's Tree Officer raise no objection to the proposal. The Tree Officer has requested that should the development be approved that an aboricultural condition be imposed. The Forestry Commission have also requested that a detailed management plan is drawn up on the remaining ancient woodland with a plan of works and agreed timetable.

Flood Risk Assessment

The Government has strengthened planning policy on the provision of sustainable drainage systems (SuDS) for major planning applications (paragraph 103 of the NPPF and Ministerial Statement on SuDS). As per the guidance issued by the Department of Communities and Local Government (DCLG), all major planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Developers are advised to assess the suitability of sustainable drainage systems in accordance with paragraphs 51, 79 and 80 of the revised National Planning Practice Guidance (NPPG) for Flood Risk and Coastal Change. Sustainable drainage systems should be designed in line with national non-statutory technical standards for SuDS. Hydraulic calculation and drawings to support the design need to be provided along with proposed standards of operation and maintenance in accordance with paragraph 81 of the NPPG.

The Lead Local Flood Authority, Surrey County Council, has assessed the proposal and cannot recommend that full planning permission be granted because insufficient information has been provided to support the proposed drainage strategy.

'Very Special Circumstances' - Balancing exercise

The site is within the Green Belt. The NPPF at paragraph 88 states that inappropriate development is by definition harmful to Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The Council is required to consider all relevant material planning considerations before reaching a decision. However, it is for the Council, as the decision maker, to determine the level of weight to be afforded a particular matter when balancing harm against the benefits.

Harm arising from the proposal

Inappropriate development

The harm identified is the inherent harm to the Green Belt by way of inappropriateness resulting from the type of development proposed which does not fall within any of the listed exceptions in paragraph 89 or 90 of the NPPF. This harm is given **substantial** weight in the planning balance.

Impact on openness of the Green Belt

Substantial weight is also given to the harm to the openness of the Green Belt resulting from the amount of floor area, overall length, scale, bulk and mass of the proposed building has also been identified.

Impact on the wider landscape character

The proposed development would also have an adverse impact on the character of the area and wider landscape, including AONB and AGLV; this has been attributed **considerable** weight.

Benefits of the proposal

The applicant has presented the following matters as 'very special circumstances' which are dealt with in turn below:

- The need for care home provision
- The limited availability of land
- Viability and potential loss of existing provision
- Improvement of existing facilities
- Employment generation
- Wider benefits of care home provision

The need for care home provision

The Council accepts that it is unable to demonstrate a five year supply of deliverable housing land, as required by paragraph 47 of the NPPF. As set out in the Planning Practice Guidance, housing need (including C2 use) alone is unlikely to outweigh harm to the Green Belt such as to amount to very special circumstances. The West Surrey Strategic House Market Assessment (SHMA) Guildford Addendum 2017 updated evidence base shows that based on the Council's demographic modelling, there will be an increase of 433 people living in institutions over the period 2015 to 2034, representing a 'need' of 23 per annum. The emerging Local Plan makes provision for 160 bed spaces only. Two proposed site allocations are indicated; one care home of approximately 60 bed spaces on Keens Lane, Guildford and approximately 100 sheltered and extra care spaces at the former Wisley Airfield, Ockham (Policy A22 and A35 of the Submissions Local Plan: strategies and sites). The demographic change both locally and nationally is not disputed, nor is the need for C2 units. Accordingly **considerable** weight is given to the need for care home provision; however as stated previously need alone is unlikely to be sufficient to demonstrate very special circumstances.

The limited availability of land

The applicant has put forward a case that very special circumstances must exist given the absence of sufficient land within urban areas to meet the acknowledged need for care provision. The applicant has not carried out an assessment of the local area to demonstrate that there are no other alternative sites for the provision of the additional car bed numbers proposed. Therefore this is given **very limited** weight in the balancing exercise.

Viability and potential loss of existing provision

The Planning Statement notes that the provision of additional accommodation would establish the long term viability of the business. Recent research from Knight Frank titled 'UK Healthcare: Development Opportunities' 2017 is referenced in the submitted Planning Statement. The research identified a trend in the net loss of the provision of care homes and beds in the country. The Planning Statement notes that this trend is evident at the local level, and the last remaining care homes owned by Surrey County Council are due to be closed over the course of 2017/2018. Information has also been provided on the relative viability of different sized care homes, stating that as care homes grow in size they become more profitable up to the 60-79 bed size band. Whilst the research presented is not questioned, the applicant's case is not back up to any meaningful degree. Officer's would have expected to see financial evidence that the development of the site would be unviable with a scheme for less than a total of 56 rooms (such evidence can be treated as confidential) and / or how all other proposals for the site have been explored, such as a replacement care home scheme. Only **very limited** weight may be given with the current level of information provided.

Improvement of existing facilities

The applicant has stated that the current standard of accommodation within the existing building is less than ideal, namely insufficient space, a lack of ensuite facilities and substandard room sizes. The accommodation is noted as falling short of the standards currently required by the Care Quality Commission. It is considered that a smaller scheme and / or alterations to the existing building may overcome these concerns with lesser identified harm to the Green Belt; accordingly **very limited** weight is given to the improvement of existing facilities.

Employment generation

Pilgrim Wood currently employs 38 members of staff (full time equivalent). This would be increased to a total of 44 members of staff (full time equivalent). A net gain of 6 members of full time staff employed from the local area is attributed **very limited** weight in the balancing exercise.

Wider benefits of care home provision

The applicant has put forward that the provision of additional care facilities generates wider benefits to the local community, namely for the residents and their families / visitors, but also extending to reducing pressure for primary services such as GPs and hospitals. The wider benefits of the proposed development are considered, in part, in some of the other considerations above (eg. improvement of existing facilities). With the level of information provided by the applicant, the wider benefits of the proposed development has been given **very limited** weight.

The factors considered above, both individually or collectively, do not represent material considerations of sufficient weight to represent very special circumstances that would overcome the harm to the Green Belt by reason of inappropriateness or any other harm. Accordingly the scheme is recommended for refusal.

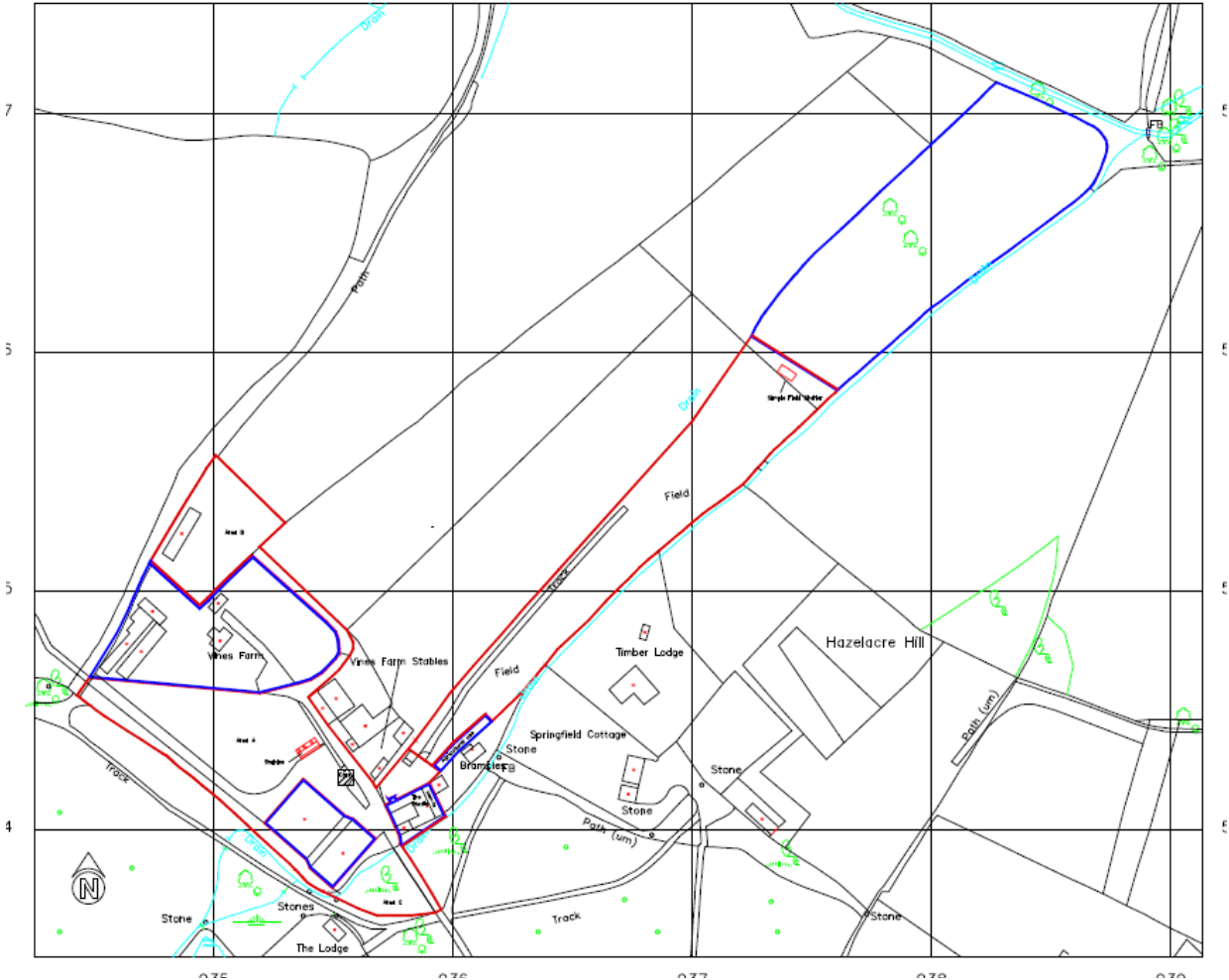
Conclusion.

The Council accepts that it is unable to demonstrate a five year supply of deliverable housing land (including G2 use), as required by paragraph 47 of the NPPF 2012. Whilst the proposal would provide 24 additional care home beds to meet identified need, the harm to the Green Belt by reason of inappropriateness and the harm to openness are not outweighed by other considerations. Additionally the effect on the character of the site and surrounding area, including the AONB and AGLV, would significantly and demonstrably outweigh the benefit of a net gain in residential care beds. Insufficient information has also been provided to satisfy Surrey County Council SuDS department on potential drainage issues.

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17/P/01990 – Vines Farm, Mill Lane, Pirbright

Site location and block plan



Not to scale

App No: 17/P/01990
Appn Type: Full Application
Case Officer: Hannah Yates
Parish: Pirbright
Agent :

8 Wk Deadline: 05/02/2018

Ward: Pirbright
Applicant: Mr Freeman
Vines Farm
Mill Lane
Pirbright
GU24 0BS

Location: Vines Farm, Mill Lane, Pirbright, Woking, GU24 0BS
Proposal: Change of use of the land from agricultural to mixed equestrian and agricultural use for a maximum of two horses, the erection of a 2 bay stable and the erection of a field shelter in the long field.

Executive Summary

Reason for referral

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

Key information

The application seeks permission for a change of use of the land to a mixed equestrian and agricultural use for a maximum of two horses, the erection of a 2 bay stable and the erection of a field shelter.

Summary of considerations and constraints

The site is located in the Green Belt, outside of the village of Pirbright. Vines Farm is adjacent to, but not within a Site of Special Scientific Interest (SSSI), a Special Area of Conservation (SAC) and part of the Thames Basin Heaths Special Protection Area (TBHSPA).

The proposed development is inappropriate development in the Green Belt, and very special circumstances have been demonstrated. These include the provision of a beneficial recreational use in the Green Belt and an improved impact on neighbouring amenity over a fallback position of agriculture. The site is in close proximity to a neighbouring property, however with the addition of a number of conditions, it is considered that there will be no material impact on neighbouring amenity. The proposed development will not have likely significant effects on the adjacent protected sites and Natural England has no objection to the proposed development.

The application has also been found to be acceptable in relation to impact on character of the area, impact of highway safety and complies with Local Plan policy R12 relating to non commercial horse related development. The application is therefore recommended for approval with conditions.

RECOMMENDATION:

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

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: VF02, VF03 and VF04 received on 27/09/2017 and VF-01B received on 08/12/2017.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.
3. Excluding the use of the track to access the field, no horses or livestock shall be kept within 15 metres of the neighbouring dwelling Brambles (for the avoidance of doubt this distance is from the dwelling itself, not the garden). No development shall take place until full details of the location, design and external appearance of a means of enclosure to create this buffer zone have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being brought into use and shall be maintained in perpetuity.

Reason: To safeguard the residential amenities of neighbouring properties. This is required to be a pre commencement condition to ensure that appropriate mitigation is provided before the use is implemented.
4. Prior to the erection of the stables or field shelter, full 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 in the rural location.
5. The stables and field shelter hereby approved shall be located as detailed on the approved plans, and no further temporary mobile structures, chattels or horse jumps shall be erected or placed on the land.

Reason: To protect the character and appearance of the area and to safeguard residential amenities of neighbouring properties.
6. The use hereby permitted shall only relate to the keeping of a maximum of two horses at any one time, at least one of which shall be kept by the occupiers of Vines Farm.

Reason: To safeguard the residential amenities of neighbouring properties.

7. No development shall take place until full details of the location and design of the manure storage area has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be maintained in perpetuity.

Reason: To safeguard the residential amenities of neighbouring properties. This is required to be a pre commencement condition to ensure that the location is acceptable before the commencement of development.

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

Reason: In the interests of visual and residential amenity.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

Pre-application advice was not sought prior to submission. Minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

2. The use proposed is sui generis, and there are no permitted development rights associated with this use.

Officer's Report

Site description.

The site is located in the Green Belt, outside of the village of Pirbright. Vines Farm is adjacent to, but not within the Ash to Brookwood Heaths which is a Site of Special Scientific Interest (SSSI) and part of the Thames Basin Heaths Special Protection Area (TBHSPA). The site is also adjacent to the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC).

The site consists of a long narrow field, and three areas of land labelled A, B and C. The site forms part of Vines Farm which contains a collection of rural buildings in various uses together with a detached dwelling. Adjacent to the application site is Vines Farm Stables. The surrounding area is rural in nature, with very low density sporadic residential buildings.

Proposal.

Change of use of the land from agricultural to mixed equestrian and agricultural use for a maximum of two horses, the erection of a 2 bay stable and the erection of a field shelter in the long field.

A mixed use such as the one proposed would have a sui generis use.

The application has been submitted with supporting information which states the following in relation to the use:

- the proposal is to allow the residents of the site to keep their own horse, and a companion horse owned by someone else on the site
- the owners of the companion horse will travel to the site twice a day to tend their horse, however duties may be spilt with the residents of the site, resulting in the potential to reduce the number of vehicular trips to the site
- no more than two horses to be kept on the land at any given time
- the equestrian part of the use proposed will be non-commercial
- the horses will graze in the fields as well as having their food supplemented
- the applicant intends to farm sheep and ducks, on a small scale
- no horse jumps will be erected on the site

There is little indication of how the proposed equestrian use would interact with the agricultural use, or if the intention is an either/or use. However, the use of the land for agricultural purposes is not development, and therefore does not require planning permission. The application is therefore assessing the equestrian use as detailed in the submitted documents.

Stable dimensions

Width: 9.6 metres

Depth: 3.6 metres

Height to eaves: 2.2 metres

Height to ridge: 2.9 metres

Field shelter dimensions

Width: 7.1 metres

Depth: 3.6 metres

Height to eaves: 2.3 metres

Height to ridge: 3.0 metres

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
17/P/02424	Certificate of Lawfulness to establish if a 2M high boundary fence on the boundary with "Brambles" is lawful.	Pending	N/A
17/P/01278	Retrospective application of the change of use of land from agricultural to mixed use including agriculture, equestrian and horticulture.	Withdrawn 22/09/2017	N/A
17/P/00694	Change of use of land from agricultural to equestrian use (retrospective application).	Withdrawn 05/06/2017	N/A
17/P/00497	Retrospective application for part of a field track.	Refuse 19/05/2017	Appeal submitted, awaiting determination

Consultations.

Statutory consultees

County Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements. The proposal is unlikely to result in a significant increase in vehicular traffic.

Natural England: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Internal consultees

Environmental Health: The concerns centre around odour from manure and noise from the horses. Any manure storage should be distanced at least 100 metres from any residential property. A 15 metre buffer zone from and residential property to areas the horses graze is reasonable as there are only two horses in the field.

Parish Councils

Pirbright Parish Council: While Pirbright Parish Council recognises the concerns of the owners of the neighbouring property, it raises no objection in principle to this application, subject to the imposition of a number of conditions to ensure:

- a) the stables are built as indicated and maintained in the positions shown on the plans;

- b) a minimum 4m buffer is maintained, also as shown on the plan;
- c) the boundary hedging and or fencing in the vicinity of the adjoining property should be appropriate stock fencing or hedging and details submitted to GBC for approval and maintained as approved thereafter;
- d) the feed stations or water troughs may not be stationed within 20m of the adjoining house;
- e) further buildings or other construction on the land are prevented;
- f) removal of permitted development rights and addition of a condition that there should be no 2m high boundary fence given the impact that would have on the amenities of the neighbours.

Third party comments:

20 letters of representation have been received raising objections and concerns which are summarised below:

- Adverse impact upon the residential amenities of Brambles in terms of visual, noise, light, sight and smell intrusion - contrary to policy G1(3)
- Adverse impact upon residential amenities of Springfield Cottage
- Impact from noise to all surrounding neighbours at all hours of the day and night
- Hygiene issues from manure attracting flies and vermin
- Concerns that the proposal would be commercial
- The proposed 4 metre buffer from Brambles is insufficient
- Dartford Council guidance states that "land set aside for horses should be at least 21 metres away from any unrelated residential building" [Officer note: There is no equestrian guidance forming part of Guildford's Development Plan]
- The water trough and tie up posts are located directly adjacent to the boundary with Brambles, resulting in the horses congregating close to this neighbouring property
- The introduction of sheep and duck farming would impact on amenities of neighbours
- Adverse impact on the Green Belt from the erection of stables and the field shelter
- Increased traffic would have an impact on highway safety
- Access track is narrow and inappropriate for further increases in traffic
- The introduction of horses changes the rural character of the field, through such things as the introduction of electric fencing and equestrian paraphernalia
- Adverse impact on the nearby SPA, SSSI and SAC
- Retrospective nature of the equestrian use [Officer note: As the horses have been removed from the land, it is not considered the application is retrospective]
- Vines Farm has not been a working farm for decades [Officer note: Use of the land for agricultural purposes is not development, and therefore does not require planning permission]

Planning policies.

National Planning Policy Framework (NPPF):

Core planning principles

Chapter 3. Supporting a prosperous rural economy

Chapter 9. Protecting Green Belt land

Chapter 11. Conserving and enhancing the natural environment

Planning Practice Guidance (PPG)

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

G1	General Standards of Development
G5	Design Code
RE2	Development Within the Green Belt
NE2	Sites of Special Scientific Interest
NE4	Species Protection
R12	Non-Commercial Horse Related Development

Supplementary planning documents/guidance

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Emerging Local Plan:

The site is not allocated in the Guildford borough Submission Local Plan.

Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging local plans. The Submission Local Plan was submitted for examination in December 2017, and carries limited material weight at this time.

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the Green Belt
- a case for very special circumstances?
- the impact on the character of the area
- the impact on neighbouring amenity
- highway/parking considerations
- impact on ecology and adjacent TBHSPA, SSSI and SAC
- Assessment against R12

Background

This application has been submitted following two withdrawn applications for a change of use to equestrian. These previous schemes were retrospective, however the applicant has now removed the horses from the land so the application is not considered to be retrospective. This position has been confirmed by the last few officer site visits.

The principle of development and impact on the Green Belt

The relevant part of policy RE2 of the Local Plan states that new building will be deemed inappropriate unless it is for the following purpose:

- Essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which preserve openness of the Green Belt and which do not conflict with purposes of including land within it

The proposal is therefore supported by this policy, however it is not fully consistent with the NPPF, and is therefore given less weight.

Whether inappropriate development

The proposal includes two main elements, a change of use and the erection of buildings associated with the new use.

The National Planning Policy Framework attaches great importance to the Green Belt and sets out the criteria in which development in the Green Belt is acceptable. It starts by stating that development will not be permitted within the Green Belt unless very special circumstances can be demonstrated save for some exceptions. The exceptions to this are then listed in paragraphs 89 to 90. Paragraph 89 states that provision can be made for the construction of buildings. Paragraph 90 goes on to list certain other forms of development which are also not inappropriate development within the Green Belt. This not does specify a change of use of land within the Green Belt. These lists within the NPPF are exhaustive, therefore the change of use to sui generis is considered to be inappropriate development within the Green Belt.

The erection of buildings such as stables for outdoor sport and recreation is generally supported by the NPPF, subject to complying with certain criteria. In this instance the proposed buildings are associated with the proposed change of use, and the development must be assessed as one. The change of use is inappropriate, and therefore the erection of buildings associated with the change of use is also inappropriate. Paragraph 87 of the NPPF states that inappropriate development is by definition harmful to the Green Belt, and should not be approved except in very special circumstances.

Conformity with the purposes of Green Belts

The NPPF confirms that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 80 of the NPPF states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposed development is not considered to conflict with any of these purposes.

Impact on openness

Openness is generally considered to be the absence of development and therefore the introduction of development can be harmful. The meaning of openness was considered in the *Turner v Secretary of State for Communities and Local Government & Anor* [2016] EWCA Civ 466 with the Court of Appeal finding that:

"The concept of "openness of the Green Belt" is not narrowly limited to the volumetric approach"..."openness is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents."

The application is for a change of use, a small stable building and a field shelter. The two buildings are of a small scale, where the proposed stable is set amongst the existing buildings and hardstanding on Vines Farm, limiting any visual impact. Both buildings are considered to have only a minor impact on openness. In relation to the change of use, this will depend on the nature of the use. The application has been submitted with few details about how the proposed use will work, however it has been stated that only two horses would be kept on the land and that no schooling of the horses would take place on Vines Farm, where the main riding activity consists of hacking off site. There will be an element of additional vehicle movements to and from the site in the caring for the horses, however with the limited size of the land proposed for the equestrian use and a maximum of two horses on the land, any impact on openness is minimal.

Conclusions on Green Belt

The development proposed is inappropriate development in the Green Belt that would, by definition, be harmful. The development would not conflict with any of the purposes of including land within the Green Belt and would cause modest harm to openness. The NPPF requires substantial weight to be afforded to the identified harm to the Green Belt and that such development should not be approved unless there are 'very special circumstances' which clearly outweigh this harm.

Whether there are any very special circumstances?

The applicant has put forward a number of considerations which should be taken into account, and whilst these are not outlined as very special circumstances, it would be relevant to consider them as such for the purposes of determining this application. These can be summarised as:

- Paragraph 81 of the NPPF states that Local Authorities should plan positively to enhance the beneficial use of Green Belt, inclusive of providing opportunities for outdoor sport and recreation
- Equestrian development by its very nature needs to be undertaken within the countryside, and in areas such as Guildford, that would mean it needs to be in the Green Belt
- Equestrian development is characteristic of the countryside, and the site adjoins two other equestrian uses
- The equestrian element of the mixed use is of a very small scale, with a maximum of two horses being kept on the site

In *Timmins and Lymn Family Funeral Service v Gedling Borough Council and Westerleigh Group Limited* [2015] EWCA Civ 10, it was held that compliance of development proposals with paragraph 81 of the NPPF is capable of being a material consideration in an overall planning balance. The proposed development would create a beneficial recreational use, and significant weight is attached to this consideration. In addition to this the proposal is of a very small scale, and there would be no conflict with the fundamental aims and purposes of the Green Belt in terms of safeguarding the countryside and only a limited impact on openness.

Furthermore, an important consideration relevant to this particular case is the implications of an unrestricted fallback position of agriculture, and the impact this would have on neighbouring amenity. The application site has an unusually close relationship with the neighbouring property Brambles for the rural setting. The approval of this permission, with restrictive conditions, ensures a betterment of the residential amenities than an unrestricted agricultural use. This is considered to be a circumstance that carries significant weight.

In combination, the outlined considerations are sufficient to clearly outweigh the harm to the Green Belt and consequently the very special circumstances necessary to justify the development do exist.

The impact on the character of the area

The proposed stable building is located within area A adjacent to an area of existing hardstanding. It is of a small scale, consisting of two bays and a store, and will easily assimilate into the existing rural context. The proposed field shelter is discretely located at the far end of the field adjacent to the woodland. It is of a simple and practical design, and due to its small scale, will have no material impact on the character of the area. To ensure appropriate materials are used, a condition will be added requiring their submission prior to the commencement of development.

The proposed change of use involves a small scale equestrian element, with a maximum of two horses on the site. The site has been split up into four areas and it is indicated these will be divided using electric fencing, with the intention of rotating the grazing. Due to the relatively small area concerned, this subdivision will have no material impact on the visual amenities of this rural area. Furthermore, it has been stated there will be no schooling of the horses on site.

From the limited submitted information, it is not possible to establish the number of vehicular movements and frequency of visits to care for the horses, and any increased activity has the potential to impact on the quiet rural character of the area. However, the change to the characteristics of the site are likely to be minimal. At the scale proposed, the application is not considered to result in material harm to the character of the area, in line with saved policy G5 of the Local Plan.

The impact on neighbouring amenity

The application site is in close proximity to a number of neighbouring properties, and has adjoining boundaries with Brambles, Springfield Cottage and Timber Lodge. Both Springfield Cottage and Timber Lodge are set back from the adjoining boundary by over 50 and 25 metres respectively, and therefore there is sufficient distance between the site and these properties to ensure no materially harmful impact from any noise and disturbance associated with the use.

The property Brambles however is located 1.2 metres from the application site, directly adjacent to the field which is one of the areas proposed for grazing the horses. In seeking to address concerns raised regarding this proximity, the applicant has excluded a 4 metre strip of land adjacent to Brambles from the application site, providing a buffer zone.

The general activity of keeping horses has the potential to impact on neighbouring amenity in a number of ways. The main of which is from noise and disturbance from both the animals themselves and from the activities required in looking after the horses. In addition to this, issues such as odour nuisance have the potential to cause an impact to neighbouring amenity.

The PPG describes how noise should be assessed within planning applications, where it is stated that noise becomes a concern where it changes behaviour or attitude of the person exposed to the noise. The fact that noise can be heard would not alone result in an observed adverse effect.

Due to the proximity of Brambles to parts of the site, without some sort of mitigation, the proposal would cause harm to the amenities of the occupiers of Brambles. It is considered that a 15 metre buffer zone from the house to the area where the horses are put out would provide Brambles with protection from materially harmful noise and disturbance. It would ensure that the horses, or those caring for them would not be able to get too close to the property, limiting effects from noise and disturbance. The 15 metre buffer zone has been agreed with Environmental Health as being appropriate. To secure this, a condition will be added requiring details and plans of the buffer zone, inclusive of appropriate fencing to be submitted to and agreed in writing by the Local Planning Authority.

A further source of concern is the location of any manure storage. Due to the small scale of the development, with only two horses proposed on the site, it is considered that need for storage of manure would be limited. However, to ensure any storage is appropriately located a condition will be added requiring details to be submitted prior to its creation. Environmental Health have suggested this is located 100 metres from neighbours, and this will be secured within the condition.

It is acknowledged the proposed use would result in a small increase in the traffic movements to and from the site, as one of the horses proposed to be kept on site is owned by someone else. As the proposal is limited to two horses on site, the increase in vehicle movements will be immaterial.

With the proposed mitigation measures secured by conditions, this application is considered to comply with saved policy G1(3) of saved local plan.

Highways/parking considerations

At the scale proposed, the application is not considered to result in any severe impact on the surrounding highway network. Sufficient space is available on site for the manoeuvring of a small horse box.

Surrey County Council have raised no objection in relation to impacts on the surrounding highway network, likely net additional traffic generation, access arrangements and parking provision. The application is therefore considered to be acceptable on highways grounds, complying with saved policies G1(1) and G1(2) of the Local Plan.

The impact on ecology and adjacent TBHSPA, SSSI and SAC

Vines Farm is adjacent to, but not within the Ash to Brookwood Heaths which is a Site of Special Scientific Interest (SSSI) and part of the Thames Basin Heaths Special Protection Area (TBHSPA). The site is also adjacent to the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC). In accordance with the Habitats Regulations 2017, it is important to conclude as to whether the proposed development is likely to have a significant effect on a European site (of which the Ash to Brookwood Heaths is).

One of the key concerns with an equestrian land use is the potential to impact on sensitive sites through nutrient loading and eutrophication. In relation to the proposed development, this relates to an excessive richness of nutrients flowing from any stable waste from the site into a body of water within the SSSI. In order to secure an appropriate location for any storage of stable waste to prevent this from occurring, a condition has been recommended which requires full details of the design and location of any stable waste to be submitted to the LPA for agreement.

Due to the small scale of the development proposed, the fact that no changes are proposed to the drainage of the site, and the addition of this condition, there will be no likely significant effect on the designated sites.

Furthermore, there will be no recreational disturbance from horses hacking out onto the heathland, as the horses will remain on the bridle paths. This will ensure there won't be a recreational impact to the interest features of the SSSI (namely the ground nesting birds).

Based on the submitted information and plans, Natural England considers that the proposed development will not have likely significant effects on the above protected sites and has no objection to the proposed development.

The application is in accordance with saved policy NE2 of the Local Plan and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2017.

Policy R12

This policy does not comply with the NPPF, and therefore cannot be afforded full weight. It is however in line with the principles contained with paragraph 81 of the NPPF which seeks to provide opportunities for outdoor sport and recreation in the Green Belt.

R12 states that planning permission will be granted for new non-commercial horse related development provided it:

1. Is within or adjacent to the curtilage of the dwelling it is associated with or located close to existing buildings or located to minimise impact on the countryside;
2. Is small scale, and its design and materials are in keeping with the character and appearance of the area;
3. Sufficient land is available for grazing and exercising;
4. Has no adverse effect on the nature conservation value of the site.

The stable building is located adjacent to existing hardstanding and buildings, minimising its impact on the countryside.

The proposal is of a small scale, where a maximum of two horses are proposed on the site. The materials will be controlled via a planning condition.

Over 1.3 hectares of land remains for grazing allowing sufficient land available for grazing and exercising of 2 horses.

Due to the small scale of the proposal, and via the use of a number of conditions, there will be no adverse impact on the adjacent designated nature conservation sites.

The application is therefore considered to comply with the criteria contained in saved policy R12 of the Local Plan.

Conclusion.

In accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (as amended), it is important to conclude as to whether the proposed development is in accordance with the Development Plan which includes saved policies of the 2003 Local Plan. As identified in the body of the report, the proposal does comply with all relevant policies in the Development Plan. However some of these policies have been afforded less weight as they do not accord with the NPPF.

The proposal is considered to be inappropriate development in the Green Belt, however very special circumstances have been found to exist in this case. With the addition of a number of conditions, it is considered that there will be no material impact on neighbouring amenity. The application has been found to be acceptable in relation to impact on character of the area, impact of highway safety and impact on the adjacent protected sites (TBHSPA, SSSI and SAC). As no further harm is to be weighed in the balance, the application is therefore recommended for approval with conditions.

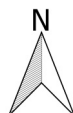
17/P/02102 - Poplar Cottage, Ryde Close, Ripley, Woking



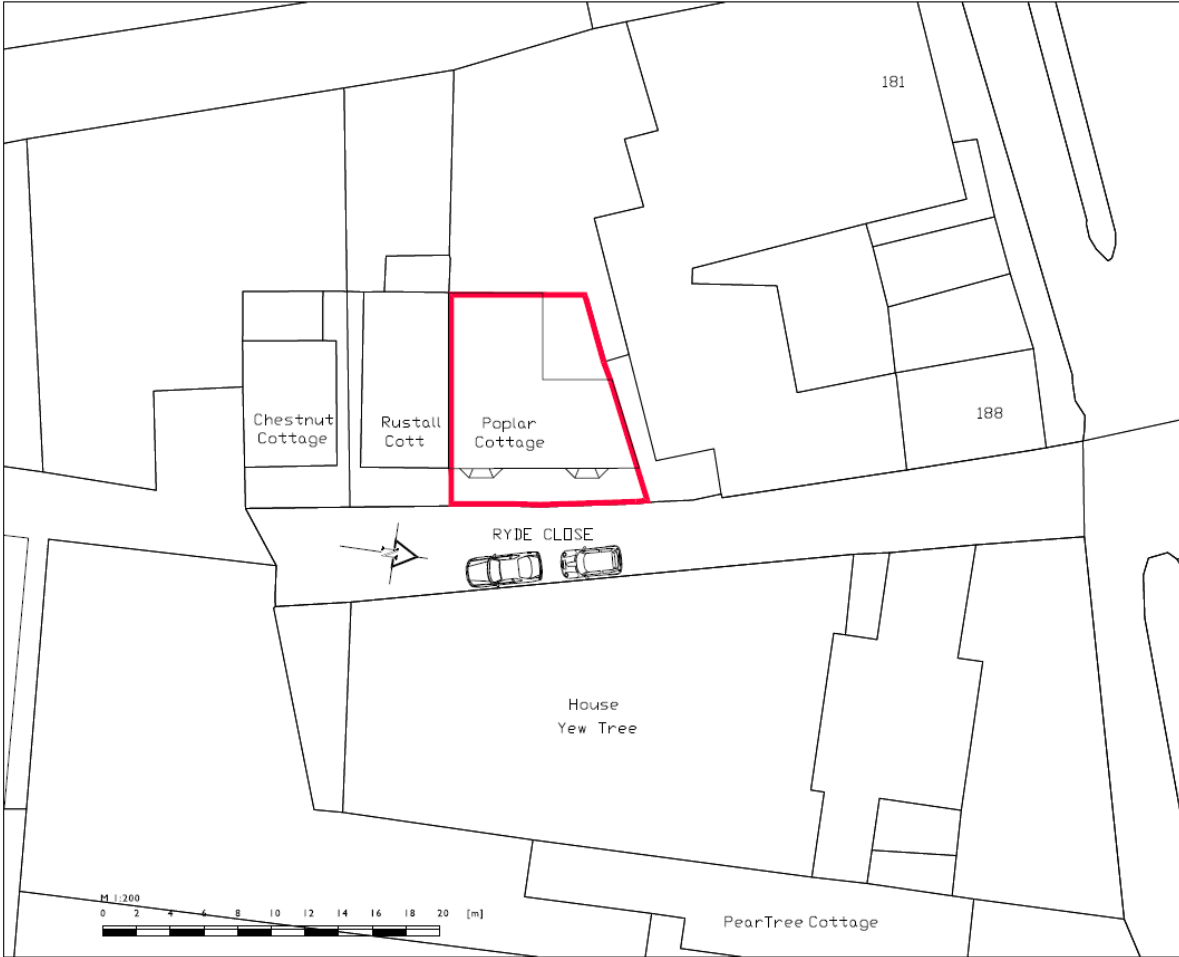
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Print Date: 17/01/2018



17/P/02102 – Poplar Cottage, Ryde Close, Ripley



Not to scale

App No: 17/P/02102
Appn Type: Full Application
Case Officer: Chris Gent
Parish: Ripley
Agent : Mr. Anthony Oke
Tony Oke Architect
Coombe House
9 Holly Lea
Jacobswell
Guildford
GU4 7PG

8 Wk Deadline: 21/12/2017

Ward: Lovelace
Applicant: Mr & Mrs Warwick
Poplar Cottage
Ryde Close
Ripley
Woking
GU23 6BD

Location: Poplar Cottage, Ryde Close, Ripley, Woking, GU23 6BD
Proposal: Erection of two storey side extension following demolition of existing single storey garage.

Executive Summary

Reason for referral

The application has been called to committee by Councillor Colin Cross who believes that the proposed development would be a substantial improvement on the existing flat roofed garage and may accord with policies H9, G1, G5, RE3, HE7 of the saved local plan.

Key information

Erection of two storey side extension following demolition of existing single storey garage.

Summary of considerations and constraints

This application seeks permission for the erection of a two storey side extension following the demolition of an existing single storey garage. As proposed, the scheme would lose the distinction of the property being one half of a semi-detached pair and is unsuitable as the roofline does not incorporate its own separate roofline and appears too bulky. The proposed development, by virtue of its size, bulk and design, would fail to respect the scale and character of the existing building and be detrimental to the character of the conservation area.

The proposal is therefore recommended for refusal.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposed development, by virtue of its size, bulk and design, would fail to respect the scale and character of the existing building and be detrimental to the character of the conservation area. The proposal therefore fails to accord with local plan policies G5, HE7 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and the requirements of the NPPF. Less than substantial harm to the significance of the designated heritage asset has been identified. No public benefit has been identified to outweigh the harm to the heritage assets and therefore permission should be refused. Due regard has been given to the provisions of Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Informatives:

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

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

In this case pre-application advice was sought and provided which addressed potential issues and suggested amendments to overcome concerns. However, the application has not been submitted in accordance with that advice. The application was considered to be unacceptable and no further amendments were sought.

2. This decision relates expressly to drawing numbers 2016-20-LOC, 2016-20-04, 2016-20-05, 2016-20-06, 2016-20-01, 2016-20-03, 2016-20-02 and additional information received on 26/10/2017.

Officer's Report

Site description

The site is located within the Green Belt inside the identified settlement boundary and within Ripley Conservation Area.

The site comprises a two storey semi-detached house with tiled pitched roof and brick elevations. The property has a double-bay, flat-roofed garage to the side which is attached and projects slightly forward of the main house.

Proposal

Erection of two storey side extension following demolition of existing single storey garage.

Relevant planning history

None relevant

Consultations

Ripley Parish Council - raises objection to the proposal for the following reason:

- proposal would result in loss of parking spaces

Third party comments:

1 letter of representation has been received raising the following objections and concerns:

- concerns regarding parking
- concerns regarding loss of light
- proposal would appear excessive from Ryde Close

Planning policies

National Planning Policy Framework (NPPF):

Core planning principles

Chapter 7. Requiring good design

Chapter 12. Conserving and enhancing the historic environment

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

H9 Extensions to Dwellings in Countryside
G1 General Standards of Development
G5 Design Code
RE3 Identified Settlements in the Green Belt
HE7 New Development in Conservation Areas

Supplementary planning documents

Supplementary Planning Guidance: Residential Extensions 2003

Planning considerations

The main planning considerations in this case are:

- loss of a small dwelling
- heritage considerations
- impact on neighbour amenity

Loss of a small dwelling

The existing internal habitable floor area of the property exceeds 85sqm and is therefore not classed as a small dwelling. The proposal therefore complies with policy H9 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007).

Heritage considerations

Statutory provisions:

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

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework at paragraph 129 sets out that the Local Planning Authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 131-135 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The proposal affects a property located within a Conservation Area.

Poplar Cottage is set back from Ripley High Street; as such, the extension would not affect the principle part of the Conservation Area. However, as presently proposed, the scheme would lose the distinction of this property being one half of a semi-detached pair. The proposal is unsuitable as the roofline does not incorporate its own separate roofline and appears too bulky.

The proposed development, by virtue of its size, bulk and design, would fail to respect the scale and character of the existing building and be detrimental to the character of the conservation area. The proposal therefore fails to accord with local plan policies G5, HE7 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and the requirements of the NPPF. Less than substantial harm to the significance of the designated heritage asset has been identified. No public benefit has been identified to outweigh the harm to the heritage assets and therefore permission should be refused. Due regard has been given to the provisions of Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on neighbour amenity

The neighbouring properties 186 High Street/188 High Street and Yew Tree House are situated north and north-east of the site respectively.

Due to the good separation distance and relationship between the application dwelling and these neighbouring buildings, the proposal would not result in unacceptable loss of light or overbearing affect to these properties.

With regards to privacy, the proposal includes two first floor windows on the front elevation serving a bedroom. Although views would be possible from these windows towards Yew Tree House, these would be at an oblique angle and towards the middle part of the neighbour's garden. The position of this neighbour's tree situated along the side boundary would help to minimise any loss of privacy.

As such, the proposal would not result in unacceptable overlooking/loss of privacy and the development therefore complies with policies G1 and H9 of the saved local plan.

Highway/parking considerations

In accordance with the Council's Supplementary Planning Document, 2006, parking provisions should be in place to accommodate two car spaces. As noted on the submitted plans the existing double garage would be removed in order to accommodate the proposed extension. Whilst it is noted that the loss of the existing car parking spaces could lead to overspill parking on the road, this would not result in conditions prejudicial to highway safety. On this note, the submitted plans show two car parking spaces in front of the house.

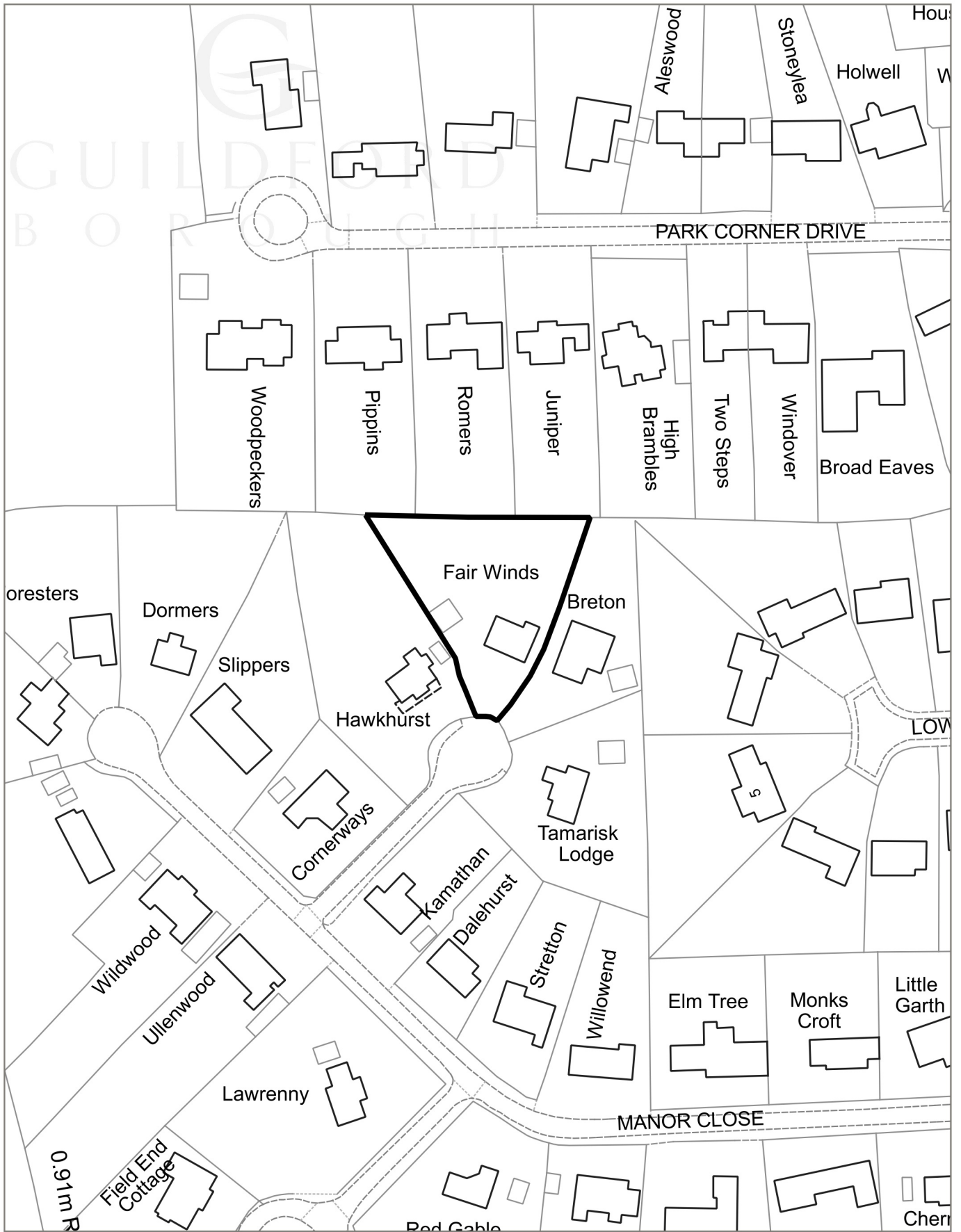
The proposal would therefore comply with G1(1) and G1(2) of the Guildford Borough Local Plan 2003 in this regard.

Conclusion

Officers consider the size, bulk and design of the proposal would fail to respect the scale and character of the existing building and be detrimental to the character of the conservation area. There would be no unacceptable impact on the amenities of neighbouring residents, in terms of overbearing impact, loss of light, overlooking, or loss of privacy. The proposal would not result in conditions prejudicial to highway safety.

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17/P/02363 - Fair Winds, Manor Close, East Horsley, Leatherhead



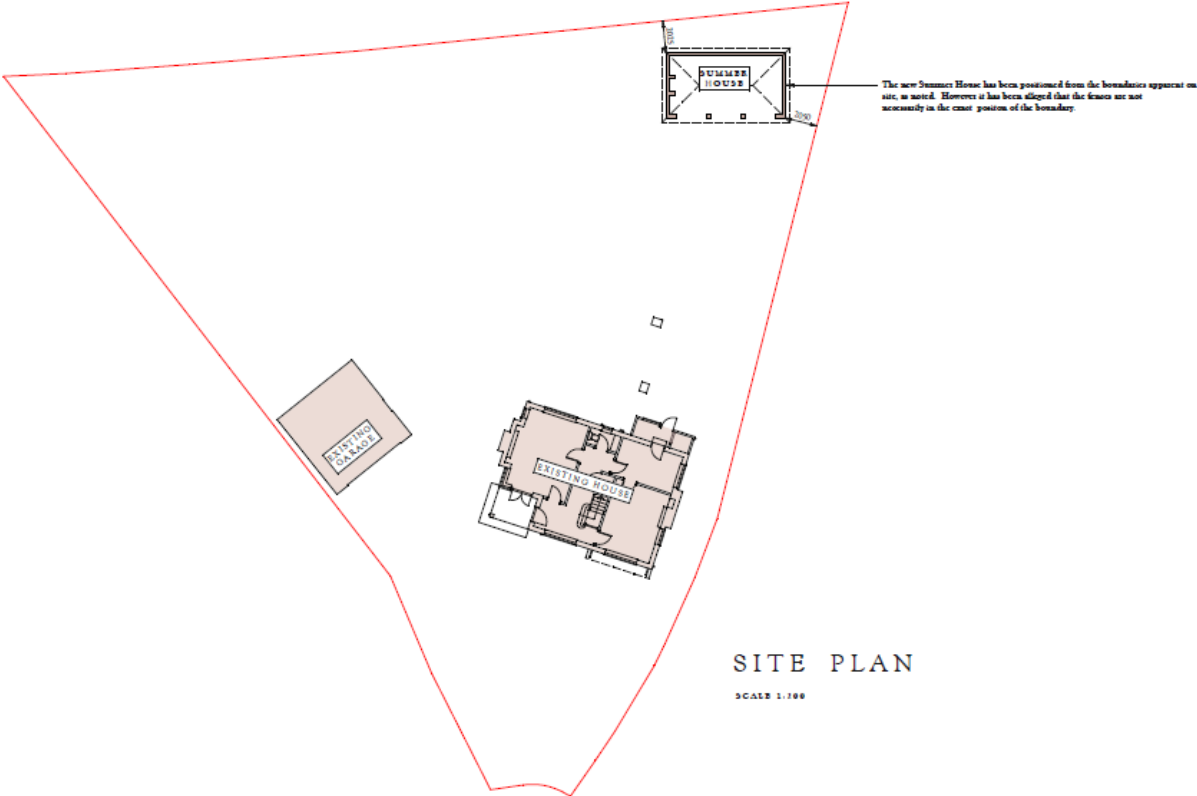
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Print Date: 17/01/2018



17/P/02363 – Fair Winds, Manor Close, East Horsley



App No: 17/P/02363
Appn Type: Full Application
Case Officer: Chris Gent
Parish: East Horsley
Agent : Mr Graham Rix
Graham Rix, Chartered
Architect
13 Furze Lane
Purley
CR8 3EJ

8 Wk Deadline: 10/01/2018

Ward: Clandon & Horsley
Applicant: Mrs Larter
Park Cottage
Burhill Park
Walton on Thames
KT12 4AZ

Location: Fair Winds, Manor Close, East Horsley, Leatherhead, KT24 6SB
Proposal: Erection of summer house (retrospective application)

Executive Summary

Reason for referral

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

Key information

Erection of summer house (retrospective application)

Summary of considerations and constraints

This application seeks the retention of an outbuilding sited towards the north-east corner of the application property's rear garden. The building measures 7.54m wide, 4.14m deep with an eaves height of 2.35m increasing in height upto 3.99m to the ridge. The proposal incorporates a plain, clay tile hipped roof with the ridge running west to east and stained timber clad elevations.

The scale and design of the proposal would not have an adverse impact on the character or appearance of the property, nor would it have an adverse affect on the context and character of the adjacent buildings and immediate surroundings. There would be no unacceptable impact on the amenities of neighbouring residents, in terms of overbearing impact, loss of light, overlooking, or loss of privacy.

The proposal is therefore recommended for approval.

RECOMMENDATION:

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: FW SH(A) Rev A received on 15/11/2017.

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

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 located within the Green Belt and inside the identified settlement boundary. The site comprises a two storey detached house located at the end of a residential cul-de-sac.

Proposal

Erection of summer house (retrospective application)

Relevant planning history

17/P/01894 - Variation of condition 2 (drawing nos) of 17/P/00945 to enable loft conversion incorporating dormer windows to side and rear & second floor rear window, two rear rooflights and change to fenestration (amended plan received 02/10/17 showing change to catslide roof on flank elevation). Approved with conditions - 30/10/2017. (Officer note: This has been implemented)

17/P/00945 - Alterations and extensions, including double-storey flank and rear extensions, and an integrated entrance vestibule. Approved with conditions - 21/06/2017.

Consultations

East Horsley Parish Council - raise objection to the proposal for the following reasons:

- substantial scale, bulk and height represents an inappropriate development in the Green Belt
- structure is visually obtrusive when viewed from neighbouring properties 'Breton' and 'Juniper'

Third party comments:

38 letters have been received raising the following objections and concerns:

- change of terminology from an 'outbuilding' to a 'summerhouse' is intended to make it more acceptable and is misleading
- eaves are considerably less than 2 metres from the boundary and therefore the outbuilding is not 'permitted development'. The east wall, if finished with timber cladding, will also be within 2 metres of the boundary. (Officer note: This is a planning application and therefore the constraints of permitted development are not relevant).
- concerns regarding line of boundary
- it has a fireplace with a chimney which is not generally associated with a summerhouse
- outbuilding has been substantially built without first obtaining planning permission
- continued presence would deprive the owners of the neighbouring property of a view of garden scape and impose a view of a large unsightly building (Officer note: A loss of view is not a planning consideration)
- not in keeping with houses in Manor Close and Park Corner Drive
- floor space is of an excessive scale and not subordinate to the original building
- section 7 of the application form states there are no trees or hedges within falling distance which is incorrect (Officer note: The agent has confirmed that both boxes under section 7 should be amended to 'yes').
- number of trees have been felled to accommodate the outbuilding, and therefore not in keeping with Clause 4.4 of the Supplementary Planning Guidance for residential extensions
- outbuilding does not comply with aspects of Policy G5 or Clause 5.77 of the residential Design Guide Supplementary Planning Guidance
- section 12 of the application appears to have been completed incorrectly

1 letter has been received supporting the proposal

Planning policies

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

National Planning Policy Framework (NPPF)

Core planning principles

Chapter 1. Building a strong, competitive economy

Chapter 7. Requiring good design

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

H9 Extensions to Dwellings in Countryside

G1 General Standards of Development

G5 Design Code

RE3 Identified Settlements in the Green Belt

Supplementary planning documents

Supplementary Planning Guidance: Residential Extensions 2003

Planning considerations

Background

The outbuilding subject of this retrospective application has been substantially built out. At the time of the officer's site visit it was noted that the concrete block work had been completed and the roof was tiled except on the eastern elevation.

The main planning considerations in this case are:

- impact of the proposal on the scale and character of the existing building and the surrounding area
- impact on neighbour amenity
- impact on the Green Belt
- retrospective application

Impact of the proposal on the scale and character of the existing building and the surrounding area

This application seeks the retention of a detached outbuilding sited towards the north-east corner of the application property's rear garden. The building measures 7.54m wide, 4.14m deep with an eaves height of 2.35m increasing in height upto 3.99m to the ridge. The proposal incorporates a plain, clay tile hipped roof with the ridge running west to east and stained timber clad elevations (over a concrete blockwork).

Due to its size, design and materials, the proposal would not jeopardise the character or appearance of the property, nor would it have an adverse affect on the context and character of the adjacent buildings and immediate surroundings. As such, the proposal complies with policies H9, G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) and Supplementary Planning Guidance: Residential Extensions 2003

Impact on neighbour amenity

The development would have the most impact on 'Hawkhurst', 'Breton', 'Juniper' and 'Romers' which are the immediate neighbour's to the west, east and north of the site respectively.

Due to the good separation distance and relationship between the outbuilding and these neighbouring buildings, together with the roof hipping away from the boundaries, and in the case of Juniper the substantial screening along the boundary comprising tall trees, the proposal would not result in unacceptable loss of light, overbearing affect or loss of privacy to these properties.

The proposal therefore complies with policies H9 and G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007).

Impact on the Green Belt

The property lies within an identified settlement boundary in the Green Belt surrounded by residential properties. The proposal would not therefore have a detrimental impact on the openness of the Green Belt.

Retrospective application

A ministerial planning policy statement on 31 August 2015 notes that the government is concerned about the harm that is caused where the development of land has been undertaken in advance of obtaining planning permission. In such cases, there is no opportunity to appropriately limit or mitigate the harm that has already taken place. Such cases can involve local planning authorities having to take expensive and time consuming enforcement action. The ministerial statement therefore includes a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. This policy applies to all new planning applications and appeals received from 31 August 2015.

In considering this current application, which seeks to regularise unauthorised development, the local planning authority has given some weight to the fact that the application is retrospective.

The applicant has advised officer's that the outbuilding was intended to be built out utilising their permitted development rights. However, due to discrepancies with regard to the boundary lines it is inconclusive whether the structure, as built out, meets all the relevant constraints. For the avoidance of doubt, the Council's Enforcement Team have subsequently invited the applicant to submit a planning application to regularise the situation.

Taking this into consideration, and in the absence of any planning harm as assessed above, or any detailed guidance from central government on the level of weight that should be applied in such circumstances, the fact that this application is retrospective is only considered to weigh against granting planning permission to a limited degree.

Conclusion

Officers consider the scale and design of the proposal would not have an adverse affect on the scale and charatcer of the existing property, or context and character of the adjacent buildings and immediate surroundings. There would be no unacceptable impact on the amenities of neighbouring residents, in terms of overbearing impact, loss of light, overlooking, or loss of privacy.

Planning Committee

31 January 2018

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a particular decision letter, they should contact Sophie Butcher (Tel: 01483 444056)

1.	<p>Mr A Al-Hassani First Floor Flat, 22 Haydon Place, Guildford, Surrey, GU1 4LL</p> <p>17/P/00790 – The development proposed is retention of natural slate roof tiles to the main roof, the insertion of two Velux windows, one on either side of the roof slope and retention of rear windows.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issue in this case is whether the development would preserve the character or appearance of the Guildford Town Centre Conservation Area and the effect on its significance. • It is clear from the evidence I have and from viewing it on site that the significance of this part of the Guildford Town Centre Conservation Area lies in its character as an area of largely nineteenth century terraced housing set to the north of the commercial heart of the town on the High Street and North Street. • No. 22 Haydon Place is narrow end-of-terrace building on the corner of Haydon Place and Martyr Road and on the western margin of the conservation area. • Views of the rear of the building, looking south along Haydon Place, also take in the regular rhythm of gabled rear extensions and traditionally designed windows of adjoining houses along Martyr Road and glimpses of the traditional commercial premises on North Street, framed by traditionally scaled and designed buildings. • These views reflect the original urban grain and design approaches of the area, largely feature a traditional palette of materials and restrained colours, and thus make a positive contribution to the character and appearance of the area. • The window to the rear of the back extension of the appeal building at first floor level has already been replaced with two smaller ones. The evidence supplied and visible on the brickwork, including the retained window arch, indicates that the original window was in a single, larger opening, of traditional elongated proportions, set in a recess and with a cill, aligning with and matching the window at ground floor level. It thus reflected the age and traditional design of the property. • The new window openings are small, squareish and mismatched. The windows, which have been installed, are of uPVC and sit on the outer plane of the rear elevation. They are of a bright white colour and glossy texture, 	DISMISSED
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	<p>and have thick frames. The larger of the two windows also has horns, which result in an unnecessary elaborated design for a window of this size.</p> <ul style="list-style-type: none"> • Taking these features together, the resulting appearance of the windows overall is alien and obtrusive in the context of the character of this part of the conservation area, and due to their location at high level, conspicuous in views of the appeal building itself and the conservation area looking south along Haydon Road. They would therefore fail to preserve the character and appearance of the conservation area, and would be harmful to its significance. • Although the appellant has suggested that other windows in the vicinity have been replaced in uPVC or aluminium, I noted none in adjacent nineteenth century houses that were similarly conspicuous, while those in more recent housing were of muted colours and related to the design of their host buildings. • The development therefore fails to comply with saved policy HE7 of the Guildford Local Plan 2003 (the LP) which requires new development to preserve or enhance the character and appearance of conservation areas, and with policy G5 of the LP, which seeks development that respects the character of existing streets and buildings. Policy H8 of the Local Plan relates to residential extensions, and I conclude that it is not applicable to this appeal. • For the reasons given above, I conclude that the appeal should be dismissed. 	
<p>2.</p>	<p>Mr Mark Jennings (Homes By Warwick Ltd) Land adjoining Forrest Place, Middle Street, Shere, GU5 9HF</p> <p>17/P/00458 – The development proposed is the erection of a new building containing office accommodation on the ground floor with two 1 bedroom flats on the first floor.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The site is located in the Green Belt, where the NPPF considers the construction of new buildings to be inappropriate. However, it regards the limited infilling of villages as an exception to that approach. As that would apply to this proposal, I agree with the main parties that the scheme would not be inappropriate development. • The main issues are whether occupants of the proposed flats would experience satisfactory living conditions; the effect of the proposed development on the living conditions of nearby residential occupiers and the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Shere Conservation Area. • Planning permission was granted in 2001 for a terrace of eight two-storey houses, a detached coach house and a detached office building, with associated parking, access and landscaping 01/P/01933. In 2007, permission was granted for a revised scheme of eight dwellings and an office building, which included re-alignment of the access, variations to the parking arrangements and the provision of boundary treatment to separate residential from the office uses 06/P/02537. The eight houses in Forrest Place have now been built. Although the approved offices have not been constructed, the appellant states that the 2001 permission remains extant, and both principal parties agree that the approved office building could be 	<p>DISMISSED</p>

	<p>implemented.</p> <ul style="list-style-type: none"> • When considered together, with the minimal storage space, very limited floor area, and largely single aspect over a car park (with only skyward views to the rear), the flats would provide very poor living conditions for their occupants. • The proposal does not meet the government’s adopted space standards in the DCLG Technical Housing Standards 2015. That sets out a minimum required gross internal floor area of 39sqm for a one bedroom 1 person dwelling, and 50sqm for a one bedroom 2 person dwelling. However, the Written Ministerial Statement of 25 March 2015 makes it clear that such standards can only be applied where there is a relevant current local plan policy. The Guildford Borough Local Plan 2003 (‘LP’) has no such policy. Consequently, whilst the scheme’s deficiency against those national standards is indicative of poor living conditions, that in itself is not a matter which carries significant weight against the proposal. • I conclude that the proposed scheme would result in very poor living conditions for future residents. As such, it would conflict with the Framework’s requirement to achieve good design and a good standard of amenity for future occupants. • The Council alleges that comings and goings from the proposed flats, office and parking area would cause unacceptable noise and disturbance to nearby residents. There are residential properties adjacent to the site, particularly at 8 Forrest Place, Bank Terrace and Middle Street. • Given the height of the proposed building, and its proximity to No.8’s nearest habitable room windows, the scheme would have an overbearing impact on those occupants and lead to some loss of light to the detriment of their living conditions. As the principal elevations of other properties are much further from the proposed building, their occupants would not experience a harmful loss of privacy. • As the scheme would have an adverse impact on the amenities at No.8, it would conflict with LP Policy G1(3), and with the Framework’s requirement for planning to secure a good standard of amenity for existing and future occupants. However, the Council states that this scheme would not cause any greater harm to the neighbours’ amenities than that caused by the extant permission. • I am also not persuaded that the scheme’s impact would be materially worse than that arising through implementation of the approved office building. That significantly limits the weight I attribute to this matter. As the proposed mix of uses would not cause significant harm, there would not be a conflict with LP Policy G1(13). • I have found that this is a busy, village centre location. In that context, the limited activity associated with this small mixed-use scheme would not harm the area’s character. Whilst the scheme would not enhance the CA, its character and appearance would be preserved. Consequently, the proposal would not conflict with the design, layout and visual impact requirements of LP Policy G5, or with the stance on conservation areas in LP Policy HE7, which reflects the statutory test. It would also conserve the landscape and scenic beauty of the Surrey Hills Area of Outstanding Natural Beauty. • Even if there is a fallback through the implementation of an extant permission that is not sufficient justification for the harm that this proposal would cause, as, unlike the 2001 and 2007 permissions, it includes flats, which I have found would provide inadequate living conditions for their occupants. 	
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	<ul style="list-style-type: none"> • I have found that this scheme would preserve the character and appearance of the Shere Conservation Area. However, it would provide very poor living conditions for its residential occupants. Additionally, it would cause some harm to the living conditions at 8 Forrest Place, although, as from the evidence before me, that harm would not be materially worse compared to that arising from implementation of the approved office building, that is a matter to which I give very limited weight. • However, irrespective of that, the harm arising because of the very poor living conditions that would be experienced by the flats' future occupants would significantly and demonstrably outweigh the limited benefits due to the scheme's small contribution to housing supply in this accessible village centre location, and the office space it would provide for an existing business. • The scheme would therefore conflict with the Framework and with the development plan when considered as a whole. The appeal is therefore dismissed. 	
<p>3.</p>	<p>Mr John Matusezewski (Martin Grant Homes) Builders Yard, Woodhill, Send, GU23 7JP</p> <p>17/P/00923 – The application sought planning permission for the “Reserved Matters application pursuant to outline planning application 12/P/00774, approved 29/05/13 to consider appearance, landscaping, layout and scale in the respect of the erection of two dwellings following the demolition of existing buildings”, without complying with condition 1 attached to reserved matter approval ref 16/P/00835, dated 25 April 2016.</p> <p>The condition in dispute is No 1, which states that: The development hereby permitted shall be carried out in accordance with the following approved plans 050A; 051, 052A, 055, 056, 057, 058 and 059A received on 25.04.16. The reason given for the condition is: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The site is within the Green Belt and so the main issues in respect of removing/varying condition 1 of reserved matters approval 16/P/00835 are: • Whether the resultant scheme would be inappropriate development for the purposes of the NPPF and the development plan; the openness of the Green Belt; and if the scheme is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. • Under the Framework exception, a key test is whether there would be a greater impact on the openness of the Green Belt. Openness is commonly taken to be the absence of built or otherwise urbanising form. In this case, comparison has to be made of the former built development on the site with the proposed development. The site has been completely cleared and development started on two dwellings previously permitted under the reserved matters approval. Nevertheless, parties have accepted the site's previous use as a builder's yard. • The Appellant indicates that the former buildings' footprints extended to about 450m² and the submitted site layout plan shows floorspace figures for the two dwellings in square feet. In this respect, the floorspace of the completed development including the covered parking/carports would be 	<p>DISMISSED</p>

	<p>less than that of the former buildings. However, this is not the sole basis to judge the impact on openness as a development of a larger scale, bulk and massing can have a proportionately greater impact on openness by being more prominent.</p> <ul style="list-style-type: none"> • In the proposal before me, there would be no significant changes to the two dwellings approved under the reserved matters approval. Each of the dwelling's first floor accommodation has been designed to be within a roof. However, each dwelling would have an eaves height of approx. 7.6m and would have a two storey central gabled bay and two dormers straddling a roof eaves line. To the rear, the scale of each dwelling is lessened by the cat-slide roof but there would still be three dormers, with one again straddling a roof eaves line. Therefore, the permitted dwellings would have a substantial two-storey presence. • The vehicles parking structure on plot 1 would cumulatively increase the width and size of the dwelling because of its height and two vehicle bay design. As a result, the dwelling would possess greater scale, bulk and mass compared to the permitted dwelling. Both covered parking/carports would also spread the footprint coverage of development across the site. With the overall roof heights at maximum 4.35m and individual footprints of about 30m², they would appear more bulky than most of the low slung former buildings on the site. • The scale, bulk and massing of the proposed development would be more than the former buildings and uses on the site. Thus, there would be a greater impact on the openness of the Green Belt. • The spread of development further across the site would also reduce the benefit of concentrating the floorspace into two dwellings rather than having a sprawl of development across the site. The footprint of the covered parking/carports would take up only 3% of the site but for the reasons indicated, the cumulative effect of these structures has an adverse effect. • Two dwellings have been permitted on the basis of no greater impact on the openness of the Green Belt but the addition of the covered parking/car ports would result in greater scale, bulk and mass, which would be detrimental to the openness of the Green Belt. Although, in isolation the harm would be small, the Framework states that substantial harm should be given to any harm to the Green Belt. • The proposal would be inappropriate development in the Green Belt, which is by definition harmful. There would also be a loss in the openness of the Green Belt. There would not be any significant benefits from the proposal for the reasons indicated. Therefore, 'very special circumstances' will not exist because the harm to the Green Belt by reason of inappropriateness and other harm is not clearly outweighed by other considerations. Accordingly, there would be conflict with national policy on Green Belts to which the government attaches great importance to. There are no substantive considerations to outweigh this conflict. 	
<p>4.</p>	<p>Mr Shapur Keshvari Land adjacent to Pimms Row Cottages, Burpham Lane, Guildford, Surrey, GU4 7LX</p> <p>17/P/00042 – The development proposed is construction of 3 no 2 bedroom terraced houses.</p> <p>Delegated Decision – To Refuse</p>	<p>DISMISSED</p>

Summary of Inspector's Conclusions:

- The main issues are whether the proposed development would preserve the setting of the adjoining listed buildings at Pimms Row Cottages;
- The effect on the character and appearance of the surrounding area;
- The effect on the living conditions of the occupiers of 57 Marlins Drive with particular reference to overlooking and visual impact;
- Whether adequate provision would be made for on-site parking; and
- The effect on the Thames Basin Heaths Special Protection Area (SPA).
- The appeal site is a heavily vegetated and wedge shaped piece of land roughly to the south-east of the listed cottages at Pimms Row.
- The three listed buildings form part of a terrace of four. They are rural workers' homes from the mid eighteenth century. Their modest scale, simple form and traditional building materials and detailing all contribute positively to their special interest.
- A previous appeal in relation to a single dwelling at the site was dismissed in 2012. Whilst this is a material consideration the proposal in this case is markedly different in that the earlier scheme was for a single storey building with "atypical" materials.
- When the boundary hedge was pruned and at a more manageable height, the appeal site provided a visual setting for the cottages enabling them to be seen from the east along Burpham Lane. This allowed a wider appreciation of their qualities.
- The site represents a reminder of the past connection between the land and the buildings and allows some sense to be made of their juxtaposition with the road.
- The proposal would allow for the height of the hedge to be reduced and the land would be maintained so that long views would be restored. This would be a positive outcome if the scheme were to be implemented.
- Notwithstanding the similarities between the proposed new buildings and the older ones in terms of style and the on-going presence of an oak tree, the proposed terrace itself would intrude into longer views from Burpham Lane. Moreover, the open and undeveloped character of the site in the foreground of the listed buildings would be lost. Consequently, the role that the appeal site plays in allowing the significance of the cottages to be understood would be seriously marred.
- The proposal would fail to preserve the setting of the listed building with the consequences it would detract from the long-term significance of these heritage assets.
- The proposal would lead to less than substantial harm. There would be some public benefits in providing three small housing units in a borough with a significant shortfall in supply. These do not outweigh the significant adverse effect on the historic environment that would occur.
- Almost three-quarters of the site would remain as green space and the built footprint would occupy some 14% of it. As such the proposal would be 'at home' in the streetscape rather than cramped.
- The proposed access would be immediately adjacent to an oak tree. The intention is to retain this but no feasibility work has been undertaken in this respect. Furthermore, it would potentially impede views for drivers when exiting the site, which may also threaten its survival.
- The proposal would potentially harm the character and appearance of the surrounding area contrary to Local Plan Policy H4, which aims to avoid an unacceptable effect on existing context and character.
- The rear upper floor bathroom windows would be obscure glazed but the bedroom windows, even though they would be openable at high level,

	<p>would allow future occupiers to have clear downward views into the rear garden on No 57.</p> <ul style="list-style-type: none"> • The distance from the nearest window to the rear corner of No. 57 would be 13.7m and there would not be a direct line of sight toward the 4m zone around the house, which the appellant defines as ‘sensitive’. • The proximity of the fenestration in the first two houses to the rear amenity area is such that privacy would be significantly invaded. The proposal would be unneighbourly in this respect. • The affected property is on quite a wide plot, which would mitigate the visual impact. Notwithstanding this, the overbearing impact of the proposal would contribute to the creation of an unacceptable living environment for the existing residents. • Therefore, the proposal would harm the living conditions of the occupiers of 57 Marlyns Drive. • The scheme includes three parking spaces in the eastern corner of the site. Having regard to the parking standards in the Burpham Neighbourhood Plan of 2016, the Council considers that seven spaces should be provided for residents and their visitors and that the size of them should be enlarged. Its own adopted standards are for 4.5 spaces. • The modest size of the proposed houses suggests that one space per unit might strike a reasonable balance between avoiding the parking misery referred to in the Ministerial Statement of March 2015 and making the fullest use of non-car modes. It would be prudent to make provision for at least one visitor space and this could be accommodated within the proposed layout. • There is no formal mechanism in place to secure the payments towards the SANG and SAMM. Without the necessary mitigation, the proposal would be likely to adversely affect the integrity of the SPA contrary to Policy NRM6 of The South East Plan and policies NE1 and NE4 of the Local Plan. • The architecture and height of the proposal is reflective of the adjoining listed buildings. However, it would fail to preserve their setting, the potential loss of the oak tree and would damage the character and appearance of the area, the living conditions at a neighbouring property would be eroded and there would be an adverse impact on the SPA. • Overall, the proposal would not accord with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. 	
<p>5.</p>	<p>Mr B Hoskins 90 The Mount, Guildford, GU2 4JB</p> <p>17/P/006198 – The development proposed is the erection of a detached two storey building creation of 4 flats (2 x two bed and 2 x 1 bed) following the demolition of the existing bungalow.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposal on the character and appearance of the area; • The effect of the proposal on the living conditions of the occupiers of No.33 Mountside in relation to outlook and privacy; • Whether the proposal would provide acceptable living conditions for future occupiers in relation to outlook, daylight and sunlight; and • Whether the proposal would make adequate provision for habitat mitigation 	<p>DISMISSED</p>

	<p>to offset any impact on the Thames Basin Heaths Special Protection Area.</p> <ul style="list-style-type: none">• The proposal is for a two-storey building with basement level car parking to provide four flats following demolition of No 90, a single storey bungalow with an integral underground garage. The site is significantly higher than that of no 33 and its neighbours on Mountside, the properties to the rear.• There is no dispute that a larger scale dwelling would be acceptable on the site and indeed planning permission has recently been granted for a two-storey house with basement. The current proposal for four flats takes the design and bulk of the permitted building as a starting point and this permission forms an important material consideration to be taken into account in this appeal.• The house, if built, would represent a major increase in the height. Bulk and overall visual prominence of the building on the site.• The proposal would increase the height, bulk and visual prominence of the building still further.• The existing appearance of the street scene would be eroded by a further quantum of built development and in views from adjacent properties and their rear gardens; particularly those in Mountside, which are on much lower ground, the additional bulk of the building and higher boundary fencing would appear visually intrusive.• In addition, use of the buildings for flats rather than single dwelling would introduce more subtle changes such as communal front garden, pathways to three entrance doors, extra window openings on the front and rear elevations, roof lights and slit windows on the side elevations, additional traffic movements and activity generally.• The waste bin storage area at the back of the basement garage may prove impractical due to its distance from the flats, leading to multiple bins being visible near the flat entrances. These subtle changes would adversely affect the character of the area as an attractive residential neighbourhood.• The proposal would cause significant harm to the character and appearance of the area in conflict with policies G5 and H4 of the Guildford Borough Local Plan 2013.• The appeal site backs onto the rear garden of No. 33 Mountside, a detached house set on significantly lower ground, the site being the same level as its first floor. The first floor with its windows and the roof would then be fully in view from No. 33, their impact much increased due to the upward angle of view.• The proposal would increase the visual prominence of the building still further, and the combined effect of the changes would be significant when seen from No.33, particularly the bulkier roof of the building being closer.• Although the building would be about 25 metres away, in this instance, there would be an undue further impact on the outlook from No 33 because of the marked elevation of the new building and the upward views to the skyline.• The overbearing nature of the proposal would be even greater when seen from the rear extension windows at ground floor level and the adjacent patio. The effect would be exacerbated by the need to raise the height of the fence along the common boundary to preclude views from the proposed rear terrace. Whilst the increase in height might seem fairly modest, the increased sense of enclosure would be significant as the boundary is at a higher level and only about 14 metres away.• The proposal would therefore cause significant harm to the living conditions of the occupiers of No 33 in relation to outlook and a perceived loss of privacy.	
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	<ul style="list-style-type: none"> • The first floor flats would only have one bedroom with the outlook from its main window restricted by a 'bris-soleil' and the dressing room window obscure glazed. Whilst a 'bris-soleil' may be reasonable for two bedrooms in four bedroom house this is not the case for the sole bedroom in a flat and the front facing slot windows would not be adequately mitigated. The first floor flats would not be provided with any external amenity space, and nearby public open space is not a sufficient substitute. Overall, the first floor flats would not provide acceptable living conditions for their occupiers. • A mitigation strategy comprising Suitable Alternative Natural Greenspace and Access Management has been drawn up by the Council and the appellant has submitted a unilateral undertaking to make financial contributions towards these. • The proposal would provide three additional dwellings in a sustainable location, which would make a useful contribution towards housing needs in the Borough in the absence of a five-year supply of deliverable housing sites. However, the adverse impacts identified under the first three main issues would significantly and demonstrably outweigh these benefits. 	
<p>6.</p>	<p>Mr and Mrs Allen Spindleberry, Chalk Lane, East Horsley, KT24 6TH</p> <p>17/P/00717 – The development proposed is a two-storey rear extension, front porch and alterations following demolition of an existing single storey rear extension.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt, having regard to the NPPF and any relevant development plan policies. • The effect of the proposal on the openness of the Green Belt; and • If the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, such as to amount to the very special circumstances necessary to justify the development. • The proposal would involve the demolition of an existing flat-roofed single storey projection of part of Spindleberry's rear face, which does not form part of the original building, and its replacement with a two-storey extension, with dormers. There would also be a very modest front porch. The rear extension would span the host's entire width, and in side, profile would add very substantially to its two-storey depth. • It is clear to me that the proposed rear extension would have a very significant bulk and mass, and that it would represent a disproportionate addition to the original building. • The visual impact of the proposed rear extension from the sunken and tree-lined Chalk Lane would be very limited, although there would be glimpses of its northern flank. • Nevertheless, the scheme would significantly extend Spindleberry's footprint and its two storey built form to the rear. In so doing, it would harm the Green Belt's openness in this location and conflict with one of its essential characteristics. Consequently, the proposal would conflict with the Framework and with LP Policy RE2. The harm caused on issues adds to the harm that I have found because of inappropriateness. • Whilst implementation of the revised PD scheme instead of the PD 	<p>DISMISSED</p>

	<p>extension would result in a slightly smaller volume uplift, as a fallback, either proposal taken together with the permitted scheme would have a greater overall bulk than this proposal, and would be more harmful to the Green Belt.</p> <ul style="list-style-type: none"> • The appellant states that the Councils new Local Plan is at an advance stage and due for submission in December 2017, and that East Horsley including Chalk Lane is proposed for inclusion within an Identified Settlement Area and removal from the Green Belt. That as it may, the site is currently within the Green Belt and I give that matter very limited weight in my decision. • Overall, there would be a very modest design benefit arising from the scheme. • The scheme would result in a disproportionate addition to the original building, and would thereby constitute inappropriate development in the Green Belt. It would also harm the Green Belt's openness and give substantial weight to this harm. • I find that the other considerations in this case do not clearly outweigh the totality of the harm that I have identified and that very special circumstances necessary to justify the development do not exist. The scheme would conflict with the development plan and the Framework. • 	
<p>7.</p>	<p>Mr Auday Tokatly Thrashers, Old Lane, Cobham, KT11 1NA</p> <p>17/P/00842 – The development proposed is the demolition and replacement of existing dwelling and associated works.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are the effect of the demolition and replacement of an existing dwelling and associated works on a protected species; • Whether the proposed replacement dwelling would be inappropriate development in the Green Belt; • The effect upon openness; • Whether the harm to the Green Belt because of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it. • The appeal property is a detached house with a large garden, within which there are a number of outbuildings, and a tennis court. • An ecological survey of the property was provided concluding that no protected habitats would be directly affected by the proposal, with the site as a whole being of limited ecological value, albeit with evidence of bats in the main attic of the house. A further bat survey was provided with the appeal finding that the house no longer supports an active bat roost. From the evidence before me, the development would not be detrimental to maintaining the population of a protected species, and as such, the proposal would accord with the requirements of Policy NE4 of the Guildford Borough Local Plan 2003. • The replacement house would occupy a similar position to the existing one. Unlike the organic, extended appearance of Thrashers, the replacement would have a contemporary design with a strong horizontal emphasis. It is apparent that the replacement dwelling would be much larger than the existing one. 	<p>DISMISSED</p>

	<ul style="list-style-type: none"> • The new house would be two storeys in height, and even taking into account of part of the lower floor being below ground level, and the articulation of the first floor, the house would be taller than the existing one. The new dwelling would have a much larger volume than the totality of the current one and its demolished outbuildings. The replacement house would therefore be inappropriate development in the Green Belt. • The Framework indicates that substantial weight should be given to any harm to the Green Belt. In this instance, the replacement dwelling would be inappropriate development in the Green Belt and there would be a loss of its openness. The harm to the Green Belt would not be outweighed by any other considerations that would amount to very special circumstances to justify the development. As such, the proposal would conflict with the requirements of the LP Policies referred to above and with objectives of the Framework. 	
<p>8.</p>	<p>Mr Alan Thornton 82 Manor Way, Guildford, Surrey, GU2 7RR</p> <p>17/P/00195 – The development proposed is described as ‘detached bungalow within the rear garden of 82 Manor Way, Guildford, with access from High View Road, Guildford.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are the effect of the development on the character and appearance of the area, including trees and the SPA. • The development would involve the construction of a two-bedroom bungalow within the rear half of 82 Manor Way’s (No 82) back garden. The bungalow would front onto and be accessed via High View Road. To facilitate the development a new vehicular access would be formed and there would be a need to remove some of the trees in No. 82’s garden. • The sub-division of No.82’s plot would result in this house having a less spacious appearance, with it having a significantly shorter rear garden than the other even numbered properties to the east. The increased intensity of development at No.82 would be accentuated because of its corner position. I therefore consider that No.82 would be left with a plot that would be uncharacteristic of its immediate surroundings. • Given the width of the bungalow and its plot, there would be little space between the new dwelling and its side boundaries and I consider that this would give the development a cramped appearance in High View Road’s streetscene. The bungalow would have an essentially square footprint, with a very shallow roof pitch. I appreciate that the bungalow has been designed to have a low ridgeline in order to reduce its visual impact for the occupiers of Nos. 80 and 82. However, the bungalow would have a very squat appearance. • In the event of more trees being removed than is currently envisaged or there being a significant thinning of the retained trees then the bungalow and the uncharacteristically tightness of its plot would be exposed in the streetscene. The relieving effect of the trees would be diminished. • High View Road for the most part is characterised by two storey houses, however, numbers 84a and 84b are a pair of bungalows. While numbers 84a and 84b are uncharacteristic of High View Road, no planning history for them has been provided. These bungalows occupy more generous plots 	<p>DISMISSED</p>

	<p>than would be the case for the new bungalow. I do not consider that the presence of these bungalows a justification for the appeal development.</p> <ul style="list-style-type: none">• I therefore conclude that the development would be harmful to the character and appearance of the area, with there being potential for greater tree loss than is shown on the application plans. The development would not be respectful of its surroundings in terms of its plot size, its height and proportions and it would not add to the overall quality of the area. I also consider that there would be conflict with saved Policy G1(12) because it has not been demonstrated that the development would safeguard and enhance the on-site trees.• The appellant has not entered into a planning obligation, made pursuant to Section 106 of the Act, to secure the payment of contributions to mitigate the development's effect on the SPA.• The development would contribute to the supply of housing in the area. However, the contribution would be very modest and I consider that this benefit of the development would be outweighed by the harm that I have identified.• For these reasons I dismiss the appeal.	
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