

To: All Members of the PLANNING  
COMMITTEE  
(Other Members for Information)

When calling please ask for:

Kimberly Soane, Democratic Services Officer

**Legal & Democratic Services**

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Date: 28 February 2024

### **Membership of the Planning Committee**

Cllr David Beaman (Chair)  
Cllr Penny Rivers (Vice Chair)  
Cllr Jane Austin  
Cllr Carole Cockburn  
Cllr Janet Crowe  
Cllr Jacquie Keen  
Cllr Andrew Laughton  
Cllr Alan Morrison

Cllr John Robini  
Cllr Julian Spence  
Cllr Richard Steijger  
Cllr Phoebe Sullivan  
Cllr John Ward  
Cllr Terry Weldon  
Cllr Graham White

### **Substitutes**

Cllr Peter Clark

Dear Councillors

A meeting of the PLANNING COMMITTEE will be held as follows:

DATE: WEDNESDAY, 6 MARCH 2024

TIME: 6.00 PM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,  
GODALMING

The Agenda for the meeting is set out below.

This meeting will be webcast and can be viewed on [Waverley Borough Council's YouTube channel](#) or by visiting [www.waverley.gov.uk/webcast](http://www.waverley.gov.uk/webcast).

Yours sincerely

**Susan Sale,**  
**Executive Head of Legal & Democratic Services & Monitoring Officer**

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Alternatively, agendas may be downloaded to a mobile device via the free Modern.Gov app, available for iPad, Android, Windows and Kindle Fire.

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Please be advised that there is limited seating capacity in the Public Gallery; an overflow room will be available where possible. This meeting will be webcast and can be viewed by visiting [www.waverley.gov.uk/webcast](http://www.waverley.gov.uk/webcast).

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### **NOTE FOR MEMBERS**

Members are reminded that Contact Officers are shown in each report and members are welcome to raise questions, etc. in advance of the meeting with the appropriate officer.

### **AGENDA**

#### **1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive any apologies for absence and substitutes.

Where a Member of the Committee is unable to attend a substitute Member may attend, speak and vote in their place at that meeting.

Members are advised that in order for a substitute to be arranged a Member must give four (4) clear working-days' notice of their apologies.

For this meeting the latest date apologies can be given for a substitute to be arranged is Tuesday 27 February 2024.

#### **2 MINUTES OF THE LAST MEETING**

To approve the Minutes of the meeting held on 7 February 2024, and published on the councils website, as correct record of the meeting

#### **3 DECLARATIONS OF INTERESTS**

To receive from members declarations of interests in relation to any items included on the Agenda for this meeting in accordance with the Waverley code of Local Government Conduct.

#### **4 QUESTIONS BY MEMBERS OF THE PUBLIC**

The Chairman to respond to any questions received from members of the public in accordance with Procedure Rule 10.

Submission of questions must be received by Tuesday 27 February 2024.

5 QUESTIONS FROM MEMBERS

The Chairman to respond to any questions received from members in accordance with Procedure Rule 11.

Submission of questions must be received by Tuesday 27 February 2024.

6 ANY RELEVANT UPDATES TO GOVERNMENT GUIDANCE OR LEGISLATION SINCE THE LAST MEETING

Officers to update the Committee on any changes to the planning environment of which they should be aware when making decisions.

**Applications for planning permission**

Requests for site visits should be submitted within five working days after the publication of the agenda. Site visits will be held on the Friday prior to the meeting at 10am or 2pm.

**Background Papers**

Background papers (as defined by Section 100D(5) of the Local Government Act relating to reports are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report.

7 APPLICATIONS SUBJECT TO PUBLIC SPEAKING

7.1 WA/2023/00087 - Land at Farnham Park Cemetery, Hale Road, Farnham (Pages 7 - 40)

Erection of funeral ceremony building with associated landscaping and parking

Recommendation

That delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to suggested, amended or additional conditions.

7.2 WA/2022/01529 - Land at Hindfield, The Avenue, Rowledge, Farnham, GU10 4BD (Pages 41 - 62)

Erection of 2 dwellings and associated works; extensions and alterations to existing dwelling following demolition of eastern section

Recommendation

That, subject to conditions 1- 13 and informatives 1-4, permission be GRANTED

7.3 WA/2023/02273 - The Bourne Hall Vicarage Hill Farnham GU9 8HG (Pages 63 - 76)

Erection of four dwellings with associated parking and landscaping following demolition of existing building (amended and additional plans received, 3/11/23,15/12/23 & 4/1/24)

Recommendation

That permission be REFUSED

7.4 WA/2022/02194 - Hurst Farm, Chapel lane, Godalming (Pages 77 - 148)

Hybrid application including Full planning application for the erection of 216 dwellings, a new farm shop (Use Class E), change of use of existing farm shop building to rural business hub (Use Class E), provision of public open space, new sports pitches and associated infrastructure, landscaping, drainage arrangements, parking and formation of new access points following the demolition of existing buildings. Outline application (with all matters reserved except access) for the erection of a new health hub following demolition of the existing black barn

Recommendation

Delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to conditions (including minor amendments to recommended conditions) and the completion of a legal agreement, securing affordable housing, healthcare hub, off site pedestrian cycle way, sustainable transport provisions, open space, SUDS and playspace maintenance.

8 APPLICATIONS NOT SUBJECT TO PUBLIC SPEAKING

8.1 WA/2021/01837 - Land Centred Co-Ordinates 506215 140275, South of Amlets Lane, North of Russett Grove, Cranleigh (Pages 149 - 188)

Outline Application for erection of up to 12 dwellings and associated works with all matters reserved (as amended by drainage information received 20/08/2021, amended plans and transport statement received 02/11/2022 and drainage and arboricultural information received 17/03/2023) (amended description)

Recommendation

That, subject to the applicant entering into an appropriate legal agreement to secure the provision of affordable housing, access to and maintenance of play space and public open space, and subject to conditions and informatives, that

outline planning permission be GRANTED

8.2 WA/2023/02717 - Land at Lammasbank, 26 Chalk Road, Godalming, GU7 3AP (Pages 189 - 194)

Construction of patio and retaining walls (retrospective)

Recommendation

That subject to conditions, permission be GRANTED

9 EXCLUSION OF PRESS AND PUBLIC

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the Committee agrees:

(1) that the public be excluded from the meeting during consideration of the following matter on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in Paragraph X of the revised Part 1 of Schedule 12A to the Local Government Act 1972; and

(2) that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10 LEGAL ADVICE

To consider any legal advice relating to any applications in the agenda.

**For further information or assistance, please telephone  
Kimberly Soane, Democratic Services Officer, on 01483523258 or by  
email at [kimberly.soane@waverley.gov.uk](mailto:kimberly.soane@waverley.gov.uk)**

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# Agenda Item 7.1

**WA/2023/00087** – Erection of funeral ceremony building with associated landscaping and parking. at FARNHAM PARK CEMETERY, LAND AT HALE ROAD, FARNHAM GU9 9FL

Applicant: The Ismaili Trust  
Parish: Farnham CP  
Ward: Farnham Upper Hale  
Grid Reference: E: 484729  
N: 148309

Case Officer: Russell Brown  
Neighbour Notification Expiry Date: 10/02/2023  
Expiry Date/Extended Expiry Date: 13/04/2023 / 13/03/2024

**RECOMMENDATION** That delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to suggested, amended or additional conditions.

## 1. Site Description

The site measures circa 3.75ha and comprises primarily open green space adjoining Farnham Park, which is a Grade II Listed Park and Garden, a designated Local Nature Reserve on the west. To the north of the site lies residential development on Oast House Land and Upper Hale Road, to the east of the site lies the A325 and to the south lies further open space and a small number of residential dwellings set within large plots. St John the Evangelist Church is location to the north of the proposed entrance and the Hotel Daniele shares the proposed site access and sits just south of the access. There are two substantial electricity pylons to the north of the application site.

To the south of the site is Mulberry House and to the north St John the Evangelist Church, Nos 3-7 Upper Hale Road, Maskoun House, Nos 1-4 Hale Farm Flats and Nos.4,5 and 6 Radford Close and the White Cottage, all of which are Grade II listed buildings.

## 2. Proposal

The application seeks planning permission for the following:

- The erection of a single storey pavilion building (382m<sup>2</sup> GIA) to contain the facilities for the preparation of and funeral ceremonies; the roof form comprising two flat roofed elements either side of a pitched thatched roof covering the main hall.
- Alterations to existing car park to include provision of 23 spaces for St John the Evangelist Church.
- Landscape works associated with the cemetery and to include a new approach path providing access to the pavilion and cemetery, including planting over 300 trees of varying native woodland species.

- A new substation to be sited within the parking area and contained within a 4.5m x 4.5m, 1.8m tall wooden fence enclosure.
- It is proposed that six trees are removed, two of which are subject to a TPO.

The application submission estimates the burial ground and pavilion would hold three funerals a week on Tuesdays, Thursdays, and Saturdays between 10:00 and 18:00, with typically circa 40 attendees but with the potential for up to 181.

In terms of background, the applicant does not have access to an appropriate building that allows for funeral preparation and ceremonies to be carried out at the burial ground, which is the reason for this proposal. Their current cemetery allocation at Brookwood in Woking is nearing full capacity.

### 3. Relevant Planning History

PRE/2021/00014: Erection of ancillary building and landscaping. Meeting held 16/07/2021, but no written advice issued

WA/2019/1508: Change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG) together with provision of new car park. Granted 10/06/2020

WA/2019/0417: Change of use from mixed Use Class C1 (Hotel) and A3 (Restaurant) to 3 dwellings, alterations to elevations and associated parking including car park to serve adjacent church. Granted 10/06/2020

WA/2010/0166: Change of use of agricultural land to cemetery and woodland burial site (revision of WA/2009/1407) (As amended by email dated 17/3/10, ecological survey received 29.3.10, as amended by email dated 14.4.10 and by plan received 14.4.10). Granted 05/05/2010

### 4. Relevant Planning Constraints

Countryside beyond the Green Belt

Ancient Woodland 500m Buffer Zone

Area of Strategic Visual Importance

Area of Great Landscape Value (AGLV)

Thames Basin Heath Special Protection Area 5km Buffer Zone

Tree Preservation Order (TPO)

Adjacent to Grade II Listed Buildings

Adjacent to an Historic Park and Garden Grade II - Farnham Park

Adjacent to an Area of Historic Landscape Value (AHLV) - Farnham Park

Adjacent to Local Nature Reserve (LNR) - Farnham Park

Adjacent to Site of Nature Conservation Importance - Farnham Park

Area of High Landscape Value and Sensitivity (Farnham Neighbourhood Plan)

Green Infrastructure - Churchyards and Cemeteries (Farnham Neighbourhood Plan)



## 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, SP2, ST1, RE1, RE3, TD1, HA1, NE1, NE2, CC1, CC2, CC4
- The Waverley Borough Local Plan (Part 2): Site Allocations and Development Management Policies (December 2022) (LPP2): DM1, DM2, DM4, DM5, DM7, DM9, DM11, DM15, DM18, DM20, DM24, DM25, DM34
- Farnham Neighbourhood Plan 2013-2032 (April 2019): FNP1, FNP10, FNP11, FNP13, FNP30, FNP31

### Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)
- Farnham Design Statement (Draft, July 2022)

## 6. Consultations and Town/Parish Council Comments

Environment Agency	No need to have been consulted.
Environmental Health (Health and Safety)	It is requested that an informative be added to the planning permission to draw the attention of the applicant to the health and safety guidance that must be complied with.
Environmental Health (noise, vibration, dust and light)	No objection, subject to conditions.
Farnham Town Council	Objection: intensification of the use of the site; the scale and size of the proposed building and its use as a mortuary is totally inappropriate; and the building has capacity for large gatherings generating significant traffic in a highly congested area with limited parking facilities. It is not compliant with Farnham Design Statement, Farnham

Neighbourhood Plan Policies FNP1, FNP10, FNP11, FNP12, FNP13 and FNP30.

Heritage	The proposal would cause no harm to heritage assets.
Historic England	No advice offered.
Historic Environment Planning: Archaeology	No objection - previous survey work has shown the site has no archaeological potential.
Lead Local Flood Authority	No objection, subject to conditions.
Minerals and Waste Planning Authority (MWPA)	No objection, subject to a condition.
Natural England	No objection.
Southern Water	Not located within Southern Water's statutory area.
Surrey Fire & Rescue Service	The above application appears to demonstrate compliance with the Fire Safety Order in respect of means of warning and escape in case of fire.
Surrey Hills AONB Adviser	No objection, it would not adversely affect the setting of the AONB.
Surrey Highway Authority	Recommend approval, subject to conditions.
Surrey Wildlife Trust	No objections, subject to conditions.
Thames Water	No comments to make.
The Gardens Trust	No comments to make.
Tree and Landscape Officer	No objections, subject to conditions.

## 7. Representations

325 letters, some from the same individuals, have been received raising objections on the following grounds:

- Out of character with the area.
- Harm character and appearance of the countryside.
- Inappropriate development.
- Design appearance is not acceptable.
- Conflicts with Farnham Neighbourhood Plan.

- Conflicts with Local Plan Part 1.
- WA/2010/0166 permitted no buildings or gravestones on the site.
- Urbanisation
- Impact on St Johns Church and Farnham Park.
- Concerns with Travel Plan.
- Proposed access safety concerns.
- Failed to calculate traffic movements of existing uses.
- Traffic congestion along Hale Road from the Six Bells roundabout.
- Incorrect parking layout.
- Impact on wildlife and habitats.
- Impact on underground river.
- Pollution of increased traffic.

Two letters of support have been received raising the following points:

- Proposed building would be an enhancement to the area.
- Building seems to be architecturally sensitive.
- Land has planning permission as a cemetery.
- Used to traffic from St Johns Church.
- Funerals should not be at the same time as Sunday Service.
- Already good neighbour engagement from applicant.

Councillor Powell has also objected on the following grounds:

- It contravenes Condition 8 of WA/2010/0166 preventing the erection of gravestones or monuments unless within the cemetery where they are limited to 1m high as well as Condition 11 regarding hours of digging or preparation for burials.
- The applicant has not fully addressed the several watercourses which pass through the site in terms of flood risk.
- The development location is not supported by the Farnham Neighbourhood Plan.
- This plot has significant potential to be used to enhance local biodiversity and is identified as a potential SANG.
- The development would put significant pressure on existing transport infrastructure.
- The development also proposes no additional active travel facilities.
- Lack of detail regarding the proposed layout and associated burials.
- The design does not include for appropriate access for emergency fire appliances.
- Adverse impact on air quality
- The additional information does not address the principal concerns.

Councillor Cockburn has requested that this application be brought to committee should Officers be minded to grant permission in view of the extensive planning history on this site and its designation within the Farnham Neighbourhood Plan.

## 8. Planning Considerations:

## 9. Planning history and lawful use of the site

The planning history on this site is a material consideration.

Planning permission was granted in 2010 (ref. WA/2010/0166) for the change of use of the site from agricultural land to cemetery and woodland burial site. The applicant has advised that this permission has been implemented and has submitted information to seek to demonstrate this in the form of an Implementation Note and appendices. This is confirmed by the legal opinion from Kings Counsel (KC). Given that physical and landscaping works on site can be seen on date stamped aerial photos and is further confirmed by e-mails from the Council's Planning and Enforcement Officers, it is considered that the planning permission was implemented within the three year time period and is extant.

However, the permission that was granted in 10 June 2020 for use of the land for Suitable Alternative Natural Greenspace (SANG) purposes (ref. WA/2019/1508) has not been implemented within the three-year time period of the permission. Whilst it is recognised that the Farnham Neighbourhood Plan identifies the site as potential SANG land, there is live permission for the land to be used as a burial ground. Therefore, the lawful use of the site is for cemetery and woodland burials.

#### 10. Principle of development

Policy SP1 of the LPP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

Policy DM15 of LPP2 relates to development in rural areas and is relevant since this site sits outside the Farnham Built Up Area Boundary. National policy sets out that a number of forms of development maybe acceptable within rural areas, places of worship are included in this list.

Policy ISC1 (Infrastructure and Community Facilities) of the LPP1 states that the development of new infrastructure services and facilities will be supported where required. Paragraph 8.3 of the LPP1 states that public services such as cemeteries are considered to be infrastructure.

Development should though maximise opportunities for walking and cycling and seek to avoid dependency on private vehicles. In this respect, the submitted Travel Plan sets out that the application involves the following:

- The promotion of car sharing and the use of community minibuses between the family's local mosque and the site.
- The sharing of details of walking routes, cycling routes and local bus services with mourners attending funerals.
- The provision of safe cycle storage, as well as shower and changing rooms within the proposed pavilion building.

The first bullet point is to be particularly encouraged for the larger funerals. In terms of means of sustainable transport, Farnham railway station is 2.2km away and accessible by five bus services running between once every 30 minutes and once every 90 minutes with the bus stops being a six-minute walk from the site. In terms of cycle routes, there is an off-carriageway route running to the south and west of the site with suggested routes and paths off that. Whilst it is recognised that most visitors to the site are going to be travelling from London and acknowledged that the Travel Plan does not expect any trips directly to the site by sustainable means even for a 'at capacity' funeral, it is therefore important that the provision mentioned in the third bullet point is provided on site. It is considered that any Travel Plan approved would need to be more ambitious than planning for 10% trips to be made by train.

Point b will be discussed in the next section of this report, but point c is not relevant because the site does not comprise agricultural land.

Subject to the detailed assessment below, including the landscape impact, and since the current land use of site has been established, the principle of development is considered acceptable.

## 11. Impact on landscape

Policy RE1 of the LPP1 outlines that within areas shown as countryside beyond the Green Belt (such as this site), the intrinsic character and beauty of the countryside will be recognised and safeguarded.

The Area of Strategic Visual Importance (ASVI) designation plays an important role in preventing the coalescence of settlements or because they are areas of open land that stretch into the urban area. They are 'strategic' because of the role they play in maintaining the urban character of, in this case, Farnham. Policy RE3 of the LPP1 states that the appearance of these will be maintained and enhanced. Proposals for new development within the ASVI will be required to demonstrate that the development would not be inconsistent with this objective.

The site is also within an Area of Great Landscape Value (AGLV) that applies to areas considered to have high visual quality complementing areas designated as National Landscapes, into which the site does not fall. An AGLV plays the role of a buffer to the National Landscape, although as a local designation it holds less weight in policy terms.

Although it does not apply to the site, the adjacent Farnham Park is an Area of Historic Landscape Value (AHLV), which play an important part in maintaining the overall historic character of the area. The park is also designated as an area of high landscape value and sensitivity in the Farnham Neighbourhood Plan (FNP), which is linked to preventing coalescence between Farnham and Aldershot as per FNP Policy FNP11, Policy RE3 of the LPP1 and Policy DM18 of the LPP2.

Given the nature of this application, which is effectively a detached building of a maximum height of 9.1m at ridge level with steeply sloping roofs down to an eaves level of approximately 2.5m that is set within a very large site, it is not considered that it would increase the coalescence between the two distinct settlements, thereby retaining this narrow gap. The impact on the countryside from encroachment in this environmentally sensitive location will now be assessed.

The Farnham Landscape Character Assessment designates the land as Character Area 6 Cemetery Fields as follows:

Key Characteristics	Landscape sensitivity	Landscape value
<p>Located on a south-east facing slope with long views available from the high ground to the north-west.</p> <p>The Character Area consists of small fields in pasture-bound by hedgerows of varying ages. Established hedgerows contain mature trees. A thick belt of mature trees abuts the western boundary of the area and others are located to the south and south-east of the area.</p> <p>The cemetery for the Church of St John the Evangelist forms part of the Character Area. It is bound by settlement to the north and south and by the A235 to the east. Settlement within it is limited to the occasional large, detached dwelling. The settlement does not affect the perception of rurality within the Character Area.</p>	<p>The Character Area is generally in good condition, although some areas appear unmanage. New and characteristic hedgerow planting has been undertaken.</p> <p>It forms a critical part of the separation between Farnham and Hale. There is a strong treed edge to the southern boundary, which provides definition between the settlement and adjacent countryside.</p> <p>The north-eastern part of the site has a strong visual connection with the wider rural landscape and it forms a rural setting to adjacent settlement. It contains some existing features, which could be built upon to mitigate development, however new development would be likely to harm local character. There are open views from the cemetery. There are glimpsed views from Farnham Park.</p> <p>Landscape Sensitivity = High</p>	<p>The Character Area lies within the AGLV and an Area of High Landscape Value and Sensitivity. It is a peaceful and attractive rural landscape and is small scale and enclosed.</p> <p>Parts of the area contribute towards the setting to listed buildings, in particular the Church of St John the Evangelist and the cottages that constituted the original hamlet of Hale. There are historic links in ownership between the Character Area and Farnham Park and the area forms the eastern rural setting to the park, linking it to its historic rural surroundings.</p> <p>It forms part of the distinctive rolling clay farmland, which forms a green wedge between Farnham and Hale. The cemetery has public access and a public right of right runs along the southern boundary of the area, connecting to Farnham Park. The churchyard is well used by</p>

		<p>the public and is actively managed for wildlife conservation. Landscape Value = High</p>
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A Landscape and Visual Impact Assessment has been submitted with the application. It has two components; to assess a proposal's effects on the landscape as a resource and to assess its effects on specific views and on the general visual amenity experienced by people.

The assessment finds that the site's landscape value is mostly attributed to its contribution to the setting of Farnham Park. The most notable effects of the proposal would result from the removal of the central hedgerow, but its loss has been approved under WA/2009/1407 (allowed by APP/R3650/A/10/2121042) and WA/2010/0166 and is therefore considered acceptable in the circumstances. It is also worthy of note that its loss would be mitigated by the introduction of native deciduous woodland including 300 new trees of both slow growing broadleaved and fast-growing coniferous varieties. The impact of the removal of the hedgerow would affect a limited number of views but would be additionally mitigated through boundary planting to reinforce the existing screening value of the remaining, and retained, hedgerows.

12 viewpoints have been identified on the basis of a Zone of Theoretical Visibility (ZTV), of which views 1 (from the entrance path to St John's The Evangelist Church of England), 5 (from the access gate at Oast House Lane) and 9 (from an elevated viewpoint within Farnham Park) would be most affected by the proposal so Accurate Visual Representations (AVRs) have been developed to demonstrate the worst-case scenario. These demonstrate that intervening hedgerows continue to filter views towards the site and that new planting would mitigate for any visibility, resulting in there being no significant residual adverse visual effects resulting from the proposal. It should be noted that the site currently has limited public accessibility, thereby restricting views to the proposed building, which is appropriately located within the site. The impact on restaurant visitors would be short-term / temporary and only during the construction period. Where visible in distant views, the building's proportions and design quality would be positive elements as discussed in the next section of this report. The assessment has been scrutinised by Officers and its conclusion that the site can accommodate the proposed change without any significant adverse landscape or visual effects is accepted.

Given that the proposal would not have a detrimental impact on areas of high landscape value and sensitivity and would use appropriate native species for the new planting to enhance the landscape value of the countryside, it is in compliance with the relevant parts of FNP Policies FNP10, FNP11 and FNP20. Compliance has also been demonstrated with NPPF paragraphs 135c and 180a and b, Policies RE1 and RE3 of the LPP1 and Policies DM1, DM4 (point b v, vi and vii), DM15 (point b) and DM18 of the LPP2 and therefore it is considered that development of the site for a new building

associated with the current use of the land can occur with little impact of the wider landscape character, viewpoints, or visual receptors.

## 12. Design and landscaping

Policy TD1 of the LPP1, Policy DM4 of the LPP2 and paragraphs 131, 135 and 139 of the NPPF requires development to be of high quality design and to be well related in size, scale and character to its surroundings.

FNP Policy FNP1 permits new development that is designed to a high quality; responds to the distinctive character of the individual area of Farnham in which it is located; follows guidance in the Farnham Design Statement; respects the natural contours of a site and protects and sensitively incorporates natural feature; and is well integrated into the landscape by existing and new landscape buffers.

Whilst it is accepted that there is an extant permission for the use of the site as a burial ground, the current proposal would increase the built form through the erection of a pavilion, a substation, together within increased hardstanding and a more formal landscape. It is also notable that the 2010 permission was subject to Condition 8 to prevent gravestones being erected in the woodland burials area and to restrict them to 1m in height within the cemetery in order to safeguard the character and appearance of the site.

At a maximum height of 9.1m, the proposed pavilion building would be a substantial form of development, albeit it is set within a very large site. The condition does not prevent a planning application being submitted that would breach it, only that regard must be had to the impact on the character and appearance of the site. Given that has been found to be acceptable, the only remaining issues are the impacts of the pavilion building and the substation themselves.

For this application, ground level plaques and pavers, timber carvings, trees and benches would be proposed instead of traditional headstones or monuments given this is a woodland burial ground rather than a graveyard. Given that it must be possible to identify the position of a specific grave with accuracy, the use of more discreet and sustainable markers is supported.

It is worthy of note that the proposed pavilion building is of a very high standard of design being created by a UK award-winning architect, and the very high design quality is given weight in the decision-making process.

In terms of the form of the proposed building, it would have two low, flat-roofed elements either side of a pitched, thatched roof covering the main hall and extending over the entrance area. The gradient of the roof's pitch, and therefore the building's overall height, is determined by the minimum slope required for water to drain off from the thatched roof. The proposed pavilion's form refers to rural and agricultural building typologies; befitting of the site's history as farmland and paddocks.



The supporting structure to the pitched roof is expressed through a pair of timber columns, that then diverge at eaves level to intersect at the roof ridge. There are two pitched dormers on either side of the roof slope designed as a contemporary interpretation of a traditional thatching detail and to allow light into the main hall and the entrance area of the building. Glazing is proposed on the gable ends of the main hall above eaves level. Below the eaves the southern elevation is formed of thick, timber-lined fences running parallel to the linear approach path. Openings required for access or to allow specific views to the landscape are in the eastern, western, and northern elevations.

The whole pavilion is slightly dug into the ground, sitting beneath the canopy line of the surrounding trees, and sited on the lowest level of the sloping land. Together with the significantly increased woodland trees to be introduced to the whole perimeter of the site, the proposed pavilion would be well-concealed from all neighbouring vantage points.

In terms of the building footprint, almost a third of it is made up of covered external spaces, which are required for sheltered coffin and disabled visitor drop-off and transfer. Internally, the floor plan is arranged into four zones with the central main hall and covered entrance forecourt in the middle between the two low blocks; the front-of-house accommodation comprised of an open cloakroom, WCs, reception space and a kitchenette in the south-western wing and the north-eastern side housing spaces associated with the care of the deceased and ancillary support functions with natural illumination being provided by rooflights. Adjacent to the family room are showering and changing facilities, a small kitchen space, storage for cleaning supplies and a plant room, which is accessed externally. The main hall sits at the centre of the plan and is laid out in the direction of the Qibla.

In terms of the proposed materials, these would be water reed thatch to the central pitched roof, vertical timber boarding for the external walls, masonry plinths underneath, a bitumen felt membrane to the parapet and woven hazel wattle in-between timber framing elements to the side walls to the main hall. Apart from concrete, which would be restricted to the minimal substructure, the materials are renewable and will be from sustainable, locally derived sources wherever possible, which is supported. Just as importantly, they enable the pavilion to blend into its woodland setting.

The proposed substation would sit within a 4.5m by 4.5m enclosure formed of a 1.8m high wooden fence. Although it is necessary to supply the proposed pavilion building given the low capacity of the existing infrastructure, it is still proposed to be concealed amongst hedgerows within the car parking area, which is supported.

Policy DM11 of the LPP2 outlines that development should incorporate high quality landscape schemes, appropriate to the scale, nature, and location of the development.

The proposed design is primarily landscape-led. The proposal is to restore the partially wooded character dating from the 19<sup>th</sup> Century by planting many trees of varying native

woodland species, both slow-growing broadleaved trees and fast-growing coniferous. The site largely comprises open grassland with a relatively homogenous distribution of low-level shrubbery and linear arrangements of hedges around the perimeter.

The main approach path is tree-lined and leads pedestrians from the site entrance and car park towards the pavilion. It evokes the rural roads of the English countryside. It is also proposed to provide more dense planting along the site's perimeter with Farnham Park, thereby extending the woodland character and further concealing views of the pavilion from the site perimeter. Pockets of space are provided within the woodland, including a larger central clearing, to accommodate the burial site provision required for approximately 30 years. However, these spaces would be broken up by informal tree semi-mature planting and the existing 24m+ high mature oak.

A deer fence is to be installed along the site perimeter to protect younger trees through their early growth period. The implication for deers will be assessed in the biodiversity section of this report.

In terms of hard landscaping, a tar and chip finish is proposed to the main approach path. Whilst this would be distinctly more rural than a traditional asphalt alternative, it would nonetheless have an urbanising impact on the site. Further details of all landscaping are recommended to be secured by condition so regard can be had to the exact details of the finish at that stage and whether it is appropriate. The use of bound gravel, hoggin or reinforced grass along the paths immediately surrounding the pavilion building is supported. This would allow a fire tender access to the eastern wing of the building in the event of an emergency and provide a more porous and / or permeable surface for drainage purposes.

Officers consider that the design and landscaping approach is appropriate to the site and its setting and would not result in a harmful impact on the character and appearance of the area. The very high quality design of the proposal is therefore considered to be compliant with Policy TD1 of the LPP1, Policies DM4 and DM11 of the LPP2 and FNP Policy FNP1.

### 13. Impact on trees

Policy NE2 of the LPP1 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland, and hedgerows within the Borough. Policy DM11 of the LPP2 outlines that development should adequately protect trees and hedgerows during all phases of development, including through providing adequate separation; provide suitable, preferably native, species for planting.

Of the six trees to be removed, all are Category C. Four are to facilitate the landscape scheme, one is to allow the installation of the new fence, vehicle gate and extent of vehicle parking and the other one to make room for the internal road. Two of the trees to be removed, G25 (a blackthorn) and part of H28 (a mix of field maple, hawthorn, and blackthorn) are the subject of a Tree Preservation Order (TPO). In this instance,

new planting is proposed that, when established, is likely to provide improved collective amenity value in the long term. This is considered to outweigh the loss of all six trees. It is also worth noting that the TPOs still cover T26 and T27 and that the Council's Tree Officer has not raised an objection.

Conditions are recommended to secure a Landscape and Ecological Management Plan (LEMP) including monitoring for 15 years; an Arboriculture Method Statement and Tree Protection Plan; the provision of photographic evidence of the erection of the protective fencing prior to any development commencing; the submission of a scheme and implementation of regular monitoring site visits; and reports to demonstrate the health and maintenance of landscaping post-planting.

The proposal would be in compliance with NPPF paragraph 136, Policy NE2 of the LPP1 and Policy DM11 of the LPP2.

#### 14. Impact on heritage assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect listed buildings, Local Planning Authorities must have special regard to the desirability of preserving the setting of the building and any features of special architectural or historic interest which it possesses.

NPPF paragraph 205 outlines that great weight should be given to a designated heritage asset conservation (and the more important the asset, the greater the weight should be) when considering the impact of a proposed development on the significance of the asset. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy HA1 of the LPP1 ensures that the significance of the heritage assets within the Borough are conserved or enhanced.

Policy DM20 of the LPP2 requires development to preserve or enhance Statutory Listed Buildings and their settings, and any features of special architectural or historic interest they possess.

FNP Policy FNP1 permits new development that protects and enhances heritage assets and their setting

As well as the previously mentioned Grade II Registered Historic Farnham Park and Garden, there are four Grade II listed buildings within the vicinity of the site: the Church of St John the Evangelist, the Outbuilding to the south of 1 Upper Hale Road, 3-7 (odd) Upper Hale Road and Mulberry House. The site is also considered to form part of the wider setting of the heritage assets that positively contributes to their rural setting.

It is acknowledged that the proposal would change the character of the site from fields to a more wooded informal landscape, but this is not considered to be out of character

for the area. Furthermore, the proposed pavilion building is unlikely to be visible from any of the heritage assets due to its location, existing and proposed planting, and use of natural materials. Whilst the area of hard landscaping for the expanded car park would be closer to the Church of St John the Evangelist, it would be obscured by mature vegetation along the boundary. An avenue through the site would remain void of additional trees to allow for any possible wider views from the tower of the Church to be retained.

Given that there would be no harm to heritage assets, NPPF paragraph 208 is not engaged and no public benefits are required to outweigh harm. As such, the proposal is acceptable in heritage terms and would be in accordance with the NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as Policy HA1 of the LPP1, Policy DM20 of the LPP2 and FNP Policy FNP1.

#### 15. Biodiversity and compliance with Habitat Regulations 2017

Policies NE1 of the LPP1 and DM1 of the LPP2 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

FNP Policy FNP11 states that development proposals outside the Built-Up Area Boundary will be assessed in terms of their potential impact upon biodiversity of the area. Additionally, Policy FNP13 requires proposals to protect and enhance biodiversity, including Local Wildlife Sites (Sites of Nature Conservation Importance), and to promote biodiversity enhancements.

The submitted Biodiversity and Ecology Checklist identifies that there is broad-leaved woodland, ponds, old and veteran trees, and mature hedgerows on or close to the site. The loss of these would have the potential to affect the habitats of bats, dormice, nesting and breeding birds, badgers, reptiles, and amphibians such as great crested newts. The Ecological Impact Assessment provided details the following measures for each of these species:

- Bats: There are records of 11 bat species within 2km of the site boundary. The site is considered to offer commuting and foraging habitat and all trees with roosting potential would be retained and unaffected by the proposal.
- Dormice: Their presence on site is considered likely given the relative isolation of the hedgerows. However, precautions should be taken during hedgerow removal.
- Birds: There are records of red listed Birds of Conservation Concern (BoCC) within 2km of the site. There is on site habitat suitable for a range of nesting and foraging

birds. As long as vegetation or site clearance should be timed to avoid the bird nesting season of early March to August inclusive, no objections are raised.

- Badgers: No evidence of setts were recorded on site, but the grassland and boundary hedgerows offers them a variety of foraging opportunities throughout the year, although it is considered unlikely that any would be reliant on this site alone. It is recommended to include a badger survey in a Constructional Environmental Management Plan (CEMP) that can be conditioned.
- Reptiles: The site is considered to offer suitable habitat given the areas of unmanaged grassland, disturbed ground and boundary hedgerows. Only grass snakes were found during the survey, but a mitigation strategy is necessary and this can be conditioned.
- Amphibians: A small population of great crested newts has been confirmed in a pond 45m southwest of the site. It is considered that a great crested newt mitigation strategy can be secured by condition in the event of an approval.

The installation of a fence to prevent deers damaging younger trees is proposed. It is considered more important to prevent this than allow deers onto the site where there would be activity, particularly of the vehicular sort, that might endanger them. There is ample space for them to room, graze and otherwise thrive in Farnham Park.

A 10% net gain as required by the Environment Act 2021 is not mandatory until 12<sup>th</sup> February 2024 for major development, but LPP1 Policy NE2 requires new development to make a positive contribution to biodiversity. A Biodiversity Net Gain Metric Calculator has been submitted that shows the total net percentage change for habitats is +20.21% and +34.82% for hedgerows. As such, Biodiversity Offsetting will not be required, and Trading Rules have been satisfied.

It is considered that a Landscape and Ecological Management Plan (LEMP) would be required to be conditioned as would a sensitive lighting management plan.

The proposal would be in compliance with NPPF paragraph 186, Policy NE2 of the LPP1, Policy DM11 of the LPP2 and FNP Policies FNP11 and FNP13.

## 16. Impact on residential amenity

Policy TD1 of the LPP1 and Policies DM1 and DM5 of the LPP2 seeks to protect future and existing amenities for occupants and neighbours and ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.

FNP Policy FNP11 states that development proposals outside the Built-Up Area Boundary will be assessed in terms of the potential impact of noise.

Given the separation distance of over 155m from The Old Stables to the closest point of the proposed pavilion building as well as the existing screening, it is not considered to cause any material impact on neighbouring occupiers' privacy, sunlight, daylight or

outlook. As such, it would also not result in overshadowing, the creation of a sense of enclosure or have an overbearing impact to the residential properties. It is also noted that the screening would be increased to all the boundaries. Therefore, Officers do not consider that the development results in an undue impact on residential amenity. However, a CEMP is recommended to be secured by condition.

The proposed access from Hale Road would use the existing access to the site, which is also shared with six residential properties, a car dealer, and a restaurant. Lower Road splits in a T-shape with the northern part leading to the site serving the latter two business and two dwellings. There would be an increase in vehicle movements and visitors from the current situation, which could give rise to noise and general disturbance. It is therefore important that a condition restricts the number of funerals a week to three (or 156 per annum). Another condition is recommended to secure the times that funerals can take place on site to between 10:00 and 18:00, albeit allowing a the hearse to drop off the deceased beforehand and volunteers to arrive.

In terms of noise from other sources, this has the potential to emanate from the proposed substation as well as the plant and air source heat pumps to the pavilion building. To avoid these having a negative impact on the amenity of residential neighbours, conditions are recommended to control the level of noise created.

Subject to the recommended conditions, the proposal would have an acceptable impact on the amenity of existing occupiers in accordance with Policy TD1 of the LPP1 Policies DM1 and DM5 of the LPP2 and FNP Policy FNP11.

## 17. Transport and impact on highways

Policy ST1 of LPP1 outlines that development schemes should be located where sustainable transport modes can be maximised; should make contributions to the improvement of existing and the provision of new transport schemes that give priority to users of non-polluting vehicles; should be accompanied by Transport Assessments and Travel Plans; and should make appropriate provision for car parking.

Policy DM4 of LPP2 requires entrances to developments to be obvious for all users of the site, permeability and access throughout the site and active travel modes to be promoted. Policy DM9 of LPP2 promotes sustainable transport modes and patterns through developments providing inclusive, safe, and convenient access for all; an adequate highway design and layout; access by service and emergency vehicles at all times; adequate car and cycle parking spaces; public transport infrastructure; and them not having a severe residual cumulative impact on highway network capacity.

FNP Policy FNP11 states that development proposals outside the Built-Up Area Boundary will be assessed in terms of the potential impact of traffic.

FNP Policy FNP30 permits proposals where they meet several criteria including safely located vehicular and pedestrian access; provision of a Travel Plan; provision of

sustainable transport to the nearest bus stop and the town centre; provision of or a contribution towards adequate transport infrastructure; not significantly adding to traffic congestion; mitigation measures to reduce impact on air quality; and maintaining or enhancing an existing local footpath.

The site is in a somewhat sustainable location with the town centres of Farnham and Guildford being relatively close, although it is outside the settlement boundary of the former within a suburban area. Farnham railway station is over a 30-minute walk away or a 10 minute bus ride away with the closest stops being a six or a 10 minute walk away. There are good pedestrian and cycle links to the local area. Vehicular access to the subject site is to be provided from Lower Road off Hale Road (A325).

Access for fire tenders is acceptable to Sussex Fire and Rescue Service. They would be able to drive right up to the proposed building and would be able to reverse up to 20m to turn around in the service yard area allowing them to exit the site in a forward gear.

There are 42 shared informal car parking spaces on site, of which the restaurant is allocated six and the adjacent cemetery 19 spaces. 75 parking spaces are proposed and these would be shared between the restaurant, the adjacent cemetery, and the proposed pavilion building / woodland burial use.

According to Surrey County Council (SCC), which provides maximum standards, individual assessment or justification is required. Following comments from SCC Highways that further evidence of the existing parking demand was required, this has since been provided to their satisfaction via a parking survey. Also, two disabled spaces have now been proposed at the end of the parking rows as per their request. Subject to a recommended condition relating to provision of the additional spaces and an adequate turning area, the level of car parking is considered justified.

23 car parking spaces are proposed to be made available for the adjacent church, and whilst these have previously been approved under permission WA/2019/0417, the permission was not implemented. Therefore, this is a benefit of this proposal.

Whilst it is recognised that most visitors to the site are not going to be cycling, it is considered to provide facilities for the volunteers to encourage more sustainable means of travel, especially considering that the proposed building contains shower facilities. It is recommended that a condition is added to secure details of secure cycle storage along the northeastern elevation of the building.

It is unclear if electric vehicle charging points are proposed, although there are some located off site to the south on Hale Road. However, they would be encouraged, but in any case, would be secured by Building Regulations Part S so need not be conditioned.

The proposed development is expected to generate 20 two-way movements for a typical funeral with 40 mourners and 63 two-way movements for a worst-case scenario

of 181 mourners arriving by 40 cars, five minibuses and nine by taxi. This would be outside the am peak period, but possibly during the pm peak period given the proposed timings of between 10:00 and 18:00. Officers considered that the proposal would not increase vehicle activity to such a degree as to impact on the capacity and safety of the highway network at peak traffic periods and is therefore acceptable.

SCC Highways also required further information to be submitted to demonstrate that sufficient pedestrian visibility splays could be provided at the site access junction. Given that the applicant owns the land that these would be provided on, they are satisfied in regard to pedestrian safety.

As previously mentioned, the submitted Travel Plan is not considered to be sufficiently ambitious. It is therefore suggested in the revised version to be submitted to discharge the recommended condition (if approved) that the community minibuses are used to collect and drop-off mourners. The applicant may also wish to consider a community coach, which would have a greater capacity than a minibus, to further encourage the use of an alternative to private vehicle ownership. Details of how car sharing, walking routes, cycling routes and local bus services would be promoted must also be included in the revised Travel Plan.

The refuse storage would be in an external bay on the northeastern elevation with the bins transported via golf cart to the collection point in the car park for emptying. This avoids refuse trucks having to drive up to the proposed building, which has the potential to be disruptive on days on which funerals are held.

Conditions are recommended to be imposed in respect of the provision of pedestrian visibility splays prior to the first use of the proposed building, a car parking plan, cycle parking and a Construction Transport Management Plan so the proposal would not prejudice highway safety nor cause inconvenience to other highway users.

Mention was also made of the provision of a 2.5m wide footpath through the site by SCC Highways. It is understood that the applicant has agreed to transfer a 2.5m wide strip of land along the southern boundary of land within their ownership to SCC / the Council to link Hale Road with Farnham Park. Although there would be no financial contributions due and the applicant will not be delivering the footpath, this would need to be the subject of a legal agreement.

The proposed development therefore complies with the NPPF in this respect and with Policy ST1 of the LPP1, Policies DM4 and DM9 of the LPP2 and FNP Policy FNP11 and FNP30.

## 18. Climate Change & Sustainability

Policy CC1 of the LPP1 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.



Policy CC2 of the LPP1 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions as well as the inclusion of measures to minimise energy and water use.

Policy DM2 of the LPP2 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

A Climate Change and Sustainability Checklist has been submitted, but this largely refers to the Design and Access Statement. The latter details that the proposal would utilise passive principles, rely on the thermal performance of the external envelope and make full use of natural light and ventilation, thereby minimising the need for mechanical cooling, heating and artificial lighting. However, small mechanical extracts and a high efficiency heat recovery ventilation system are proposed.

A waste management plan (WMP) is recommended to be secured by condition to manage construction and excavation waste generated by the proposed development.

It is noted that Part L – Conservation of Fuel and Power of the Building Regulations 2022 requires each non-residential building to have achieved a 27% reduction in carbon emissions.

In terms of reducing carbon emissions, the planting of 300 trees would help offset these within the locality and would support the Council's Carbon Neutrality Action Plan 2020-2030 to become carbon neutral by 2030.

Therefore, all these measures are supported, and the proposed development would be highly sustainable. The proposals are therefore in accordance with Policies CC1 and CC2 of the LPP1 and Policy DM2 of the LPP2.

## 19. Drainage and flooding

Policy CC4 of LPP1 encourages sustainable drainage systems (SuDS) for smaller schemes. A site-specific Flood Risk Assessment will be required for sites within or adjacent to areas at risk of surface water flooding as identified in the SFRA. There should be no increase in either the volume or rate of surface water runoff leaving the site.

Although the site lies within Flood Risk Zone 1, an area at the lowest risk of flooding, a Sustainable Drainage Strategy and Flood Risk Assessment has been submitted. The LLFA has considered these proposals and has confirmed that Version 2 satisfies the requirements of the NPPF and NPPG. It has further recommended that should permission be granted, then suitable conditions should be imposed to require details

of the design of a surface water drainage scheme and for a verification report to be provided to demonstrate that the system has been constructed as approved.

Subject to those conditions, it is considered that the proposal adequately addresses flood risk, surface water and ground water flooding risk in accordance with the NPPF. The proposals are therefore in accordance with Policy CC4 of the LPP1.

## 20. Archaeology

LPP2 Policy HA1 outlines that the significance of the heritage assets, including archaeological sites, within the Borough are to be conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

LPP2 Policy DM25 requires an initial assessment of the archaeological value of any site exceeding 0.4 hectares to be submitted, potentially along with an archaeological field evaluation with any important archaeological remains left in situ protected or being subject to archaeological recording, formal reporting, publication and archiving in a suitable repository as part of a scheme of works.

The land on which the cemetery is located was subject to an extensive programme of archaeological field evaluation in 2010 that demonstrated that the site had no archaeological potential. As such, no further archaeological work is required. The proposal is therefore in accordance with Policy HA1 of the LPP1 and Policy DM25 of the LPP2.

## 21. Conclusion

The planning balance assessment concludes that the proposal is in accordance with the Development Plan and there would be no materially adverse impact caused by the proposal on landscape designations, heritage assets protected species, neighbouring amenity, highways, climate change objectives or drainage. It is highly material that a previous permission secured the use of the site for a cemetery and woodland burial and that SANG permission is no longer extant. As such, planning permission is recommended for approval subject to the conditions outlined below.

### **Recommendation**

That delegated authority be granted to the Executive Head of Planning Development to complete a Section 106 Agreement to secure the Heads of Terms identified above as set out in the report.

#### 1. Condition:

The plan numbers to which this permission relates are:

2101-00-001 Rev P01

2101-00-005 Rev P01  
2101-00-006 Rev P01  
2101-00-100 Rev P01  
2101-00-105 Rev P01  
2101-00-201 Rev P01  
2101-00-301 Rev P01  
2101-00-302 Rev P01  
SY678-110-0001  
SY678-110-0021  
5005 Rev P2

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies ST1, RE1, RE3, TD1, HA1, NE1, NE2, CC1, CC2 and CC4 of the Local Plan 2018 (Part 1), Policies DM1, DM2, DM4, DM5, DM7, DM9, DM11, DM15, DM18, DM20 and DM24 of the Local Plan 2023 (Part 2) and Policies FNP1, FNP10, FNP11, FNP13 and FNP30 of the Farnham Neighbourhood Plan (April 2019).

2. Condition:

No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These should be in accordance with drawing nos. 2101-00-301 Rev P01 and 2101-00-302 Rev P01 unless otherwise agreed by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interest of the heritage assets, protected landscape and the character and amenity of the area in accordance with Policies RE1, RE3, TD1 and HA1 of the Local Plan 2018 (Part 1), Policies DM1, DM4, DM15, DM20 and DM24 of the Local Plan 2023 (Part 2) and Policies FNP1 and FNP10 of the Farnham Neighbourhood Plan (April 2019).

3. Condition:

The development hereby permitted shall not commence until a Waste Management Plan (WMP) for the excavation and construction activities has been submitted to and approved in writing by the Local Planning Authority to demonstrate:

(a) any waste generated is limited to the minimum quantity necessary;

- (b) opportunities for the re-use and recycling of excavation and construction from the site are maximised; and
- (c) sufficient on-site facilities of an appropriate type and scale are provided to manage waste arising during the operation of the development.

The approved details shall be retained for the lifetime of the development.

Reason:

To ensure the provision of satisfactory facilities for the storage of refuse and recycling in accordance with Policies TD1 and CC2 of the Local Plan 2018 (Part 1), Policy DM4 of the Local Plan 2023 (Part 2) and Policy 4 of the Surrey Waste Local Plan 2019.

4. Condition:

The hard surfaces hereby approved shall be made of porous and / or permeable materials and retained thereafter, or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site.

Reason:

To reduce the risk of flooding and pollution and increase the level of sustainability of the development in accordance with Policies CC1 and CC4 of the Local Plan 2018 (Part 1) and Policy DM1 of the Local Plan 2023 (Part 2).

5. Condition:

The development hereby approved shall not be commenced until an Arboriculture Method Statement (AMS) and a Tree Protection Plan (TPP) have been submitted and approved in writing by the Local Planning Authority. They shall include the following:

- The TPP shall identify artificial surfaces and other demolition material for removal and the location of associated construction access routes, soil piles, material storage, cement mixing, portacabins / portaloos and parking areas. Unless otherwise agreed by the Local Planning Authority these and other construction activities shall occur outside of the Root Protection Areas (RPAs).
- Where it is demonstrated that the RPA encroachment of both on and off-site trees by the introduction of new permanent hard surface structures cannot be avoided, a method detailing future maintenance of services beneath these surfaces shall be submitted.
- Details of pruning providing reasons in accordance with BS3998 to include physical non-invasive restraints for the protection of main stem, bark, root and branches from construction and access activities.

- A buffer shall be maintained from the tree protection fencing when placed on grass / soil to reduce liquification entering the RPA especially during wet conditions. This buffer area shall remain clear of spoil and materials. A minimum clearance distance of 1m from the protection shall apply unless otherwise agreed by the Local Planning Authority.
- Details of all ground level changes associated with this development, materials and chemical treatments to be applied as part of construction.
- Details of temporary ground protection within the RPAs, which shall be specific for the expected period of use and repeated maximum weight bearing capacity. The ground protection shall consist of a static, interlocked design with hard panels, upon an inert 'cushioning' layer placed above a porous base layer or other approved method. There shall be no equipment, liquids, powders, materials, or phytotoxic substances placed or stored upon these hard surfaced areas.
- Where RPA encroachment by services is deemed necessary a detailed service plan and method of installation to include surface, sewerage, foul water and SuDS, electric, water, gas, telecommunication cables shall be submitted for approval.
- Cables for utility runs associated with this development shall be included with this submission.
- The protection fence and stabilisation feet (if applied) shall remain clear of spoil and materials. A minimum clear gap of 1m shall therefore be maintained during construction activities.
- Notices shall be fixed at regular intervals at head height to tree protection fence panels alerting construction workers of the sacrosanct tree protection area which shall not be entered.
- Considering the rural location and likelihood of unaccustomed wildlife, particularly nocturnal birds and bats in flight, to the sudden erection of tree protection fencing, brightly coloured ribbons, bird scare tags or other approved methods to prevent collision shall be attached to the mesh of each protection fence panel at shoulder height (1.5m).

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

Reason:

As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area in accordance with Policies NE1 and NE2 of the Local Plan 2018 (Part 1) and Policies DM4, DM6 and DM11 of the Local Plan 2023 (Part 2).

6. Condition:

The Local Planning Authority shall be notified in writing at least two weeks prior to the expected commencement of construction activities. The notification shall include photographic evidence of tree and ground protection, including temporary cover within Root Protected Areas, sacrificial surface layer and Heras fencing, and distance in

metres between visible retained tree main stems identified by their tree number on the schedule and the nearest protection fence panel.

All protection measures shall strictly accord with the Arboriculture Method Statement and Tree Protection Plan required by Condition 5. The Local Planning Authority shall determine the details within the notice in writing. This approval requires continued monitoring by the appointed person to ensure effective tree protection continues throughout the life of the construction in strict accordance with the approved Arboriculture Method Statement and Tree Protection Plan.

Reason:

In the interests of the protection of the rooting areas of trees prior to construction and preservation of the visual amenity and character of the area in accordance with Policies RE3, NE2, TD1 and CC2 of the Local Plan (Part 1) 2018, Policies DM4, DM11 and DM15 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan (April 2019).

7. Condition:

Prior to the commencement of the development hereby approved (including any ground clearance, tree works or construction), a scheme to implement regular monitoring site visits shall be submitted to and approved in writing by Local Planning Authority. This should occur once the tree protection notice has been submitted and approved in writing by the Local Planning Authority. Details of site monitoring shall include:

- The expected date of first and future checks to start at least one month after commencement of construction.
- The name of the appointed arboriculturist / representative responsible for site monitoring and main arboricultural events which require arboriculture professional supervision.
- The frequency of monitoring throughout the construction period.

The development shall be carried out in strict accordance with the approved arboriculture site supervision and approved monitoring scheme.

Reason:

In the interests of the continued protection of the rooting areas and maintaining the health of retained trees prior to and throughout construction towards the preservation of the visual amenity and character of the area in accordance with Policies RE3, TD1, NE2 and CC2 of the Local Plan (Part 1) 2018, Policies DM4, DM11 and DM15 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan (April 2019).

8. Condition:

Prior to the first occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials; and
- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.

No tree shown as retained on the approved drawings shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development 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:

To enhance the appearance of the development in the interest of the visual amenities of the area, to provide ecological, environmental and biodiversity benefits in accordance with Policies RE3, TD1, NE1, NE2, CC1, CC2 and CC4 of the Local Plan Part 1 (2018), Policies DM1, DM4, DM11 and DM15 of the Local Plan 2023 (Part 2) and Policies FNP1 and FNP13 of the Farnham Neighbourhood Plan (April 2019).

9. Condition:

The development hereby permitted shall not be occupied until drawings detailing the positions, height, design, materials and type of all proposed boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.

Reason:

To enhance the appearance of the development in the interest of the visual amenities of the area in accordance with Policies TD1 and HA1 of the Local Plan Part 1 (2018), Policies DM1, DM4, DM5 and DM20 of the Local Plan 2023 (Part 2) and Policy FNP1 of the Farnham Neighbourhood Plan (April 2019).

10. Condition:

The development hereby permitted shall not be commenced (other than works to trees) until details of the design of a surface water drainage scheme in line with the Sustainable Drainage Strategy and Flood Risk Assessment Revision P2 dated 14/12/2022 have been submitted to and approved in writing by the Local Planning Authority. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal so that the final drainage design does not increase flood risk on or off site in accordance with the National Non-Statutory Technical Standards for SuDS, Policies CC1 and CC4 of the Local Plan 2018 (Part 1), Policy DM1 of the Local Plan 2023 (Part 2) and Policy FNP1 of the Farnham Neighbourhood Plan (April 2019).

11. Condition:

Prior to the first occupation / use of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason:

To ensure the drainage system is designed to meet the National Non-Statutory Technical Standards for SuDS, Policies CC1 and CC4 of the Local Plan 2018 (Part 1),



Policy DM1 of the Local Plan 2023 (Part 2) and Policy FNP1 of the Farnham Neighbourhood Plan (April 2019).

12. Condition:

Prior to the first occupation / use of the development hereby approved, a pedestrian inter-visibility splay measuring 2m by 2m shall be provided on each side of the access to Old Hale Road, the depth measured from the back of the footway (or verge) and the widths measured outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason:

To ensure that suitable access provision is provided within, to and from the development in accordance with Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2) and FNP30 of the Farnham Neighbourhood Plan (April 2019).

13. Condition:

The development hereby approved shall not be first occupied / used unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The vehicle parking and turning areas shown on the approved plans shall thereafter be retained and maintained to ensure their availability for their designated purposes at all times.

Reason:

To ensure that adequate parking provision is retained in accordance with Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2) and Policy FNP30 of the Farnham Neighbourhood Plan (April 2019).

14. Condition:

The development hereby permitted shall not be occupied until details of secure cycle parking facilities for visitors to the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation / use of the development and shall thereafter be retained for use at all times.

Reason:

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with

Policies ST1 and CC2 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2) and Policy FNP30 of the Farnham Neighbourhood Plan (April 2019).

15. Condition:

Within three months of the date of first occupation / use a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. It shall include a commitment that community coaches or minibuses are used to collect and drop-off mourners, when necessary, in addition to details of how car sharing, walking routes, cycling routes and local bus services would be promoted. The Travel Plan shall thereafter be fully implemented in accordance with the approved details.

Reason:

To ensure the promotion of safe, active and sustainable forms of travel in accordance with Policies ST1 and CC2 of the Local Plan 2018 (Part 1) and Policy DM9 of the Local Plan 2023 (Part 2).

16. Condition:

The development hereby permitted shall not be first occupied until details of two disabled car parking spaces for visitors to, the development has been submitted to and approved in writing by the Local Planning Authority. The spaces shall have dimensions of 3.6m by 5m, be located no further than 50m from an accessible entrance and be clearly signed. The approved scheme shall be fully implemented and made available for use prior to the first occupation / use of the development hereby permitted and shall thereafter be retained for use at all times.

Reason:

To ensure the development provides for the needs of disabled visitors to the site in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and Policies DM4 and DM9 of the Local Plan 2023 (Part 2).

17. Condition:

Prior to the first use of the electricity substation hereby approved, an acoustic report to assess its impact on nearby receptors shall be submitted to and approved in writing by the Local Planning Authority. The report shall address issues of noise (including low frequencies) and vibration from the substation. Following the construction of the substation, no new substation shall be used without the prior written approval of the Local Planning Authority.

Reason:

To safeguard the amenities of the occupiers of neighbouring properties in accordance with Policies DM1 and DM5 of the Local Plan 2023 (Part 2).

18. Condition:

Noise associated with plant, machinery and air source heat pumps incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises shall not exceed the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014 (or as subsequently amended). In addition, there should be no significant low frequency tones present.

Reason:

To safeguard the amenities of the occupiers of neighbouring properties in accordance with Policies DM1 and DM5 of the Local Plan 2023 (Part 2).

19. Condition:

Both the use of the pavilion building hereby permitted and funerals shall not be carried out except between the hours of 10:00 and 18:00 on Tuesdays, Thursdays, and Saturdays unless otherwise agreed in writing prior by the Local Planning Authority. These times excludes the arrival of the hearse beforehand to drop off the deceased and the arrival of volunteers to help with the funerals.

Reason:

To safeguard the amenities of the occupiers of neighbouring properties and not to prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2023 (Part 1), Policies DM1, DM5 and DM9 of the Local Plan 2023 (Part 2) and Policy FNP30 of the Farnham Neighbourhood Plan (April 2019).

20. Condition:

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall include:

- (i) The forecasted programme of works for the development hereby permitted.
- (ii) A scheme setting out how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site.
- (iii) Details of proposed site accesses and any pitlanes or loading / unloading areas within the highway, which shall be sufficient to allow all vehicles to enter and exit these in forward gear without reversing on the highway.

- (iv) Details of hours of construction including all associated vehicular movements.
- (v) Details of the construction compound, and storage areas.
- (vi) A plan showing construction traffic routes and the timings, type and the number of vehicles forecast to use these.
- (vii) Details of measures to protect highway assets, including boundary hoarding behind any visibility zones, and to mitigate impacts on public transport and emergency services, and provide for their continued operation during the works.
- (viii) Details of vehicle cleaning facilities to prevent mud and dirt being trafficked onto the highway from the site or being washed onto it.
- (ix) Details of any temporary traffic management and signage along the construction routes, at site access and elsewhere in the vicinity of the site.
- (x) Details of site personnel, operatives and visitor parking.
- (xi) Details of any floodlighting, including location, height, type, direction of light sources and intensity of illumination.
- (xii) A survey of the development site boundary and a 30m buffer for badger setts, and if any activity is detected, a suitable course of action shall be proposed.
- (xiii) A Great Crested Newt method statement to support a mitigation licence to include mitigation, compensation and enhancement actions.
- (xiv) A reptile precautionary method of working.

The construction works shall be carried out in accordance with the approved CEMP and no part of the development hereby approved shall be occupied until the approved highway works have been carried out in accordance with the agreed details.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and as this matter is fundamental to the protection of neighbouring amenity and wildlife throughout development works in accordance with Policies ST1 and NE1 of the Local Plan 2023 (Part 1), Policies DM1, DM5 and DM9 of the Local Plan 2023 (Part 2) and Policies FNP13 and FNP30 of the Farnham Neighbourhood Plan (April 2019).

21. Condition:

Prior to first occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent sensitive species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason:

Many species active at night (e.g. bats and badgers) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and / or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation and is required in accordance with Policies NE1 and NE2 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan 2023 (Part 2) and Policy FNP30 of the Farnham Neighbourhood Plan (April 2019).

22. Condition:

Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) covering a period of 15 years should be submitted to, and be approved in writing by, the Planning Authority. The content of the LEMP should include the following:

- a) description, evaluation and scaled plan of features to be managed (habitats; species, planting plans, taking advice from the applicant's ecologist)
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- e) details of the body or organisation responsible for implementation, monitoring and maintenance of the plan;
- f) on-going monitoring and remedial measures, including details for the provision for replacement of diseased, damaged or dead trees and plants.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan should also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The Local Planning Authority shall be provided with mid-summer post-planting reports during the first two growing seasons after completing the landscape scheme and be notified annually of monitoring results and replacement planting throughout the 15 year landscaping scheme by way of a report to include photographs to show the health, and post-care maintenance of all planted trees.

The LEMP shall be implemented in full accordance with the approved details.

Reason:

In the interests of preserving nature conservation and establishing new plants and trees for visual amenity and character of the area in accordance with Policies RE3, TD1, NE1, NE2 and CC2 of the Local Plan Part 1 (2018), Policies DM1, DM4, DM11 and DM15 of the Local Plan 2023 (Part 2) and Policies FNP1 and FNP13 of the Farnham Neighbourhood Plan (April 2019).

**Informatives:**

1. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens'.
2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
3. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
4. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the County Highway Authority. It is not the policy of the County Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the County Highway Authority Local Highways Service.
6. The applicant is advised that a Streetworks permit and 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 Streetworks permit and an application will need to be submitted to the County Council's Streetworks 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/roadpermitsand-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/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/floodingadvice)

7. Cycle parking should be secure, convenient, accessible, well-lit, well-signed, near the main entrance, by a footpath or hardstanding and sheltered. It should also be noted that the County Highway Authority would not usually support vertical hanging racks as they are difficult for many people to use and therefore not considered to be policy and Equality Act 2010 compliant. The County Highway Authority's preferred cycle parking is 'Sheffield' type stands, spaced in line with the guidance contained within the Manual for Streets section 8.2.22 or other proprietary forms of covered, illuminated, secure cycle storage including the Police approved Secure By Design cycle stores, "bunkers" and two-tier systems where appropriate.
8. The applicant is advised that the granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Service on 01483 523393.
9. The use of air source heat pumps can give rise to noise complaints. Please follow this link to the relevant advice:  
<https://www.waverley.gov.uk/Services/Environmental-concerns/Pollution-control/Noise-complaints/Noise-and-air-source-heat-pumps>
10. The applicant is reminded that it is a criminal offence to intentionally or recklessly disturb, damage or destroy / kill protected species and their habitats under the Wildlife and Countryside Act 1981. The nesting season is normally taken as being from 1st March – 30th September. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
11. The applicant is advised that vegetation and site clearance should take place outside of breeding bird season or following nesting bird checks.
12. The applicant is advised that precautions should be taken during hedgerow removal in case of the presence of hazel dormouse.
13. The applicant is advised that works can only take place under a Great Crested Newt mitigation licence, which can only be applied for once ecological conditions are discharged.
14. The applicant is advised that the details of external lighting should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance

Notes for the Reduction of Light Pollution (2011)' similar guidance recognised by the Council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details.

15. The applicant is advised to give consideration to the installation of sprinklers, water mist systems, etc as part of a total fire protection package. Their use can add significant benefit to the structural protection of buildings in the event of a fire.
16. The applicant's attention is drawn to Health and Safety Guidance HSG283 Managing infection risks when handling the deceased:  
[www.hse.gov.uk/pubns/books/hsg283.htm](http://www.hse.gov.uk/pubns/books/hsg283.htm)



## Agenda Item 7.2

**WA/2022/01529** – Erection of 2 dwellings and associated works; extensions and alterations to existing dwelling following demolition of eastern section at HINDFIELD THE AVENUE ROWLEDGE FARNHAM GU10 4BD

Applicant: Standing Stones Development Ltd  
Parish: Farnham  
Ward: Farnham Wrecclesham and Rowledge  
Grid Reference: E: 482799  
N: 143491  
Case Officer: Tracy Farthing  
Neighbour Notification Expiry Date: 29/06/2022  
Extended Expiry Date: 09/12/2023

RECOMMENDATION That, subject to conditions, permission be  
**GRANTED**

### 1. Summary

The application has been brought before the Planning Committee at the request of the Ward Members Councillor Edmonds and Clark (in March 2023) who wished for further consideration to be given to neighbour objections regarding light pollution, tree removal and the impact on residential amenity.

### 2. Site Description

- The application site is located on the southern side, at the western most end of The Avenue, Rowledge.
- Property Type: The site comprises an existing 2 storey dwelling known as Hindfield and an outbuilding (the barn) to the north. The southern part of the application site is mainly sparse woodland.
- Character: The area is a verdant residential area. To the south of the site lie open fields, however there is planning consent for 9 dwellings (allowed at appeal)
- Site Levels: The site lowers gently towards the south.

### 3. Proposal

Permission is sought for:

- The demolition of the eastern section of the host dwelling at Hindfield to facilitate vehicular access to the rear of the site, together with extensions to the northern part of the existing Hindfield dwelling.
- The introduction of 2 two storey dwellings on the land to the south and south east of the host dwelling at Hindfield.

- The retention of the existing Barn. This will remain as ancillary residential accommodation to the north of Hindfield and the retention of the existing garage which fronts The Avenue.

#### 4. Relevant Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
Application property: WA/1997/0808	Erection of extensions and alterations to elevations together with the erection of a detached garage block (as amplified and amended by letters dated 01/07/97 and 01/08/97 and plans received 04/08/97).	GRANT 14/08/1997
Land to the South: WA/2018/0669	Erection of 9 dwellings and associated works, all served from the existing access.	Refused 25/01/2019  Appeal Allowed 23/03/2020  Expired
WA/2023/02064	Phased erection of 9 dwellings, new vehicular access and associated infrastructure.	Pending

#### 5. Relevant Planning Constraints

Developed Area/Built Up Area Boundary – Farnham  
TPO 49/99  
TPO Group 02/23  
Ancient Woodland 500m Buffer Zone  
Thames Basin Heath 7km Buffer Zone  
Wealden Heaths I 5km Buffer Zone

#### 6. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, SP2, ALH1, ST1, AHN3, TD1, NE1, CC1, CC2, and CC4.
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP13, FNP16 and FNP30.
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM4, DM5, DM9, DM11, DM13, DM11
- South East Plan: Saved policy NRM6

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)

- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

7. Consultations and Town/Parish Council Comments

Farnham Council	Town	objects to this application and considers that it is overdevelopment of the site, impacting on biodiversity and important trees. The biodiversity check list needs to be reviewed as the development site contains a pond and is well wooded with mature trees.
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8. Representations

15 letters from 12 households have been received raising objection on the following grounds:

- Impact upon neighbouring amenity, particularly of 22, 24 and 26 Mayfield
- Specific concern regarding balcony of Unit 3 and overlooking
- Windows proposed in the existing dwelling would overlook No 28 Mayfield
- Overdevelopment
- Loss of habitat for wildlife
- Loss of trees
- Impact upon offsite trees
- Increased noise and pollution
- Increase of hard landscaping impacting on the environment
- Increase in traffic and impact upon safety
- Inaccuracies within the Planning Statement
- Lack of need with regards to bringing economic benefits
- Incongruous design, not in keeping with 1930's architecture in immediate surrounds

9. Planning Considerations:

10. Principle of development

The site is located within the developed area of Farnham wherein development may be considered acceptable subject to its impact on visual and residential amenities.

11. Housing Land Supply

The Council's current housing land supply is calculated to be 3.89 years' worth. As the Council cannot presently demonstrate a five-year housing land supply, paragraph 11(d) of the NPPF 2021 is engaged via footnote 7. Therefore, unless the site is located in an area, or involves an asset, of particular importance, that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

The 'tilted balance' at paragraph 11(d) of the NPPF is therefore engaged and the development plan policies most important in the determination of the application must be considered out-of-date. Permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits.

The application proposes the erection of 2 dwellings and alterations to an existing dwelling. It would therefore result in a net gain of 2 residential units representing a modest contribution to housing supply.

## 12. Character, Design and Visual Impact

The application site consists of one residential dwelling on the southern side of The Avenue and a large parcel of associated land immediately to the south and southeast of the dwellinghouse which at present forms part of a large garden. The site is quite heavily treed although it was clear from the Case Officer site visit that some clearing had been undertaken. It was noted also that a large tree (subject of a TPO) had fallen in a recent storm.

The surrounding area is characterised by a variety of residential dwellings on various sized plots. The pattern of development is also diverse with examples of infill/ backland development to the north. As such the proposal to erect 2 dwellings to the rear of the existing dwelling Hindfield would not appear as incongruous when viewed in the context of the grain of development in the locale.

The application site is of a size capable of accommodating the two additional proposed properties without them appearing as cramped within the site. It is noted that some trees would be lost from the central part of the site, however the treed perimeter is to be retained and the site would retain its verdant character.

The proposal includes alterations to the host dwelling Hindfield, which, in its existing form is not of any architectural merit. The alterations would decrease the footprint to enable access to the 2 proposed dwellings (unit 1 and unit 3) to be accommodated along the eastern edge of the boundary. The alterations to the host dwelling, unit 2 as proposed on the block plan, include the reduction of built form on the north eastern side on the building and an increase in built form to the north western part of the building, particularly at first floor where the existing dwelling's roof slopes to single storey only. The resultant building has an altogether different aesthetic than the existing dwelling, appearing as a more typical two storey dwelling with pitched roof

which will then be re-clad and altered in a similar palette of materials to the two new proposed dwellings. The dwelling would provide 3 bedrooms.

To the south east of the existing dwelling (unit 2) Unit 3 would be sited 22m away. The plot would accommodate a 4 bedroom dwelling arranged over two floors. Garden space is provided and parking for 2 vehicles within the curtilage.

Unit 3 would be orientated in a similar layout to Unit 2 and materials would comprise a mixture of handmade clay roof tiles and facing at first floor level with the lower part of the ground floor constructed from contrasting brick. Unit 2 includes a balcony on its south eastern elevation.

Unit 1 would be located 20m to the northeast. Separated by a fenced off area, trees and vegetation the plot would benefit from off street parking accessed via the curved driveway. Visually similar in terms of materials to units 2 and 3, Unit 1 would provide 4 bedrooms at first floor and a generous ground floor living area. It, like unit 3, includes a balcony on the south eastern elevation.

It is noted that areas on the block plan are annotated as land which shall be retained as grassland or and for reptile mitigation and that these areas shall be managed through a Management Company. These details shall be secured via conditions, please see ecology section later in this report.

The proposed dwellings and the existing dwelling once altered would share common design elements and the same palette of materials. The dwellings, whilst large, are not considered to appear cramped within the plot. The treed boundaries and areas within the development which are to be retained for ecology reasons would ensure that the general area would retain a verdant and leafy character.

The proposal would therefore accord with Policies TD1 of the Local Plan (Part 1) 2018, FNP1 and FNP16 of the Farnham Neighbourhood Plan 2017 (and subsequent 2019 review), Policy DM4 of the Local Plan (Part 2) 2023 and the Residential Extensions SPD.

### 13. Impact on residential amenity - neighbours

#### **General guidance - overlooking**

The Residential Extension SPD states; “The general rule of thumb is that there should be a distance of at least 21 metres between proposed windows and those of neighbouring properties and 18 metres between proposed windows and neighbouring private amenity space.”

“Balconies will only be accepted where the applicant has demonstrated (through the submission of appropriate plans) that there would be no resultant significant overlooking upon the surrounding neighbouring properties.”

### **Upon 26 and 24 Mayfield**

The distance between the nearest point of the south-west facing elevation of Unit 3 and the rear elevations of nos. 24 and 26 Mayfield is 23.9m and 30.2m respectively which substantially exceeds the requirements of the SPD. One window is included at first floor level in the facing (southwestern) elevation. This is a secondary window serving a bedroom and a condition could secure this window as obscure glazed without significant loss of light to the bedroom of the proposed dwelling. This is considered pertinent in this case as the distance to the boundary is 6m and overlooking may occur in the event that the boundary screening is not retained.

The proposed balcony could afford views into the garden of 24 Mayfield, in the event that boundary treatment was not retained in perpetuity. It is noted these trees are not included in the TPO covering the site. A screen of 1.7m on the western side of the balcony could avoid any views and could be secured via condition.

### **Upon 22 Mayfield**

The first floor window described above would have a limited impact upon 22 Mayfield given the angle of the view available from it, however a condition would secure it to be obscure glazed as noted above.

The balcony would have a greater impact upon 22 Mayfield. Side screening would not likely be adequate to reduce views into the garden adequately and at this point the boundary is less screened and there is no indication that proposed planting would secure additional screening. Whilst Officers do appreciate that the 22 Mayfield has a relatively large garden and thus the proposal would be sited some distance from the rear elevation, the presence of the balcony (which has altogether different properties than that of a window) 6m from the shared boundary, directed towards the neighbouring amenity space and poorly screened by boundary vegetation, would introduce overlooking and would harmful impact the privacy enjoyed by the occupiers of No 22 Mayfield.

A large fenestration is also proposed on this elevation which provides the access onto the balcony.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policy TD1 of the Local Plan Part 1 2018, FNP1 and FNP16 of the Farnham Neighbourhood Plan 2017 (and subsequent 2019 review), Policy DM5 of the Local Plan (Part 2) and the Residential Extensions SPD.

## **14. Standard of Accommodation and Amenity**

Policy TD1 of the Local Plan (Part 1) 2018 and emerging Policy DM5 of the Local Plan (Part 2) seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new

dwellings, on site play space provision, appropriate facilities for the storage of waste and private clothes drying facilities

The Government Technical Housing standards – nationally described space standards (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Below is a table setting out the floor area of each unit proposed set against the national space standards.

Unit	Minimum Standards (sqm)	Proposed Internal floorspace (sqm)
1 (4 bed 8 person)	124	291
2 (3 bed 5 person)	93	148
3 (4 bed 8 person)	124	233

As can be seen in the table above. All three dwellings exceed the minimum space standards.

In addition to internal space, external amenity space is important. Policy DM5 states a minimum area for secure and private amenity areas. This includes balconies of which units 1 and 3 provide and garden areas which, in isolation should be a minimum distance of 10m in depth and at least the width of the dwelling.

The proposed garden areas fall short of the 10m depth, but the dwellings do benefit from amenity space that extends around each dwelling. Unit 2 includes existing outbuildings and a large area between the dwelling house and the front boundary. In addition to garden space, unit 1 and 3 include balconies and both have patio areas annotated on plans.

The quality of the external amenity areas was brought into question with specific regard to the shadows cast by the mature trees on site and along the boundaries. The applicant has since provided an arboriculturist report which identifies that, whilst the site is treed, each unit/ dwelling would benefit from periods during the day where areas are free from shade and that the external areas would be of a good quality to ensure the spaces are usable and enjoyable thus contributing to wellbeing.

As such, the proposed development complies with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM5 of the Local Plan (Part 2) 2023, in terms of standards of accommodation.

## 15. Impact on Trees

Policy NE2 of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023 state that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. The NPPF, 2023 states that planning permission should be refused for development resulting in the loss or

deterioration of aged or veteran trees found outside Ancient Woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Policy DM11 of the Local Plan (Part 2) supports the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

The application site contains a number of trees. These trees were initially inspected by Michael Honey of Honey Tree Specialists Limited who produced a summary report which accompanied the pre-application submission. Michael Honey has subsequently retired and Mark Welby, DipArb(RFS), TechCert(ArborA), FArborA, RDArborA, an arboricultural consultant has produced an Arboricultural Impact Assessment (AIA) and method statement which accompanies this application. Both Michael Honey's report and the AIA by Mark Welby conclude that all trees which are subject to the Tree Preservation Order (TPO) will be retained. The development proposals have been designed to protect the sylvan setting of the site and will not have an adverse impact on retained trees or those of high quality. However, tree 260, a common Oak, although covered by the TPO, has been classified "U" grade and therefore, has been removed solely on the grounds of safety. It was located on the south east boundary of the site, a significant distance from the nearest unit. (Unit 2).

A number of other trees on the site have since been felled. This was evident at the initial site visit of the Planning Officer in September 2022.

The Council's Tree and Landscape Officer visited the site as part of his assessment in January 2023. He noted the removal of the trees on site and the proposed loss of trees of lesser/ low value as part of the application, contained within the submitted Arboricultural report and which include the removal of boundary trees to facilitate access. His conclusion were that there were no longer arboriculture constraints to prevent the approval of this application subject to it being built in strict accordance with the Arboriculture Consultants Arboriculture Method statement, Tree Protection Plan and an appropriate landscape planting scheme towards replacement of removed trees with native species and screening between existing properties.

It is noted that since January 2023, a group Tree Protection Order has been placed on the woodland group of trees to the eastern part of the site.

In light of the above, the proposed development complies with Policy NE2 of the Local Plan (Part 1), Policy DM11 of the Local Plan (Part 2) and the NPPF, 2023.

## 16. Effect SPAs

The site is located within the Wealden Heaths and Thames Basin Heath SPA Buffer Zones. The proposal would result in an increase in people (permanently) upon the site. However, due to the availability of alternative recreational opportunities within the area, which could divert residents from use of the SPA, the proposal would not have a likely significant effect upon the integrity of the SPA. An appropriate assessment is not, therefore, required.



## 17. Biodiversity and compliance with Habitat Regulations 2017

The application initially was submitted without ecology reports. The extent of tree felling on site and the general features of the site required the submission of details to be submitted and a Preliminary Ecological Appraisal (PEA) was undertaken.

The PEA identified and number of areas where additional information and additional surveys were required. In addition to the PEA, the following information was submitted:

- Amended Reptile Mitigation Strategy (Wychwood Environmental Ltd., February 2024), V4
- Ground Level Preliminary Roost Assessment of Trees, Wychwood Environmental Ltd., January 2024
- Orchard Classification – letter of report, Wychwood Environmental Ltd., December 2023
- Hazel Dormouse Summer Nest Search – letter of report (V2), Wychwood Environmental Ltd., July 2023
- Botanical Survey, Wychwood Environmental Ltd., September 2023
- Design and Access Statement, Michael Conoley Associates, April 2022
- Arboricultural Assessment & Method Statement, Mark Welby, 3rd May 2022

Surrey Wildlife Trust have reviewed the submitted information, requesting amendments where necessary, and are satisfied that, subject to a number of conditions and the applicants obtaining the relevant licenses, the proposed development would be unlikely to cause harm to protected or notable species.

It is noted that a revised site plan has been submitted as a result of the ecology constraints on site. The amended plan indicates areas that will be retained for grassland and translocation and movement of reptiles. These areas are critical to retain and shall be secured through the implementation of a Construction Environmental Management Plan (CEMP) and an Ecological Enhancement Plan (EEP).

Subject to appropriately worded conditions, it is considered that the proposed development complies with Policy NE1 of the Local Plan: Part 1, Policy DM1 of Local Plan (Part 2) and the NPPF, in terms of habitat protection and ecological enhancement.

## 18. Highways

The proposed development consists of the erection of 2 dwellings and alterations to an existing dwelling on the site. The existing access for Hindfield adjoins The Avenue. This access is to be retained and used to serve the 3 dwellings.

The Avenue is a designated public right of way with Bridleway Nos 29 and 174. The Avenue is also a private Road.

As The Avenue is a private Road, it does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. However, an access plan has been provided at the request of a SCC Highway Officer and this has been reviewed. The visibility demonstrated is deemed appropriate.

The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway. In order to promote sustainable transport and to reduce carbon emissions a condition relating to electric bicycles is recommended. The EV vehicle charging condition also recommended will be addressed via Building Regulations.

As such, the proposed development would be in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2), the Council's Parking Guidelines (2013) and the NPPF, 2023.

#### 19. Accessibility

Policy AHN3 of the Local Plan (Part 1) 2018 states that the Council will require the provision of new developments to meet Building Regulations M4 (2) Category 2 standard: "Accessible and adaptable dwellings" to meet the needs of older people and those with disabilities. The supporting text to the policy states that this will be delivered through the implementation of planning permissions. As such, this will be picked up by the building control process when planning permission is implemented.

#### 20. Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.

Policy CC2 of the Local Plan (Part 1) 2018 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions.

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

The submission of this application pre-dates the requirement for a Climate Change and Sustainability checklist. However, the Design and Access Statement refers to the scheme incorporating renewable energy sources and the following:

- Rainwater harvesting to supply water for garden watering and general outside use such as car washing.
- Extensive use of low energy lighting.
- A standard of thermal insulation higher than that required by the current building regulations.
- Air source heat pumps with appropriately designed acoustic baffles to ensure that there is no intrusive noise pollution from them.
- Each house will have a whole house ventilation system with heat exchanger.

It is considered that a scheme detailing sustainability measures can be secured via a condition to ensure that the proposed dwellings are built with sustainability in mind.

Subject to condition, the proposed development would comply with Policies CC1 and CC2 of the Local Plan (Part 1) 2018, Policies DM1 and DM2 of Local Plan (Part 2) 2023 and the NPPF, 2023 in terms of ensuring that the development includes measures to minimise energy and water use.

## 21. Conclusion

The planning balance assessment concludes that the proposal is in accordance with the Development Plan, as such, planning permission is recommended for approval.

### **Recommendation**

That permission be GRANTED subject to the following conditions:

#### 1. Condition:

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

Reason:

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

#### 2. Condition:

The plan numbers to which this permission relates are: 1474: S-01, S-02, S-03, P-01.A, P-02, P-03, P-04, P-05.A, P-06.A and P-07A. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of

the Local Plan (Part 1) 2018 and Policies DM1 and DM4 of the Local Plan (Part 2) 2023.

3. Condition:

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

4. Condition:

No vehicle shall access the site unless and until the proposed vehicular access to Hindfield, The Avenue hereby approved has been constructed and provided with visibility zones in accordance with the approved plans, Drawing 5551/002, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 m high.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

5. Condition:

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

Reason:

In order to encourage sustainable travel, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

6. Condition:

The development shall proceed only in strict accordance with the precautionary method of working outlined in the Reptile mitigation Strategy (February 2024).

Reason:

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their habitats are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan Part 2 (2023).

7. Condition:

No development shall take place until an appropriately detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Authority in writing, prior to the commencement of the development. The CEMP should include, but not be limited to:

- a) Map showing the location of all ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fencing, exclusion barriers and warning signs.

Reason:

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their habitats are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan Part 2 (2023).

8. Condition:

No development shall take place until an appropriately detailed Ecological Enhancement Plan (EEP). has been submitted to and approved by the Local Authority in writing, prior to the commencement of the development. The EEP should include, but not be limited to:

- a) Description and evaluation of features to be provided
- b) Location plan of all ecological enhancement features being provided
- c) Ecological trends and constraints on site that might influence management
- d) Prescriptions for management actions
- e) Ongoing monitoring and remedial measures

Reason:

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their habitats are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan Part 2 (2023).

9. Condition:

No development shall commence until a sensitive lighting management plan has been submitted to and been approved in writing by the Local Planning Authority. The management plan shall detail how all external lighting installed on this development shall comply with the recommendations of the Bat Conservation

Trusts' document entitled "Bats and lighting in the UK – Bats and the Built Environment Series". The development shall be undertaken in complete accordance with the approved details thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018, Policy DM1 of Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

10. Condition:

Prior to the commencement of the development hereby permitted, the Arboriculture Impact Assessment, Arboriculture Method Statement and Tree protection Plan supplied by Tree Consultant Mark Welby reference MW.22.0109.AIA Date Issued: 3 May 2022, must be strictly adhered to.

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

Reason:

In order to protect any trees that are to remain on the site, in accordance with Policy NE2 of the Local Plan (Part 1) 2018, Policies DM1, DM4 and DM11 of the Local Plan (Part 2), 2023

11. Condition:

At least 2 weeks prior to expected commencement of development, notice shall be submitted to and approved in writing by the Local Planning Authority. The notice shall include visual evidence of ground and fence protection that strictly accords with approved arboriculture method statement and tree protection plan.

Reason:

In order to protect any trees that are to remain on the site, in accordance with Policy NE2 of the Local Plan (Part 1) 2018, Policies DM1, DM4 and DM11 of the Local Plan (Part 2), 2023

12. Condition:

No development shall commence on site until a scheme for the landscaping and replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in

writing with the local planning authority. All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.

Reason:

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policies DM1, DM4 and DM11 of the Local Plan (Part 2), 2023

13. Condition:

Prior to the occupation of units 1 and 3, 1.7m high screening shall be installed on the eastern side of the balcony of Unit 3 and on the western side of the balcony of Unit 1. The screening shall be to a minimum of Pilkington level 5 opacity if glazed or of a solid material to ensure no visibility through.

Reason:

In the interests of neighbouring residential amenity, in accordance with Policies DM1 and DM5 of the Waverley Borough Local Plan Part 2 (2023) and Policy TD1 of the Local Plan Part 1 2018.

**Informatives:**

1. Community Infrastructure Levy (CIL)- - The development hereby permitted is CIL liable. - - 'CIL Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended).- - Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges.- - For further information see our webpages ([www.waverley.gov.uk/CIL](http://www.waverley.gov.uk/CIL)) or contact [CIL@waverley.gov.uk](mailto:CIL@waverley.gov.uk)
2. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the

time allowed to implement the permission then the development will remain unauthorised.

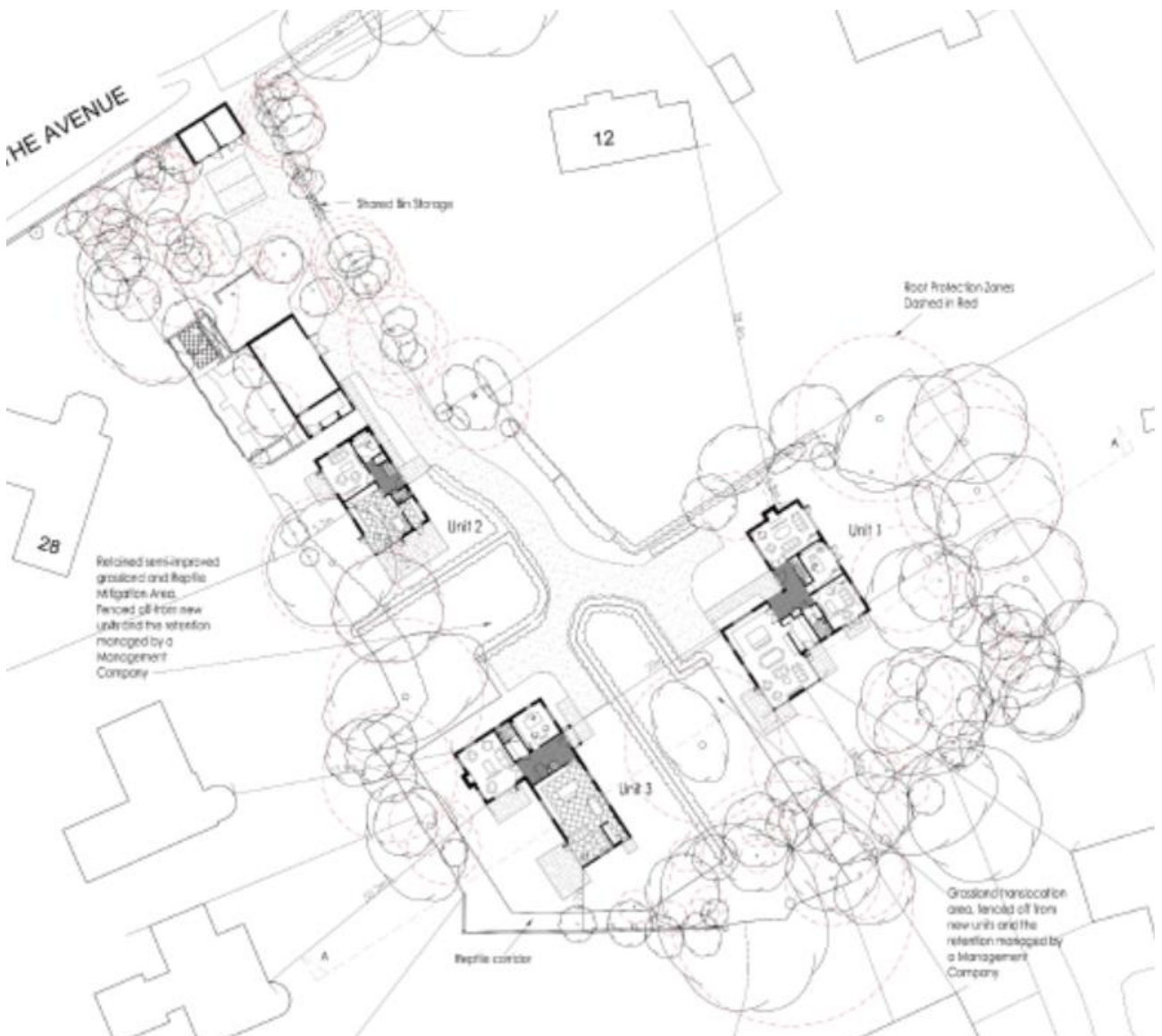
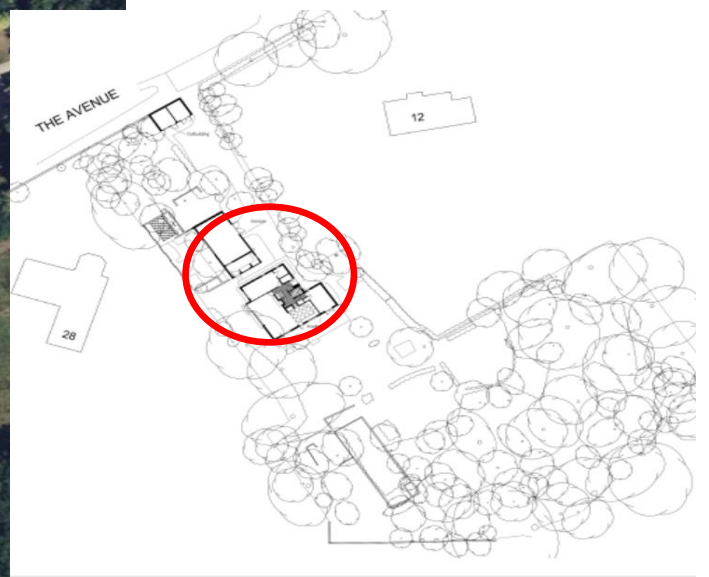
3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.- - Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
4. Works to the main house can only take place under a bat mitigation or low impact class licence (can only be applied for once planning permission is received and all ecological conditions discharged)

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2023.



# Plans

## Existing



Proposed  
Existing dwelling



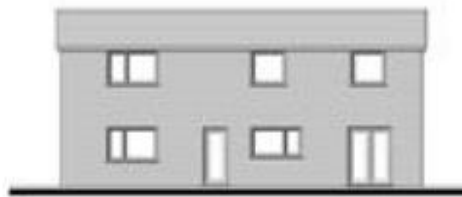
EXISTING GROUND FLOOR PLAN  
1:100



EXISTING FIRST FLOOR PLAN  
1:100



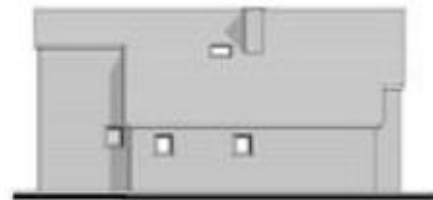
EXISTING SOUTH WEST ELEVATION  
1:100



EXISTING SOUTH EAST ELEVATION  
1:100



EXISTING NORTH EAST ELEVATION  
1:100



EXISTING NORTH WEST ELEVATION  
1:100



Unit 2 – existing dwelling altered



PROPOSED GROUND FLOOR PLAN  
1:100



PROPOSED FIRST FLOOR PLAN  
1:100



PROPOSED SOUTHWEST ELEVATION  
1:100



PROPOSED SOUTHEAST ELEVATION  
1:100



Unit 1



PROPOSED GROUND FLOOR PLAN  
1:100



PROPOSED FIRST FLOOR PLAN  
1:100



PROPOSED SOUTH WEST ELEVATION  
1:100



PROPOSED SOUTH EAST ELEVATION  
1:100



Unit 3



PROPOSED GROUND FLOOR PLAN  
1:100



PROPOSED FIRST FLOOR PLAN  
1:100



PROPOSED SOUTH WEST ELEVATION  
1:100



PROPOSED SOUTH EAST ELEVATION  
1:100



## Agenda Item 7.3

**WA/2023/02273** – Erection of four dwellings with associated parking and landscaping following demolition of existing building (amended and additional plans received, 3/11/23, 15/12/23 & 4/1/24) at BOURNE HALL THE BOURNE HALL VICARAGE HILL FARNHAM GU9 8HG

Applicant: Mr & Mrs G & P Branch  
Parish: Farnham CP  
Ward: Farnham Bourne  
Grid Reference: E: 484487  
N: 145389  
Case Officer: Alistair de Joux  
Neighbour Notification Expiry Date: 11/11/2023  
Expiry Date/Extended Expiry Date: 13/12/2023 / 15/03/2024

Committee Meeting Date: Planning Committee 06/03/2024

RECOMMENDATION That permission be REFUSED

### 1. Site Description

The application site comprising the existing Bourne Hall together with its irregularly shaped plot measuring approximately 692 sq.m in area. It has road frontages to Vicarage Hill and a private lane on its eastern side and the A287 Frensham Road to the west, being located a short distance to the south of the junction of Vicarage Hill and Frensham Road. The closest neighbouring properties are 'Austin Place', a modern building containing five apartments located immediately to the north of the site, and 'Wellbourne' which shares the southern boundary. Site levels fall steeply from the Vicarage Road and private lane frontage towards the A287, rising again on the opposite (western) side of this road to Aveley Lane and The Ridgeway School.

A block plan is provided below as Figure 1 in this report.

The boundary of the Old Church Lane Conservation Area is immediately adjacent to the site frontage to Vicarage Hill, within which there is graveyard on the opposite side of the private lane.

Bourne Hall is considered to be within use Class E(d) (indoor sport, recreation and fitness), with the current use being as a dance school. It is part single-, part two-storey in height with the higher element having a shallow pitched roof and the surrounding single storey areas having flat roof that incorporate roof lights.

The site was partially wooded until fairly recently, although it was noted on site that the majority of trees there have been removed.

## 2. Proposal

The proposal is for the erection of a terrace of four townhouse, with associated parking and landscaping, following demolition of existing building. The proposed dwelling mix is for 1 no. 3-bedroom and 3 no. four-bedroom dwellings. Two car spaces are proposed for each townhouse, with six of them to be accessed from the lane and positioned at right angles to it. The northernmost of the townhouses would utilise the existing vehicle access to the site, which comes off the shorter Vicarage Hill section of this frontage.

The design of the building would feature gables facing Vicarage Hill and at each end of the building, with a mansard roof and large dormer-like features in the roof slope facing Frensham Road. External materials include a mix of brick and render, with tiled roof and uPVC window units which are shown on the elevation drawings with a dark grey finish. The roofs would be of a mansard design over the first floor level, with party walls between dwellings and the flank walls at each end of the terrace standing higher than the roof planes and using the same contrasting brick that would be used on the flank walls.

The arrangement of individual townhouses within the terrace would set the northernmost dwelling towards the Vicarage Hill frontage with the two centre dwellings set further approximately 5m further back, in part to accommodate the car parking accessed from the adjacent lane. The southernmost dwelling would be set a little further towards the lane than the adjacent pair. Each townhouse would have its own garden on the western side of the terrace, arranged to step down the slope on this side of the plot.



**Figure 1: Block plan.**

## 3. Relevant Planning History

Reference	Proposal	Decision
PRA/2022/02705	General Permitted Development Order 2015, Schedule 2 Part 3 Class	Prior approval required and granted, 06/01/2023



MA - Prior Notification application for change of use of from commercial, business and service (Use Class E) to 3 dwellinghouses (Use Class C3).

WA/2004/0288      Erection of a building to provide 7 flats with associated garaging and car parking following demolition of existing building (as amended by letter and drawings dated 22/3/04).      Refused, 30/03/2004, and subsequently dismissed at appeal.

#### 4. Relevant Planning Constraints

##### **Name**

Farnham Design Statement

Farnham Neighbourhood Plan

Community Infrastructure Levy (CIL) Charging Schedule Zone B

Thames Basin Heath 5km Buffer Zone

Wealden Heaths I Special Protection Area 5km zone

SGN Intermediate and Low Pressure Pipelines

#### 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (2018): SP1, TD1, NE1, NE3
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM4, DM5, DM7, DM9, DM11, DM13, DM 21
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP7, FNP12, FNP16
- South East Plan: Saved policy NRM6

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Surrey Hills AONB Management Plan (2020-2025)
- Farnham Design Statement (2010)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

#### 6. Consultations and Town/Parish Council Comments

##### **Consultee**

Farnham Town Council      A rebuild is more appropriate than the previous application given the design and materials of the existing building, but the new design is dominant in this elevated

position. This is a restrictive site. Demolition, construction and the limited access on Vicarage Hill will require a detailed Transport Management Plan and Construction Environment Management Plan. The proposed development includes parking spaces to meet WBC Parking Guidelines, safe access and egress must be approved by Surrey Highways.

Local Plan Part 1 (LPP1) policy TD1 Townscape and Design states: account will be taken of design guidance adopted by the Council including design and development briefs, Conservation Area Appraisals and associated Management Plans, town and village design statements and other design policies and guidance produced within subsequent Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.

Comments received on reconsultation:

Farnham Town Council maintains its previous comments. A detailed Transport Management Plan and Construction Environment Management Plan is needed for this restrictive site. To minimise disruption, the limited parking spaces on Vicarage Hill must not be obstructed.

Surrey Wildlife Trust	Comments awaited.
Thames Water	No objection, subject to informatives.
Southern Water	No objection (site not located within Southern Water's area).
South East Water	No comments were received.
Surrey County Highways	Further information requested; final comments awaited.
WBC Heritage	No objection
WBC Waste and Recycling	No comments were received.
WBC Property and Estates	No comments were received.
WBC Trees and Landscape	No comments were received.
WBC Green Spaces Common Land	&No comments were received.

7. Representations

67 letters of objection and 29 letters of support have been received.

Objections were made on the following grounds:

- Insufficient car parking.
- Poor visibility for reversing cars using the parking bays provided.
- No Right of Way to use the private access lane.

- Significant increase in building height.
- Impacts on existing hedges and trees on the boundary of the Conservation Area.
- Visual impact on Conservation Area.
- Impacts on the integrity of the adjacent access lane due to the volume of groundworks proposed.
- Overdevelopment of the site and out of keeping with the surrounding area.
- Disregard for the guidelines of the Farnham Design Statement.
- Loss of light; overbearing development.
- Access for properties on Avery Lane would need to be unimpeded for the duration of construction works and thereafter.

Letters in support were for the following reasons:

- The existing building is a dilapidated eyesore and the site is run-down and in need of redevelopment.
- Visually attractive proposal.
- Improved environment.
- The development will provide much needed and sought-after family housing .
- The modern sustainable design is in keeping with other residential property in the area.
- Reuse a brown field site.
- The development will provide ample parking.
- The site benefits from a local train station nearby, public transport and many shops and good parking.
- There are long-standing issues due to the existing use of the site with on street parking by pedestrians.

## **Planning Considerations:**

### **8. Principle of development**

The site's current use is as a community use, including ancillary offices. The building could lawfully be changed to any of the Commercial, Business and Service uses covered by Class E in the Town and Country Planning (Use Classes) Order 1987, as amended in 2020.

As noted in the Planning History section of this report, the property was granted prior approval in 2023 for conversion from Class E use to provide three residential units. While not implemented, and in the event that planning permission is not granted for this proposal, it is considered that this represents a viable fall-back position. For this reason, it is considered that the principle of a change of use to residential has been established as acceptable.

### **9. Design and impact on visual amenity**

The Farnham Design Guide sets out Design Guidelines for the different areas within Farnham. For the area within which the subject property is set, this includes that

*New development should reflect the special character of the Bourne. Designs should respect and be sympathetic to the immediate architectural surroundings in terms of pattern, scale, materials and form.*

As noted earlier in this report, the immediately adjacent residential buildings are 'Wellbourne', which is a substantial part single and part-two storey detached house to the south, and 'Austin Place' immediately to the north which is a building of similar

character. Both have predominantly hipped roofs that in the case of Austin Place also include gabled elements, in common with nearby houses in the Conservation Area (CA). Wellbourne' is largely hidden by surrounding trees in views from Vicarage Hill, and in public viewpoints is more visible from the A287 and Aveley Lane to the west. Austin Place is the closer and more prominent neighbouring building in views from the more immediate surroundings, including from within the Conservation Area although like the subject property, it is just outside the CA boundary. The proposed building's relationship with this neighbour and with the Conservation Area is visually a particularly important one.

Within the Conservation Area (CA), houses are also predominantly hipped roofs although half-hips and gables feature in views from the application site to the closest houses in Vicarage Hill (numbers 3 - 11, odd number range). These are set side by side and exhibit an overall coherence of building styles. Further to the south and also the west, on Averley lane, building styles are more diverse - along A287 Frensham Road, they include large detached houses of twentieth century and more modern design set amongst trees, with the most visible being a pair of semi-detached houses of late Georgian or Victorian origin set close to their road frontage. However this area is somewhat removed from the context of the application site, where the A287 drops into the Lower Bourne area.

Viewed from Vicarage Hill, the proposed building would be of similar height to Austin Place. However, as the northernmost of the four townhouses would be set closer to this road frontage it would be particularly prominent in the streetscene, while the other three houses would also be prominent due to the location of car parking across their lane frontage and the lack of any opportunity to provide landscape screening along this frontage. The modern building design and gabled roof form would be dominant in views from the CA, and while it is of a design that could be successful in a more urbanised setting, it would be unsympathetic to these immediate surroundings in terms of pattern and architecture, scale, materials and form, resulting in a visual discordance with the surrounding residential development and particularly with the buildings and other features of the Conservation Area.

While some of the nearest dwellings in the CA are set side by side with relatively close spacings between them, the proximity of the northernmost townhouse to its neighbour at Austin Place would also result in significant impacts on the amenity of occupiers of some of the flats at, as considered in the next section of this report.

On the Frensham Road frontage, private gardens would be provided for the townhouses, which due to the level changes across the site would drop down the slope with the formation of terraces. As shown in the elevation drawings, the low brick walls proposed there appear to provide a visually pleasant hard landscape features. This elevation does not however show the relationship to the levels of Frensham Road, and it is unclear whether further retaining walls would be required on this frontage and how this would impact on the overall appearance of the site.

Due particularly to the proximity of the building to its northern boundary and Vicarage Hill and lane frontage, the proposal is considered to constitute an overdevelopment of the site which, along with the design issues identified above, would result in a loss of visual quality to the area, including in views from within the Conservation Area. As such, it would not be in accord with Policy TD1 of the Local Plan (Part 1), Policy DM4

and DM5 of the Local Plan (Part 2) and Farnham Neighbourhood Plan Policy FNP1 and FNP7.

#### 10. Impact on residential amenity

Policy DM5 of the Local Plan (Part 2) 2023 sets out that

*Development should avoid harm to the amenity of future occupants and existing occupants of nearby land, buildings and residences including by way of overlooking, loss of daylight or sunlight, or overbearing appearance.*

Separation distances and orientation of windows at properties opposite on Vicarage Hill and to the south at Wellbourne, where an attached garage is the closest part of this adjacent dwelling, are such that no significant impacts on privacy and amenity of the neighbouring occupiers would occur. For 'Austins Place', there is a greater proximity, with a minimum corner to corner separation between the buildings of just under 5m. Four of the five apartments there have windows facing south, with two flats on the ground floor also having small patios on this side of the building and two on the first floor having south facing balconies. All of these face the application site. The application submission shows that views between primary windows at the existing and proposed building would be at oblique angles; however, the two closest existing apartments would have direct views from their living rooms and outdoor spaces towards the flank wall of the closest townhouse and to secondary windows within it. While both of these existing flats are dual aspect, with windows facing east towards the Vicarage Hill street frontage, both have south facing glazed doors opening onto a patio for the ground floor flat, and to a balcony for the first floor flat. For the ground floor unit, such views may be partially screened by existing vegetation, but the first floor flat direct views would be to secondary windows serving a habitable room in the adjacent town house.

The separation distance from the first floor apartment to this adjacent flank wall would be approximately 10m, and from the balcony about 8m. For the ground floor flat at Austins Place, the equivalent distances would be 2m less.

An extract from one of the applicant's drawings is provided at Figure 2; this has been annotated in this report to indicate the relevant features at the closest of the neighbouring flats. These features are indicated by an arrow pointing to the left, to the position of the ground floor flat's patio doors, and by downward pointing arrow to indicate the location of the first floor flat's glazed doors and balcony (the dot indicates the balcony itself).

Two flats on the south-western corner of the building are similarly arranged, with glazed doors opening onto a patio or balcony, although direct views from this pair of flats would be towards and over the rear gardens at the proposed development. As shown at Figure 2, views towards windows at the proposed development would be acutely angled.



**Figure 2:** Arrows have been added to this plan extract to indicate living room windows at the closest apartments at Austin Place. Distances to other adjacent habitable room windows are indicated on the plan (measurements in millimetres; for example 11022 = 11.02m).

No analysis of impacts on daylight and sunlight was provided with the application. The Council's Residential Extensions SPD (2010) contains a number of guidelines that are intended to protect neighbouring development from loss of light and privacy, and from overdominant and overbearing development. While specifically written for developments involving residential extensions, in the absence of any analysis having been undertaken as part of the application submission, these guidelines form a useful reference framework for the assessment of impacts of the proposed new building on the closest neighbouring flats.

The relevant SPD guideline assessments of the proposed development are as follows:

- 25 degree horizontal analysis: This a daylight protection guideline, which provides for a minimum distance of 12m from two storey extensions, measured at an angle of 45 degrees from the closest habitable room window(s).
- 25 degree vertical analysis: This a sunlight protection guideline, and is assessed from proposed ground floor windows facing habitable room windows at the neighbouring property. Although explicitly intended to apply to proposed rear extensions, the application of this guideline here constitutes a helpful indication of how the proximity of the closest townhouse will impact on direct sunlight to the adjacent apartments.

While the SPD guidelines do not have the status of adopted policies, they are nevertheless useful means to assessing the impacts on neighbour amenity that would result from the development. Loss of direct sunlight to the two closest flats would be accentuated by the fact that the proposed building would be located directly to the south of these neighbouring dwellings. The proximity and height of the flank wall would be a highly dominant feature set unacceptably close to the amenity spaces provided for these flats, and window to window views would result in a loss of privacy for the existing occupiers. While this could be mitigated by requiring obscure glazing in the secondary, north facing windows at the proposed development, a perception of overlooking would remain for the neighbouring occupiers, which in combination with the impacts on daylight and sunlight, and the overdominance of the adjacent townhouse, would result in significant harm to the residential amenity and as such

would be contrary to Policy DM5 of the Local Plan (Part 2) 2023 and to the NPPF 2023 (paragraphs 130(f)).

#### 11. The amenities of future occupiers at the development

The development would provide good quality internal accommodation for the occupiers, with gardens reaching to 10m in length. While the internal spaces would be accessible to Building Regulations M4(2) standard, the gardens would however be less accessible due to their stepping down the slope towards Frensham Road. The rear gardens also narrow towards the bottom end, due to the narrowing of this part of the site. In this respect the garden sizes are not in strict compliance with guidance in policy DM5 2 e, which requires that gardens for the private use of dwellinghouses should extend to the full width of the houses. Their proximity to Frensham Road also results in their being less private than would be the case in less constrained sites, and they would also be subject to a degree of overlooking by the south facing balconies on the adjacent apartment building.

While this shortcoming is not considered in itself to constitute a stand-alone reason for refusal, the provision of somewhat under-standard amenity space in this respect it is indicative of the overdevelopment of the site which is discussed in Section 9 of this report, and is therefore noted in the corresponding reason for refusal.

#### 12. Effect on Wealden Heaths SPA

The proposed development is located within the 5 km buffer zone around the Wealden Heaths Phase 1 SPA. The development will therefore result in significant increase in the number of people permanently residing on the site and may therefore the effect on the integrity of the SPA must be considered, in accordance with Policy NE1 of the Local Plan 2018 (Part 1). An appropriate assessment may therefore be required.

The application does not provide any analysis of this impact. Comments from Surrey Wildlife Trust and Natural England are awaited at the time of writing, and any objection raised by them ahead of a decision being made could constitute a reason for refusal.

#### 13. Effect on Thames Basin Heaths SPA

The proposed development is located within the 5 km buffer zone around the Thames Basin Heaths SPA. The development will therefore result in significant increase in the number of people permanently residing on the site and would effect the integrity of the SPA, unless appropriate mitigation is put in place.

In the event that the application was acceptable in all other respects, mitigation could be provided in accordance with the Thames Basin Heaths Avoidance Strategy by contributing towards Suitable Alternative Natural Greenspace (SANG) and strategic access management and monitoring (SAMM) of the SPA. A section 106 unilateral undertaking has been provided by the applicant. In the event that the application was considered satisfactory in other respects, this would need to include an amended location plan to be acceptable.

#### 14. Impacts on trees

It is noted that a number of large trees within the site were felled relatively recently/ As the site is outside the Conservation Area, these were not subject to protection either as part of the CA or by way of any tree protection order. A small number of trees remain on the Frensham Road frontage, and there is a group of prominent pine trees located adjacent to the boundary with Wellbourne. It appears that most of all of these may be off-site. No tree survey or arboricultural impact assessment was submitted with the application, and it is therefore not possible to ascertain whether these trees would be impacted on by the development of the site. Any loss of these trees would impact further on the visual amenities of the area, and the proposal would therefore be contrary to Local Plan (Part 2) policy DM11. This objection has therefore been incorporated into the relevant reason for refusal.

#### 15. Biodiversity and compliance with Habitat Regulations 2017

An ecological survey including bats surveys was undertaken at the site during 2023, and the accompanying report recommends mitigation that would need to be put in place as part of the development, if the application is approved. The date of the application pre-dates statutory requirements under the Environment Act to provide a 10% Biodiversity Net Gain. The removal of trees noted above was undertaken prior to the ecological survey taking place, and provision is made within the proposals for replanting with smaller grown native species of the adjacent to Frensham Road (approximately as delineated with a blue line on the location plan). Subject to these measures being undertaken, the proposal would therefore be in accordance with Policy NE1 of the Local Plan (Part 1), Policy DM1 of the Local Plan (Part 2) and Paragraphs 179 and 180 of the NPPF 2023.

#### 16. Highways and transport impacts

Waverley Parking Guidelines require 2.5 car spaces for residential dwellings outside town centres with three or more bedrooms, which would equate to 10 spaces for the overall development. The proposals include 2 spaces for each house, with the northern townhouse utilising the existing driveway and the other three using parking in front of the houses using Averley Lane as their access. This results in a shortfall of two parking spaces.

A cycle store is also provided for each house.

SCC Highways have requested further information to demonstrate that vehicles could manoeuvre safely into and out of the spaces provided, ahead of providing full comments. Any issues raised will be reported in an update.

It is noted in many representations that the existing use of the building results in significant on-street car parking when classes and events are held there. While no technical evidence has been presented to show that this results in danger to existing road users, it would appear that the development of the site for residential purposes would improve this situation. However, given the size of the dwellings and potential for multiple adult occupiers who are likely to own cars, it is considered that residential redevelopment of this site should provide parking to the adopted standards. A stand-alone reason is not recommended, the under-standard parking provision is again symptomatic of the over development of the site, and this is therefore noted in the corresponding reason for refusal.



## 17. Climate Change & Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.

Policy CC2 of the Local Plan (Part 1) 2018 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions.

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

A Climate Change and Sustainability Checklist and a detailed Energy Assessment has been submitted in support of the application. The proposals include energy efficient building materials and the installation of an 8.5 kW air source heat pump. The Energy Assessment demonstrates that high levels of thermal and overall energy performance, and high reductions in greenhouse gas emissions over standard levels of Building Regulations compliance would be achieved. These measures are considered proportionate to the scale of development proposed and would comply with the relevant policies and guidance. The application therefore addresses the requirements of the relevant policies and guidance.

## 18. Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 2023. The Council calculates it currently has 3.89 years' worth of housing land supply. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF is engaged via footnote 8.

This sets out that, unless the site is located within an area or involves an asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

The current proposal would provide a small contribution to the housing land supply in the Borough. This is a material benefit, which must be weighed against the other considerations for this application.

## 19. Conclusion

The site is located within an area of particular importance, namely the 5 km buffer zones around the Thames Basin Heaths and Wealden Heaths Special Protection

Areas. It remains to be demonstrated that impacts on these areas can be properly mitigated. Regardless of whether or not these issues can be satisfactorily addressed, the planning balance assessment on other planning issues concludes that the proposal is not in accordance with the Development Plan and that the benefits of providing four additional dwellings would not outweigh the adverse impacts of the development. These impacts are in relation to the character and appearance of the area and the residential amenity of neighbours. As such, planning permission is recommended for refusal.

### **Recommendation**

That permission be REFUSED for the following reasons:

1. The design and layout of the proposal is unsympathetic to the property's setting and surroundings in terms of scale and form, and would result in an overdevelopment of the site and a loss of visual quality to the area, including to views from within the Conservation Area. Impacts on the amenity of neighbouring properties and failing also to meet the Council's standards in relation to car parking provision and garden sizes (widths) are symptomatic of this overdevelopment. As such, the proposal would be contrary to Policy TD1 of the Local Plan (Part 1), Policy DM4 and DM5 of the Local Plan (Part 2), Farnham Neighbourhood Plan Policy FNP1 and FNP7, and the NPPF 2023.
2. By reason of the proximity and height of the northernmost townhouse to key habitable rooms and private amenity spaces at the residential properties to the north, the development would result in a loss of privacy, unacceptable loss of daylight and sunlight, and a loss of amenity due to the overdominance of the adjacent development, contrary to Policy DM5 of the Local Plan (Part 2) 2023 and to the NPPF 2023 (paragraphs 130(f)).

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2021.

Case Officer Alistair de Joux

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Signed: \_\_\_\_\_ Date: 16 February 2024

Agreed by Team or DC Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Time extension agreement in writing seen by signing off officer: Yes No N/A

Agreed by Development Manager or Head of Planning Services \_\_\_\_\_

This report has been agreed under the delegated authority by the Head of Planning Services.

Decision falls within ....(number reference) of the Scheme of Delegation  
..... (initialled by Authorising officer)

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## Agenda Item 7.4

WA/2022/02194 – Hybrid application including Full planning application for the erection of 216 dwellings, a new farm shop (Use Class E), change of use of existing farm shop building to rural business hub (Use Class E), provision of public open space, new sports pitches and associated infrastructure, landscaping, drainage arrangements, parking and formation of new access points following the demolition of existing buildings. Outline application (with all matters reserved except access) for the erection of a new health hub following demolition of the existing black barn.at LAND AT HURST FARM CHAPEL LANE GODALMING GU8 5HU

Applicant: Ptarmigan Land, Bewley Homes & FA Secretts Ltd

Parish: Witley

Ward: Milford

Grid Reference: E: 494853  
N: 142359

Case Officer: Simon

Neighbour Notification Expiry Date: 25/09/2022

Expiry Date/Extended Expiry Date: 24/03/2023

Committee Meeting Date: Planning Committee 28/06/2023

### RECOMMENDATION A

Delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to conditions (including minor amendments to recommended conditions) and the completion of a legal agreement, securing affordable housing, healthcare hub, off site pedestrian cycle way, sustainable transport provisions, open space, SUDS and playspace maintenance.

## 1. Summary

The application was considered at the Planning Committee meeting of the 26<sup>th</sup> August 2023 where members resolved to delegated authority to the Executive Head of Planning Development to granted planning permission subject conditions and the completion of a Section 106 Agreement within 6 months of the date of the decision and subject to Guildford Borough Council resolving to grant planning permission for the playing fields. The second resolution was to refuse planning permission if the Section 106 Agreement is not completed within 6 months of the date of the resolution.

The only matter for consideration at this meeting is whether the agreed that delegated authority should be granted to the Executive Head of Planning Development to enable the Section 106 to be finalised. Drafting of the Legal Agreement was at an advanced stage at the time of writing this report.

### Historic Report

The application has been advertised as a Departure Application from the Adopted Local Plan. The reason that the application has been advertised as a Departure application is because the number of dwellings proposed exceeds the 177 dwellings identified in the Policy and part of the Policy requirements are proposed on land outside the Policy allocation boundary, this land is within the administrative boundary of Guildford Borough Council. It is considered that the proposed development can be supported as the departure from Policy is outweighed by material considerations as outlined below, subject to planning permission being granted for the Playing Pitch provision subject to an application to Guildford Borough Council.

The Local Plan Part 2 (LPP2) allocates this site for housing, therefore the adoption of LPP2 Policy DS14 indicates that the principle of a residential led development is acceptable.

The proposal would depart from Policy as more than 177 dwellings are proposed, contrary to Policy DS14 and as the playing pitches are proposed on adjoining land outside the allocation. As the overall area of the development has been increased the increase in the number of dwellings set out in Policy can be achieved in a way that would be appropriate given the character of the surrounding area. It would also depart from Policy as the sporting facility required by allocation DS14 would not be provided within the allocated site area. However, it is proposed that playing pitches would be provided immediately adjoining the site in Guildford Borough Council area. Subject to that proposal being granted planning permission, the pitches would be secured immediately adjacent to the site represents a material consideration which indicates that the departure from Policy is acceptable in this instance.

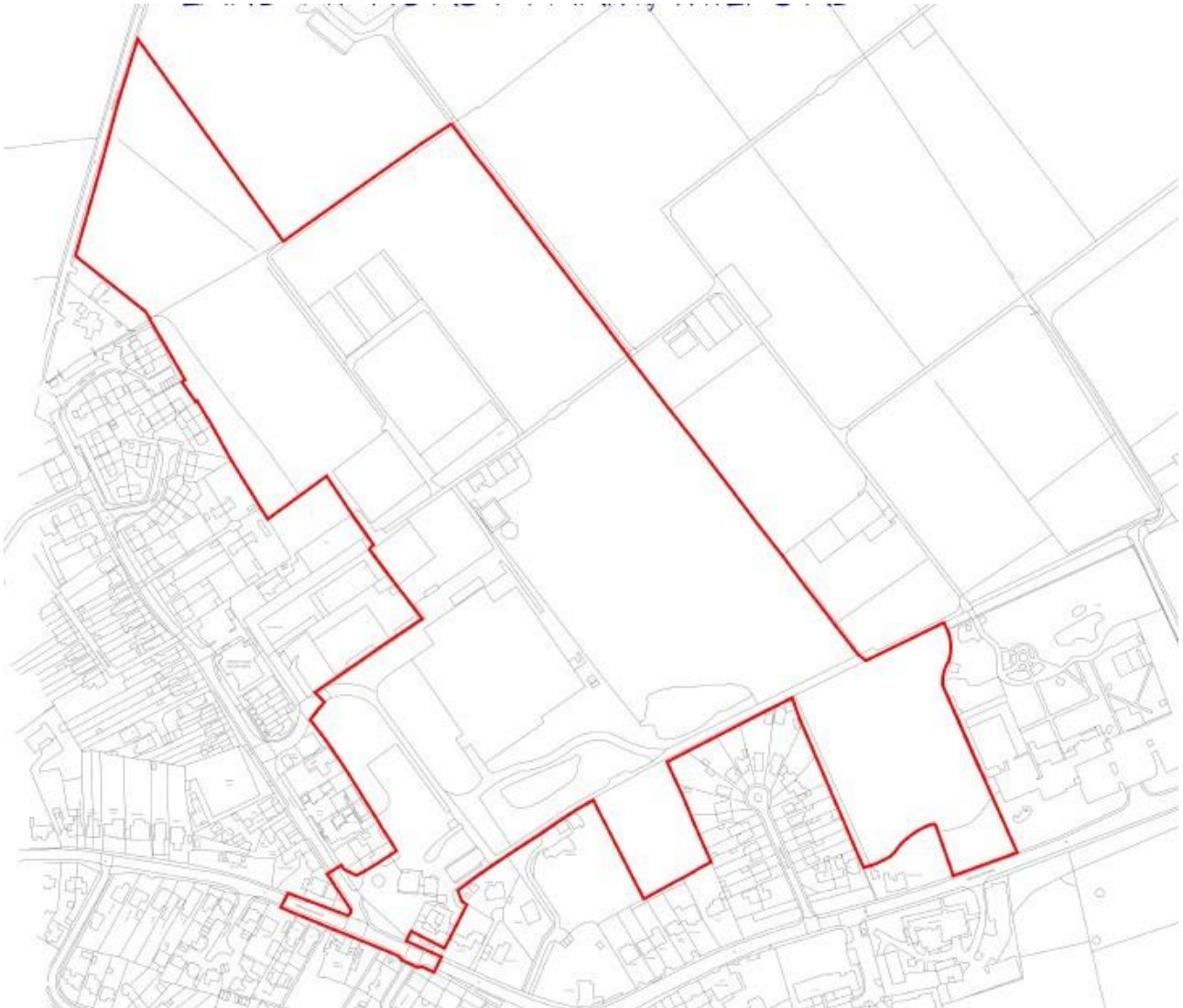
Whilst there will be some loss of landscape value in developing the site this was

considered at site allocation stage the proposed development would not result in significant harm. Moderate and less than substantial harm to the significance of the Grade II Listed Turnpike Cottage through development within its setting has been identified. It has been concluded that this heritage harm, notwithstanding the great weight afforded to it, is outweighed by the public benefits of the scheme. Appropriate mitigation is available for the potential recreational impact on the integrity of the Wealden Heaths SPA. A bat roost would be lost from an existing building to be demolished but appropriate mitigation would be provided in the form of a replacement bat loft.

The overall harms of the scheme are balanced against the planning benefits, which are substantial. They include particularly the provision of 216 dwellings, 65 of which would be in an affordable tenure and many of which would be social rented housing which is the preferred affordable rental tenure. The proposal would also provide significant new green space and public realm and a healthcare hub. In addition, the Council has recently confirmed that, with a basedate of 20<sup>th</sup> February 2023, there is not a demonstrable 5 year housing land supply. This has the effect of engaging the 'tilted balance' described in paragraph 11 of the NPPF and indicating that planning permission should be granted unless the harms of the development significantly and demonstrably outweigh the benefits.

In the case of the current proposal, this is not the case and the benefits would substantially outweigh the identified harms.

## 2. Location plan



## 3. Site Description

The site covers an area of 15.3 hectares and is currently accessed from Chapel Lane, near to the junction with Farm Lane. The site is relatively level but rises gently to the east. It includes the existing Secretts farm shop and tea rooms, and associated parking areas. The site extends to the north behind the existing industrial and residential premises and to the east behind Meadow Close and Turnpike Cottage to the northern side of Portsmouth Road.

To the north, the site goes beyond the Borough boundary into Guildford Borough Council area, where it fronts onto the south eastern side of Eashing Lane.



In addition to the farm shop and tea rooms complex, the site is currently occupied by the wider Secretts Farm, which extends beyond the application boundary to the east. There are a number of large greenhouses which are proposed for demolition, as well as paved yard and storage areas and ancillary office/workspace accommodation. There is an existing series of ponds to the southern part of the site, which the public are permitted to walk around for recreational purposes, albeit without a formal public right of way.

The western part of the site, in the vicinity of the existing farm shop, is within the Milford Conservation Area. Turnpike Cottage to the south is a Grade II Listed building.

There are some retail and industrial uses to the opposite (southern) side of Portsmouth Road and adjacent on Chapel Lane. The majority of the surrounding area, however, is occupied by medium density housing with terraced and semi-detached forms predominating.

#### 4. Proposal

This hybrid application seeks full planning permission for the erection of 216 dwellings, a new farm shop (Use Class E), the change of use of existing farm shop building to a rural business hub (Use Class E), the provision of public open space, and associated infrastructure, landscaping, drainage arrangements, parking and formation of new access points following the demolition of existing buildings. Outline application (with all matters reserved except access) for the erection of a new health hub following demolition of the existing black barn.

All elements are submitted in full other than the demolition of the black barn and erection of a new health hub, which is submitted in outline with all matters reserved other than access.

An area of improved public realm would be provided at the main site entrance off Chapel Lane near the junction with Portsmouth Road. Beyond this would be sited the proposed rural business hub. This would utilise the retained buildings of the main existing farm shop courtyard and adjacent buildings to provide accommodation within use class E.

Beyond this would be the new healthcare hub. The plan allows an area of 0.3 hectares for this outline element and indicates that 1,626m<sup>2</sup> of floorspace could be provided alongside 49 parking spaces within this area.

10 parking spaces to serve for local shops are proposed to the north of the site.

Beyond this, there would be residential development of various typologies with the dwellings arranged in perimeter blocks. There would be a central green space as well as playspace and an area of green space adjacent to the ponds. The residential

buildings would have two or three storeys. There would be three blocks each containing 9 flats.

65 affordable dwellings would be provided, which represents 30% of the overall scheme. Of these, 33 would have a social rented tenure which is the tenure that best meets the housing need within the Borough (with the lowest rents of any affordable housing tenure at 55% of market rent).

To the north of the site, two junior playing pitches are proposed with a vehicular access on to Eashing Lane. This land is within the Guildford Borough Council(GBC) area and is subject to a separate application for determination by GBC. There would be no vehicular through route onto Eashing Lane into the residential element, but there would be a footpath linking the two areas.

The proposed replacement farm shop would be sited to the south eastern part of the site and would be served by an access off Portsmouth Road. The access would continue to the side of the farmshop to allow access to the proposed residential area. The building would have two storeys and a total floor area of 3217m<sup>2</sup>. A café would be provided on the first floor, which would have an outdoor seating terrace of 139m<sup>2</sup>. A rooftop terrace (effectively at second floor level) of 129m<sup>2</sup> is also proposed. 130 parking spaces would be provided to the south of the building, alongside a delivery area to the east.

A new pedestrian route from the farmshop area in an arc linking into the health hub/business centre area would be provided alongside extensive landscaping. The existing ponds would be retained adjacent to the new path.

## 5. Relevant Planning History

There is extensive planning history on the site but none of this is considered to be relevant to the current application for redevelopment, other than the screening opinion outlined below.

SC/2022/01228	Request for Screening Opinion for proposal of up to 220 dwellings, a replacement farm shop of up to 3,000 sq m, a new doctors surgery of approximately 1,600 sq m, a class E flexible office suite of approximately 1,000 sq m and new sports pitch provision.	EIA Not Required
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The following applications within Guildford Borough Council area are also considered to be relevant:

22/P/01409 Concurrent application for Hybrid application comprising of: a full planning application for the demolition of existing buildings and the development of 216 dwellings, a new farm shop (Use Class E), change of use of existing farm shop building to provide 533 sqm of commercial accommodation as a rural business hub (Use Class E), provision of public open space, new sports pitches and associated infrastructure, landscaping, drainage arrangements, parking and formation of new access points; and an outline planning application for the demolition of the existing black barn and erection of a new health hub with all matters reserved except access.

21/P/02674 Concurrent application for Change of use of 4.5 hectares from agricultural land to publicly accessible open space with associated landscaping works, pedestrian walk, highways access and other works to facilitate a bespoke Suitable Alternative Natural Greenspace (SANG).

## 6. Relevant Development Plan Policies and Guidance

Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018). The Council has carried out a review of LPP1, which is now 5 years old. This was considered by Full Council on the 18<sup>th</sup> July 2023, when it was resolved that:

Work commence on a comprehensive update of the Local Plan meeting the requirements of the existing development plan system but ensuring flexibility to migrate to the new system if implemented.

However, the existing Local Plan as a whole continues to provide an up-to-date statutory development plan for Waverley, which must remain the starting point for decisions on planning applications while an update is brought forward.

The relevant policies of this document are:

- SP1 – presumption in favour of sustainable development
- SP2 – spatial strategy
- RE2 – green belt
- RE3 – landscape character
- HA1 – protection of heritage assets
- TD1 – townscape and design
- NE1 – biodiversity and geological conservation
- NE2 – green and blue infrastructure
- ALH1 – amount and location of housing
- ST1 – sustainable transport
- ICS1 – Infrastructure and community facilities
- AHN1 – Affordable housing
- AHN3 – Housing types and sizes
- EE1 – new economic development
- LRC1 – Leisure and recreation facilities

- CC1 – Climate change
- CC2 – Sustainable construction and design
- CC4 – flood risk management
  
- Witley Neighbourhood Plan (June 2021). The plan is considered fully up to date and the relevant Policies carry full weight in decision making. The relevant policies are:
  - ND1 – Housing mix
  - ND2 – Affordable housing
  - ND3 – provision of accessible and adaptable housing
  - ND5 – general design principles
  - ND6 – Integration of major development proposals
  - ND7 – Safeguarding residential amenity
  - ND8 – safe and secure design
  - ND9 – energy efficiency
  - ND10 – service infrastructure
  - HC1 – Landscape conservation
  - HC2 – Statutory listed buildings
  - HC3 – Conservation areas
  - A1 – new community healthcare hub
  - A4 – future green spaces with public access
  - A5 – play areas, recreation grounds and sports facilities
  - T1 – improving the pedestrian and cycling environment.
  - T2 – Highways design
  - T3 – parking
  - T4 – transport assessments and air quality
  - T5 – Travel plans
  - T6 – cycling
  - T7 – accessibility in the transport network
  - E1 – retail uses
  - E2 – employment sites
  - E3 – homeworkers
  - NE1 – Environmental implications of development
  - NE2 – trees and hedgerows
  - NE3 – Biodiversity
  
  - NE4 – flood risk

The Waverley Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) was made on 21<sup>st</sup> March 2023 and carries full weight in decision making. The relevant Policies are:

- DS14 – site allocation for land at Hurst Farm, Milford
- DM1 – environmental implications of development
- DM2 – climate change and energy efficiency
- DM3 – water supply and waste water
- DM4 – quality places through design

- DM5 – safeguarding amenity
- DM6 – public realm
- DM7 – safer places
- DM8 – comprehensive development
- DM9 – accessibility and transport
- DM11 – trees, woodlands, hedgerows and landscaping
- DM13 – detailed amendments to green belt boundaries
- DM20 – development affecting listed buildings and their settings
- DM21 – Conservation areas
- DM26 – Employment sites
- DM28 – access and servicing

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Witley Design Guidelines (2019)
- Witley Housing Needs Assessment (2019)
- Council’s Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Sustainability and climate change SPD (2022)
- Surrey Hills AONB Management Plan (2020-2025)
- Surrey Hills AONB Boundary Variation Project – Consultation Document (March 2023)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

7. Consultations and Town/Parish Council Comments

Consultee	<i>Comments received.</i>
Witley Parish Council	<i>A number of representations have been submitted by WPC raising concerns and queries. Following receipt of the amended submission in February 2023, the PC made the following comment: “Witley Parish Council has reviewed the latest documents from Bewley Homes. Our remaining objections have now been addressed and we wish to withdraw our objection to this application. This is on the understanding that in the S106 Agreement relating to this development there will be a requirement to provide: i. 65 affordable homes, of which 50% will be available for social rent which reflects the need evidenced in the Witley Housing Needs Assessment and ii. a dedicated public</i>

pedestrian cycleway of a minimum of 3m in width between the development and Franklyn Road. We would also wish to see a planning condition requiring the details of each individual plot to be agreed in regards to their DER calculations to demonstrate compliance with Part L 2021 of the Building Regulations and *(then)* emerging Policy DM2 of LPP2. We understand the applicant is agreeable to this request. The Parish Council has welcomed the opportunity to raise concerns relating to the application with the applicant through the planning process and we are pleased they were able to address these concerns as a result.”

Shackleford Parish Council (Guildford BC area)      *The proposed SANG pedestrian crossing point and new vehicular access to the playing fields from Eashing Lane within Guildford Borough Council area would have an adverse and significant affect on the character and use of Eashing Lane. Eashing Lane is a rural lane where there have been many accidents and is narrow. There will be a conflict between drivers and pedestrians; the proposed SANG is small; The area is within the AGLV and proposed to form an extension to the AONB.*

County Authority      Highway      *Letter received stating “The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who recommends an appropriate agreement should be secured before the grant of permission.” Conditions are also recommended. Comments have subsequently been received requesting an additional condition for a car park management plan for the playing pitches car park.*

Natural England      *Have confirmed that the SANG Management Plan submitted with the Guildford SANG application is acceptable. Confirmation that SAMM is not required received.*

Environment Agency      *Consider that they do not wish to be consulted on development such as this.*

Local Authority      Lead Flood      *Initial objection withdrawn following review of additional information. No objection subject to condition.*

Surrey Wildlife Trust		<i>Consultation with Natural England and SPA mitigation details required prior to determination. Conditions recommended, including prior to commencement.</i>
Waverley Enabling Team	Housing	<i>Supportive of proposed affordable housing offer.</i>
Waverley Environmental Health – Air quality	Health	<i>No objection subject to condition.</i>
Waverley Environmental Health – land contamination	Health	<i>No objection subject to conditions.</i>
Waverley Environmental Health – noise control	Health	<i>No objection subject to conditions.</i>
Surrey Hill advisor	AONB	<i>No conflict with Waverley, Guildford and Surrey Hills Policies to protect the AONB; a preferential site for meeting Witley housing requirements to other sites within the AONB.</i>
County Archaeologist		<i>Further archaeological investigation needed. Condition recommended.</i>
Sport England		<i>Confirmation that they have no objection to the proposal.</i>
Surrey Minerals and waste team		<i>Confirmation that the scheme will meet the necessary fire access standards and recommendation for the installation of Automatic Water Suppression systems.</i>
Surrey Fire and rescue service		<i>No comments or concerns with the application</i>
Waverley planning and resilience officer	Emergency	<i>Due to the number of consultations received they will not necessarily respond.</i>

Byways and Bridleways Trust	<i>Site in proximity to strategic water main. Conditions and informatives recommended.</i>
Thames Water	<i>Will add to traffic and congestion issues in Milford and Godalming. New public bridleway needed to link through the site to Milford Station, Ockford ridge and beyond.</i>
Ramblers society	<i>Requested condition requiring Secure by Design standards to be met and park mark for the medical facility</i>
Surrey Police	<i>Does not impact on existing rights of way. Contributions sought for improvements to existing PROWs which will benefit future residents.</i>
SCC Access officer	

## 8. Representations

To date 69 letters have been received raising objection, 1 letter in support and 6 letters have been received recorded as neutral. Objections and matters raised are on the following grounds:

- The proposal is for significantly more than the 177 dwellings in the site allocation.
- The AONB is proposed to be extended to cover Milford.
- Overlooking from outdoor high level terraces from Farm shop to Meadow Close
- Will generate traffic, increase congestion and cause the new development to be used as a cut through.
- Station Lane is unsafe to use for access to the station as described in the Travel Plan.
- Noise disturbance to residents of Meadow Close from the farm shop and access road.
- Will encourage anti social behaviour in area around the ponds.
- Smells from the farm shop bins will be noticeable within the gardens of Meadow Close.
- Loss of green space around the ponds will impact on protected species.
- Will result in light pollution
- Will be of a disproportionate scale to the village and an overdevelopment
- Will impact on the rural character
- Will destroy the existing centre of the village.
- Existing roads not adequate for the traffic
- Loss of farm shop will be detrimental to the community and educational opportunities.
- Detailed concerns raised with regards to assessment in the Transport Assessment
- Schools, public transport, nurseries, GP's and dentists will all struggle with increased demand for services.
- The healthcare hub is only proposed in outline and there is no guarantee that it will be delivered.
- Unacceptable demand on sewerage.



- Building in green belt land not warranted. These are not exceptional circumstances.
- Loss of agricultural land
- Houses will be unaffordable to local people.
- Exit onto Portsmouth Road is unsuitable.
- Eashing Lane proposed vehicular access to playing fields and pedestrian access to SANG both very dangerous. Eashing Lane is a narrow country lane without pavements with vehicles travelling at very high speeds.
- The sports pitches may be used at other times, not just at the weekends.
- Loss of bank and hedgerow to Eashing Lane.
- Increase in air pollution
- The proposed farm shop, at two storeys, is two tall within the context of the adjacent development.
- Adverse impact on health and mental wellbeing of existing residents.
- Altered outlook and amenity for Milford House residents
- The density of the scheme should be reduced.
- A direct access to the A3 should be provided.
- Information submitted with the application is unclear, including in relation to traffic movements in Chapel Lane and the extent of use of the new road adjacent to the timber yard from Chapel Lane to the development.
- Noise from the car park of the farm shop will affect residents of Meadow Close.
- The development will jeopardise access to important community facilities on Chapel Lane.
- Concerns regarding flooding, water supply and drainage
- Money making at the expense of local people.
- Concerns regarding adequacy of parking, turning, loading and highway safety, especially in relation to the proposed Portsmouth Road entrance.
- Fencing should be erected to protect the garden of Turnpike Cottage
- Turnpike Cottage will be surrounded by the access road and carpark, creating noise disturbance.
- Loss of mature and ancient trees.
- Loss of rural area
- Increased flood risk
- Risk of vandalism
- Stress and fear for elderly residents
- Relocating the farm shop will mean residents won't walk into Milford centre to shop
- The parking area proposed for the Milford shops is too small.
- May result in loss of post office due to increased parking problems.
- Density too high
- The road speeds on surrounding roads should be reduced to 20mph.
- Does not create a new village centre or welcoming social space.
- No evidence of need for or viability of a business hub.
- The exact use of the healthcare hub is unclear
- Parking for the healthcare hub will result in noise disturbance for adjacent occupiers.
- An EIA should be submitted due to loss of habitat, archaeological potential and impact on heritage assets.

- The existing trees in the area proposed to be used as a village orchard should remain for biodiversity value.
- Adverse impact on listed buildings and the conservation area.
- No attempts to provide a diverse building vernacular which integrates with the existing historic and varied feel of the village.
- An independent panel should supplement the review of the case officer due to the major nature of the proposal and extent of expertise necessary.
- The submission indicates that the access adjacent to the timber yard will be used for construction, resulting in environmental pollution.
- Medium adverse landscape and visual impact on garden cottage, 8 Chapel Lane.
- Sufficient neighbour notification has not taken place.
- A Milford Pumas trainer advises that the pitches will be used throughout the evenings on week days with large numbers of pupils arriving at and leaving the site each hour. Eashing Lane is unsafe and unsuitable for this purpose.
- Combined with existing consented schemes at Aarons Hill, Milford Golf Course and Dunsfold, there will be an increase in use of the station.
- Eashing Lane is unlit.
- Football pitch lighting will cause light pollution.
- Flooding to Meadow Close will increase due to run off from the proposed farm shop car park.
- Bats are present on site and are a protected species.
- Will set a precedent for development of the green space between Milford and Godalming and go beyond the village boundary of Milford.
- The Eashing Lane area in Guildford Borough Council is a designated AGLV and is part of the historic Eashing Park which was laid out in the mid 17<sup>th</sup> century. The open, green character of this space would be lost.
- Lack of information regarding compliance with (then in Draft) Policies DM1 and DM2 of LPP2 with regards to heating and thermal efficiency.
- Traffic studies were conducted in lockdown when the traffic was light.
- The housing design is dreary.
- No attempt has been made to provide a mix of housing.
- The British Horse Society supports the inclusion of a green way/bridleway.
- The proposal contradicts public consultation in terms of access points.
- Construction traffic and pollution.
- Objection from Waverley Friends of the Earth.
- Does not comply with LPP2 Policy DM2. No target emission rate has been supplied and no details of compliance with building regs part L for individual buildings provided. There is therefore insufficient information regarding how the proposal will maximise energy efficiency and reduce carbon emissions. There is no information regarding how heating demands will be met. This is not suitable for a detailed application and permission should be refused in the absence of such information.
- Photo voltaics will be necessary to meet part L but their locations haven't been considered and the roof design of many proposed dwellings is unsuitable.
- Air source heat pumps would be necessary for the flat blocks, but these require fans which may result in noise disturbance to residents and adjoining occupiers.

- Does not comply with Policy DM1 as would not avoid exacerbating climate change and emission of greenhouse gases.
- The amended documents do not address concerns
- The proposal isn't viable
- Will lead to dust and damage air quality which will compromise health of existing residents
- There are sufficient grounds for an appeal should planning permission be granted.
- The applicant should be required to buy credits within the SANG adjacent to the area where SANG is currently proposed because it is reliant on footpaths within the adjacent SANG to meet SANG criteria.

The reasons for supporting the scheme outlined in the letter of support are:

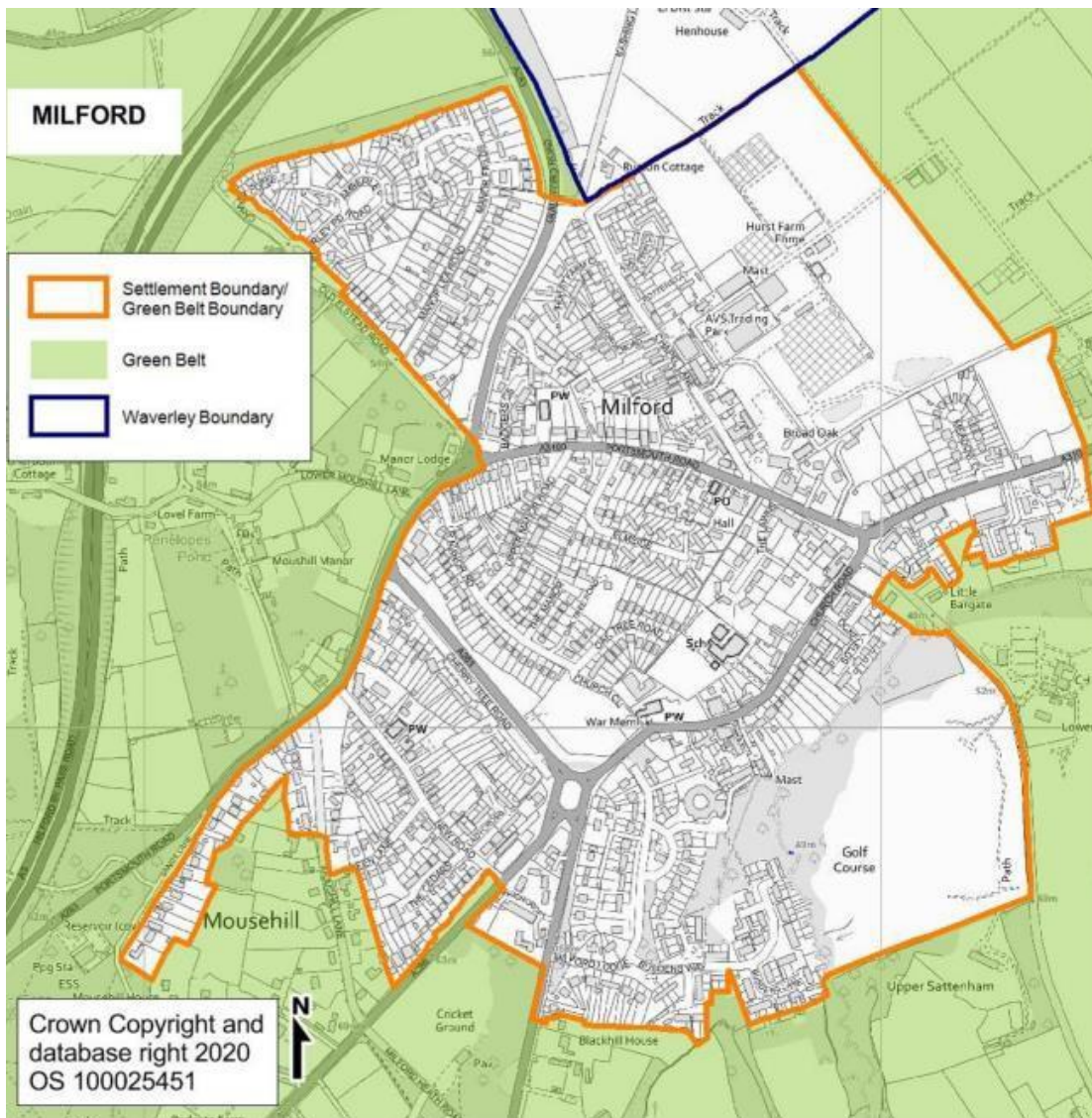
- The Witley and Milford Medical Partnership support the proposed healthcare hub and have a strong preference for the practice to relocate to this site.
- There is a pressing need to expand clinical services and meet the needs of a growing patient population.
- The existing GP practice building is at capacity with no option to expand on site.
- The patient participation group also supports the proposal.

#### 9. Planning Considerations:

- The acceptability of the development in principle and impact on the green belt
- Housing mix
- The affordable housing provision
- Impact on character and appearance and setting of the AONB and Guildford BC area AGLV
- Impact on heritage assets including archaeology
- Impact on the residential amenity of adjoining occupiers
- Acceptability of living conditions for future occupiers, including playspace provision.
- Transportation considerations
- Flooding and drainage
- Impact on the Wealden Heaths SPA
- Biodiversity, including tree impacts and biodiversity nett gain
- The sustainability of the proposed development
- Air quality impact
- The overall planning balance

#### 10. The acceptability of the development in principle

The settlement boundary plan for Milford (map 24) is provided below and shows the site including within the settlement with Green Belt beyond the boundary i.e. the site removed from the Green Belt.



Policy DS14 of the Local Plan Part 2 (LPP2)(2023) provides an allocation for the site. The Policy can be afforded full weight in decision making following adoption and, in combination with the Policies described above, indicates that a residential led development of the site is acceptable in principle.

The proposed land uses within the mixed use scheme are also important in principle consideration which is discussed below with detailed reference to LPP2 Policy DS14.

LPP2 Policy DS14 states that:

“Land at Secretts, Hurst Farm, Milford as identified on the Policies Map is allocated for 177 dwellings, alongside the provision of associated facilities including: the relocation of the existing farm shop and all other existing retail businesses, the creation of an area of public realm to create a centre for the village and community of Milford, the provision of a rural business centre, and the creation of new sports pitch facilities. The allocation of the Land at Secretts for a residential led mixed-use development is subject to the following:

- a) A holistic and integrated scheme for the whole site that maximises connectivity and delivers the necessary infrastructure and direct access into Milford village centre.
- b) The conservation and, where possible, the enhancement of the setting of the adjoining heritage assets, including the Milford Conservation Area and Grade II listed buildings.
- c) The protection and enhancement of existing trees, hedgerows and ponds which makes an important contribution to the character of the local area; including, the retention and enhancement of a mature tree belt on the north eastern boundary of the site.
- d) The provision of an appropriate landscape buffer including trees and hedgerows on north-western boundary of the site.
- e) The achievement of satisfactory detailed access arrangements to the development from Chapel Lane/Portsmouth Road and the A3100 Portsmouth Road.
- f) The provision of sustainable transport measures which may include on-site and off-site pedestrian crossing improvements, footways and cycle ways.
- g) The provision of publically accessible open space as part of the development.
- h) The demonstration that development will not have a likely significant effect on protected habitats sites, specifically including the provision of SANG or other mitigation measures deemed appropriate to avoid significant impact to the Wealden Heaths Special Protection Area (SPA). The undertaking of an independent design review throughout the planning process at pre-application, post submission and for any subsequent phase. The process needs to be agreed in writing with the Local Planning Authority, and representatives from the Local Planning Authority must be included within any design review process.
- i) Consideration should be given to completing a masterplan Supplementary Planning Document (SPD) for the site, this will cover all aspects but will ensure that the development provides the benefits to the wider community, including a new village focus and high quality sustainable development. The new development will incorporate a significant amount of public realm that will re-imagine the village centre of Milford. This will be a high quality space which will be pedestrian focused, provide key outside meeting spaces, reduce the prominence of the car and aid in the reduction of vehicle speeds along Portsmouth Road.”

The mapped area to which the Policy applies includes most of the current application site, but excludes the land in Guildford BC where the playing pitches are proposed. It also excludes the land within Guildford for which there is a separate application for the provision of SANG.

#### The acceptability of residential land use

The principle of residential development is acceptable through the allocation of the site with Policy DS14. However at 216 units, the current application proposal exceeds the policy allocation of 177 units by 39 units. This, therefore, represents a departure from Policy DS14. NPPF Paragraph 124 requires Local Planning Authorities to support the efficient use of land, taking into account need of housing and land availability, market conditions, the availability and capacity of infrastructure, the desirability of managing

the character of areas and the development of well designed spaces. Waverley has an identified housing land supply deficit and limited land availability for development given the significant environmental constraints of the AONB and internationally designated nature sites. The consideration is whether the level of development proposed can be accommodated in an acceptable way to deliver sustainable development.

#### The acceptability of health centre land use

The allocation under Policy DS14 does not require the provision of a new healthcare hub. However, Policy A1 of the Witley Neighbourhood Plan (WNP) states: "Proposals for the development of a new community healthcare hub will be supported where they are consistent with development plan policies." The proposal to provide this important infrastructure on the site is supported and represents a significant public benefit of the scheme. Witley and Milford Medical Partnership (a GP group) have written in outlining support for the proposal and stating that they have a strong preference to relocate to the site to expand their current provision.

#### The acceptability of new retail unit land use

With regards to the re-provided farm shop, it is noted that Policy DS14 directly requires this. The area of the proposed farm shop, however, exceeds that of the existing. The existing retail spaces (wine merchant, farm shop, butchers and café) have an area of 913m<sup>2</sup>. The proposed farm shop and ancillary café and all ancillary offices etc has an area of 3217m<sup>2</sup> (excluding terrace seating areas). Local Plan Part 1 states TCS2 states that: "The retail role and function of the local centres of Farncombe, Bramley and Milford will be safeguarded and consolidated. Where planning permission is required, proposals which would harm or undermine the retail function of the centre by reducing its ability to meet its daily needs and/or detracting from its vitality and viability will not be permitted. Proposals for the provision of new small scale facilities will be supported, provided that they would support the vitality and viability of these centres and are appropriate to the role and function of the centre in the hierarchy." WNP Policy E1 states that "Proposals for the provision of new retail and service facilities will be supported, provided that they would support the vitality and viability of existing retail and service facilities within the Parish."

The local centres are not geographically defined in either LPP1 or WNP and in Milford the retail/local centre use is dispersed. However, there is an existing cluster of retail/town centre uses both on Chapel Lane near the existing farmshop and to the opposite site of Portsmouth Road near proposed location of the new farm shop. In this respect it is not considered that the vitality and viability of the existing local centre within Milford would be reduced.

There would be an increase in floor space and therefore consideration needs to be given to the potential impact of this additional retail floorspace on the vitality of designated town centre areas, including particularly Godalming, would be harmed. LPP1 Policy TCS1 seeks to locate retail development in accordance with a sequential

assessment with main town centre uses located in the town centres of Farnham, Godalming, Haslemere and Cranleigh. This is reflective of Paragraph 87 of the NPPF paragraph 90 requires the provision of an impact assessment where the retail provision exceeds 2,500m<sup>2</sup> and is not in accordance with an up to date development plan.

The applicant has submitted a Retail Assessment. This includes a sequential assessment which concludes that they “have not identified any other available and suitable sites within Milford to accommodate the proposal. We have also not identified any sites within and on the edge of Godalming town centre or Farncombe local centre. The only available sites in Godalming were too small to accommodate the proposal given they related to small shops or offices.” The statement also concludes that there will be no adverse impact in retail terms on Godalming or the local centre at Farncombe.

The conclusions of the submitted retail statement is supported by officers and the nature of the proposed use (as an existing farm shop, expanding and minimally relocating an existing established local business) it can be considered that the proposal would not harm the retail vitality of either the town centres of Milford. This element of the proposal is therefore acceptable in land use terms.

#### The acceptability of the proposed business hub in use class E

With regards to the proposed business hub, it is noted that the allocation requires the provision of a rural business centre. 533m<sup>2</sup> of use class E space is proposed within a conversion of the existing main courtyard farmshop complex. Floorplans are not available for this space but are recommended to be secured by condition. Use class E includes retail, restaurants and cafes, financial, professional and other commercial services, indoor sport and recreation, medical facilities, day nurseries, offices and light industrial purposes. These uses can reasonably be considered rural business centre uses. Detailed plans for the subdivision of the building could be secured by condition.

LPP1 Policy EE1 states that the Borough’s economic growth needs will be met by a number of means, including “promoting a strong rural economy through the re-use and conversion of existing buildings and well-designed buildings for economic development and promoting the development and diversification of agricultural and other land based rural businesses.” WNP Policy E2 states that: “New employment development in the Business and B-Use Class should be proportionate to the size and employment needs of the neighbourhood area.” The NPPF notes that the sequential approach: “should not be applied to applications for small scale rural offices or other small scale rural development.”

Milford is identified within the Council’s development hierarchy in SP2 as a larger village. It acts as a local centre for surrounding smaller villages. It is considered that at 533m<sup>2</sup> the proposed space would not be overly large and would be commensurate with the size of the village. In this respect, the above Policies would be satisfied.

## The acceptability of the proposed playing pitches in land use terms

Policy A5 of the WNP states that: "Proposals to develop new or improve existing play areas and recreation grounds in the Parish will be supported where they comply with development plan policies." The supporting text points to the playing pitch requirement of Milford Pumas. The inclusion of playing pitches within the proposal is supported in this regard.

Policy DS14 requires "the creation of new sports pitch facilities." The playing pitch provision are proposed on land within Guildford Borough Council jurisdiction. However, if the concurrent application at Guildford is granted planning permission, it is material that the requirements of the Policy would affectively be met, albeit outside of the designated site area. The recommendation to grant planning permission is subject to permission being granted for the Guildford application supported by a legal agreement ensuring that the playing pitches were publicly accessible at times when they are not needed for formal club activities. If planning permission is granted for this application then it is proposed that a Grampian condition is attached preventing residential occupation until the playing pitches are available for use by the public.

An area of public realm seeking to provide a new village centre to Milford, as required by the Policies would also be provided. The acceptability of this space is discussed further below.

Given all of the above considerations, it is therefore considered that the land use policy overall is acceptable.

### 11. Housing mix

Policy AHN3 of the Local Plan 2018 (Part 1) sets out the proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the Waverley and West Surrey Strategic Housing Market Assessment (SHMA).

WNP Policy ND1 states that "Proposals for new housing should make provision for an appropriate range of different types and sizes of housing to meet the needs of the community in general. In particular they should reflect the contents of the Witley Housing Needs Assessment (WHNA)(April 2019) or the most up-to-date evidence available at the time of the determination of the planning application concerned."

Given that the WHNA is both more contemporary and locally specific, it is considered to provide an appropriate base for the assessment of housing mix for the application. The mix requirements of the WHNA and as provided within the scheme are outlined in the table below.



Unit size	WHNA requirement (%)	Application proposal (No.)	Application proposal (%)
1 bed	16.5%	22	10%
2 bed	21.8%	54	25%
3 bed	31.5%	70	32.5%
4+ bed	30.5%	70	32.5%

Table to show unit size required within WHNA and as proposed.

The proportion of 1 bed homes, therefore, is below the requirement sought, whilst the proportion of other home sizes is slightly above the proportion sought. During the course of consideration of the application, the applicant has amended the housing mix in order to provide the required unit mix and spatial distribution of affordable homes. Given that the divergence from the WHNA requirements would be relatively minor, it is considered that the proposed housing mix is acceptable. The principle of WNP Policy ND1 is met, with slightly less 1 beds overall and more 3 and 4+ beds.

## 12. The affordable housing provision.

Policy AHN1 requires a minimum provision of 30% affordable housing. Policy ND2 of the WNP states that: "Proposals for affordable housing as part of wider new housing proposals should make provision for an appropriate tenure split to meet the needs of the community in general. In particular they should reflect the contents of the Witley Housing Needs Assessment (April 2019) or the most up-to-date evidence available at the time of the determination of the planning application concerned."

The application proposes the provision of 65 affordable units. This represents a provision of 30% of the total 216 units and complies with the requirement of AHN1.

The type and affordable tenure of these 65 units is described in the table below.

	First Homes	Shared ownership	Affordable rent	Social rent	Total
1BH	8	0	2	0	10 (15%)
1BF	8	0	4	0	12 (18%)
2BF	0	10	0	5	15 (23%)
2BH	0	0	0	9	9 (14%)
3BH	0	0	0	17	17 (26%)
4BH	0	0	0	2	2 (3%)
Total	16(25%)	10 (15%)	6 (9%)	33 (51%)	65

For affordable dwellings, the WHNA seeks a tenure split of 50% social rent, 20% affordable rent, 20% shared ownership and 10% starter homes.

The Affordable Housing SPD update document is informed by the latest evidence in the more up to date Waverley Housing Affordability Study 2021 and carries full weight as an SPD in decision making. It seeks 60% of affordable units as affordable dwellings for rent, 10% as shared ownership and 25% as first homes. Regarding the tenure of the affordable dwellings for rent, the document states: “The Council is committed to delivering Locally Affordable Homes that local workers and households on low incomes can afford. Social rents for households on the lowest incomes remain a priority for the Council and should be provided on new developments whenever possible. However, where this is not viable, affordable rents should be capped at 70% for 1 and 2 beds and 65% for 3 and 4 bed homes (including service charges) or the current Local Housing Allowance rate for the area; whichever is lower, in order to be affordable to local households.” (para 58).

Given the requirements of both the WHNA and the draft SPD the applicant has, through negotiation, provided the affordable offer described in the table above. The Council’s Housing Enabling Team have confirmed that the affordable bed size and tenure mix is acceptable. The provision of a high proportion of larger affordable units at social rents is supported. The offer will need to be secured in the s.106 agreement and the affordable rent caps on the 1 and 2 bedroom homes capped at 70%.

The spatial distribution of the proposed affordable units indicates 9 small clusters which are geographically dispersed throughout the development. This meets the requirements of the draft SPD and is fully supported by officers.

The proposal is therefore considered to comply with the affordable housing Policies described above and represents a key public benefit of the scheme.

13. Impact on character and appearance and setting of the AONB and Guildford BC area AGLV

Policy RE3 states that “New development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located The setting of the AONB will be protected where development outside its boundaries harm public views from or into the AONB.” The AGLV is also subject to commensurate protection to its local status within the Policy.

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2019.

Policy ND6 of the WNP states that: ““Proposals for Major Development should integrate in a positive fashion with the existing built environment. In order to achieve

integration, proposals for major development should incorporate the following principles as appropriate to their scale, nature and location within the neighbourhood area: (a) Residential areas, including streetlights, signage, benches and bins. (b) Creation of new public rights of way (footpaths and cycle paths) connecting new development to the existing settlements by the most direct possible route. In particular, applicants must seek to ensure new developments contribute to the provision of safe pedestrian and cycle routes to schools, train stations and bus routes; (c) Creation of new areas of public open space on the land within development sites that is close to existing residential areas; (d) Creation of new play areas proportionate to the type and scale of development; (e) Creation of two or more vehicle accesses to the site, unless evidence shows that the creation of more than one access is not feasible, or would have negative highways implications; (f) Avoiding development over two storeys unless it can be robustly demonstrated with supporting evidence that it will not have a detrimental impact on views, streetscape or character of the local area, particularly within the Surrey Hills AONB. Generally, taller buildings should be located towards the centre of application sites and not on the site boundary; (g) Avoidance of excessive fencing, barriers or other means of enclosure that seek to separate new developments from existing built up areas; and (h) Use of similar street furniture to existing.”

Policy HC1 of WNP states that: “All development proposals should respond positively to the local landscape and seek to minimise any visual impact on the countryside. Development within the Surrey Hills AONB should conserve and enhance its landscape and scenic beauty. In order to minimise landscape impact, development proposals, including those sites allocated in the Development Plan, should: (a) Take account of topography when selecting the location of new development within sites, seeking to minimise visual impact; (b) Seek to retain historic boundary walls and hedgerows where feasible (including field boundaries); (c) Include new landscaping and planting that complements the existing landscape; (d) Consider the layout of buildings and open spaces to maximise opportunities for long distance views within and from sites.”

The following review considers the proposal against these policies in terms of landscape impact, layout, detailed design and landscaping.

### Landscape impact

The site is located in close proximity to the AONB to the west. The part of the site within GBC area is designated as AGLV. These features indicate a landscape sensitivity and the impact on the setting of the AONB needs to be carefully considered.

It is noted that representations have raised concerns that the site and/or land to the north is proposed to become an extension to the AONB through the boundary review that is the subject of consultation. The AONB Boundary Variation Project Consultation Document was published in March 2023. This identifies the site within a wider parcel of land identified as candidate sub area EA 4a. Whilst an area of the south east of

Milford within the Enton Hills component is proposed to be designated as AONB, the application site is not.

The application is accompanied by an LVIA which states that “The site is visually well contained by the well wooded character of the area, by dwellings within Milford and Ockford Ridge, and by the numerous evergreen shelterbelts which divide the fields to the east. In the immediate vicinity of the site, however, while the trees and hedgerows along the north, south and west site boundaries provide some containment in summer, this is noticeably reduced during winter months, when the trees are out of leaf. Residents in dwellings along the site boundaries do have some views across the site, which include the large scale glasshouse, and other ancillary buildings, and also the adjacent trading park.....As a result of built form, intervening topography and vegetation, the AONB is considered to have a very weak interrelationship with the site, with the parts of the AONB which have any visual interrelationship with the site being located approximately 1.7km away.”(7.12).

With regards to the impact on the proposed scheme it goes on to state: “The wider LCA identified in the Surrey Landscape Character Assessment would experience Minor Adverse effects in the short and long term. Of the five LLCAs identified for this assessment, LLCAs 1 Milford Horticultural and Arable, in which the site is located, would experience Moderate Adverse effects in the short and long term, while the remaining areas would experience Minor Adverse or Negligible effects, in the short term, Minor reducing to Negligible in some cases as vegetation matures and reduces intervisibility with the proposed development.”

This supports the view held by officer’s that, whilst the character of the site within the landscape would inevitably change as a result of residential use, this would not result in significant harm. The landscape impact is balanced against the need for housing and the relatively environmentally constrained nature of Milford.

The proposal would also result in some loss of rural character to Eashing Lane, given the creation of entrances and playing pitches (with the supporting SANG proposed within a separate application). This change is, however, considered acceptable in landscape terms given that the most rural areas of the site would be free from new buildings but this is a matter for Guildford to consider as part of the application submitted to that Authority.

The comments of the AONB Planning Advisor further support this view. Their comments state that: “In landscape terms the open flat parts of the site with its large greenhouses and intensive nursery planting has little landscape merit. I agree with the Landscape Visual Impact Assessment (LVIA). that owing to the topography of the site and surrounding area, the green landscaped buffer proposed adjacent to Eashing Lane, the heights of buildings being confined to mostly 2 storeys with a few two and a half storeys, the proposed development would have a negligible impact upon the protected landscapes. I consider therefore that the proposal does not conflict with Waverley Local Plan Policy RE3, Guildford Local Plan Policy P1 and Surrey Hills

Management Plan Policy P6. Provided this proposal avoids the development of the AONB sites indicated as possibilities in Local Plan Part 1, the proposal in principle is supported.”

It is therefore considered that the proposal is acceptable in accordance with Policies RE1 of LPP1 and HC1 of WNP.

### Proposed layout

In land use terms, the layout is considered appropriate. The new public realm to be provided at the main access road to the site, near to the business hub and the healthcare centre is appropriately sited for integrating the development with the existing village centre. The link through from the new proposed farmshop area to the new proposed healthcare and business hub was incorporated into the scheme following advice received at design review panel. This results in good connectivity between the two areas which will also be beneficial to the users of the wider area.

The proposed layout of the residential buildings shows a series of outward facing perimeter blocks with good pedestrian and cycle permeability through the site. The provision of several areas of linked green spaces throughout the site is supported in design and visual terms, as is the retention of the existing pond area.

Overall, the layout arrangement is supported and demonstrates good design in accordance with the above stated Policies.

### Detailed design

The detailed design of the proposed buildings in terms of impact on heritage assets is considered below.

With regards to the general visual acceptability of the design of the proposed new farmshop is considered to represent an appropriate response to the rural character of Milford. Whilst the building is large, the massing is broken up with a variety of features in order to present the appearance of a farm building courtyard range. Whilst the final materials would need to be secured by condition, the indicative use of materials, with significant areas of black stained timber cladding, is considered appropriate. The change of use of the existing farm shop to provide a business hub would allow the retention of the existing building of some historic and architectural merit within the Conservation Area, which is supported. The detailed elevations (i.e. the reserved matter of appearance) is not known at this stage for the healthcare hub. Appropriate detailing could be secured within the subsequent application.

With regards to the detailed elevational design of the proposed residential buildings, the scheme is considered to represent an appropriate variety of building forms. Whilst the design of the buildings could be more locally distinctive and appropriate to Milford, the overall design standards would be acceptable. The residential buildings would not

be overly prominent within existing street scenes. Whilst the three proposed blocks of flats would have three storeys and exceed the height stipulation of two storeys outlined in WNP Policy ND6, this is considered appropriate given that they would be centrally located within the application site and would represent an appropriate form for the provision of smaller units which are required to provide a diverse housing mix.

Whilst the applicant has provided a materials specification sheet, this is indicative only. Details of high quality, locally appropriate materials would need to be secured to come forward at condition stage. It is noted that the LVIA identifies this as an important mitigation for the landscape impact.

Overall, the proposal is considered acceptable with regards to the detailed design of the proposed buildings.

### Landscaping

Landscaping and green areas would be provided throughout the site, which is supported. Full details of these areas, including planting schedules, would need to be submitted at condition stage in order to ensure high quality is achieved with these spaces.

It is noted that some details are provided with regards to the new public realm area onto Chapel Walk. The provision of this area is a crucial requirement of the site allocation (Policy DS14 of LPP2) and is very important for the integration of the development within the existing village, as well as fulfilling the role of creating a legible village centre. The indicative details indicate tiered planting areas adjusting for the change in level and open spaces where seating could be provided. The details are considered acceptable but further details will need to be secured by condition, alongside the provision of high quality hard landscaping materials and seating.

It is noted that WNP Policy A4 states that: "Green spaces created in support of new development, including Suitable Alternative Natural Greenspace (SANG), should be publicly accessible at all times and, where possible, conveniently located within sites in relation to existing built up areas and accessible by sustainable transport methods." It is, therefore, proposed that the legal agreement includes provision to ensure that both the new public realm at the mouth of the development and the new green spaces within the main site remain publicly accessible at all times. It should however be noted that the current application does not deliver the required amount of SANG. The applicants have gained planning permission for the change of use of land within Guildford Borough Council's administrative boundary which they will look to use as SANG to mitigate the recreational pressure resulting from this development. If planning permission is granted for this development a grampion style condition is proposed requiring that no dwelling is occupied until it has been demonstrated that SANG is available in perpetuity.

Overall, therefore, the proposal is considered acceptable in accordance with the above stated landscape and design policies. The landscape impact is acceptable. The layout, detailed design and landscaping are also considered acceptable.

14. Impact on heritage assets including archaeology.

The western part of the site, in the vicinity of the existing farm shop, is located within the Milford Conservation Area. There are also a number of listed buildings around the site, including in close proximity the Grade II Listed Turnpike Cottage.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Retained Policy HE3 of the Local Plan 2002 is afforded significant weight owing to consistency with the NPPF 2018. Retained Policy HE8 of the Local Plan 2002 is afforded substantial weight due to its level of consistency with the NPPF and seeks to ensure that the development preserves or enhances the character of Conservation Areas. (Barnwell Manor Wind Energy Ltd v. East Northants DC, English Heritage and National Trust [2014] EWCA Civ 13). Policy HC2 of the WNP states that: "Development affecting Statutory Listed Buildings should preserve or enhance the buildings and their settings, and any features of special architectural or historic interest they possess. Proposals that would cause substantial harm to or loss of a Listed Building will not be permitted unless it can be demonstrated that the substantial public benefits gained would outweigh the loss of or harm to the heritage asset. When considering the impact of a proposed development on the integrity or character of a listed building, great weight should be given to the conservation of its particular integrity, character and setting. Robust justification should be provided for any harm that cannot either be avoided or minimised based on the public benefits that would demonstrably outweigh the harm and that could not otherwise be delivered."

Impact on Listed buildings

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must 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. Paragraphs 193, 194, 195 and 196 of the NPPF are of particular relevance and are provided below:

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application of the statutory duties within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Retained Policies HE3 and HE5 of the Local Plan 2002 are afforded significant weight owing to their consistency with the NPPF 2018.

The listed buildings/structures which are potentially affected are:

- Grade II listed building – Turnpike Cottage, Portsmouth Road
- Grade II listed building – Milford House, Portsmouth Road
- Grade II listed building – Dovecot in grounds of The Refectory, Portsmouth Road

Turnpike Cottage is a 16<sup>th</sup> century, timber framed, 4½ bay smoke bay house with subsequent alterations and extensions. The building is slightly set back from the street and has a well-defined boundary enclosing the site but is still a prominent feature within



the streetscene and marks entry into the CA from the north east. It is a good example of vernacular construction as the building reflects the materials, techniques and craftsmanship of its regional typology. The setting of Turnpike Cottage has significantly changed in the last 100 years from a small cottage on the main route to Portsmouth and London set within a rural setting to one with development either side. The application site, located immediately behind the cottage, is the last remaining direct connection to its rural setting.

Milford House is an elegant five bay house of red brick with Portland stone dressings in the Queen Anne style dating from 1730 with later extensions and a probably slightly later attic storey. It is the principal house of the village built for a successful merchant, Thomas Smith, and later became the home of the Webb family, squires of Milford. The interior was destroyed in a fire in 1983 and it was restored, as apartments, in 1990. Its significance relates to its aesthetic value from its polite architecture with the classical façade and use of stone banding, quoins and pediments creating a prominent appearance which departs from the more vernacular buildings in the area. And its historical interest as the building's form, layout and architecture is illustrative of past ways of living and grandeur within a rural setting.

The Dovecot is a 18<sup>th</sup> century timber framed granary which sits on nine staddle stones with black weatherboard cladding. Atop the hipped, plain-tiled roof lies central lantern with 3 tiers of nesting boxes under square domed roof and crowning weathervane. Its significance relates it to being a good example of a free-standing timber framed granary, which is a typical characteristic in farmsteads of large estates in the south east, and the addition of the dovecote and its historic interest due to its association with Milford House including how the wider estate developed and functioned.

The proposed farm shop and road will fundamentally change the character of the application site by Turnpike Cottage and thus removing the last remnants of the listed building's connection to its rural setting. The design of the farm shop, to reflect a traditional farmstead that has developed over time, does help reduce this harm but the car park and new road will result in significantly greater number of vehicle traffic movements to the rear of the listed building and lighting, both of which will be greater than a typical farmstead, detract from the listed building and urbanise its rear views, screening will only do so much to minimise this. Therefore, less than substantial harm is identified. Careful, informal, landscaping and lighting will help minimise this harm as much as possible.

Milford House can be seen from some places within the application site, therefore it is likely that the site and thus the proposal would be visible from the attic windows and impacting any long range views of its wider rural setting. However, it is considered that this has already been severely diluted/lost by the development at Meadow Close and no harm is identified.

The setting for the Dovecot, and The Coach House is considered to consist of the cluster of historic buildings surrounding them and the rural setting to the south east, the application site does not form part of this setting and therefore no harm is identified.

#### Impact on Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area.

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
  - a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>63</sup>.
195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
  - a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application of the statutory duties within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

Retained Policy HE8 of the Local Plan 2002 is afforded substantial weight due to its level of consistency with the NPPF and seeks to ensure that the development preserves or enhances the character of Conservation Areas.

WNP Policy HC3 states that: "Development in or within the setting of a Conservation Area should preserve or enhance the character of the Conservation Area by: (a) Retaining buildings and other features, including trees, which make a significant contribution to the character of the Conservation Area; (b) Ensuring the design of all development, within or adjoining Conservation Areas, is of a high quality and responds appropriately to the character of the area and surrounding buildings in terms of scale, height, layout, design, building style, detailing and materials; (c) Protecting open spaces and views important to the character and setting of the area;.... Proposals that would cause substantial harm to a Conservation Area will not be supported unless it can be demonstrated that: i. the substantial public benefits gained would outweigh the loss of or harm to the heritage asset; and ii. there are no other available and suitable alternative sites outside the Conservation Area or its setting, which could accommodate the proposed development. When considering the impact of a proposed development on the character or appearance of a conservation area, great weight should be given to the conservation of its particular character and appearance. Robust justification should be provided for any harm that cannot either be avoided or minimised based on the public benefits that would demonstrably outweighs the harm and that could not otherwise be delivered."

The Conservation Area (CA) is characterised by built form typical of a small rural settlement with a mix of historic houses for the gentry, labourer's cottages and farm buildings. The village was established and grew as a result of being enroute from Portsmouth to London before the A3 was built. This is demonstrated by the linear form of development along Portsmouth Road and Church Road, with a cluster of buildings historically being close to the junction. One of the key views noted within the Conservation Area Appraisal (CAA) is the view along Portsmouth Road as you enter the CA from the north east specifically the cluster of historical buildings: The Refectory, Turnpike Cottage and Milford House. The application site is, in the main, located outside of the CA forming part of the wider rural/agricultural setting, except for the realigned access and the outline portion of the application for the 'village hub' which is currently the Secretts Farm Shop (Hurst Farm). The farmshop is made up of two buildings, Black Barn a 20<sup>th</sup> century black weatherboarded barn with several unsympathetic alterations, and a group of c.18<sup>th</sup>/19<sup>th</sup> century single storey agricultural

buildings set around an courtyard ( with some infill within the courtyard) an example of a traditional farmstead. These contribute to the significance of the CA by reflecting its agricultural origins.

The loss of Black Barn would be minimal, subject to the details of the building replace it. The retention of the courtyard will allow for CA's agricultural origins to still be appreciated. The proposal will require significant alterations to the infrastructure within the CA, but it would facilitate the removal of the existing car parking and its replacement with soft landscaping, which would be an improvement. The proposal will also introduce a new road within an identified key view, however, subject to landscaping this will not affect the appreciation of this view. Therefore, no harm is identified.

### Archaeology

Paragraph 194 of the NPPF (2021) states that: "Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

Therefore, given the large site area, the application is accompanied by an archaeological desk based assessment. The County Archaeologist has confirmed that the submitted document is comprehensive and that no pre-determination archaeological investigations are necessary. Appropriate evaluation and potentially mitigation can be secured by condition.

### Buildings of local merit and non designated heritage features

The following building of local merit and non designated heritage features are considered of relevance to the heritage assessment of the proposal -

- Building of local merit (non-designated heritage asset) – Coach House (stables) at The Refectory, Portsmouth Road
- Non-designated heritage asset – The Refectory, Portsmouth Road
- Non-designated heritage asset – Milford Village Hall, Portsmouth Road
- Heritage Feature (non-designated heritage asset) – Milestone alongside Portsmouth Road on the corner of Turnpike Cottage

The Coach House (stables) is a 19<sup>th</sup> century stone faced building with red brick dressings in an H' shaped plan. The centre portion consists of three segmental-headed arches forming an open arcade with coach-house doors behind this. It is located within the complex associated with the Refectory public house but would have historically served Milford House. Its significance relates to its aesthetic value due to its architecture, which despite conversion, retains features which identify the building as

stables and its historic interest due to its association with Milford House including how the wider estate developed and functioned.

The stone carved milestone stands alongside the Portsmouth Road, an old highway which became a turnpike road in 1749, on the corner of Turnpike Cottage's fence and opposite The Refectory. It is a triangular type (Guildford Facet) which was erected by the Kingston & Sheetbridge, 1st District turnpike trust in the 19th century marking the distance from Portsmouth, Hyde Park Corner, Godalming and Liphook (with an OS benchmark). It is historically significant for not only marking the route of a former turnpike but for the measured survey work involved in its construction.

The Refectory is a group of agricultural buildings ingeniously converted by J.H. Fenning of Haslemere in the 1930s into a tearoom/antiques shop for the Sneyers of Milford House. It is considered a non-designated heritage asset due to its aesthetic value in a prominent location at the entrance to the CA from the north east, architecturally, as it is representative of its date with details imported from local demolitions domesticating the agricultural buildings, and historic interest due to its association with Milford House including how the wider estate developed and functioned.

Milford Village Hall was built in the 1930's in the surrey style by Baillie Scott. It is considered a non-designated heritage asset due to its architectural and historic interest having been designed by Baillie Scott a leading figure in the arts and crafts movement and as a building which was at the heart of the village community for its commission as a Women's Institute building and for meeting the social and welfare needs of the village by accommodating many educational, social and leisure activities for people of all ages.

The setting for the Dovecot, and The Coach House is considered to consist of the cluster of historic buildings surrounding them and the rural setting to the south east, the application site does not form part of this setting and therefore no harm is identified.

The new road will not remove the milestone's ability to be appreciated as a feature of the turnpike road. Therefore, subject to details of landscaping, to ensure it will not be obscured or damaged by inappropriate planting, no harm is identified.

The proposal will introduce a new road directly opposite The Refectory. However, apart from its visibility from the road and forming part of a visually attractive cluster of historic buildings, its setting relates mainly to the former farm and rural backdrop to the south east. The new road will not remove any of the appreciation for this and therefore no harm is identified.

The proposal will require significant alterations to the infrastructure fronting Milford Village Hall but it would facilitate the removal of the existing car parking and its replacement with soft landscaping which would be an improvement. Therefore, no harm is identified.

## Whether heritage harm is outweighed by the public benefits of the scheme

Whilst no harm is identified to any other heritage asset, moderate less than substantial harm is identified to the significance of the Grade II Listed Turnpike cottage due to development within its setting. This harm is proposed to be mitigated by recommended conditions, but would, to an extent, remain.

In accordance with the above stated legislation and policy requirements, the heritage harm should be afforded great weight and only accepted in the event that the public benefits of the scheme outweigh this. In this case, the public benefits of the scheme are considered to be significant. They include the provision of 216 dwellings, an improved shopping and ancillary dining facility for the village, 65 of which would be in an affordable tenure and many of which would be social rented housing which is the preferred affordable rental tenure. The proposal would also provide significant new green space and public realm, playing pitches and a healthcare hub. Whilst the heritage harm is afforded great weight, it is considered in this instance that the public benefits of the scheme do outweigh this harm. The proposal is therefore considered acceptable in accordance with all of the above stated heritage policies and legislation.

### 15. Impact on residential amenity of adjoining occupiers

Policy TD1 of the Local Plan 2018 (Part 1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.

Policy ND7 of the WNP states that: "Development must avoid unacceptable harm to the amenity of existing and future occupants of nearby land, buildings and residences from overlooking, loss of daylight or sunlight or overbearing appearance....."

Retained Policies D1 and D4 of the Local Plan 2002 seek to ensure development does not result in a loss of amenity to neighbouring properties. Policies D1 and D4 are given substantial and full weight respectively due to their consistency with the NPPF 2018.

In general terms, the built development proposed would not be in close proximity to existing residential properties. The proposal adjoins open farmland and green space to the sites north east and north west boundaries.

The proposed farm shop will adjoin squires garden centre to the east and Meadow Close to the west. The proposed building and parking would be sited at a minimum 22m<sup>2</sup> from the rear boundary of Meadow Close properties, albeit with the new proposed access road in between. The farm shop would significantly intensify the use of this land which is currently open maintained green space. It would also potentially generate noise and disturbance due to parking, deliveries and use of the outdoor high level terraces proposed for the café. The access road would also generate a level of noise and disturbance compared to the existing use. However, as demonstrated by the

submitted noise assessment, it is not considered that the level of additional noise and disturbance would result in unacceptable noise conditions for the occupiers of Meadow Close. This view is supported by the Council's Environmental Health team who have recommended conditions to mitigate potential noise impacts.

The separation distance of the proposed building from the rear boundaries of Meadow Close properties of 22m is considered sufficient to prevent any harm by reason of visual overbearing or loss of light or privacy. It is not considered that a condition for screening of the proposed terraces is necessary given this separation.

The proposed healthcare building and parking area would adjoin Hylands, an existing detached dwellinghouse. The proposed parking could be set back from the boundary when a reserved matters application is received and the existing dwelling is set back within the serving curtilage. This, potentially combined with other mitigation if considered necessary at reserved matters stage, would prevent an unacceptable increase in noise levels experienced within this property. It is also considered that a satisfactory arrangement to prevent harm to this property by reason of overbearing, loss of light or loss of privacy can be achieved at reserved matters stage for this element.

The change of use of the existing farmshop courtyard range to business use would not adversely affect the amenity of the adjacent dwelling when compared to the existing use.

Whilst the site does adjoin dwellings located on the eastern side of Chapel Walk, the proposed development would be sufficiently set back from these in order to prevent adverse harm to these by reason of noise, overbearing or loss of light and privacy.

The site and area of proposed new dwellings would adjoin existing dwellings on Middleton Close and Potters Close to the north west. It is proposed that the new dwellings would be set back from the rear boundary of these properties by at least 10m at this point, with minimum building to building separation distances of 20m. Whilst the proposal does not relate to the provision of an extension to an existing dwelling, the advice in the Residential Extensions SPD is of use in the assessment of residential amenity. It states that: "The general rule of thumb is that there should be a distance of at least 21 metres between proposed windows and those of neighbouring properties and 18 metres between proposed windows and neighbouring private amenity space. These guidelines may be relaxed if the character of the immediate (area) suggests that lesser distances may be appropriate. This will be considered on a site by site basis by a Planning Officer." The window to window distance would therefore be marginally less than that recommended within the SPD and the distance to the rearmost part of the existing rear amenity spaces would be less than 18m. However, given the relatively high density of the existing dwellings, it is not considered that these separation distances would be out of character or likely to result in a harmful alteration of existing levels of mutual overlooking. This distance is, therefore, considered sufficient to prevent visual overbearing and loss of the light or privacy.

The proposal would therefore not result in unacceptable living conditions for the existing occupiers of adjoining sites and is acceptable in accordance with the above stated policies.

16. Acceptability of living conditions for future occupiers, including playspace provision.

Policy TD1 of the Local Plan (Part 1) 2018 states that Furthermore, this policy seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space; appropriate internal space standards for new dwellings; on site playspace provision and appropriate facilities for the storage of waste and private clothes drying facilities.

Policy ND7 of the WNP states: "All proposals for new market and affordable homes must demonstrate that they provide good levels of internal and external space in order to ensure an appropriate living environment for future occupiers. To achieve this, developments must: (a) Provide an area of external amenity space for each dwelling, that is commensurate to the surrounding area in terms of: i. Private ii. Useable iii. Secure iv. Conveniently located (b) Not expose new residents to unacceptable noise emissions in accordance with relevant Environmental Health Standards. Every flat or apartment should have some private amenity space (including balconies), which must be at least five square metres if it is private external space or three square metres if provided as a balcony. Balconies should have a minimum depth of 1.5m and width of 2m. Where a private garden is proposed for the exclusive use of a dwelling house it should be at least 10m deep and the width of the dwelling. Development proposals should be designed and located in a way which would avoid unacceptable harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an increase in pollution, light, noise, dust, vibration, and odour, or an increase in flood risk."

Policy DM5 of LPP2 requires developments to ensure that future occupiers are provided with adequate external and internal amenity space. This includes meeting the Nationally Described Space Standards (NDSS). With regards to external amenity space, it requires that where communal space is provided, this should be 20m<sup>2</sup> per dwelling or 15m<sup>2</sup> if the dwellings have balconies. Balconies should be at least 1.5m deep and 2m wide. The space must be private, useable, secure and defensible and appropriately located.

The NDSS would be met for all 216 units. A detailed table demonstrating this for each unit is provided below.

It is noted that the applicant has elected to describe the 'Upavon' dwelling type within their plot schedule as a 2B2P unit (i.e. with 2 beds and 2 bedspaces). However, the NDSS require that dwellings of two or more bedspaces has at least one double or twin bedroom, indicating that 2 bedroom units should have at least 3 bedspaces. The



largest bedroom within the 'Upavon' house type is 12m<sup>2</sup> and 3m in minimum width, indicating that it meets the criteria for a double bedroom. These dwellings are, therefore, considered in the table below as 2B3P units and, at 74m<sup>2</sup>, exceed the minimum requirement of 70m<sup>2</sup> outlined in the NDSS.

Please note that in the table below the NDSS GIA requirement may vary for some sizes of units, dependant on whether the unit has one or two storeys.

<b>PLOT No.</b>	<b>BED</b>	<b>GIA in M2</b>	<b>NDSS GIA requirement in m2</b>	<b>NDSS, incl bed sizes, met?</b>	<b>TENURE (P/D or A/H)</b>
1	4B6P	128	106	Yes	Private
2	4B7P	144	115	Yes	Private
3	3B4P	90	84	Yes	Private
4	3B4P	90	84	Yes	Private
5	3B5P	101	93	Yes	Private
6	3B5P	101	93	Yes	Private
7	3B5P	101	93	Yes	Private
8	3B5P	101	93	Yes	Private
9	2B3P	74	70	Yes	Private
10	3B4P	90	84	Yes	Private
11	1B2P	59	58	Yes	First Homes
12	1B2P	59	58	Yes	First Homes
13	2B4P	113	79	Yes	Social Rent
14	2B3P	74	70	Yes	Private
15	2B3P	74	70	Yes	Private
16	2B3P	74	70	Yes	Private
17	3B5P	97	93	Yes	Social Rent
18	1B2P	59	58	Yes	Affordable Rent
19	1B2P	59	58	Yes	Affordable Rent
20	2B3P	74	70	Yes	Private
21	2B3P	74	70	Yes	Private
22	3B4P	90	84	Yes	Private
23	3B5P	103	93	Yes	Private
24	3B5P	124	93	Yes	Private
25	3B5P	120	93	Yes	Private

26	4B6P	128	106	Yes	Private
27	5B8P	175	128	Yes	Private
28	4B8P	143	124	Yes	Private
29	3B5P	120	93	Yes	Private
30	4B8P	143	124	Yes	Private
31	3B5P	124	93	Yes	Private
32	3B5P	103	93	Yes	Private
33	1B2P	64	50	Yes	First Homes
34	1B2P	51	50	Yes	First Homes
35	2B3P	62	61	Yes	Shared Ownership
36	2B3P	64	61	Yes	Shared Ownership
37	2B3P	62	61	Yes	Shared Ownership
38	1B2P	51	50	Yes	First Homes
39	2B3P	64	61	Yes	Shared Ownership
40	2B3P	61	61	Yes	Shared Ownership
41	1B2P	50	50	Yes	First Homes
42	1B2P	64	50	Yes	First Homes
43	1B2P	51	50	Yes	First Homes
44	2B3P	62	61	Yes	Shared Ownership
45	2B3P	64	61	Yes	Shared Ownership
46	2B3P	62	61	Yes	Shared Ownership
47	1B2P	51	50	Yes	First Homes
48	2B3P	64	61	Yes	Shared Ownership
49	2B3P	61	61	Yes	Shared Ownership
50	1B2P	50	50	Yes	First Homes
51	2B3P	74	70	Yes	Private
52	2B3P	74	70	Yes	Private
53	2B3P	74	70	Yes	Private
54	2B3P	74	70	Yes	Private

55	2B4P	113	79	Yes	Social Rent
56	2B4P	113	79	Yes	Social Rent
57	4B6P	110	106	Yes	Social Rent
58	4B6P	110	106	Yes	Social Rent
59	1B2P	59	58	Yes	First Homes
60	1B2P	59	58	Yes	First Homes
61	2B4P	113	79	Yes	Social Rent
62	2B4P	113	79	Yes	Social Rent
63	3B5P	120	93	Yes	Private
64	3B5P	113	93	Yes	Private
65	4B8P	155	124	Yes	Private
66	4B7P	138	115	Yes	Private
67	3B5P	103	93	Yes	Private
68	2B3P	74	70	Yes	Private
69	2B3P	74	70	Yes	Private
70	3B4P	90	84	Yes	Private
71	2B3P	74	70	Yes	Private
72	3B5P	113	93	Yes	Private
73	3B5P	124	93	Yes	Private
74	2B3P	74	70	Yes	Private
75	2B3P	74	70	Yes	Private
76	2B3P	74	70	Yes	Private
77	3B5P	120	93	Yes	Private
78	4B8P	143	124	Yes	Private
79	4B7P	144	115	Yes	Private
80	4B6P	128	106	Yes	Private
81	3B5P	103	93	Yes	Private
82	3B5P	103	93	Yes	Private
83	3B5P	113	93	Yes	Private
84	1B2P	59	58	Yes	First Homes
85	1B2P	59	58	Yes	First Homes
86	2B4P	113	79	Yes	Social Rent
87	2B4P	113	79	Yes	Social Rent
88	2B3P	74	70	Yes	Private
89	2B3P	74	70	Yes	Private

90	3B5P	113	93	Yes	Private
91	3B5P	124	93	Yes	Private
92	4B7P	144	115	Yes	Private
93	4B6P	128	106	Yes	Private
94	3B5P	124	93	Yes	Private
95	3B5P	103	93	Yes	Private
96	3B5P	120	93	Yes	Private
97	3B5P	124	93	Yes	Private
98	1B2P	59	58	Yes	First Homes
99	1B2P	59	58	Yes	First Homes
100	2B4P	113	79	Yes	Social Rent
101	2B4P	113	79	Yes	Social Rent
102	3B5P	103	93	Yes	Private
103	4B6P	128	106	Yes	Private
104	5B8P	175	128	Yes	Private
105	4B8P	143	124	Yes	Private
106	4B7P	144	115	Yes	Private
107	3B5P	113	93	Yes	Private
108	4B8P	143	124	Yes	Private
109	2B3P	74	70	Yes	Private
110	2B3P	74	70	Yes	Private
111	1B2P	64	58	Yes	Affordable Rent
112	1B2P	51	58	Yes	Affordable Rent
113	2B3P	62	61	Yes	Social Rent
114	2B3P	64	61	Yes	Social Rent
115	2B3P	62	61	Yes	Social Rent
116	1B2P	51	50	Yes	Affordable Rent
117	2B3P	64	61	Yes	Social Rent
118	2B3P	61	61	Yes	Social Rent
119	1B2P	50	50	Yes	Affordable Rent
120	3B5P	97	93	Yes	Social Rent
121	3B5P	97	93	Yes	Social Rent
122	3B5P	113	93	Yes	Private
123	5B8P	175	128	Yes	Private
124	4B8P	150	124	Yes	Private

125	3B5P	124	93	Yes	Private
126	3B5P	113	93	Yes	Private
127	2B3P	74	70	Yes	Private
128	2B3P	74	70	Yes	Private
129	3B5P	97	93	Yes	Social Rent
130	3B5P	97	93	Yes	Social Rent
131	2B3P	74	70	Yes	Private
132	2B3P	74	70	Yes	Private
133	3B5P	113	93	Yes	Private
134	3B5P	103	93	Yes	Private
135	5B8P	175	128	Yes	Private
136	4B7P	144	115	Yes	Private
137	4B7P	138	115	Yes	Private
138	4B6P	128	106	Yes	Private
139	3B5P	120	93	Yes	Private
140	3B5P	103	93	Yes	Private
141	4B6P	128	106	Yes	Private
142	3B5P	103	93	Yes	Private
143	3B5P	124	93	Yes	Private
144	2B3P	74	70	Yes	Private
145	3B4P	90	84	Yes	Private
146	3B5P	97	93	Yes	Social Rent
147	3B5P	97	93	Yes	Social Rent
148	3B5P	97	93	Yes	Social Rent
149	3B5P	97	93	Yes	Social Rent
150	4B7P	144	115	Yes	Private
151	3B5P	124	93	Yes	Private
152	4B6P	128	106	Yes	Private
153	3B5P	101	93	Yes	Private
154	3B5P	101	93	Yes	Private
155	3B5P	101	93	Yes	Private
156	3B5P	101	93	Yes	Private
157	4B7P	138	115	Yes	Private
158	3B5P	113	93	Yes	Private
159	2B3P	74	70	Yes	Private

160	2B3P	74	70	Yes	Private
161	4B6P	128	106	Yes	Private
162	3B5P	103	93	Yes	Private
163	4B7P	144	115	Yes	Private
164	3B5P	97	93	Yes	Social Rent
165	3B5P	97	93	Yes	Social Rent
166	3B5P	97	93	Yes	Social Rent
167	3B5P	97	93	Yes	Social Rent
168	3B4P	90	84	Yes	Private
169	2B3P	74	70	Yes	Private
170	4B8P	150	124	Yes	Private
171	3B5P	97	93	Yes	Social Rent
172	3B5P	97	93	Yes	Social Rent
173	3B5P	97	93	Yes	Social Rent
174	3B5P	97	93	Yes	Social Rent
175	4B6P	128	106	Yes	Private
176	4B8P	155	124	Yes	Private
177	4B7P	144	115	Yes	Private
178	4B8P	143	124	Yes	Private
179	4B7P	138	115	Yes	Private
180	4B8P	155	124	Yes	Private
181	4B7P	138	115	Yes	Private
182	4B7P	144	115	Yes	Private
183	4B6P	128	106	Yes	Private
184	4B8P	143	124	Yes	Private
185	5B8P	175	128	Yes	Private
186	4B8P	150	124	Yes	Private
187	3B5P	113	93	Yes	Private
188	4B7P	144	115	Yes	Private
189	4B6P	128	106	Yes	Private
190	4B7P	138	115	Yes	Private
191	3B5P	120	93	Yes	Private
192	4B7P	144	115	Yes	Private
193	4B7P	138	115	Yes	Private
194	4B8P	143	124	Yes	Private

195	4B6P	128	106	Yes	Private
196	5B10P	208	128	Yes	Private
197	5B10P	210	128	Yes	Private
198	5B9P	210	128	Yes	Private
199	5B10P	210	128	Yes	Private
200	4B8P	150	124	Yes	Private
201	4B7P	144	115	Yes	Private
202	5B8P	175	128	Yes	Private
203	4B7P	138	115	Yes	Private
204	4B8P	143	124	Yes	Private
205	3B5P	124	93	Yes	Private
206	5B10P	208	128	Yes	Private
207	5B10P	210	128	Yes	Private
208	5B10P	208	128	Yes	Private
209	4B8P	143	124	Yes	Private
210	5B9P	210	128	Yes	Private
211	5B10P	208	128	Yes	Private
212	4B8P	155	124	Yes	Private
213	4B6P	128	106	Yes	Private
214	2B3P	74	70	Yes	Private
215	2B3P	74	70	Yes	Private
216	4B7P	144	115	Yes	Private

With regards to amenity space, the vast majority of the proposed houses would be provided with an attached private garden of at least 10m over the width of the house (albeit with some irregular shapes as the perimeter block layout dictates.) One plot, number 20 would have a garden of only 8.5m and there would be a further 8 plots with smaller gardens. These 8 plots are within 4 pairs of the 'Winterbourne' house type which are one bed units and sit on corner plots attached to two bedroom units accessed via the perpendicular road. For each pair, one of the plots would not have direct access to a garden, but it would be in relatively close proximity beyond the other attached plot. Given that these are smaller units and represent a very small proportion of the 216 units proposed, it is considered that sufficient amenity space would be provided for the houses overall in general conformity with WNP Policy ND7.

The communal space provided for the three blocks of 9 flats each also needs to be considered. The usable, fenced off communal amenity space for each block (i.e. not that to the front of the dwellings or unusable sections to the side) would be 128m<sup>2</sup>,

145m<sup>2</sup> and 137m<sup>2</sup>. All of the flats would have private balconies or patios and the communal amenity space requirement under LPP2 Policy DM5 would be 15m<sup>2</sup> per flat, or 135m<sup>2</sup> in total. Two of the proposed blocks would exceed this and the other would provide usable amenity space very close to this requirement. Policy DM5 also specifies that balconies should be at least 1.5m deep by 2m wide. All of the proposed balconies and patios would meet these dimensions. Overall, it is therefore considered that the external amenity space provision for the residential element of the scheme would be acceptable.

With regards to the provision of playspace, LPP1 Policy LRC1 states that: "The Council will encourage the provision of new open space, sports, leisure, and recreation facilities and the promotion of outdoor recreation and access to the countryside, taking account of the most up to date assessments. Proposals for new residential development will be expected to make provision for play space having regard to Fields in Trust standards as set out in Table 1." This requires new development of over 200 dwellings to provide a Neighbourhood Equipped Area of Play (NEAP) of 1000m<sup>2</sup> with dimensions of 31.6 squared and 30m buffer zones to residential accommodation.

WNP requires that major developments provide "Creation of new play areas proportionate to the type and scale of development".

The NEAP would be provided within the central green area. Whilst it would not be in the perfect square shape indicated in the policy, it is considered that it would be sufficiently wide at 24m, with 26m in length. The full 1000m<sup>2</sup> of play area necessary for a LEAP would be provided. A buffer zone of 30m would be maintained around the NEAP, albeit with two dwellings coming slightly within the area at 26m away from the NEAP boundary. It is not considered that this minor reduction in buffer distance would be likely to result in any quantifiably different impact on the dwellings in noise and disturbance terms. The NEAP is considered to be acceptable. A LAP of 100m<sup>2</sup> would also be provided to the back of the farmshop. The level and quality of playspace provision for the site overall is considered acceptable.

The proposal is therefore considered acceptable with regards to internal and external amenity space provision, as well as playspace provision. It is noted that all units would have good access to green space with the areas provided within the site and the proposed SANG to the north. The proposed playing pitches would also provide a significant sporting offer in close proximity. The proposed layout indicates that all units would have sufficient outlook and light and mutual overlooking avoided.

#### 17. Transportation considerations

Policy ST1 of the Local Plan (Part 1) 2018 states that development proposals should seek to maximise opportunities for and encourage the use of sustainable transport. Both Waverley and Surrey have published guidance with regards to suitable levels of parking for new development.



WNP Policy T2 states that: “As appropriate to their scale, nature and location proposals for major development should: (a) Maintain the quality and convenience of pedestrian and cycle routes and introduce new features to enhance the quality and convenience of these routes; (b) Maintain and where practicable enhance safety for road users, cyclists and pedestrians; (c) Incorporate design features that manage the speed of traffic, appropriately reducing speeds in certain locations without causing congestions; (d) Provide good visibility splays (without signage obscuring visibility); (e) Allow for adequate turning space (where appropriate); (f) Be of a sufficient layout to prevent congestion at junctions e.g. through careful use of traffic management measures; (g) Be designed in a way that limits impact on traffic flow on existing roads; (h) Support emergency vehicle access at all times; (i) Support the convenient access of servicing and delivery vehicles; and be safely integrated with routes for pedestrians and cyclists. Improvements to existing road junctions to accommodate increases in traffic arising from new development are supported.”

WPN Policy T1 states that major development should improve the pedestrian and cycle environment, including where the opportunity exists, relating this to broader and comprehensive approaches to movement. Policy T3 requires new development to provide appropriate residential and visitor parking in line with Waverley Parking Guidelines (2013) and with 10% of spaces as visitor spaces. The Policy also requires non residential parking to be provided in accordance with Surrey County Council guidance and outlines support for proposals which increase parking capacity in the village centres. Policies T4 and T5 require major developments to be accompanied by a Transport Assessment (TA) and agreed Travel Plan. Policy T6 supports the provision of a cycling ‘greenway’ to Godalming and Guildford, whilst Policy T7 states that measures to improve accessibility to the transport network for those with limited mobility will be supported.

LPP2 Policy DM9 requires that development proposals meet a number of criteria to promote sustainable transport modes and patterns for all users of the Highway network.

With regards to parking, the submitted plot schedule indicates that 534 parking spaces would be provided in total, with 461 being external to garages and 46 visitor spaces provided. 488 of these would be allocated residential spaces, including within garages. The WBC Guidelines (required by WNP policy) require that different numbers of spaces are provided to serve new residential units dependant on both their location and their size. These are outlined in the table below in order to demonstrate requirements for the development.

Unit size	No proposed from plot schedule	Rest of Waverley standard	Resultant requirement
1B	22	1	22

2B	54	2	108
3B +	140	2.5	350
Total	216	n/a	480

The proposal would therefore meet the requirement for residential parking. In addition, 46 visitor parking spaces would be provided which represents 10% of the 461 external parking spaces which would be provided. This is in line with the requirement of WNP Policy T3.

The parking plan indicates that 49 parking spaces would be provided to serve the proposed healthcare hub. The submitted Transport assessment states that; *“The proposed doctors surgery and Rural Business Hub are both outline and therefore exact car and cycle parking provision will be confirmed within a reserved matters application.”* It is therefore presumed that the 49 spaces indicated would also include some provision for the rural business hub. The layout and appearance of this aspect of the development is reserved so this figure can only be taken as indicative at present. WNP Policy T1 requires non residential parking to be provided in accordance with Surrey County Council guidance The Surrey guidance identifies different requirements for C1 – residential institutions (i.e. hospitals) and D1 institutions (i.e. doctors practices and outpatient day facilities. Policy A1 of the WNP identifies a requirement for GP and outpatient facilities within Milford so it is presumed that the hub would fall within use class D1. The parking requirement for doctors surgeries is based upon the number of consulting rooms provided. Given that this is a matter of layout, which is a reserved matter, the proposal cannot therefore be assessed against the Surrey Guidance in full. The acceptability of the level of parking proposed would need to be assessed when all details are confirmed at reserved matter stage.

The proposed new farm shop would be served by 130 parking spaces accessed from Portsmouth Road. The provision would include 6 spaces suitable for wheelchair users. The applicant has based their assessment of the required parking on the gross floor area for the farm shop and associated servicing areas only (i.e the ground floor of the building, which has a GFA of 2050 sqm) This gives a parking requirement (maximum) of 146 spaces. The TA acknowledges that the proposed provision of 130 is below this, but argues that this is acceptable given the local improvements to walking and cycling between the site and the surrounding area, that would be provided as part of the overall development. The County Highway Authority Officer has informally expressed the view that the café is ancillary to the farm shop, and it is therefore reasonable to base the parking provision on the farm shop GFA which will be the main trip attractor. The site is in a highly sustainable location, easily accessible by sustainable modes of travel, and it is recommended that a Travel Plan would be secured by legal agreement to ensure that measures to encourage customers and staff to travel to the site by sustainable modes are in place. This view is supported by Waverley officers. Given all of these considerations, the proposal is therefore considered acceptable in this regard.

WNP Policy T1 outlines support for proposals which increase parking capacity in the village centres. The proposal would include 10 parking spaces near the main access to the development, including two spaces suitable for wheelchair users, which are identified as being allocated for those accessing local shops and services. This provision is supported.

The plans do not indicate any parking provision for the proposed business hub. The Surrey guidance for business uses states “A maximum range of 1 car space per 30 square metres to 1 car space per 100 square metres depending on location.” The footprint of the building proposed for change of use is 489m<sup>2</sup>. The submitted Transport assessment states that; *“The proposed doctors surgery and Rural Business Hub are both outline and therefore exact car and cycle parking provision will be confirmed within a reserved matters application.”* The business hub would also be located centrally within Milford. It is therefore considered that the overall provision would be acceptable.

The plans show the provision of 30 parking spaces accessed from Eashing Lane adjacent to the new playing pitches which are proposed within Guildford Borough Council’s area. The Surrey guidance states that ‘Field sport clubs’ should provide “1 car space per 2 playing participants **or** individual assessment/justification.” The submitted transport assessment states that the number of spaces provided would exceed the 14 required to serve the 2 proposed 7 a side junior pitches with 28 players on pitch at any one time). The provision has also been increased in line with the requirements of the Milford Pumas following consultation with the applicant. This provision is therefore considered to be acceptable. The Highway Authority has considered this provision and found it acceptable, subject to a condition for a car park management plan to cover the worst case scenario with parking demand. This is recommended condition 55.

The Highway Authority have stated that: “Overall, it is considered that the applicant’s Transport Assessment provides a robust and realistic assessment of the impact of the proposed development on the local highway network. The assessment has addressed the transport requirements of the National Planning Policy Framework, specifically with regard to ensuring safe and suitable access for all people, maximising sustainable transport opportunities, and demonstrating that the residual cumulative impact of the development would not be severe. The proposed development will preserve or enhance highway safety, help manage traffic capacity and encourage the use of public transport, walking and cycling.”

Having regard to the comments from the County Highway Authority comments the proposal is therefore considered acceptable with regards to the above stated transport related policies.

## 18. Flooding and drainage

Policy CC4 of the Local Plan (Part 1) 2018 relates to flood risk management and states that development must be located, design and laid out to ensure that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere. The Policy also states that sustainable drainage systems (SuDS) will be required on major developments.

WNP Policy NE4 requires the provision and maintenance of SuDs.

The site is not within a zone which is identified as being at a high risk of flood. The EA have therefore confirmed that they do not wish to review the application. A Flood Risk Assessment has been submitted with the application given the scale of the proposal. This indicates that the site is in flood zone 1, indicating that there is not a risk of fluvial (river) flooding. The vast majority of the site is also in a very low risk area for surface water flooding, with a small area of higher risk adjacent to the Squires garden centre where the farm shop access road is proposed. However, suitable mitigation would be provided through the SUDS strategy. The report concludes that: "It is considered that the above measures and the development of the site will not result in any significant loss of floodplain storage and will not increase the risk of surface water flooding to existing parties within the vicinity of the site or downstream."

The LLFA have indicated that they have no objection to the proposal, subject to conditions.

The proposal is therefore considered acceptable with regards to flood risk and drainage.

#### 19. Impact on the Wealden Heaths SPA

The site is within 2km of the Wealden Heaths buffer zone and would result in an increase in the number of people permanently residing on the site. Assessment and mitigation for the impact of the development on its integrity is therefore required. A separate planning application for SANG, on land immediately adjoining the site to the north, has been submitted to Guildford Borough Council. Natural England have confirmed that the SANG management plan for that application is acceptable. Guildford Borough Council have confirmed that they will take on management responsibilities for the SANG. Guildford officers have confirmed that the application for change of use to SANG will be subject to a legal agreement which makes provisions for the long term maintenance of the SANG. A planning condition is, however, required in association with this Hurst Farm main application to ensure that no occupation of any residential development on the site takes place before the SANG is provided.

It is noted that Natural England have confirmed that a SAMM (Strategic Access Monitoring and Management) contribution is not required as no the site is not within the Thames Basin SPA buffer zone and a SAMM procedure has not been set up for development within the Wealden Heaths buffer zone.

An Appropriate Assessment has been completed and agreed by Natural England. Subject to the recommended condition, the impact of the proposal upon the SPA is considered acceptable.

20. Biodiversity, including tree impacts and biodiversity nett gain

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

WNP Policy NE3 requires that urban and rural biodiversity is protected and enhanced and requires that developments provide a biodiversity nett gain (BNG).

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

The application is accompanied by an Ecological Impact Statement and a Biodiversity Nett Gain (BNG) Assessment. The BNG assessment indicates that the scheme can achieve a 10% nett gain in accordance with LPP2 Policy DM1. This is supported and is recommended to be secured via condition.

An active bat roost has been identified within the existing 'black barn' which is proposed for demolition on the part of the site where the new healthcare facility would be provided. Details will not be finalised until an application comes forward for the detailed design of that building, but an alternative new bat loft would be provided. Surrey Wildlife Trust have confirmed that this is acceptable subject to appropriate details coming forward for a replacement bat loft at a later design stage.

Surrey Wildlife Trust have confirmed that the impacts on wildlife would be acceptable, subject to suitable mitigation being secured for SANG impacts and the imposition of conditions to prevent and mitigate wildlife harm.

Having regard to the information submitted and the consultation response from Surrey Wildlife Trust Officers consider that subject to conditions the proposal would be acceptable with regards to ecological matters.

21. The sustainability of the proposed development

Policy DM2 requires new development to meet part L of the building regulations in relation to heating and energy. The applicant has indicated that this will be met and provided a detailed Energy Statement. Further detail regarding compliance with the conditions would need to be secured by condition.

A condition is also recommended to ensure sustainable water use within the development, restricting this to 110l per head. Thames Water will also require an Infrastructure Delivery Plan as the network is not currently sufficient to serve more than 40 additional dwellings. It is recommended that this is also secured by condition.

A condition is also recommended to ensure that the development provides the highest speed broadband. The provision of Electric Vehicle Charging Points to serve each dwelling would also be secured as a requirement under Building Regulation and therefore does not need to be a condition.

The proposal is therefore acceptable with regards to the above sustainability policies.

## 22. Air quality impact

WNP Policy T4 states that the air quality impacts of major developments should be assessed at application stage.

The application is accompanied by an updated Air Quality Assessment. This determines that the predicted changes in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations as a result of the operation of the proposed development are below the relevant air quality standards and the impact not significant. Furthermore, future occupants and users of the proposed development will not be exposed to poor air quality. The findings and conclusions are accepted by the Council's Environmental Health Team. It is therefore considered that the proposal is acceptable with regards to air quality impacts, subject to the recommended conditions of the Environmental Health Team.

## 23. The overall planning balance

The adoption of LPP2 Policy DS14 indicates that the principle of the development is acceptable. Whilst there will be some loss of landscape value in developing the site this is not considered to result in significant harm.

Moderate less than substantial harm to the significance of the Grade II Listed Turnpike Cottage has been identified, whilst it has been concluded that this harm, notwithstanding the great weight afforded to it, is outweighed by the public benefits of the scheme. Appropriate mitigation is available for the potential impact on the integrity of the Wealden Heaths SPA. A bat roost would be lost from an existing building to be demolished but appropriate mitigation could be provided in the form of a replacement bat loft. The proposal is considered satisfactory and neutral in all other regards, not resulting in other discernible harms.

The overall harms of the scheme are balanced against the planning benefits, which are substantial. They include particularly the provision of 216 dwellings, 65 of which would be in an affordable tenure and many of which would be social rented housing

which is the preferred affordable rental tenure. The proposal would also provide significant new green space and public realm, playing pitches and a healthcare hub. In addition, the Council has recently confirmed that, with a basedate of 20<sup>th</sup> February 2023, there is not a demonstrable 5 year housing land supply. This has the effect of engaging the 'tilted balance' described in paragraph 11 of the NPPF and indicating that planning permission should be granted unless the harms of the development significantly and demonstrably outweigh the benefits.

In the case of the current proposal, this is not the case and the benefits would substantially outweigh the identified harms (presuming that the outstanding issues identified above will be addressed prior to the committee meeting.)

#### 24. Response to third party representations

The majority of the comments received are addressed in the body of the report above. It is noted that a representation has been received stating that the applicant should be required to buy credits within the SANG adjacent to the area where SANG is currently proposed because it is reliant on footpaths within the adjacent SANG to meet SANG criteria.

On this matter, Natural England have stated that: " I do not have any comments on the question regarding the developer needing to pay into the adjacent SANG. We have given our approval for the Hurst Farm/ Secrett's SANG design because the SANG capacity proposed meets the needs of the development being proposed. The SANG offers wider connectivity and enhances the already present SANG. However, it is not for us/ NE to comment on this query over payments towards the established SANG, this is for the current developer and the adjacent SANG operative to figure out between them." The Guildford Borough Council SANG officer has also commented that the SANG guidelines do not require new SANG to pay into an existing SANG with which it would form a network.

Given that the SANG proposed in Guildford would provide the capacity to meet the needs of the proposed development, it is not considered that, in this instance, the Local Planning Authority should place a requirement on the developer to buy credits within an adjacent SANG scheme. However it is necessary for SANG provision to mitigate the impact of the development and therefore it will be necessary to impose a grampion style condition requiring the applicant to demonstrate SANG provision prior to first occupation of the first dwelling.

#### 25. Conclusion

The planning balance assessment concludes that the proposal is in accordance with the Development Plan. As such, it is recommended that planning permission is granted.

## **Recommendation**

That delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to the completion of a legal agreement with Heads of Terms as indicated in the report and to a schedule of conditions as below or any amendments to the wording.

The proposed Heads of Terms for the legal agreement are:

- Provision of affordable housing
- Provision of health facility
- Maintenance of open space, landscaping and public realm
- Provision of PROW through the site
- Maintenance of SUDs and playspace
- Residential Travel Plan
- Farm shop Travel Plan plus monitoring fee for this and residential travel plan
- Car club scheme
- Sustainable travel vouchers for new householders
- Footway/cycleway to Franklyn Way (Indicative details have been submitted for the route of the link. A land ownership plan has been submitted by the applicant to confirm that they own all of the relevant land.)
- £20,000 for Portsmouth Road/Guildford Road/Old Elstead Road signalised junction optimisation
- £200,000 Milford Active Travel and Sustainable Transport improvements contribution
- Eashing Lane traffic calming measures and crossing (GBC area)

## **Conditions**

### 1. Condition

The plan numbers to which this permission relates are:

1504 95; 51; 90-1; 90-2; 97D; 100-1 D; 100-2 D; 100-3 D; 101 D; 105 A; 106 A; 107 A; 108 A; 109 A; 98 C.

HT-UP-01A; 02A; 03A; 04A; As-01A; 02A; Sa-01; 02; Sa-Up-01B; 02 A; Sa-Up-x2-03A; 04; Ma-01A; 02A; He-01B; 02C; 03A; Lt-01A; 02B; Bu-01A; 02B; Go-01B; 02C; 03B; Lo-01A; 02A; Mn-01A; 02A; Dr-01C; 02C; 03B; Ki-01A; 02A; Lc-01A; 02A; Sc-02B; 03A; A-01; 02; Su-01B; 02; C-01B; 02C; 03A; Wi-2B-01B; 02B; Wi-2B-x2-03B; 04B; 05B; 06B; Wi-Ra-01A; 02; 2B-01B; 02B; Ra-01B; 02A; Wo-01A; 02.



6406-MJA-SW-XX-DR-C (all rev P3 unless stated) 001; 002; 003; 004; 005; 006; 010 P2; 011 P2; 030; 031; 040; 041; 101 P2; 102 P2; 103 P2; 104 P2; 105 P2; 106 P2; 150 P1; 201 P1; 202 P1; 500; 501; 502; 503; 750 P1; 751 P1.

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

#### Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan 2018 (Part 1), Policy ND5 of the Witley Neighbourhood Plan (2020) and Policies DM1 and DM4 of the Local Plan (Part 2) 2023.

2. 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 the requirements of Town and Country Planning Act 1990 (as amended).

3. Details of the appearance, landscaping, layout and scale of the outline element of the development (being the healthcare hub and surrounding land shown on plan 1504 100-1 Rev D), 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: To comply with the requirements of Town and Country Planning Act 1990 (as amended).

4. The application for approval of the reserved matters shall be made to the local planning authority before the expiration of two years from the date of this permission.

Reason: To comply with the requirements of Town and Country Planning Act 1990 (as amended).

5. Prior to the commencement of the development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This shall identify the location of the phases and a programme for the implementation of the phases. The development shall be implemented only in accordance with the submitted phasing plan.

Reason: To assist with the delivery of the scheme in accordance with the objectives of the NPPF, 2021.

6. Concurrently to the submission of the reserved matters application, a floor plan for the proposed business hub and details of parking provision of the business hub, shall be submitted to the Local Planning Authority for written approval. The business hub shall be provided in full accordance with the approved details and shall not be occupied until the parking has been provided in accordance with the approved details.

Reason: To ensure that details of the use of this space are provided and are satisfactory in accordance with Policy DS14 of the Local Plan (Part 2) 2023.

7. The proposed new farm shop, located in the south eastern portion of the site adjacent to Meadow Close, shall be used only for food retail (with ancillary café function) and for no other purposes within class E.

Reason: To protect the retail vitality of Milford, accord with the site allocation and prevent uses for which the direct impacts have not been assessed. This is required in accordance with Policies DS14 of the Local Plan (Part 2) 2023 and Policy E1 of the Witley Neighbourhood Plan (2020).

8. Prior to the commencement of above ground works for each phase of the development, details of the proposed materials for use on the external elevations of all buildings within that phase shall be submitted to and approved in writing by the Local Planning Authority. Such details should include samples and product specifications, and sections showing joining methods where cladding is to be provided. The development shall only be implemented in full accordance with the approved details.

Reason: To mitigate the landscape impact of the development, mitigate impact on heritage assets and provide a visually acceptable development that is appropriate within the context of Milford in accordance with Policies RE3, TD1 and HA1 of the Local Plan (Part 1) 2018, Policies ND5, ND6, HC1, HC2 and HC3 of the Witley Neighbourhood Plan (2020) and Policy DM4 of the Local Plan (Part 2) 2023.

9. No development within the area for each phase (approved in accordance with condition 5) shall take place until the applicant has secured the implementation of a programme of archaeological work for the area of that phase in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing. Once approved the development shall be completed in accordance with the agreed details. Should a need for further investigation be identified, this shall be carried out in accordance with a specification which has previously been approved and no development works in that phase area shall commence unless and until the Local Planning Authority confirms in writing that all archaeological works for that phase are fully satisfied.

Reason: To ensure that the archaeological value of the site is fully explored in accordance with Policy HA1 of the Local Plan (Part 1) 2018 and paragraph 194 of the NPPF 2021.

10. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance 2 with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main. This condition is necessary to avoid potential adverse impact on local underground water utility infrastructure in accordance with Policy ND10 of the Witley Neighbourhood Plan (2020).

11. No more than 40 dwellings shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. The details are therefore necessary in accordance with Policy ND10 of the Witley Neighbourhood Plan (2020).

12. Prior to the commencement of any works on site, including site preparatory works, demolition, and construction activities, a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that (a) any Construction, Demolition and Excavation Waste (CD&E waste) arising from the development is limited to the minimum quantity necessary; and (b) opportunities for re-use and recycling of CD&E waste on the application site are maximised.

Reason: To minimise waste and comply with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

13. Prior to the first occupation of each building hereby consented, refuse and recycling facilities shall be provided for that building in accordance with a scheme which has been previously submitted to and approved in writing by the Local Planning

Authority. Areas identified for refuse and recycling storage shall be retained for this purpose for the lifetime of the development.

Reason: To ensure the provision of appropriate waste facilities in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

14. No development shall take place within any phase of the development until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. The plans can be part of a broader site Construction Management Plan but should detail all potential sources of particulate emissions and include appropriate mitigation measures, as detailed in the Air Quality Assessment (WSP; Project No.: 62261649; Nov 2022).

Reason: To prevent adverse air quality impact in accordance with Policy T4 of the Witley Neighbourhood Plan.

15. There shall be no burning of any waste or other materials on the site during the construction phase.

Reason: To prevent adverse air quality impact in accordance with Policy T4 of the Witley Neighbourhood Plan.

16. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a. An indicative programme for carrying out of the works
  - b. The arrangements for public consultation and liaison during the construction works
  - c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
  - d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
  - e. the parking of vehicles of site operatives and visitors
  - f. loading and unloading of plant and materials
  - g. storage of plant and materials used in constructing the development
  - h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - i. wheel washing facilities
  - j. measures to control the emission of dust and dirt during construction
  - k. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To prevent adverse environmental impacts during the construction phase in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

17. The noise mitigation measures recommendation in the report entitled 'Land at Hurst Farm, Milford, Noise impact assessment' dated August 2022 shall be implemented on site in full.

Reason: To prevent adverse environmental impacts in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

18. No construction activity which is audible outside the site boundary shall take place outside the following hours:- 08:00 – 18:00 Mondays – Fridays; 08:00 – 13:00 Saturdays and not at all on Sundays or Public Holidays.

Reason: To prevent adverse environmental impacts during the construction phase in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

19. No construction deliveries shall be taken at or dispatched from the site outside the hours of 08:00-18:00 Monday- Fridays, 08:00-13:00 Saturdays and not at all on Sundays or Public Holidays.

Reason: To prevent adverse environmental impacts during the construction phase in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

20. No floodlights or other forms of external lighting shall be installed on site without the prior permission in writing of the local planning authority.

Reason: To prevent adverse environmental impacts in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

21. All deliveries to the proposed farm shop shall be conducted between 8am and 5.30pm Mondays to Saturdays and 10am to 4pm on Sundays.

Reason: To prevent adverse environmental impacts in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and NE1 of the Witley Neighbourhood Plan (2020).

22. Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.

b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include (i) All works to be undertaken (ii) Proposed remediation objectives and remediation criteria (iii) Timetable of works (iv) Site management procedures The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To prevent land contamination pollution risk to future occupiers, the public and wildlife in accordance with Policy NE1 of the Witley Neighbourhood Plan (2020).

23. Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with condition 22 and shall be submitted to the Local Planning authority for approval prior to occupation of the development.

Reason: To prevent land contamination pollution risk to future occupiers, the public and wildlife in accordance with Policy NE1 of the Witley Neighbourhood Plan (2020).

24. Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 22, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works: a) An investigation and risk assessment, undertaken in the manner set out in Condition 22 of this permission. b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 22. c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 23.

Reason: To prevent land contamination pollution risk to future occupiers, the public and wildlife in accordance with Policy NE1 of the Witley Neighbourhood Plan (2020).

25. Prior to the commencement of development hereby approved full details of the proposed Neighbourhood Equipped Area of Play and Local Area of Play shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the timescale for provision. Implementation shall be undertaken in accordance with the phasing plan to be submitted for approval.

Reason: To provide a satisfactory access to play opportunities in accordance with Policy LRC1 of the Local Plan (Part 1) 2018.

26. Prior to the first occupation of any dwelling hereby consented, a scheme to demonstrate that water use would not exceed 110l per person per day shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan 2018 (Part 1).

27. Prior to the commencement of above ground works on any residential phase of the scheme (as approved in accordance with condition 5), detailed final Target Emission Rate (TER) figures in accordance with Part L of the Building Regulations 2021 shall be submitted to the Local Planning Authority and approved in writing for each individual dwelling. The development shall only be constructed in full accordance with the approved details.

Reason: To demonstrate that the submitted energy statement will be adhered to and the proposal will comply with Policy DM2 of the Local Plan (Part 2) 2023.

28. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national NonStatutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5.4l/s/ha.
  - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
  - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
  - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

The proposed SUDs shall be provided on site in full in accordance with the approved details.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

29. 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. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

30. No development shall commence for any phase above damp proof course level until a detailed landscaping scheme, including the retention of existing landscape features, has been submitted and approved in writing by the local planning authority for that phase. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme and implementation programme. Any landscape that dies within the first 5 years from occupation shall be replaced with similar planting.

Reason: In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and Policy DS14 of the Local Plan (Part 2) 2023.

31. Prior to the first occupation of the dwellings hereby permitted the highest available speed broadband infrastructure shall be installed and made available for use unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sustainable construction and design in accordance with Policy CC2 of the Local Plan (Part 1) 2018.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other Order revoking or re-enacting that Order with or without modification), no development as defined within Part 1 of Schedule 2, Class B of that order, shall be carried out on the site without the written permission of the Local Planning Authority.

Reason: To prevent visual dominance and harm to the visual amenity and thereby to comply with the requirement of Policy ND6 of the Witley Neighbourhood Plan and Policy TD1 of the Local Plan (Part 1) 2018.



33. The proposed farm shop and ancillary dining facilities shall not be open to customers other than between the hours of 0800 to 1730 hours Monday to Saturday and 1000 to 1600 hours on Sundays.

Reason: To prevent noise disturbance in accordance with Policies DM1 and DM5 of the Local Plan (Part 2) 2023.

34. Prior to the first opening of the farm shop and ancillary dining facilities for use by customers, details of the proposed screening to be provided to the terraces/balconies shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be provided in full accordance with the approved details prior to the first use of the farm shop and ancillary dining facilities by customers, and retained at all times.

Reason: To provide a visually acceptable design and to prevent overlooking in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM5 of the Local Plan (Part 2) 2023.

35. Prior to the first occupation of each building/group of buildings hereby described, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating –

- That Secure By Design accreditation will be achieved for the residential element
- That Secure By Design accreditation will be achieved for all commercial elements (which for avoidance of doubt can be submitted individually for each building/group of buildings to prior to occupation of that building only)
- That a Park Mark accreditation is obtained for the Doctors surgery car park.
- That the emergency access point gate is to the LPS1175 SR4 standard.

The provisions necessary to meet the standard shall be provided in site prior to the first occupation of each building or within such other timescale as is approved in the submitted documents.

Reason: To ensure that safe spaces and buildings are created in accordance with Policy DM7 of the Local Plan (Part 2) 2023 and ND8 of the Witley Neighbourhood Plan 2021.

36. Prior to the first use of the farm shop by customers a landscaping plan for car park and new access road shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be provided on site in accordance with the approved timescales prior to the first use of the farm shop by customers.

Reason: To mitigate harm to the heritage significance of Turnpike Cottage by development within its setting in accordance with Policy HA1 of the Local Plan (Part 1) 2018.

37. Prior to above ground works to construct the farm shop building drawings to a scale not smaller than 1:5 fully describing the roof details shall be submitted to and

approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details which should include sections through: - roof ridges - hips - eaves - verges - flat roof perimeters

Reason: To mitigate harm to the heritage significance of Turnpike Cottage by development within its setting in accordance with Policy HA1 of the Local Plan (Part 1) 2018.

38. Prior to the first occupation of each phase of the development approved in accordance with condition 5 of this consent, a report confirming that a biodiversity nett gain of 10% or more has been achieved for that phase shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity nett gain shall be provided across the scheme in accordance with the Technical Note Biodiversity Nett Gain by AA Environmental Report Reference 173221, dated February 2023.

Reason: To provide an appropriate biodiversity nett gain in accordance with Policy DM1 of the Local Plan (Part 2) 2023.

39. No development shall commence apart from enabling works (demolition, services/utilities, haul road construction, compound set up) unless and until the Farm Shop vehicular and pedestrian/cycle site access onto the A3100 Portsmouth Road has been constructed, in general accordance with Icen Drawing No. 01 Rev J, and subject to the Highway Authority's technical and safety requirements. Once provided the access and visibility splays shall be permanently retained.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

40. The farm shop shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked, for the loading and unloading of delivery vehicles, and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading/unloading area, and turning areas shall be retained and maintained for their designated purpose.

Reason: To provide safe parking in accordance with Policy T3 of the Witley Neighbourhood Plan (2021).

41. The healthcare facility shall not be first brought into use unless and until space has been laid out within the site in accordance with a scheme to be submitted to and

approved in writing by the Local Planning Authority, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason: To provide safe parking in accordance with Policy T3 of the Witley Neighbourhood Plan (2021).

42. No dwelling hereby approved shall be first occupied unless and until space for the parking of vehicles and space for vehicles to turn so that they may enter and leave the site in a forward gear has been provided for that dwelling, in accordance with the approved plans.

Reason: To provide safe parking in accordance with Policy T3 of the Witley Neighbourhood Plan (2021).

43. Prior to commencement of the development a scheme detailing the type of secure cycle parking for: • houses (to include dedicated independently accessible cycle stores for houses without garages and a standard three-point plug socket for charging e-bikes). • flats (communal cycle storage for flats should be provided with enough standard three-point plug sockets to enable 20% of spaces to be used for the charging of e-bikes). • visitor cycle parking for residential and non-residential land-uses. shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then provide an example of the arrangement and plans for cycle parking provision for one of each house type for discharge before 1st occupation of each house type, and prior to the non-residential land-uses being first brought into use/opened for trading.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1, T2 and T6 of the Witley Neighbourhood Plan (2021).

44. The development hereby approved shall not be first occupied unless and until a scheme detailing the provision of uncontrolled pedestrian crossings at all junctions on the main spine loop road, including crossing points to enable pedestrians to walk from one side of the spine road to the other, has been submitted to and approved in writing by the Local Planning Authority. The works shall then be undertaken in accordance with the approved scheme.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

45. The development hereby approved shall not be first occupied unless and until a scheme detailing the surfacing material and the surface water drainage strategy for the 3.0m wide shared footpath/cycle paths within the site, have been submitted to and approved in writing by the Local Planning Authority. The works shall then be undertaken in accordance with the approved scheme.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

46. No development shall commence until a Construction Transport Management Plan, to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) programme of works (including measures for traffic management) (e) provision of boundary hoarding behind any visibility zones (f) HGV deliveries and hours of operation (g) vehicle routing (h) measures to prevent the deposit of materials on the highway (i) before and after construction condition surveys of the highway and a commitment to Fund the repair of any damage caused. (j) measures to prevent deliveries at the beginning and end of the school day (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

47. No operations involving the bulk movement of earthworks/materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

48. Prior to the Farm Shop being first opened for trading a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Site deliveries and servicing shall thereafter be carried out in accordance with the approved plan.

Reason: To encourage the use of sustainable transport and provide highway safety and efficiency in accordance with Policies ST1 of the Local Plan (Part 1) 2018, DM9 of the Local Plan (Part 2) 2023 and T1 and T2 of the Witley Neighbourhood Plan (2021).

49. Prior to the commencement of the development including the demolition of any building or felling of any tree with an identified bat roost, a detailed bat mitigation strategy including
- location of 'bat loft' for the impacted bat roosts
  - a Sensitive Lighting Management Plan and
  - a habitat connectivity map and plan showing the retention/enhancement of important habitats for bats,
- shall be submitted to and approved in writing by the Local Planning Authority. The identified measures shall be provided in full accordance with the approved documents within such timescales as are identified within it.

Reason: To mitigate potential harm to bats in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

50. Prior to the commencement of the development a Landscape and Ecological Management Plan (LEMP), to include habitat enhancement for birds and demonstration of compensation for hedgerow loss, shall be submitted to and approved in writing by the Local Planning Authority. All measures identified within the approved documents shall be carried out in full in accordance with the timescales identified within it.

Reason: To prevent and mitigate harm to features of ecological value in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

51. Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP), to include:
- Pre-commencement site survey and good practice construction measures for badgers
  - Consideration of nesting birds
  - Precautionary measures and soft felling for impacted trees with low bat roosting potential
  - Precautionary method of working for reptiles,
- shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in full accordance with the approved details.

Reason: To prevent and mitigate harm to features of ecological value in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

52. No dwelling within the proposed development shall be occupied unless and until the SANG proposed within application 21/P/02674 to Guildford Borough Council has been delivered in full.

Reason: To mitigate the impact due to increased recreational pressure of the development upon the Wealden Heaths Special Protection Area in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

53. No dwelling within the proposed development shall be occupied unless and until the Sports pitches within application 22/P/01409 to Guildford Borough Council have been delivered in full.

Reason: To ensure that the creation of new sports pitch facilities is made in accordance with Policy DS14 of Local Plan (Part 2) 2023.

54. Prior to first occupation of any dwelling hereby approved details of the SANG provision shall be submitted to and approved by the local planning authority. These details shall include full information relating to how the land will be retained and maintained in perpetuity as SANG

Reason: Without the provision of appropriate SANG the proposal (in combination with other projects) would have a likely adverse effect on the integrity of the Wealden Heaths Special Protection Area in that it is now widely recognised that increasing urbanisation of the area round the SPAs has a continuing adverse effect on the interest features, namely the Nightjar, Woodlark, Dartford Warbler, the three internationally rare bird species for which they are classified. Accordingly, the provision of appropriate SANG is necessary for the planning authority to be satisfied that Regulation 64 of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations) applies in this case, and that the proposal complies with Policies NE1 and NE3 of the Local Plan Part 1 (2018).

#### Informatives

1. Demolition of a building with a bat roost is proposed. This work must only be undertaken in full accordance with a licence which has previously been obtained from Natural England for the works
2. Community Infrastructure Levy (CIL). The development hereby permitted is CIL liable. 'CIL Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended). Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges. For further information see our webpages ([www.waverley.gov.uk/CIL](http://www.waverley.gov.uk/CIL)) or contact [CIL@waverley.gov.uk](mailto:CIL@waverley.gov.uk)
3. 'IMPORTANT' This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or

similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

4. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
5. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail [waverley.snn@waverley.gov.uk](mailto:waverley.snn@waverley.gov.uk). For further information please see the Guide to Street and Property Naming on Waverley's website.
6. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
7. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
8. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
9. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
10. 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](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

11. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
12. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
13. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
14. The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
15. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
16. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy:



<http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol>

17. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
18. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
19. 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 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
20. With regards to working near the strategic water main, please read Thames Water's guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near Thames Waters pipes or other structures.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).
21. Surrey Fire and Rescue Service (SFRS) would strongly recommend that consideration is given to the installation of AWSS (i.e. Sprinklers, Water Mist etc.) as part of a total fire protection package to:
  - protect life;
  - protect property, heritage, the environment and our climate;
  - help promote and sustain business continuity; and
  - permit design freedoms and encourage innovative, inclusive and sustainable architecture.The use of AWSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens.



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# Agenda Item 8.1

WA/2021/01837 – Outline Application for erection of up to 12 dwellings and associated works with all matters reserved (as amended by drainage information received 20/08/2021, amended plans and transport statement received 02/11/2022 and drainage and arboricultural information received 17/03/2023) (amended description) at LAND CENTRED COORDINATES 506215 140275 SOUTH OF AMLETS LANE NORTH OF RUSSET GROVE CRANLEIGH

Applicant: Land & Partners (Southern) Limited  
Parish: Cranleigh  
Ward: Shamley Green and Cranleigh North  
Grid Reference: E: 506215.83  
N: 140275.19  
Case Officer: Alistair de Joux  
Neighbour Notification Expiry Date: 20/08/2021  
Extended Expiry Date: 15/03/2024  
Committee Meeting Date: Planning Committee 6<sup>th</sup> March 2024

**RECOMMENDATION** That, subject to the applicant entering into an appropriate legal agreement to secure the provision of affordable housing, access to and maintenance of play space and public open space, and subject to conditions and informatives, that outline planning permission be **GRANTED**.

## 1. Summary

This application has been brought before the Council's Planning Committee at a result of the Section 106 Agreement having not been completed within 6 months of the date of the resolution to grant permission under WA/2021/01837 on the 26<sup>th</sup> July 2023. Preparation of the draft agreement is at an advanced stage. It should be noted that the Committee voted unanimously in favour of the officers' previous recommendation to grant permission.

The only matter for discussion at this meeting is whether the agreed that delegated authority be granted to the Executive Head of Planning Development to enable the Section 106 Agreement to be completed and for planning permission to be granted. Drafting the agreement was at its final stages at the time of writing this report, and it is anticipated that a signed copy of the agreement that is acceptable to the local planning authority will have been submitted to the Council's legal team for sealing ahead of this Committee meeting.

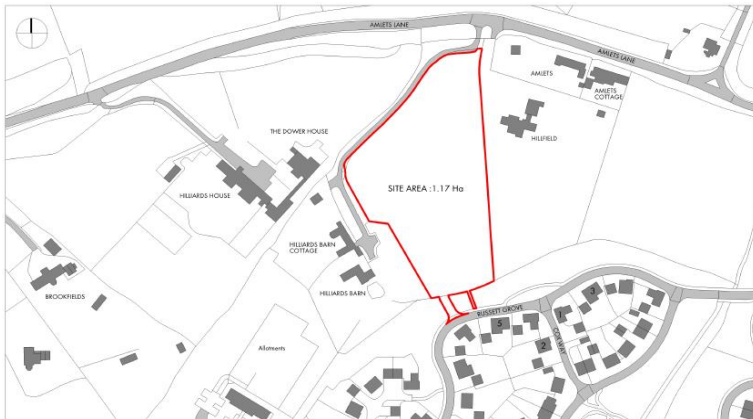
This application was first considered by the Eastern Area Planning Committee on the 19<sup>th</sup> April 2023, when members deferred the application pending further detail regarding a number of matters. The additional information was then reported back to the Planning Committee meeting of 26<sup>th</sup> July 2023, when a decision was made to delegated authority to the Executive Head of Planning Development to grant planning permission subject to conditions and completion of a section 106 agreement within six months of the date of the meeting.

All other matters previously considered by Members are also included in this report. This includes additional information considered by Members at the first meeting at which the application was considered (April 2021), which was provided in the report for the subsequent meeting (26<sup>th</sup> July 2023); this is included in this report at Section 11.18. This includes a consideration of compliance with Policy DM1 of the Local Plan (Part 2), including Biodiversity Net Gain (BNG), water quality and climate change, and of water supply in the area, all of which were included in the introductory section of the July 2023 Committee report.

Officers highlight that this is an outline application, with all matters reserved for future consideration. The details of the proposed development would be the subject of a reserved matters application or applications.

The application seeks outline permission for the erection of up to 12 dwellings and associated works with all matters reserved. Scale, appearance layout, access, landscaping would be determined at a later date. The proposed development would include 4 affordable units (33.33% of the total number of dwellings proposed).

## 2. Location Plan



## 3. Site Description

The application site measures 10,847 square metres (sq.m) and is located to the south of Amlets Lane and north of Russet Grove, to the north of the Cranleigh settlement boundary.

The site comprises an open field which is largely flat. The north-western boundary is delineated by the access to Hillards Barn and Hillards Barn Cottage, which are directly to the west of the site, while the other boundaries are edged with mature vegetation. Large residential properties set in large plots, to the east and, beyond Hillards Barn / Cottage, to the west, while more recent residential development lies directly to the south at Russet Grove and Bramley Vale.

## 4. Proposal

This is an outline application with all matters reserved for the erection of up to 12 dwellings, and associated works. A section 106 agreement to provide four of the dwellings as affordable (33.3% of the total) is at an advanced stage.

All detailed design considerations would be considered and determined at Reserved Matters stage. Whilst all matters are reserved for future consideration, an indicative site plan was submitted with the application and, following discussions with Officers, one dwelling was removed from the proposal (the origin submission proposed up to 13 dwellings).

The amended indicative site plan shows a curved access road, from Russet Grove to the south, with a loop at the northern end and a pedestrian access path running through the site. As indicated, the SuDS elements would be central to the site with all dwellings facing the centre.

The indicative plan shows a 'play area'. The development would be required to provide a LEAP and / or a LAP, and this would be a matter for future consideration of the layout of the development.

Owing to the outline nature of the application, the market housing mix has not been proposed at this stage. The affordable mix would be three 2-bed and one 3-bed units.

## 5. Head of Terms

The following contributions and measures are required to make the development acceptable and would be secured through a S106 agreement, which is at an advanced stage of preparation:

SuDs and Open Spaces:

- Future ownership, management and maintenance of on-site SuDS.
- Requirement that the open space and play facilities remain public.
- Setting up a management company for the future ownership, management and maintenance of public open space and play facilities provision.

It should be noted that the previous 2023 report to planning committee stated that the future ownership, management and maintenance of public open space and play facilities provision would be provided by a community trust, rather than a management company, as per the above bullet points. However discussion with the planning agent confirms that it was always the intention that this responsibility would be by way of a company structure rather than a community trust.

Affordable housing provision:

- 33.33% affordable housing
- Mix and tenures to be secured (see details set out in Affordable Housing section of report)

The proposal would be subject to CIL contributions.

## 6. Relevant Planning History

There is no relevant planning history on this site.

## 7. Planning Policy Constraints

Countryside Beyond the Green Belt

Ancient Woodland 500m Buffer Zone  
TPO - 11/16 (on southern boundary)

## 8. Development Plan Policies and Guidance

The relevant development plan policies comprise:

- Waverley Borough Local Plan, Part 1: Strategic policies and sites (adopted February 2018):
  - RE1 Countryside beyond the Green Belt
  - RE3 Landscape Character
  - TD1 Townscape and Design
  - NE1 Biodiversity and Geological Conservation
  - NE2 Green and Blue Infrastructure
  - SP1 Presumption in Favour of Sustainable Development
  - SP2 Spatial Strategy
  - ICS1 Infrastructure and Community Facilities
  - AHN1 Affordable Housing on Development Sites
  - AHN3 Housing Types and Size
  - ALH1 The Amount and Location of Housing
  - ST1 Sustainable Transport
  - CC1 Climate Change
  - CC2 Sustainable Construction
  - CC3 Renewable Energy Development
  - CC4 Flood Risk Management
  - HA1 Protection of Heritage Assets
- Waverley Borough Local Plan, Part 2: Site Allocations and Development Management Policies (adopted March 2023):
  - DM1 Environmental Implications of Development
  - DM2 Climate Change and Energy Efficiency
  - DM3 Water Supply and Wastewater
  - DM4 Quality Places through Design
  - DM5: Safeguarding Amenity
  - DM6: Public Realm
  - DM7: Safer Places
  - DM8: Comprehensive Development
  - DM9: Accessibility and Transport
  - DM11: Trees, Woodland, Hedgerows and Landscaping
  - DM15: Development in rural areas
  - DM25: Archaeology
  - DM28: Access and Servicing
  - DM34: Access to the Countryside
  - DM36: Self-build and Custom Housebuilding

In accordance with the National Planning Policy Framework (NPPF) due weight has been given to the relevant policies in the above plans.

Other guidance:

- o National Planning Policy Framework (2023)



- o National Planning Practice Guidance (2014)
- o Land Availability Assessment (2016)
- o West Surrey Strategic Housing Market Assessment (2015)
- o Settlement Hierarchy (Update 2012)
- o Open Space, Sport and Recreation (PPG17) Study 2012
- o Statement of Community Involvement (2019 Revision)
- o Strategic Flood Risk Assessment (2015/2016)
- o Viability Assessment (2016)
- o Cycling Plan SPD (April 2005)
- o Council's Parking Guidelines (2013)
- o Residential Extensions SPD (2010)
- o Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- o Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- o Surrey Hills Management Plan (2020-2025)
- o Employment Land Review (2016)
- o Council's Economic Strategy 2015-2020
- o National Design Guide (2019)
- o Cranleigh Design Statement (2008)
- o Climate Change and Sustainability Supplementary Planning Document (October 2022)

9. Consultations and Town/Parish Council Comments

Cranleigh Parish Council	<p>NO OBJECTION – Members would like to raise the following concerns and comments:</p> <ul style="list-style-type: none"> <li>• A flood mitigation plan should be submitted that considers and addresses the local and further afield flooding impact the site and mitigation measures will have.</li> <li>• An appropriate traffic management plan should be submitted to minimise the impact of noise and construction traffic to Amlets Lane and Russet Grove residents, with set construction times to be adhered to. This should include an agreement that any remedial works needed to Russet Grove during and after the construction of the 13 dwellings should be made by the developer and not the Russet Grove residents.</li> <li>• The impact to local health and safety should be taken into account as there is no path for pedestrians to use in this area.</li> <li>• Within the site consideration needs to be given to the potential for cars to be parked on the road and the impact this will have on the refuse trucks access to the area.</li> <li>• Before, during and after construction consideration needs to be given to the local</li> </ul>
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	<p>environment to ensure there is minimal damage to the environment and local wildlife, with particular concern to the local bat population.</p> <ul style="list-style-type: none"> <li>• Following construction in other areas of Cranleigh consideration needs to be given to the impact on the wider infrastructure due to the increased demand on water, sewage and road networks.</li> <li>• The wider environmental impact was noted due to the increasing journey times with more vehicles at a standstill for longer periods of time and having very little to no improvement to the road network since the increase in housing.</li> <li>• Members recognise the concerns raised by the residents for a greater understanding of the impact and the need for a green barrier.</li> <li>• Members would like electrical charging points included on the site.</li> </ul>
Natural England	No comments to make on application.
Environment Agency	No comments received.
Lead Local Flood Authority	No objection, subject to conditions.
Surrey Wildlife Trust	No objection, subject to conditions.
Thames Water Utilities	No objection.
South East Water	No comments received.
Southern Water	The development site is not located within Southern Water's statutory area for water supply and drainage services. Please contact the relevant statutory undertaker.
Council's Environmental Health Officer	No objection, subject to conditions.
Council's Housing Enabling Team	Provides advice.
Surrey Police Designing Out Crime Officer	Requests that consideration is given to requiring for the development to achieve a Secure by Design accreditation.
County Highway Authority	No objection, subject to conditions.
County Archaeologist	No objection, subject to conditions.
Council's Economic Development Team	This application has no employment land loss implications or Economic Development impact.
Forestry Commission	Refer to standing advice.
Surrey Hills AONB Advisor	No objection.

## 10. Representations

83 letters (from 63 addresses), including one letter received following the April 2023 Planning Committee meeting, were received in objection to the proposals:

Landscape and visual amenity

- More loss of green space.
- Character of the proposed new buildings are not in keeping with Cranleigh village.
- Overdevelopment of the site.
- Density much greater than Russet Grove development.
- Harmful urbanisation of the countryside.
- Would further enlarge the built-up area of Cranleigh towards the boundary of the Surrey Hills AONB.
- Policy (RE3) of the adopted Local Plan notes the setting of the Surrey Hills AONB will be protected where development outside its boundaries would harm public views from or into the AONB.
- Cranleigh should remain a gateway to the Surrey Hills.
- Site is visible from Surrey Hills AONB.
- Will detract from the surroundings and the parkland feel of the existing estate.
- Adding to the density of housing along Amlets Lane is making the whole length of it inappropriately urban in character.
- The creation of such a substantial development will result in the overdevelopment of the site and have an adverse impact on surrounding landscape.

#### Access and parking

- Safety concerns for pedestrians and vehicles.
- Russet Grove should not be a through road.
- Russet Grove is a private road and not adopted by the Council.
- Access point would be opposite a dangerous blind corner.
- Traffic pollution
- Congestion
- Poorly maintained roads
- Visibility on Amlets Lane is poor owing to winding nature and mature vegetation.
- Amlets Lane is already a very busy road and is ill equipped to cope with increased traffic from further developments.
- Issue with Russet Grove / Bramley Vale junction.
- Existing development poorly designed for pedestrian access.
- An increase in delivery vans, some of whom drive at speed, can only add to the danger.
- Additional repair/maintenance costs for existing road and drainage network which will be under more pressure because of additional heavy site traffic as well long-term residents/visitors from new site to existing.
- The arrival of silent electric vehicles in the future does not bode well from a safety viewpoint.
- Conflict between construction vehicle and existing users which can only be averted by a second access onto the proposed development from Amlets Lane.

#### Existing land use

- The existing land use is agricultural.
- Land is historically agricultural but no contamination report.

#### Trees and ecology

- Destruction of wildlife habitats
- Adverse impact on biodiversity and nature

- Felling of mature trees to make an access.
- TPO a pointless exercise of developers can override.
- Trees lost through construction process.
- No trees were found to be in such a condition that their removal is recommended irrespective of the outcome of this proposal.
- Mitigation plan relies on landscaping in Russet Grove but the proposal removes landscaping/wildlife buffer.
- (Ecology) report states only valid 1 year, an updated survey is therefore required.
- No significant landscape buffer is proposed.
- Landscaping should not be a reserved matter.
- Removal of trees would be against previous conditions on adjacent developments.
- Adjacent development was required to provide SANG.

#### Design and layout

- Proposed play area too close to road.

#### Flooding and drainage

- Site is impermeable weald clay and infiltration is not feasible. Increased runoff is directed towards length of western boundary.
- Drainage will cause damage to neighbouring properties.
- Permission is not given to use nearby watercourse.
- Paving and foundation material which, combined with the dense non-porous clay soil very close to the surface, would add to flood risk for the houses on Amlet's Place.
- Existing field acts as a water meadow, providing absorption and drainage.
- Has any work been done to independently and comprehensively assess the possibility of flooding?
- The Lead Local Flood Authority have objected to the proposal.
- Increased flood risk from surface water run off.

#### Infrastructure

- The area cannot accommodate more houses and residents.
- Local health centre is inundated.
- No school place available.
- Sewers are bursting and filling local ditches.
- Water pipes are frequently bursting.
- Flooding in the area.
- Developer must contribute to roads, schools and leisure facilities in the area in some way.
- Insufficient water supply in Cranleigh.
- In the Thames Water response they can only aim to provide these new homes with adequate pressure, it's not guaranteed.

#### Residential amenity

- Adverse effect on existing dwellings on Russet Grove.
- Loss of light
- Overlooking and loss of privacy
- Noise and disturbance
- Disturbance from headlights

- Light pollution
- Residents will be subjected once again to the unacceptable levels of noise, disruption and construction dust - which is also harmful to health.
- The garden fences go right up to the driveway along the north edge removing privacy and resulting in an enclosed/narrow/dark driveway that puts our safety at risk.
- As a result of the nature of the use, as well as the intensive use of internal and external areas, the development will severely harm the level of residential amenity enjoyed by nearby residential properties.

#### Heritage

- Have sufficient archaeological surveys been made?
- The County Archaeologist has objected to the proposal.

#### Policy

- The Government is reviewing its 'bulldozer' housing policy.
- This is Green Belt and the presumption should be in favour of brown belt.
- Cranleigh has had more than its fair share of new developments in recent years.
- The council should never have allowed these properties to have been built so close to the road if they were going to allow further development in the vicinity.
- Cranleigh has reached its target for new housing.
- Cranleigh has done enough to take up the slack re planning requirements.
- This proposal is on a greenfield site that conflicts with the National Policy Planning Framework.
- Support for new housing stock re council housing, cannot be justified as this is not for affordable housing.
- These 'must-build' housing targets at odds with net zero carbon emissions by 2050 enshrined in The Climate Change Act, as amended in 2019.
- Draft Local Plan Part 2 does not include this site in the settlement boundary of Cranleigh.
- This is in breach of planning provisions.
- This site was NOT indicated on the Neighbourhood Plan as a potential site.
- The Council's performance in the Housing Delivery test (2021) was that it delivered 98% of its housing target.
- The Inspector concluded in relation to Lower Weybourne that non-compliance with policy RE1 (and other policies) outweighed the benefits of the development.
- Waverley Borough Council should be doing more to protect the remaining countryside, especially on sites that border areas of ANOB and AGLV and within ancient woodland buffer zones.
- Changes are being made to housing targets and we believe these changes remove the need the developer states within their application and that the local authority now has more control when deciding upon applications like this one. Waverley Borough Council should take these upcoming changes into account.
- The process used for site assessments also appears inaccurate and flawed.
- The principle of the residential development in this countryside location is unacceptable, in light of the policies contained in the recently adopted Local Plan Part 2.

#### Procedure

- Amended plans make no difference.
- We should have been informed individually of this new site as we are all effected by its existence.
- If wasn't for friendly neighbours pointing this out, we would have been none the wiser (crafty).
- The site depicted is far larger than reality and encompasses land owned by neighbouring properties.
- The new plans are not sufficiently detailed to ascertain the style, character, size of the houses or the number of affordable houses being proposed and doesn't appear to be a complete outline application in its current form.

#### Other

- The developer and Planners may wish to give consideration to, is exactly why so many of the home owners on this development actually chose to live here in the first place.
- Hope that the dwellings will actually be affordable.
- Residents of Amlets Place were told that there would only be 2 phases of development.
- At no time was there any suggestion that the layout of the development would be extended or that additional access would be allowed.
- If permission is required of the Management Company too then am confident that this would not be forthcoming.
- This will set a precedent.
- There is an existing playground in the area, in a much quieter, safer position proposing a play area, is merely box ticking however the suggested location is adjacent to a noted busy road.
- This development is not for the good of the local people, it is a money making scheme.
- No confidence in previous developer.
- Amlets Place is a private estate and so access should not be granted anyway.

Three letters (from 3 addresses) have been received in support of the application, making the following points:

- New houses will be beneficial to the area and to those of us that live on Amlets Place; a few more cars would be fine.
- Amlets Lane would be fine as traffic there is never bad.
- There is a demand for housing in this area.
- The wildlife have plenty of places around the local area.
- Will bring more customers into the area.

## 11. Determining Issues

### 11.1. Planning considerations for outline application

The application seeks permission for 12 dwellings with all matters reserved for future consideration. As such, the applicant is seeking a determination from the Council on the principle of the residential development.

Future application(s) for the approval of reserved matters would seek approval for the following:

- **Access** – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- **Appearance** – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- **Landscaping** – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- **Layout** – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- **Scale** – the height, width and length of each building proposed within the development in relation to its surroundings.

The current application does, however, provide indicative details in respect of layout and access to demonstrate how the site could be accessed and accommodate up to 12 dwellings.

## 11.2. Location of Development

Policy SP2 of the Local Plan (Part 1) 2018 refers to the Council's Spatial Strategy to 2032 and the need to maintain Waverley's character whilst ensuring development needs are met in a sustainable manner. Policy SP2 sets out the following:

- Major development on land of the highest amenity value will be avoided
- Development will be focused at the four main settlements
- Moderate levels of development will be allowed in larger villages
- Limited levels of development will be allowed in and around other specified villages
- Modest levels of development will be allowed in all other villages.
- Opportunities for the redevelopment of suitable brownfield sites will be maximised.
- Strategic and Non-Strategic sites will be identified and allocated through Local Plan (Part 2) and Neighbourhood Plans
- Infrastructure, where needed, will be provided alongside new development including funding through the Community Infrastructure Levy (CIL)

The subtext to Policy SP2 sets out that the first focus for new housing and other development will be within the four main settlements of Farnham, Godalming, Haslemere and Cranleigh. This best meets the objectives of securing sustainable development and meeting national planning objectives. These settlements have the best range of jobs, services and other facilities, although each has a distinctive individual character. However, it is recognised that there is a limit to which sites within existing settlements can meet the Borough's needs for development, particularly new homes. Therefore, it will be necessary to allow some expansion of settlements through the development of suitable sites on the edges of settlements. Again, the primary focus for this expansion of settlements will be at the main settlements. The Council's strategy also seeks to protect the Green Belt within Waverley and to safeguard the

Surrey Hills Area of Outstanding Natural Beauty (AONB). As a result, the scope for expansion in Godalming and Haslemere is more limited than in Farnham and Cranleigh, because Godalming and Haslemere are much more tightly constrained by these important designations.

It is recognised that the application site is located outside of the Cranleigh settlement boundary. However, Policy DM15 of the Local Plan (Part 2) sites the settlement boundary to the southern boundary of the site, therefore the application site directly abuts the settlement boundary. In this regard, the proposal would constitute a development on the edge of one of the borough's main settlements, outside of the Green Belt and the AONB. Given the site's proximity to facilities and services, it is considered that the site is in a sustainable and non-isolated location for the provision of residential development.

### 11.3. Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 20 February 2023 on 28 February 2023. The Council calculates it currently has 3.85 years' worth of housing land supply. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF 21 is engaged via footnote 8.

Therefore, unless the site is located in an area, or involves an asset, of particular importance, that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

### 11.4. Cranleigh Neighbourhood Plan

The Cranleigh Neighbourhood Plan is well advanced, but at this stage this has not yet been 'made'.

### 11.5. Effect on the landscape and visual amenity

Policy TD1 of the Local Plan (Part 1) 2018 requires development to be of high-quality design and to be well related in size, scale and character to its surroundings.

The site is located adjacent to the AONB with the boundary being to the north of Amlets Lane. Policy RE3 of the Local Plan (Part 1) 2018 sets out that the setting of the AONB will be protected where development outside its boundaries harms public views from or into the AONB. The site is not located in the AGLV, however.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy RE1 of the Local Plan (Part 1) 2018 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

Policy P6 of the Surrey Hills AONB Management Plan (2020-2025) set out that:  
*'Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted'*.



It is noted that the current site is not prominent within local views from public vantage points. The existing entrance to the site, to the north, is set back from Amlets Lane and is screened somewhat by existing trees and hedgerow. The access track that serves Hilliards Barn and Hilliards Barn Cottage that runs along the north of the site is also not readily visible from Amlets Lane. The southern, eastern and western boundaries feature mature trees and hedgerow which provides some screening to the site. Glimpses of the site are possible from the existing development at Russel Grove.

The application is accompanied by a Landscape and Visual Appraisal (LVA) which addresses the issue of the setting of the AONB.

The LVA recognises that the introduction of a new residential development will result in permanent, albeit localised, changes in the landscape. The character of the landscape of the site will change from settlement edge farmland, to a residential one with planting and open space, albeit the enclosed wooded nature and existing field pattern would be retained.

The Surrey Hills AONB Adviser has been consulted on the application and notes his agreement with the LVA's assessment and conclusions that no harm would be caused. It is considered that there is likely to be limited intervisibility between the proposed development and the AONB mainly because of tree cover. Long distance views, if any, from the higher ground to the north would be extremely limited, long distance and be within a wider complex panoramic view, including that of Cranleigh.

Whilst indicative at this stage, the AONB Adviser notes his preference that vehicular access is not to be taken from Amlets Lane where there is already and small access. The AONB Adviser notes that it is the open access to the housing estate to the east that has the greatest impact upon the setting of the AONB but in time the houses should be screened by new woodland planting. In this case, it would be as well for the applicants to include more sufficient tree planting in the northern corner of the site than in the illustrated layout to avoid any glimpse of the development through the gap from Amlets Lane.

Whilst layout is a reserved matter, Officers raised concerns with the original indicative layout submitted as it showed a dense, linear development with large areas of hardstanding that, in Officers' opinion, did not relate well to the existing settlement pattern or spatial quality of the area. Following discussions, the applicant submitted a revised indicative layout, reducing the proposed number of dwellings from up to 13 to up to 12 units. The revised indicative layout features a curved access road, in keeping with the development to the south, larger areas of open space and landscaping as well as the SuDS features running through the centre of the site. Again, whilst layout is a reserved matter for future consideration, Officers are satisfied that an acceptable layout could be achieved on site which would respect the spatial pattern and character of the development to the south. Likewise, appearance is a reserved matter. No indicative plans or elevations have been provided but this is a matter for future consideration.

Officers are satisfied that a scheme with an acceptable appearance in keeping with the site's context and character could be brought forward at a later stage. Officers conclude that an acceptable design and layout could be delivered.

Whilst the site is not a very visually prominent site, it is recognised that the development would result in a degree of localised visual harm, relating to the introduction of built form on a currently undeveloped field adjacent to an existing residential development and other residential

properties. An access track, dwellings and associated hardstanding would have an urbanising impact when compared to the current status of the site. Officers consider that there would be some harm to the intrinsic character and beauty of the countryside in this regard. This would result in conflict with Policy RE1 of the Local Plan (Part 1) 2018.

However, in light of the above assessment, Officers are satisfied that the setting of the AONB would be protected as there would be limited views into the application site from the AONB. Likewise, views from the application site would also be limited owing to existing and proposed tree cover. On this basis, Officers consider that the proposal would accord with Policy RE3 of the Local Plan (Part 1) 2018.

However, as a result of the localised visual harm to the intrinsic character and beauty of the countryside, there is conflict with Policy RE1 and this will need to be weighed into the planning balance.

#### 11.6. Impact on trees

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough.

Policy DM11 of the Local Plan (Part 2) 2023 sets out that development should:

- a) retain woodland, important trees, groups of trees and hedgerows;
- b) adequately protect trees and hedgerows during all phases of development to avoid damage including activities causing soil compaction or severance of roots;
- c) provide adequate separation between trees or hedgerows and the proposed development, so as to secure their long-term retention and potential growth, including for trees to be planted as part of the development's landscaping scheme;
- d) provide suitable, preferably native, species for planting and the creation of wildlife habitats, refuges and connectivity; and
- e) incorporate high quality landscape schemes, appropriate to the scale, nature, and location of the development. Proposals should include details of the long term management and maintenance of new and existing trees and landscaping.

The application is accompanied by an Arboricultural Report (Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan) by The Mayhew Consultancy dated November 2022 which was updated in March 2023.

As noted above, the submitted LVA recognises that the introduction of a new residential development will result in permanent, albeit localised, changes in the landscape. The character of the landscape of the site will change from settlement edge farmland, to a residential one with planting and open space, albeit the enclosed wooded nature and existing field pattern would be retained. The boundary trees are recognised as having a positive contribution to the local visual character.

The Council's Tree and Landscape Officer has been consulted on the proposal. There is a band of trees protected by a Tree Protection Order (TPO) on the southern boundary of the site. This is noted as 11/16 which relates to group G13 which features 3 ash and 6 oak trees.

Noting the outline nature of the proposal, access is a reserved matter. However, the indicative layout plan places the proposed access to the south of the site, on the western edge of the

group TPO. The proposal would see the removal of 2 of these trees. The Arboricultural Report recognises these 2 trees – an oak and an ash - to be Category C ‘unremarkable’ specimens. The Council’s Tree Officer notes that this should not imply that they lack significance as a component part within a high visual amenity feature with other trees forming the TPO Group regardless of their confined growing space and distorted crown formation.

The Arboricultural Report recommends the replacement of these trees once the access has been created with ground protection to ensure the soil structure is retained for good tree establishment. The Council’s Tree and Landscape Officer considers this approach to be acceptable. Tree replacements should be those which would attain good height to eventually close the gap and continue to be protected by the Group TPO. The adverse exposure caused by the removal of trees from a group needs to be assessed by the tree consultant. This is a matter that would be dealt with at Reserved Matters stage.

Turning to the indicative layout, the Council’s Tree and Landscape Officer raises concern in relation to the tree growth of retained trees and the impact on future residents’ properties in terms of quality of life and expectations for garden space. The Arboricultural Report notes that the *‘on and off-site trees will significantly add to the general amenity of the development. The degree of separation between the crowns of retained trees and proposed properties is generally good. I therefore consider that future residents will appreciate both the amenity, and the longer-term benefit these retained trees will bring to the development following its completion.’*

The Council’s Tree and Landscape Officer notes particular concern regarding T14, an Oak. Despite this tree’s category C status, the Oak has the capacity of reaching similar crown stature as T17. The crown could encompass 95% of garden space of Plot 4 (as shown) and is therefore likely to face future pressure by householders to cut branches back from their property. This concern is highlighted within BS5837 (2012) Section 5.3d. There is also a concern with G16 and the potential barrier to light as it consists of some conifer species. The group has a height of 18m and could become a nuisance and barrier to light for those future householders of Plots 1,2 and 3.

The indicative plan shows a woodland buffer to the north of the application site. It is unclear if this would become part of Plot 9 (as shown) or if it will be under separate ownership or maintenance. Access to this area would need to be provided if not part of Plot 9. This would need to be clarified at reserved matters stage.

Paragraph 131 of the NPPF states that: *‘planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments’*. This is supported by other recent government and local guidance such as the Environment Act 2021-biodiversity net gain and National Model Design Code which says: ‘All schemes will be expected to follow national policy by achieving a 10% net gain in biodiversity. All new streets should include street trees.’ Paragraph 131 also requires that: ‘appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.’

With this in mind, the Council’s Tree and Landscape Officer considers that Highway and/or other open space tree planting should be a landscape requirement for this site to ensure enhancement and sustainable green elements of existing and lost vegetation. The future landscape plan should demonstrate sufficient growing space for the development of good

medium-large sized tree heights/rooting areas where they would not be compromised by future desires of residents indiscriminate cutting back of overhanging branches for light and less leaf fall.

Notwithstanding the above concerns and requirements, Officers must acknowledge that as the layout plan is only an indicative plan a full assessment of impact on existing vegetation and future landscaping all be a matter to consider as part of a reserved matters application. At reserved matters stage, the applicant would be required to demonstrate that a suitable layout could be achieved on site. Officers are satisfied that, owing to the size of the site and the quantum of development proposed, that sufficient space exists on site for an acceptable scheme to come forward in this regard.

The Council's Tree and Landscape Officer has recommended a number of conditions to be attached to any grant of permission.

On the basis of the above assessment, noting the outline nature of the proposal, Officers are satisfied that the proposal would accord with Policy NE2 of the Local Plan (Part 1) and Policy DM11 of the Local Plan (Part 2).

#### 11.7. Ancient Woodland

Paragraph 180 of the NPPF 2023 sets out that, when determining planning applications, local planning authorities should apply the following principles: c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. A wholly exceptional reason may include infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough.

The application site is within 500m of ancient woodland. As the proposal is well separated from the woodland itself, it is not considered to be materially harmful and would be in accordance with Policy NE2 of the Local Plan (Part 1) 2018 and paragraph 180 of the NPPF.

#### 11.8. Housing mix

The NPPF states that a local housing needs assessment should be made to determine the amount, type, size and tenure of housing needed and reflected in policy. Policy AHN3 of the Local Plan (Part 1) 2018 sets out that proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

The West Surrey Strategic Housing Market Assessment 2015 (SHMA) sets out the likely profile of household types in the housing market area. The SHMA 2015 provides the following information with regards to the indicative requirements for different dwelling sizes.

Unit Type	1-bed	2-bed	3-bed	4+bed
<b>Market</b>	10%	30%	40%	20%
<b>Affordable</b>	40%	30%	25%	5%

In addition to the West Surrey SHMA, the published West Surrey SHMA: Waverley Addendum 2015 provides more specific information for the Borough. This includes indicative requirements for different dwelling sizes for both market and affordable housing.

Layout is a reserved matter. As such, the housing mix would be for future consideration. The applicant has not provided an indicative mix, however Officers are satisfied that a compliant mix that could be accommodated on the site could come forward as part of a reserved matters application. This would therefore accord with the above guidance.

#### 11.9. Affordable housing

Policy AHN1 of the Local Plan (Part 1) 2018 states that the Council will require a minimum provision of 30% affordable housing on all housing development sites which meet the required criteria and the proposal accords with this 30% requirement.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority.

The 2015 SHMA recommends that new affordable homes be provided in a mix of 70% rent and 30% shared ownership. In addition to this, the NPPF requires 25% of the affordable housing provision on each site to be for First Homes. A First Home is a discounted market sale product sold at a 50% discount and the sale price after discount must be no higher than £250,000. In practice, due to high property prices in Waverley, this means that First Homes will be 1 and 2 bed dwellings. The Government now also requires a minimum of 10% affordable home ownership across the site (the Council's guidance of 30% of the affordable housing to be home ownership equates to only 9%). The 10% affordable home ownership and 25% First Homes requirements take precedence over the Council's SHMA recommended tenure mix. This means that in practice, the level of rented housing needs to be lower than 70%.

The application proposed 4 of the maximum 12 units to be affordable. This equates to 33.33% which exceeds the requirements of Policy AHN1. The mix would comprise 3x 2-bed units and 1x 3-bed unit.

The following tenure mix is proposed:

	1-bed	2 bed	3 bed	TOTAL
First Home	-	1	-	1
Rented (Social or Affordable capped at 70%)	-	2	-	2
Shared Ownership	-	-	1	1
<b>TOTAL</b>	-	3	1	4

In line with the NPPF, and the recently Adopted Affordable Housing SPD 25% of the affordable units would be for First Homes (this equates to 1 unit). 2 units would be rented (at social rent or at affordable rent capped at 70%). 1 unit would be for shared ownership. The Council's Housing Strategy and Enabling Team confirms that the proposed mix and tenure is acceptable

and in line with the Council's adopted Affordable Homes Delivery Strategy 2022-2025. The affordable housing would be secured by S106 agreement.

Subject to these matters, the proposal would comply with Policies AHN1 and AHN3 of the Local Plan (Part 1) 2018 and the Affordable Housing SPD.

#### 11.10. Archaeology

Policy HA1 of the Local Plan (Part 1) 2018 states that the Council will ensure that the significance of heritage assets within the Borough are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment by, inter alia, facilitating and supporting the identification and review of heritage assets of local historic, architectural and archaeological significance.

Policy DM25 of the Local Plan (Part 2) 2023 sets out that where development involving ground disturbance is proposed on or near Scheduled Monuments, County Sites of Archaeological Importance and Areas of High Archaeological Importance (as identified on the Adopted Policies Map) or on any site exceeding 0.4 hectares, an initial assessment of the archaeological value will be required as part of the planning application. Where the initial assessment is inconclusive or indicates that archaeological remains are or may be present, an archaeological field evaluation will be required.

The application is supported by a desk based archaeological assessment prepared by RPS Consulting. The County Archaeologist has been consulted on the proposal and confirms that this document has consulted all currently available sources including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that the site itself does not contain any known heritage assets and has a low archaeological potential. The site adjoins an area that has been subject to trial trench evaluation and so the assessment suggests that due to the largely negative results of this work that no further archaeological work is required on the current site.

However, as the site itself has not been subject to archaeological evaluation the actual potential of the site remains to be determined and, as a result of evaluation to the east of the site in 2016 in an area also thought to have a low potential, linear features, pits and postholes forming paddocks or enclosures of medieval date (12th–13th century) were recorded as well as a cremation burial dating from the Bronze Age.

The County Archaeologist therefore advises that in order to clarify the archaeological potential of the site further archaeological investigation is required. This should consist in the first instance of an archaeological evaluation trial trenching exercise, which will aim to rapidly establish whether Archaeological Assets are present and enable suitable mitigation measures to be developed.

A condition is recommended to be attached to any grant of outline permission requiring the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation. On this basis, the proposal is considered acceptable and in accordance with Policy HA1 of the Local Plan (Part 1) 2018 and Policy DM25 of the Local Plan (Part 2) 2023.

#### 11.11. Quality of accommodation and amenity space provision

Policy TD1 of the Local Plan (Part 1) seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site play space provision, appropriate facilities for the storage of waste and private clothes drying facilities.

- Accommodation

The Government Technical Housing Standards – nationally described space standards (NDSS, 2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers.

Policy DM5 of the Local Plan (Part 2) requires, at a minimum, that developments meet the Technical Housing Standards noted above.

As this is an outline application it is not possible to conclude that these standards can be met. However, given the indicative layout there is no reason to conclude that they cannot be met. Officers are therefore satisfied that the dwellings could be designed to ensure that they accord with the Technical Housing Standards with regard to internal space provision. The indicative layout plan also shows a development where the houses have a good level of light, outlook and privacy. This matter would be considered as part of any relevant reserved matters application.

- Amenity space

Policy DM5 of Local Plan (Part 2) sets out that:

*d) Where an area of private garden is proposed for the exclusive use of a dwelling house, this should be at least 10m in depth and the width of the dwelling.*

Officers are satisfied from the indicative layout that the site is large enough to deliver gardens for individual dwellings that would be of sufficient size to accord with the Policy DM5. This matter would be considered as part of any relevant reserved matters application.

- Play space

Policy LRC1 of the Local Plan (Part 1) states that proposals for new residential development will be expected to make provision for play space having regard to the Fields In Trust Standards.

For a development of 10 – 200 dwellings, the Fields in Trust guidance, referred to above sets out that a Local Area for Play (LAP), Locally Equipped Area for Play (LEAP) and a contribution towards a Multi-Use Games Area (MUGA) should be provided.

The guidance sets out that a LAP should have a minimum area of 100m<sup>2</sup> and should have a minimum separation between activity zone and nearest property containing a dwelling of 5m. A LEAP should have a minimum area of 400m<sup>2</sup> and should have a minimum separation between activity zone and nearest property containing a dwelling of 20m.

The guidance also suggests the distances that could be walked from dwellings to the LAP (100m) and LEAP (400m).

The indicative layout proposal incorporates the provision of a 'play area' at the southern end of the site. It is unclear if this would be a LEAP or a LAP. Officers are satisfied that there is sufficient space for both to be provided on site and that this detail could be provided at reserved matters stage and the proposal's accordance with the standards would be considered then. The provision of both a LEAP and a LAP would be secured via the S106 agreement.

Officers consider that sufficient information has been provided to demonstrate that a development could be achieved that delivers good quality accommodation for future residents, in accordance with Policies TD1 and LRC1 of the Local Plan (Part 1) 2018.

#### 11.12. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.

Officers note the concerns raised by neighbouring occupiers regarding the impact of the proposal on residential amenity.

The application site is to the north of Russet Grove with nos. 5, 7 and 9 closest to where the proposed access is shown on the indicative layout plan (noting that all matters are reserved for future consideration).

Other dwellings that surround the site are Hilliards Barn and Hilliards Barn Cottage, to the west of the site and Hillfield to the east. These dwellings are approximately 25m, 17m and 11m from the shared boundaries with the site, respectively.

The Indicative layout demonstrates that the quantum of development proposed could be achieved on site whilst maintaining a good level of amenity for existing neighbouring occupiers. Some concern is raised regarding some of the separation distances to boundaries and Officers would advise that any reserved matters application will need to clearly demonstrate sufficient separation distances can be achieved to ensure the provision of light, outlook, and privacy to neighbouring occupiers, acknowledging the existing separation distances. Again, the layout plan is indicative at this stage and further judgment on this would be reserved for the detailed design stage.

Further, landscaping is a reserved matter, and it is considered that it would be feasible (and firmly encouraged) for the landscaping scheme to include provisions to enhance the boundary treatments of the site to further shield neighbouring properties. This could be secured by condition at reserved matters stage.

#### 11.13. Air quality, noise and other potential nuisances

Policy DM1 of Local Plan (Part 2) sets out that development should avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an unacceptable increase in pollution, light, noise, dust, vibration, and odour, or an increase in flood risk.



Officers note the concerns raised by neighbouring occupiers regarding noise, light and air pollution.

It is noted that the application involves construction works which have the potential to cause noise and dust and with existing residential properties to the south of the site. As such, it is recommended that conditions are included to prevent unacceptable levels of air and noise pollution.

The development also involves the provision of new dwellings and associated car parking, and this provides an opportunity to contribute to transport infrastructure improvements and support users of lower emission vehicles. The accompanying Transport Statement references electric vehicle charging which is to be detailed in future reserved matters applications.

Matters relating to climate change and sustainability are discussed later in the report.

Considering the above, and subject to the compliance with relevant conditions attached to any grant of outline permission, Officers are satisfied that the proposal would accord with Policy DM1 of Local Plan (Part 2).

#### 11.14. Flooding and drainage

Policy CC4 of the Local Plan (Part 1) 2018 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed. In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate flood risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

Paragraph 159 of the NPPF 2023 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, make it safe without increasing flood risk elsewhere.

The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example, where there are concerns about flooding. SuDS may not be practicable for some forms of development. New development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of SuDS. When considering major development, SuDS should be provided unless demonstrated to be inappropriate. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The site is entirely within Flood Zone 1; therefore it is not therefore necessary to consider the sequential or exception tests in this instance. However, the application relates to a major development and the site area exceeds 1 ha. Therefore, a site-specific Flood Risk Assessment (FRA) is required.

The application is supported by:

- Flood Risk Assessment and Scoping Drainage Strategy – Revision 5.0, Patrick Parsons, November 2022, reference: A20248
- Causeway Calculations dated 08/11/2022
- Drainage Strategy Addendum Letter, Patrick Parsons, 3rd February 2023, reference: DB/A20248/SSC FRA Addendum Letter

Thames Water has been formally consulted on the proposal and do not raise any objection with regard to sewerage infrastructure capacity.

The Lead Local Flood Authority (LLFA) have been consulted and (following the submission of additional information) are satisfied that the proposed drainage scheme meets the requirements set out in the NPPF, its accompanying PPG and Technical standards, subject to suitably worded conditions to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Having regard to the above, it is considered that the proposals would not lead to increased flood risk, either on site or elsewhere, and would accord with Policy CC4 of the Local Plan (Part 1) 2018.

#### 11.15. Highways and parking

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

The application is in outline form with all matters reserved for future consideration. This includes access. The site has an existing vehicular access at the north from Amlets Lane, which takes the form of a 5-bar gate. Currently, only pedestrian access is available from the south of the site. An indicative layout plan has been provided with the application which proposes an access through the southern boundary of the site from Russet Grove.

Officers note the many concerns raised regarding access, traffic, and the upkeep of roads in the wider area. It should be noted that the County Highway Authority were a statutory consultee for the outline and reserved matters applications at the 'land south of Amlets Lane and north of Roberts Way' site and provided extensive comments on the access, layout, and parking provision at that development.

The proposed development has been considered by the County Highway Authority. It is noted by the County Highway Authority that the indicative access is proposed from Russet Grove which is a private road so falls outside of their jurisdiction. However, it is noted that the existing access onto Amlets Lane has been provided with sufficient visibility splays which were conditioned to be maintained under application reference WA/2014/1038.

Owing to the outline nature of the proposal, further consideration would be given to this matter at reserved matters stage. However, the County Highway Authority consider that the additional

trips, associated with the 12 proposed dwellings, using this access is not deemed to be significant. The Highway Authority considers that the proposal is unlikely to have a material impact on highway safety issues.

### Parking provision

The Council's Parking Guidelines (2013) sets out the minimum number of parking spaces that would normally be expected:

<b>Local Characteristics</b>	<b>Town Centre</b>	<b>Rest of Waverley</b>
1 bed	1 space per unit	1 space per unit
2 bed	1 space per unit	2 spaces per unit
3+ bed	1.5 spaces per unit	2.5 spaces per unit

The application site is not located in the town centre and should therefore comply with the 'rest of Waverley' guidance.

The outline proposal is for up to 12 dwellings. As layout is a reserved matter, parking provision would be an issue for future consideration, However, it is considered that the indicative layout demonstrates that there would be sufficient space on site for car parking provision in accordance with the standards. Whilst not shown on the indicative layout, secure cycle parking should be provided and would be required and considered as part of the relevant reserved matters application, along with the car parking provision.

A condition is recommended to be attached to any approval requiring electric vehicle charging points for each dwelling.

It is considered, subject to conditions, that a development could come forward that would not prejudice the highways safety of the area and could provide sufficient parking to serve the proposed dwellings. Therefore, the development is compliant with Policy ST1 of the Local Plan (Part 1) 2018.

### 11.16. Biodiversity

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

The application is accompanied by an 'Ecological Impact Assessment' dated November 2020 by Samsara Ecology. Surrey Wildlife Trust (SWT) have been consulted.

#### - Reptiles

Regarding reptiles, SWT advise that the development should only proceed in a precautionary manner that will avoid the killing or injuring of any individual reptiles that may be identified during development. This precautionary manner should be based on the methods stated in the ecological report.

#### - Birds

Regarding birds, SWT advise that the developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early

March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

- Sensitive Lighting

SWT advise that the developer should ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site, SWT advise that the submission and agreement of a Sensitive Lighting Management Plan is secured via condition attached to any approval of outline permission.

- Hedgehog

SWT advise that the developer should ensure that clearance and construction activities on site have regard to the potential presence of other protected and notable species. Any trenches or excavations left overnight should be covered or provided with ramps and open pipework capped overnight to prevent species from becoming trapped. SWT also advise that suitable gaps should be provided in any new boundary fencing, to allow species such as hedgehogs to move through the site post-development.

- Biodiversity Enhancements

SWT advise that an appropriately detailed landscape and ecological management plan (LEMP) should be submitted and approved in writing.

Having regard to the above, it is considered that the proposals would accord with Policy NE1 of the Local Plan (Part 1) 2018.

### 11.17. Sustainability

Policy CC1 of the Local Plan (Part 1) relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, including measure that use renewable and low carbon energy supply systems, provide appropriate flood storage capacity, address issues of flood risk, provide high standards of sustainable design and construction with built-in resilience to climate change; or use green infrastructure and SuDS to help absorb heat, reduce surface water run-off and support habitat networks.

Policy CC2 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions. It sets out a number of strategies to achieve this which include measures to minimise energy and water use through the development's design, layout, landscape and orientation; ensuring that the development is designed to encourage walking, cycling, and access to sustainable forms of transport; incorporating measures that protect and, where possible, enhance the biodiversity value of the site.

Policy DM1 of the Local Plan (Part 2) 2023 sets out that development should avoid exacerbating climate change and damage to the environment caused by the emission of greenhouse gases by seeking to minimise these.

Policy DM2 seeks to improve energy efficiency and reduce carbon emissions in the Borough.

The Climate Change and Sustainability Supplementary Planning Document (SPD) was adopted by the Council on 18th October 2022. This document sets out the Council's guidance on how development should minimise energy use, be sustainable in its layout, landscaping and orientation of buildings, be resilient and adapted to climate change, use sustainable resources and materials, be water efficient, and be designed to encourage use of sustainable forms of transport.

The original application was submitted prior to the adoption of the SPD. However, the precise details in relation to the scheme and its sustainability credentials will be a matter for consideration at the reserved matters stage. However, conditions would be attached to ensure that, water conservation and SuDS. A condition requiring the submission and agreement of a scheme of climate change and sustainability measures is also recommended.

#### 11.18. Additional information

Members requested additional information on several points at the first Planning Committee meeting at which this application was considered (Eastern Area Planning Committee, April 2023), and this was included in the July 2023, as follows:

##### *11.18.1 Additional detailed assessment of Local Plan (Part 2) Policy DM1*

Policy DM1 sets out that development should:

*a) Avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an unacceptable increase in pollution, light, noise, dust, vibration, and odour, or an increase in flood risk. If significant environmental impacts from development cannot be avoided, adequately mitigated, or, as a last resort compensated for, then planning permission should normally be refused;*

- The proposal would introduce a residential development adjacent to existing residential uses. The quantum of development proposed is considered to not result in harm to the health and amenity of adjacent occupants of land and buildings.
- Recommended Condition 18 requires the submission of a Construction Environmental Management Plan prior to the commencement of development. This covers matters such as pollution, light, noise, dust, vibration, and odour during the construction process.
- Recommended Condition 6 requires the submission of a surface water drainage scheme to ensure there is no increase in flood risk.

*b) Not cause a deterioration to the environment by virtue of potential pollution of air, soil or water, including that arising from the storage and use of hazardous substances, while seeking opportunities to improve air and water quality where possible;*

- The proposed residential use is not considered to introduce a use that would result in material harm by way of pollution to air, soil or water.
- As set out above, recommended Condition 18 requires the submission of a Construction Environmental Management Plan prior to the commencement of development. Officers consider that this condition would ensure that the construction process would not result in pollution to the air, soil or water. It also requires detail regarding the storage of plant and materials as well as loading and unloading.

*c) Not cause harm or damage to existing environmental assets such as areas of ecological, geological, townscape, or landscape value, and maximise opportunities to enhance such assets;*

- The proposal would not result in harm to existing environmental assets such as areas of ecological, geological, townscape, or landscape value as discussed in relevant sections within the report below.

*d) Integrate effectively with existing development and not result in unreasonable restrictions on existing businesses or facilities. Where there is likely to be a conflict between proposed development and existing uses nearby, the agent of change should provide suitable mitigation prior to its completion;*

- The proposal would not result in unreasonable restrictions on existing businesses or facilities.

*e) In areas where contamination is known or likely to be found, be subject to a desk-based assessment of the likelihood and extent of land contamination, followed by an intrusive investigation where appropriate, together with the provision of any appropriate remediation measures;*

- The proposal is not in an area of likely land contamination. As such, no concern is raised.

*f) Avoid exacerbating climate change and damage to the environment caused by the emission of greenhouse gases by seeking to minimise these;*

- As per the discussion above, there are recommended Conditions which require certain energy efficiency and climate change measures:
  - o Condition 13 requires a scheme of Electric Vehicle Charging Points to be submitted, agreed and implemented, prior to occupation.
  - o Condition 14 requires the submission of a scheme of climate change and sustainability measures to be submitted with any Reserved Matters application (should outline permission be granted) and that the scheme is approved prior to the commencement of any above ground development.
  - o Condition 15 is an 'in compliance' condition requires that the new dwellings shall meet the requirement of 110 litres of water per person per day.
- In addition, the applicant has provided a 'Supplementary Sustainability Statement' dated June 2023. This concludes the following:
  - o Climate Mitigation - The scheme will meet and likely exceed building regulations standards by adopting a hierarchical approach to energy and carbon. A hierarchy is set out in the statement which will be followed at reserved matters stage.
  - o Climate Change Adaptation - The scheme is located within a low flood risk zone. A sustainable drainage scheme has been developed which will enable the development to ensure greenfield runoff rates are not exceeded and climate change is accounted for in the volume of attenuation in the SuDS scheme.
  - o Sustainable Transport - The scheme incorporates a range of transport measures to reduce dependence on car use. This will include space for the secure storage of cycles and connections to the pedestrian and cycle network.
  - o Waste and Resources – To manage the impacts of waste arisings in construction, options for sustainable material management will be considered as part of a wider Construction Environmental Management Plan, required by condition. In operation the scheme will incorporate sufficient waste storage to enable the collection by the local authority.
  - o Environmental Protection – The scheme will ensure the appropriate control of any potential environmental effects. Noise and air quality have been considered and

mitigation put forward to reduce the potential effects in construction. Furthermore, the scheme will be designed to limit light pollution.

g) Follow the mitigation hierarchy set out in DM1 a) to:

- i. avoid negative impacts upon biodiversity deliver the minimum biodiversity net gain of 10% as required by the Environment Act 2021. The biodiversity net gain should be compared to the baseline and calculated using the most up to date national Biodiversity Metric;
- ii. protect and enhance geological assets.

- Since the Committee meeting, the applicant has provided additional information on how the scheme will deliver a minimum of 10% Biodiversity Net Gain (BNG) as part of the proposed development.
- Surrey Wildlife Trust (SWT) has provided additional advice to the Council and reviewed the additional information provided:
  - Biodiversity Net Gain (Samsara Ecology, June 2023).
  - Biodiversity Metric 4.0 (Samsara Ecology, June 2023)
  - Indicative Masterplan Housing Layout (Niche Architects LLP, December 2022)
  - Ecological Impact Assessment (Samsara Ecology, November 2020).
  - Design and Access Statement (Land & Partners, April 2021)
  - Biodiversity Annotations over Illustrative Layout (Indicative Masterplan Housing Layout) (Niche Architects LLP).
  - Biodiversity Metric 4.0 – Technical Annex 1 – Condition Assessments (Samsara Ecology, July 2023).
  - Biodiversity Metric 4.0\_Cranleigh East\_Modified (Samsara Ecology, July 2023).
- SWT advise that the submitted *Biodiversity Metric 4.0 – Calculation Tool* (hereafter referred to as 'Metric') details that the proposal has the feasibility to provide a net gain in biodiversity units for linear (hedgerow) and area habitats. The net gain in biodiversity units for linear and area habitats is assessed to be more than +10%, with trading rules satisfied.
- Trading rules are now satisfied as the applicant's ecologist, Samsara Ecology, has used professional judgement to conclude that the baseline of the application site could be assessed as being modified grassland in a moderate condition. Since the initial consultation of the 9th June 2023, the Metric has also been updated to include linear baseline and post development habitat. The location of proposed green roofs and 140 linear metre hedgerow is provided on the 'Biodiversity Annotations over Illustrative Layout' drawing provided by the Agent on the 5th July 2023.
- SWT note the proposed location of the new 140 linear metre hedgerow which includes a mix of native species. If planted and managed correctly, then this could provide a good habitat corridor across the north and northwest of the application site, between the new woodland buffer and the western perimeter of the application site.
- Recommended Condition 10 requires the submission of a Landscape Ecological Management Plan (LEMP). As set out in section 5 below, Officers recommend, following SWT's advice that the LEMP should also include the submission of a final BNG plan and clarifying that the LEMP should be written or approved by a suitably qualified ecologist. It was therefore recommended that Condition 10 be amended and a further condition added to require BNG delivery.

h) Avoid negative impacts of light pollution from artificial sources on local amenity, intrinsically dark landscapes and nature conservation.

- As the application is in outline form, with all matters reserved, the proposed levels of glazing and dwelling arrangement is not for consideration at this stage and would be

assessed at the relevant reserved matters stage. The application site is not located within a Dark Skies reserve and is not located within the Surrey Hills AONB.

- Recommended Condition 11 requires the submission of a 'Sensitive Lighting Management Plan' with any Reserved Matters application.

### 11.18.2 Water quality

Thames Water, as the statutory undertaker for water, has raised no concerns with the quality of the water supplied.

### 11.18.3 Water supply

Members at the April 2023 Eastern Area Committee meeting also deferred the application pending further evidence regarding water supply in the area. Between the April and July Committee meetings, Officers have liaised with Thames Water. In an email dated 8th June 2023, Thames Water advised the following:

*In terms of this particular development, Thames Water do not anticipate there being local network capacity issues preventing its connection to the supply system, however, and as for all potential development, local network flow and pressure tests will be undertaken to ensure suitability and identify, if required, any additional network upgrades to accommodate.*

*The Cranleigh area has historically been vulnerable to supply interruptions, due to it being supplied solely by Netley Mill Water Treatment Works and existing within an 'island zone' (i.e. with no current means of alternative water supply resilience in the event of an unplanned, prolonged water treatment works outage).*

*There are plans to address this resilience concern going forward. The most notable planned investment is for a new transfer main from the western part of Thames Water's water supply area. This is expected to provide sufficient volumes of additional water supply into the Netley Supply Zone, to mitigate outage events and support longer term growth in demand. This new main is being delivered as part of Thames Water's AMP7 Investment Period, covering 2020 to 2025. The proposal is currently in the detailed design phase. This investment will reduce the risk of supply interruptions to customers within the Cranleigh area (and all areas supply by Netley Water Treatment Works).*

The Council responded to Thames Water's consultation on the draft Water Resources Management Plan 2024 (WRMP24) and raised a number of matters including environmental improvements, resilience to drought and climate change and flexibility for anticipated growth in population.

Since the resolution to defer the application, the applicant has provided a Technical Note by Patrick Parsons dated 14th June 2023 which sets out that: The application has no objections from Thames Water who, under the Water Act, have a legal duty to provide infrastructure to serve development. Recent appeal decisions in the district where sewage capacity has been raised have clarified that sewerage capacity and water supply are matters outside the scope of those proposals and would need to be addressed on behalf of existing and any future residents by the local statutory provider, in this case Thames Water.

Thames Water has a clear programme in place to increase foul drainage capacity and improve water supply in Cranleigh. This is designed to accommodate growth as Cranleigh is a location to which development is directed in the Local Plan. The scale of the development proposed in this application of up to 12 homes is such that Thames Water have not raised issue with regards to capacity. Nonetheless, based on Thames Water's schedule it is likely that the dwellings proposed within this application would not be occupied until after the works have been completed. The schedule that Thames Water is working to (within AMP7) indicates that upgrades will be complete by 2025.



Appended to the Technical Note is Thames Water's Groundwater Impacted System Management Plan for Cranleigh dated November 2021 and the minutes of a meeting between Thames Water and councillors from Surrey County Council, Waverley Borough Council and Cranleigh Parish Council on 28th November 2022. In this meeting, the planned upgrade works were discussed as well as some of the issues that were experienced by residents.

## 12. Third Party comments

Officers note the comments received from third parties. These have been addressed in the above report and below:

- The application site is not in the Green Belt.
- The Council is required to assess applications as they are submitted.
- Each application must be assessed on its own merits.
- The scale of the proposal is not such as to require the provision of SANG.
- Statutory neighbours have been notified of the proposal.
- The behaviour of delivery drivers is not a material planning consideration.
- The development would be subject to Community Infrastructure Levy (CIL) payments that can be used for local infrastructure projects.
- Issues with other developments are not material considerations for future applications which must be assessed on their own merits. These issues must be dealt with through the appropriate channels.

## 13. Tilted balance

The Council does not have a 5 year housing land supply (3.85years). On this basis, paragraph 11(d) of the NPPF is engaged and the presumption in favour of sustainable development applies. Planning permission should be granted "unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweighs the benefits".

Taking these two points in turn, there are no policies within the Framework that apply to this site that provide a clear reason for refusing the development proposed.

The above report has identified that there would be an impact on the landscape and visual amenity of the area, which would be of limited harm.

This limited visual and landscape harm needs to be balanced against the benefits of the proposal which comprise the provision of both market and affordable housing at a time when the Council cannot demonstrate a 5 year housing lands supply. These benefits are accorded substantial weight. Moderate weight is also attached to the provision of an area of public open space, the use of which would not be restricted to just the residents of the proposed development. Whilst these are considered to be the main benefits of the scheme, there are other benefits such as economic benefits that arise out of the proposal. When considering the benefits of the proposal, Officers consider that the limited visual harm arising from the development does not significantly and demonstrably outweigh the benefits set out above.

In addition, members have already resolved, at the Planning Committee meeting of 26<sup>th</sup> July 2023, to grant planning permission, subject to a Section 106 legal agreement to secure the

provision of affordable housing, and access to and maintenance of play space and public open space within the development.

#### 14. Conclusion

The proposal comprises an outline application for up to 12 dwellings and some public open space within the site. The site is located outside of the Cranleigh settlement boundary in Countryside Beyond the Green Belt. The provision of 12 dwellings is considered to have an urbanising and harmful impact on the countryside. However, the landscape impact is considered to be limited. The development would provide a number of benefits including the provision of much needed market and affordable housing and an area of public open space. The Council does not have a 5 year housing land supply and therefore the tilted balance applies.

On the tilted balance, the landscape harm arising from the proposal is not considered to significantly and demonstrably outweigh the benefits of the development proposal and therefore approval is recommended.

The proposed development is considered acceptable with regard to highways impacts. The proposal is not considered to result in a significant increase in traffic generation that would affect to a harmful degree, nearby road junctions or cause harm to highway safety. The indicative plan shows that sufficient car parking could be provided for the residential element of the scheme.

The proposed development is considered acceptable in all other respects and approval is therefore recommended, subject to conditions.

#### **Recommendation A**

That, subject to the applicant entering into an appropriate legal agreement within 6 months to secure the provision of affordable housing and access to and maintenance of play space and public open space, and subject to conditions and informatives, the decision for the application for permission be **OUTLINE APPROVAL**

1. Condition:

Approval of the details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition:

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To comply with the requirements of Town and Country Planning Act 1990 (as amended).

3. Condition:

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

0191\_PLN\_001

0191\_PLN\_006

Reason:

To provide a satisfactory standard of development in accordance with Policy SP1 of the Waverley Local Plan (Part 1) 2018.

4. Condition:

Before the commencement of any above ground works to construct any building hereby approved details and samples of the proposed external facing and roofing materials and all hard surfacing materials shall 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 provide a satisfactory appearance and durability in accordance with Policy TD1 of the Waverley Local Plan (Part 1) 2018.

5. Condition:

Prior to the commencement of development, details of the proposed Local Equipped Area for Play (LEAP) and Local Area of Play (LAP) shall be submitted to, and approved in writing by, the local planning authority. Such details shall include layout, surfacing, fencing and details of equipment. The provision of the LEAP and LAP shall be carried out in accordance with the approved details, prior to the occupation of the 5th dwelling, or in accordance with a timescale that has first been agreed in writing by local planning authority.

Reason:

To make suitable provision for childrens' play in accordance with Policies LRC1 and TD1 of the Waverley Local Plan (Part 1) 2018.

6. Condition:

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with

the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate 2.5 litres/sec.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

7. Condition:

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. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason:

To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

8. Condition:

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 by the applicant and approved by the Planning Authority.

Reason:

In order to accord with Policy HA1 of the Local Plan (part 1) 2018 and Policy DM25 of the Local Plan (Part 2) 2023.

9. Condition:

In implementing this permission, the developer shall take action to ensure that development activities shall only proceed in a precautionary manner based on the

methods stated in the submitted Ecological Impact Assessment' dated November 2020 by Samsara Ecology.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

10. Condition:

Any reserved matters application shall be accompanied by a 'Landscape and Ecological Management Plan' (LEMP) to include details of:

- a) Description and evaluation of features to be managed, including the adjacent woodland and nearby ancient woodland, and a plan showing the location of features to be managed ;
- b) Ecological trends and constraints on site that might influence management ;
- c) Aims and objectives of management ;
- d) Appropriate management options for achieving aims and objectives ;
- e) Prescriptions for management actions, together with a plan of management compartments ;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan ;
- h) Ongoing monitoring and remedial measures ;
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery;
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified;
- j) A final Biodiversity Net Gain (BNG) Strategy that shall achieve a minimum BNG of 10% over existing conditions.

The development shall be carried out strictly in accordance with the approved Landscape and Ecological Management Plan.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

11. Condition:

The approved biodiversity improvement features shall be provided and maintained in full accordance with the approved Biodiversity Net Gain Strategy for the lifetime of the development.

Reason:

In order that the BNG provided as part of the development fully complies with Policy NE1 of the Local Plan (Part 1) 2018, Policies DM1 and DM11 of the Local Plan (Part 1) 2023 and the requirements of the Town and Country Planning Act 1990, as amended by the Environment Act 2021.

12. Condition:

Any reserved matters application shall be accompanied by a Sensitive Lighting Management Plan which shall be approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved details.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

13. Condition:

In implementing this permission, the developer shall take action to ensure that development activities such as site clearance or the removal of dense vegetation are timed to avoid the bird nest season of early March to August inclusive. The applicant should take action to ensure that significant noise pollution be avoided during this period.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

14. Condition:

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

Reason:

In recognition of Section 9 of the NPPF 2023 "Promoting Sustainable Transport" and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

15. Condition:

Any reserved matters application shall be accompanied by a scheme of climate change and sustainability measures which shall be approved in writing by the local planning authority prior to the commencement of any above ground development. The scheme shall have regard for the content of the Council's Climate Change and Sustainability SPD (2022). The development shall be carried out strictly in accordance with the approved details.

Reason:

In the interests of achieving a high standard of sustainability in accordance with Policies CC1 and CC2 of the Local Plan (Part 1) 2018 and the Council's Climate Change and Sustainability SPD 2022.

16. Condition:

The new dwellings shall meet the requirement of 110 litres of water per person per day.

Reason:

To ensure water is used in a sustainable way in accordance with Policy CC2 of the Local Plan (Part 1) 2018.

17. Condition:

Prior to the first occupation of the dwellings here by permitted the highest available speed broadband infrastructure shall be installed and made available for use unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Local Plan (Part 1) 2018.

18. Condition:

Prior to the first occupation of the development, a detailed scheme for refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling provisions shall be made in accordance with the agreed scheme prior to the first occupation of the dwellings.

Reason:

To make appropriate provisions for waste and recycling in accordance with Policy TD1 of the Local Plan (Part 1) 2018.

19. Condition:

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a) An indicative programme for carrying out of the works ;
- b) The arrangements for public consultation and liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s) ;
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination ;
- e) the parking of vehicles of site operatives and visitors;
- f) loading and unloading of plant and materials ;
- g) storage of plant and materials used in constructing the development ;
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) wheel washing facilities ;
- j) measures to control the emission of dust and dirt during construction ;
- k) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason:

To prevent pollution in accordance with Policy TD1 of the Local Plan (Part 1) 2018.

20. Condition:

No machinery or plant shall be operated, no demolition or construction processes carried out and no deliveries taken at or dispatched from the site except between the hours 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason:

In the interests of neighbouring residential amenity, in accordance with Retained Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Local Plan Part 1 2018.

21. Condition:

The Arboriculture Method Statement and scaled Tree Protection Plan submitted by 'The Mayhew Consultancy Ltd', Arboricultural Report, Reference AR/94020, date November 2022 shall be adhered to and to include additional detail as follows:

- o Detail of special foundation design to counteract influence of future trees/root growth upon development in accordance with NHBC Chapter 4.2 recommendations.
- o Location detail of demolition and construction activities and access routes. This shall include soil piles, material storage, cement mixing, porta cabins/porta loos and parking areas. Unless otherwise agreed by the Local Planning Authority these shall be placed outside of the RPAs and at a minimum distance of 3m from retained hedgerows.
- o Detail of all ground level changes within 15m of retained and offsite trees
- o Detail of service plans and method of instalment within RPAs such as surface, sewerage, foul water and SUDS, electric, water, gas, telecommunication cables. Cables for electric gates and solar/photovoltaic panels and other utility runs associated with this development shall be included.
- o Shadow assessment of G16 and detail of measures to mitigate future growth of trees affecting householders garden space, and attachments to property such as aerials, wifi receivers and photovoltaic panels.

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

Reason:

In the interests of establishing new plants and trees for visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023.

22. Condition:

The Local Authority shall be provided a minimum of 2 weeks written notice prior to expected commencement of demolition/construction activities. The written notice shall include visual physical evidence of ground and fence protection with associated Tree Protection Area signs and Bird Scare tags in accordance with the AMS and tree protection plan. This information shall be submitted to the Local Planning Authority and if considered appropriate shall provide written approval for the development to proceed.

Reason:

In the interests of the protection of the rooting areas of trees in the interests of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 Policy DM11 of Local Plan (Part 2) 2023.



23. Condition:

Prior to the commencement of demolition and/or development, a set of monitoring requirements shall be submitted to Local Planning Authority for their approval, to include

- a. Name of appointed arboriculturist/representative responsible for site monitoring
- b. Report structure of the site monitoring of approved tree and ground protection measures
- c. Detail of Monitoring frequency throughout the demolition/construction period
- d. Detail the process to inform the Local Authority of AMS and TPP amendments.
- e. Detail the process to inform the Local Authority of remediation measures to rectify identified damage

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

Reason:

In the interests of the protection of the rooting areas of trees in the interests of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 Policy DM11 of Local Plan (Part 2) 2023.

24. Condition:

Prior to the commencement of the development, a 5 year landscape scheme including method of planting and establishment in accordance with BS 8545:2014, with consideration to appropriate locating of new trees and future growth impacts upon development in accordance with BS5837 (2012) Section shall be submitted to the Local Planning Authority in writing. The scheme shall include the following information.

- (a) Scaled plan showing location of new trees, plants;
- (b) For new trees annotate on the plan their maximum mature canopy size;
- (c) List the species and transplantation sizes in accordance with Nursery Stock Specification BS3936 (1992);
- (d) Detail planting pits of trees, include dimensions and associated hardware, their method of support and protection;
- (e) Provide a method of irrigation, and detail the frequency and dosage rates (this may vary dependant on peak growing times and dry/drought periods); and
- (f) For restricted hard surfaced areas such as Highways:
  - (i) Maximum soil volumes for planted trees at their mature sizes.
  - (ii) Detail of specialised underground growing cells/void structures.
  - (iii) Location of new and existing services, conduits/pipes/cables/drainage/Suds. These should be placed outside the influence of growing roots.
  - (iv) Detail surfaces to be placed within future growth of existing and planted trees. The surfaces should be appropriate near to trees to allow for some flexibility, root respiration and water percolation.

Reason:

In the interests of establishing new plants and trees for visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 Policy DM11 of Local Plan (Part 2) 2023.

25. Condition:

Prior to the commencement of the 5 year landscape scheme, details of its monitoring and provision of post planting care in accordance with BS 8545:2014 shall be submitted to the Local Planning Authority for approval. The detail of the monitoring and post planting maintenance shall include:

- a. Contact detail/s of the person/s qualified with resources to undertake the tasks

- b. Frequency of regular plant health and condition assessments
- c. Regular weed control and mulch application
- d. Method of ascertaining soil dryness to determine appropriate increase of irrigation
- e. Removal of supports and growing tubes after tree establishment
- f. Purchase and plant trees found diseased/dead

This Condition shall be fully discharged upon submitting a completed 5-year management report to include; photographs of established trees on site and other successful plantings within the final year of the approved 5 year landscape scheme.

Reason:

In the interests of establishing new plants and trees for visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 Policy DM11 of Local Plan (Part 2) 2023.

26. Condition:

The Local Authority shall be provided written notice within the first 3 months completion of the first years planting. The written notice shall include visual photographic evidence of tree planting in accordance with the approved landscape scheme and 5 year landscape plan.

Reason:

In the interests of establishing new plants and trees for visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 Policy DM11 of Local Plan (Part 2) 2023.

**Informatives:**

1. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. Community Infrastructure Levy (CIL)- - The Waverley Borough Council CIL Charging Schedule came into effect from 1 March 2019. - - Where CIL liable development is approved in outline on or after 1 March 2019 the liability to pay CIL arises at the time when reserved matters approval is issued.- - For further information see our webpages ([www.waverley.gov.uk/CIL](http://www.waverley.gov.uk/CIL)) or contact [CIL@waverley.gov.uk](mailto:CIL@waverley.gov.uk)
4. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric->

vehicle-infrastructure.html for guidance and further information on charging modes and connector types.

5. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk For further information please see the Guide to Street and Property Naming on Waverley's website.
6. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
7. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £145.00 or a reduced rate of £43.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
8. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
9. This planning permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) that was completed on (dated to be added) 2024. The section 106 planning obligations provides for 100% of the approved housing units as affordable rental housing.

### **Recommendation B**

That, if the requirements of Recommendation A are not met, that permission be refused.

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**WA/2023/02717 – Construction of patio and retaining walls (retrospective). at LAMMASBANK 26 CHALK ROAD GODALMING GU7 3AP**

Applicant: Mr & Mrs J Swadling  
Parish: Godalming  
Ward: Godalming Binscombe & Charterhouse  
Grid Reference: E: 497053  
N: 144415  
Case Officer: Gillian Fensome  
Neighbour Notification Expiry Date: 08/01/2024  
Expiry Date/Extended Expiry Date: 06/02/2024 / 08/03/2024

RECOMMENDATION That subject to conditions, permission be GRANTED

## 1. Summary

This application has been brought before the Council's Planning Committee as a result of a request made by the Ward Councillor.

## 2. Site Description

The application site is located on the north side of Chalk Road near Godalming Town centre. The property is a detached dwelling house located on a plot that has a steep gradient from north to south. The property is sited within a residential street facing Lammas Lands. The site at the rear of the property faces the railway line which runs between Portsmouth and London Waterloo.

## 3. Proposal

This is a retrospective application for the retention of a patio and retaining walls within the front garden of the property. The front garden has been remodelled to provide:

- Front patio area and grassed area
- Ground level of top patio/grassed area raised by 1 metre with a depth of 1.5 additional metres
- Stone retaining walls
- Small picket fence
- Lower landscaped area
- New pathway to left hand side up to front door on left hand side of the property

## 4. Relevant Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
PRA/2020/0022	General Permitted Development Order 2015, Schedule 2, Part 1, Class AA -	PRIOR APPROVAL NOT REQUIRED 21/12/2020

WA/1989/2032	Prior Notification Application for enlargement of a dwellinghouse by construction of additional storey. Erection of rear extension and conversion of roof area to provide two bedrooms and bathroom.	GRANT 28/12/1989
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## 5. Relevant Planning Constraints

- Ancient woodland within 500 metres
- Wealden Heaths SPA 5km zone
- EA flood zone 2

## 6. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, TD1, NE1
- Waverley Borough Local Plan (Part 2) 2023: DM1,, DM4, DM5
- Godalming Neighbourhood Plan (made August 2019): GOD5, GOD6

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

## 7. Consultations and Town/Parish Council Comments

Godalming TC                      no objection

## 8. Representations

One letter has been received raising objection on the following grounds:

- Visually intrusive upon neighbouring occupiers with a raised seating and viewing area which also dominates the view from the neighbouring property.
- Extension to the front patio of 6 to 9 metres depending on where measurement is taken from (Officer note: there were two previous areas of patio to the front and the extension beyond these is 1.5 metres. This is discussed further below).
- Ground levels raised up to 1 metre plus a wooden picket fence.
- Overlooking of neighbouring property due to their property being at a higher level and raised garden extending south.
- Potential noise and disturbance.

- Removal of vegetation on site and effects of development on existing vegetation.
- Effects on stability of land (Officer note: the work has been carried out and officers are not aware of any adverse effects on the stability of the land having been raised as an issue to date. Any adverse future effects would be a private/civil matter rather than a planning issue).

All other issues raised are addressed in sections below.

## 9. Principle of development

The site is located within the developed area of Godalming. The principle of development within the curtilage of an existing development is acceptable, subject to compliance with relevant planning policies.

## 10. Character and design and impact on visual amenity

The property is located on the northern side of Chalk Road and overlooks Lammas Lands to the front. It is bounded to the rear by the railway line. The rear garden is slanted backwards from left to right, due to the boundary with the railway line being at an angle.

The current proposal is for a front patio/lawned terraced area raised in height by 1 metre and in depth by 1.5 metres.

The front garden is stepped, as it slopes downwards to the front. The front garden has a pleasant outlook towards views of Lammas Lands and it provides a quieter environment than the rear garden, which abuts the railway line.

As a result, the applicants wish to maximise the use of their front garden. The garden area has been raised and a patio and lawned area and a small picket fence has been added. The main part of the patio area is located on the side nearest to the neighbour at 28 Chalk Road, in a stepped in location out of view from the neighbouring property where the applicants have a table, chairs and barbecue set up. The rest of the terraced area is laid to grass for the benefit of the applicants' young children. There is a small picket fence which provides some safety/security.

The front garden of any property can be used in the same way as a rear garden. Many of the other properties on this stretch of the street contain front patio and seating areas, which are designed to enjoy the views from their properties over the Lammas Lands and to be away from the disturbance of the train line in the rear garden area.

Prior to the patio and retaining walls being built, there were two smaller front patios. This would have provided two sitting out areas to the front of the property, one of which was closer to 28 Chalk Road and the other closer to 24 Chalk Road. There would have been views from both patios towards those neighbouring properties and vice versa.

Due to the above factors and the limited extension of 1.5 metres in depth and 1 m in height than the previous patios on the property, the proposal is considered acceptable in character/design terms.

The proposal would therefore accord with Policies TD1 of the Local Plan (Part 1) 2018, DM4 of the Local Plan (Part 2) 2023, GOD5 of the Godalming and Farncombe Neighbourhood Plan (made August 2019) and the Residential Extensions SPD.

#### 11. Impact on residential amenity

Whilst the development that has been carried out does represent a change, in that the terraced area is wider, slightly deeper and higher than previously, these changes do not make such significant impacts on neighbour amenity in terms of overlooking, noise and disturbance as to warrant a refusal of this application.

There is no change to the spacing between the properties or to the site levels nearest to the dwellings. The terrace level has been raised from a point 5 metres beyond the rear elevation of the property. The area at that point is laid to grass, not patio and the barbecue/seating area is much nearer to the host property and in a position completely clear in view from the neighbouring property at 24 Chalk Road. The additional depth of the terrace area is only 1.5 metres from the previous terraces.

Whilst there will be some noise and disturbance from the use of the lawned area mainly by young children given that a front garden can be used in this way without the need for planning permission it is not considered that the development results in a harmful increase in noise and disturbance. The use of this area would be similar to the use of any other rear garden space.

For the above reasons, the proposed development would not result in significant harm to the residential amenity of neighbouring properties in accordance with Policies TD1 of the Local Plan (Part 1) 2018, DM5 of the Local Plan (Part 2) 2023, GOD5 of the Godalming and Farncombe Neighbourhood Plan (made August 2019) and the Residential Extensions SPD.

#### 12. Effect on Wealden Heaths SPA

The proposed development is for a front patio and terraced area would not result in an increase in the number of people permanently residing on the site and therefore would not have a likely significant effect on the integrity of the SPAs in accordance with Policy NE1 of the Local Plan 2018 (Part 1). An appropriate assessment is not therefore required.

#### 13. Biodiversity and compliance with Habitat Regulations 2017

The proposal is located within an existing residential front garden and no significant biodiversity issues are raised by the proposal. There is no policy requirement for biodiversity net gain for such a small scale proposal.

The proposal would accord to Policy NE1 of the Local Plan (Part 1), Policy DM1 of the Local Plan (Part 2) and Paragraphs 179 and 180 of the NPPF 2023.

#### 14. Trees and vegetation



Part of the objection stated that vegetation had been removed to build the proposal and there may be impacts on trees. Whilst bushes and vegetation have been removed planning permission is not required to remove vegetation within this garden.

## 15. Climate Change & Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

A Climate Change and Sustainability Checklist has been submitted in support of the application. The proposals include use of water butts. These measures are considered proportionate to the scale of development proposed and would comply with the relevant policies and guidance. No concern is therefore raised.

## 16. Conclusion

For the reasons set out above it is concluded that the retention of this patio would not cause harm to the character of the area or result in an unacceptable loss of amenity to adjoining residents in terms of noise and disturbance or overlooking.

1. No material variation to the approved plans as listed below shall take place unless otherwise first agreed in writing with the Local Planning Authority:

Location plan  
Block plan MLP/02  
Section plans MLP/03  
MLP01A  
MLP02A  
MLP03A

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM5 of the Local Plan (Part 2) 2022.

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