

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

When calling please ask for:

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Legal & Democratic Services

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Date: 29 May 2024

Membership of the Planning Committee

Cllr Penny Rivers (Chair)
Cllr Peter Clark (Vice Chair)
Cllr Jacquie Keen
Cllr Alan Morrison
Cllr Richard Steijger
Cllr Terry Weldon
Cllr John Robini

Cllr Julian Spence
Cllr David Beaman
Cllr Graham White
Cllr Earwaker
Cllr Carole Cockburn
Cllr Jane Austin
Cllr Phoebe Sullivan

Dear Councillors

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

DATE: WEDNESDAY, 5 JUNE 2024

TIME: 7.00 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.

Yours sincerely

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

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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.

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 5pm on 29 May 2024.

2 **MINUTES OF THE LAST MEETING**

To approve the Minutes of the meeting held on 8 April 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 5pm on Wednesday 29 May 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 5pm on Wednesday 29 May 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

8 WA/2024/00268 - LAND COORDINATES 508781-139928, CRANLEIGH ROAD, EWHURST, CRANLEIGH (Pages 7 - 36)

Hybrid application for the creation of access from the public highway and internal access road; Outline application for 5 self-build dwellings with all matters reserved including associated landscaping and drainage infrastructure.

Recommendation

That, subject to conditions, planning permission be **APPROVED**.

9 WA/2023/02045 - THE TAP ROOM, PIERREPOINT HOME FARM, THE REEDS ROAD, FARNHAM (Pages 37 - 64)

Change of Use from Micro-Brewery (Use Class B2) to Mixed Use Micro-Brewery (Use Class B2) and sale of drink and food on the premises (Use Class E (b)), siting of storage container; installation of a 'stretch tent' and associated works.

Recommendation

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

10 WA/2024/00035 - GODALMING TOWN FOOTBALL CLUB, MEADOW, GODALMING (Pages 65 - 76)

Installation of a 20m high monopole supporting 3 no. antennas, 2 no. 0.3m dishes, 6 no. luminaires, new 1.8m high mesh fencing and associated apparatus and ancillary works.

Recommendation

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

11 APPLICATIONS NOT SUBJECT TO PUBLIC SPEAKING

12 WA/2024/00500 - WEY COURT EAST, UNION ROAD, FARNHAM, GU9 7PT (Pages 77 - 82)

Application under Regulation 3/4 for Section 73 to vary Condition 2 of WA/2023/00905 (approved plans) to allow relocation of condenser units and alterations to car parking arrangement; alterations to louvres into roof.

Recommendation

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

13 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.

14 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
Or Leila Manzoor, Democratic Services Officer on 01483524224**

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Agenda Item 8

WA/2024/00268 – Hybrid application: Creation of access from the public highway and internal access road; Outline application for 5 self-build dwellings with all matters reserved including associated landscaping and drainage infrastructure. at LAND COORDINATES 508781 139928 CRANLEIGH ROAD EWHURST CRANLEIGH

Applicant: - Ewhurst Sunnybrook Ltd
Parish: Ewhurst
Ward: Ewhurst & Ellens Green
Grid Reference: E: 508781.7
N: 139928.47
Case Officer: Omar Sharif
Neighbour Notification Expiry Date: 04/03/2024
Expiry Date/Extended Expiry Date: 05/04/2024 /

RECOMMENDATION That, subject to conditions, planning permission be APPROVED

1. Executive Summary

The application is referred to the Planning Committee as 56 objections have been received.

The application site abuts the defined settlement boundary of Ewhurst. It lies to the north of Cranleigh Road and comprises open grassland.

The proposal is a Hybrid application seeking full permission for the creation of an access from the public highway and internal access road and outline permission for 5 self-build dwellings with all matters reserved including associated landscaping and drainage infrastructure. The agent has provided an indicative layout plan showing the footprint of 5 dwellings within spacious plots.

In 2014 permission was refused for the erection of 27 dwellings due to concerns about the impact the proposed development would have on the character and appearance of the area, including the historic environment and whether the proposal would be sustainable development, an appeal was dismissed. This site included but was larger than the application site it included the dwelling to the east of the site Garden Cottage and Penlan Cranleigh Road which is to the south of the site. Both Garden Cottage and Penlan would have been demolished with access taken over Penlan.

In 2018 permission was refused for 9 dwellings and an appeal was dismissed. The application site included the land the subject of this application together with land to the east between the current application site and the boundary of Garden Cottage and Penlan Cranleigh Road. The application was supported by a layout plan showing 9 detached dwellings. Access to the development was off Cranleigh Road between Clyst and Cranbourne and involved the demolition of Penlan to achieve the new access.

In this case it is considered that the scheme would have a less urbanising impact on the character and appearance of the area, the designated heritage asset and existing

landscape as well as mitigation of any defined ecological impacts from the proposed development.

2. Site Description

The application site abuts the defined settlement boundary of Ewhurst. It lies to the north of Cranleigh Road and comprises open grassland. The surrounding development is residential in character. A mixture of one/two storey houses and bungalows are situated to the south and east of the site, fronting Cranleigh Road, with the remainder of the site surrounded by mature hedgerows and some mature trees.

Thornhurst Brook lies within the mature hedgerows to the north west of the application site. Access is achieved from Cranleigh Road which follows the line of an existing public right of way (PRoW) (Route 436) between Clyst and Blue Cottage. This PRoW leads to the centre of the village via the recreation ground.

3. Proposal

Hybrid application seeking full permission for the creation of access from the public highway and internal access road and outline permission for 5 self-build dwellings with all matters reserved including associated landscaping and drainage infrastructure.

4. Relevant Planning History

Reference	Proposal	Decision
WA/2018/0255	Erection of 9 dwellings with associated parking, landscaping and amenity space following the demolition of existing dwelling.	REFUSE 02/05/2018 APPEAL DISMISSED 15/08/2019
WA/2014/2471	Erection of 13 dwellings together with associated parking, access and landscaping following demolition of existing 2 dwellings.	WITHDRAWN 20/07/2015
WA/2014/0878	Erection of 27 dwellings and associated works following demolition of 2 existing dwellings, as clarified by additional ecology information by enims rec'd 30+/07/2014; additional Noise Survey by phlorum received 13/8/2014; additional soft landscaping plan (drawing ref BMD.14.043.DR.001) rec'd 29/8/2014; amended site layout plan (drawing ref 100 Rev W), amending car parking provision	REFUSE 06/10/2014 APPEAL DISMISSED 16/06/2015

SO/2014/0005	<p>and identification of 2.0m protected public right of way and revised siting of rumble strip, rec'd 13/08/2014; amended plans for plots 4 and 5 (drawing ref 203 Rev D) rec'd 13/8/2014; and additional FRA information rec'd 8/8/14; amended plans (drawing ref 13.04 100 X and 13.04 213 F) received 09/09/2014, amending plots 23 - 27 to provide 4 x 1 bed flats and 1 x 1 bed house (instead of 5 x 2 bed flats); reduction in height and length of building; removal of fenestration in southern elevation; removal of second floor; removal of roof lights and Juliet balconies. (Amended Description)</p>	<p>Request for Screening Opinion for erection of 27 dwellings following demolition of 2 existing dwellings.</p> <p>SCREENING OPINION GIVEN EIA NOT REQUIRED 26/03/2014</p>
WA/2000/1000	<p>Erection of residential block together with plant room (as amplified by letter dated 06/06/00 and received 11/07/00).</p>	<p>GRANT 17/08/2000</p>
WA/1997/1911	<p>Erection of a classroom.</p>	<p>GRANT 21/01/1998</p>
WA/1997/1912	<p>Erection of a building to provide new office/staff room.</p>	<p>GRANT 21/01/1998</p>
WA/1996/1080	<p>Change of use of hobby workshop to a dwelling.</p>	<p>REFUSE 11/10/1996</p> <p>APPEAL DISMISSED 22/09/1997</p>

WA/1994/1637	Outline application for the erection of 24 dwellings and construction of an access.	REFUSE 16/02/1995 APPEAL DISMISSED 07/11/1995
WA/1990/1764	Alterations to roof (revision of WA89/2221) (as amplified by letter and additional plans received 26/11/90).	GRANT 11/01/1991
WA/1989/2221	Alterations to roof (as amended by plan received 19/1/90).	GRANT 22/02/1990
WA/1989/1540	Outline application for the erection of residential units. (As amended by letter and plan received 17/10/89)	REFUSE 21/11/1989
WA/1988/1667	Erection of hobby/workshop (as amended by letter and plans received 15/09/88)	GRANT 27/10/1988
WA/2023/01924	Outline application with all matters reserved except access for the erection of 6 self-build dwellings with associated landscaping and new drainage infrastructure.	PENDING

5. Relevant Planning Constraints

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, SP2, TD1, NE1, NE3, ST1, RE1, HA1
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM3, DM4, DM5, DM9, DM15, DM20
- Ewhurst and Ellens Green Neighbourhood Plan (EEGNP)

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)
- Cranleigh Design Statement (2008)

- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

6. Relevant Development Plan Policies and Guidance

Countryside beyond the Green Belt
 Neighbourhood Plan Designation
 Ancient Woodland 500m Buffer Zone
 Footpath (No.436) – to the east of the site
 Adjacent Listed Building (Grade II) – Dining Hall and Kitchen at Sayer’s Croft

7. Consultations and Town/Parish Council Comments

Natural England: No objection
 Environmental Health: No objection
 SWT: No objection
 Surrey Highways: No objection
 WBC Heritage: No objection
 Countryside Access Officer: No objection
 Southern Water: No objection
 County Archaeology: No objection

8. Representations

56 Neighbour Objections Received (in Summary):

- Proposal is unable to define what will be built.
- Impact on infrastructure (drainage).
- Impact on children visiting the site.
- Effect on heritage assets.
- Noise and amenity issues.
- Proposal does not differ from 2014 and 2018 refusals.
- Encroachment on land.
- No discussions held with the agent over the proposal.
- Urbanising effect.
- Access issues.
- Increased traffic and vehicular movements.
- Loss of light and amenity.
- Increased density of development.
- No details of proposals in terms of design.

9. Planning Considerations:

10. Principle of development

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 and Policy DM15 of the Local Plan (Part 2) 2023 state that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

Policy SP2 of the Local Plan Part 1 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.

The Ewhurst and Ellens Green Neighbourhood Plan (EEGNP) was made in May 2022 and is also of relevance. It recognises Ewhurst as being a "smaller village" categorised as a third-tier village in WBC's Spatial Strategy settlement hierarchy (set out in the LPP1).

The Neighbourhood Plan does not seek to allocate sites for housing development, thus does not affect the presumption in favour of sustainable development triggered by a local authority's five year housing land supply as per NPPF paragraph 14. Policy DM36 of the LPP2 explains that the Council will support Self-build and Custom Housebuilding on smaller residential sites, where schemes are appropriate to the scale, design and character of the existing community of which will be assessed in the remainder of this report.

11. Five Year Land Housing Supply

The Council published its latest Five Year Housing Land Supply Position Statement, with a base date of 1 April 2023 in October 2023 which calculates the Council's current supply at 3.89 years' worth. As the Council cannot presently demonstrate a five year housing land supply, paragraph 11(d) of the NPPF 2023 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. 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.

Policy AHN3 of the Local Plan 2018 (Part 1) 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 SHMA 2015 Waverley Addendum indicate the estimated size of dwellings needed over the period 2013 to 2033, with slight variations across the Borough. For the market sector the proportions are as follows for Farnham (with the wider Borough in brackets): 1 bedroom at 8.1% (9.3%); 2 bedroom at 31.9% (32.1%); 3 bedroom at 39.7% (38.2%); and 4+ bedroom at 20.4% (20.4%).

The SHMA 2015 indicates one of the greatest needs is for 3-bedroom dwellings(40%).

12. Isolated Location

Policy SP2 of the Local Plan (Part 1) 2018 states that development will be focused at the four main settlements with limited levels of development in/around smaller villages. Paragraph 84 the NPPF 2023 states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

In considering whether a development is isolated in context with paragraph 84 of the NPPF 2023, the Council have had regard to the Court of Appeal judgement regarding the interpretation of what might be 'isolated'.

Officers' are mindful of the appeal in Braintree, where the definition of an 'isolated home' was brought into question. Mrs Justice Lang agreed with the defendants in that the definition should be taken as that stated in the Oxford Concise English Dictionary; "far away from other places, buildings or people, remote" rather than "homes which were remote from services and facilities". This indicates that close proximity to transport links would not mean a dwelling is not isolated.

The site is nestled between existing residential development between dwellings facing Cranleigh Road and those to the north of Thornhurst Brook in Sayors Croft. As such Officers do consider the proposed dwellings to be isolated.

13. Sustainability

Section 2 of the NPPF identifies that at the heart of the National Planning Policy Framework is sustainable development. Sustainable development is defined in paragraph 8 as being separated into three different objectives: economic, social and environmental sustainability.

Policy SP2 of the LPP1 sets out the Council's Spatial Strategy, which aims to maintain Waverley's character whilst ensuring that development needs are met in a sustainable manner. The spatial strategy is considered to be in general conformity with the NPPF, in that it seeks to focus development in the most accessible parts of the Borough.

LPP1 Policy CC2 seeks to promote sustainable patterns of development to reduce greenhouse gas emissions. This include designing development to encourage walking, cycling and access to sustainable forms of transport. The site is located within a sustainable location, in close proximity to a number of services and facilities falling adjacent to the settlement boundary. Cranleigh is approximately 3km to the west and provide further services to meet the day to day needs which can be accessed via the local bus service. The bus service also provides access to Guildford. Thus, reducing the reliance on the private car and encouraging more sustainable modes of transport.

LPP2 Policy DM15 for Development in Rural Areas defines rural area as "those areas outside of any settlement boundary, irrespective of whether the land is in the Green Belt or Countryside beyond the Green Belt". It states that development in rural areas should not be isolated from everyday services and facilities, while maximising opportunities for walking and cycling and seeking to avoid dependency on private vehicles, taking account of the nature and functional needs of forms of development which are acceptable in rural areas. Importantly, it does not preclude development from coming forward within rural areas.

The site is also unconstrained in terms of Green Belt, Area of Great Landscape Value (AGLV), Area of Outstanding Natural Beauty (AONB) or Special Protection Area (SPA) which affect large areas within the borough. As such, it is considered that the Site to the north of Cranleigh Road, Ewhurst, is a sustainable and appropriate location for residential development. This is reflected by policy ACH1. As set out below the issue of sustainability of the site was considered by the Inspector in the 2018 appeal where it

was concluded that the site was spatially an acceptable site for residential development and accorded with Local Plan policy SP2.

Previous refusals and appeal decisions

In 2014 planning permission was refused for the erection of 27 dwellings on a larger site. The refusal was the subject of an appeal, the Inspector considered the main issues to be

a. The effect of the proposed development on the character and appearance of the area, including the historic environment; and

b. Whether the proposal would be sustainable development

The Inspector concluded that the proposed development for 27 dwellings would cause significant harm to the character and appearance of the area, including failing to preserve the setting of a listed building and causing moderate harm to a non-designated heritage asset. It would be contrary to Policies D1 and D4 of the Local Plan which amongst other things seek development and the relationship with its surroundings and which integrates well with the site and complements its surroundings. The proposed development would also be contrary to the Framework where it relates to conserving and enhancing the historic environment. On the issue to ecology the Inspector concluded that this was a matter that could be dealt with through planning conditions.

In 2018 planning permission was refused and a subsequent appeal considered:

a. Whether the site was appropriate for residential development

b. The effect of the development on;

- The character and appearance of the site and the surrounding area
- The setting of the dining hall and kitchen within Sayers Croft which is a designated heritage asset and
- The site as a habitat for wildlife

Whilst the appeal was dismissed the Inspector did conclude that the appeal site was an appropriate site for residential development, with partial reference to the Spatial Strategy and concluded that the scheme accords with Policy SP2 of the Local Plan.

The Inspector went on to conclude that given the appeal scheme would have a harmful impact on the character and appearance of the site and the surrounding area. The development is therefore contrary to Policies RE1 and TD1 of the Local Plan and Policies D1 and D4 of the 2002 Local Plan. These policies jointly recognise and safeguard the intrinsic character and beauty of the countryside, require development to be of a high quality and to respond to the distinctive local character of the area and resist development which harm the visual character and distinctiveness of the locality, in relation to its surroundings. Further it was concluded that the development would have a harmful impact on the setting of the designated heritage asset. It was concluded that there was no harmful effect on the site as a habitat for wildlife.

14. Impact on Heritage Assets

Paragraph 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 203 states local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 205 states 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.

Paragraph 208 of the NPPF states 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.

As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building... should be exceptional'.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the local planning authority may grant or refuse an application for listed building consent and, if they grant consent, may grant it subject to conditions. In considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

The Council's Heritage Officer has made the following comments:

Heritage asset(s) potentially affected:

- Grade II listed building – Combined Kitchen and Dining Hall, Sayers Croft
- Non-designated heritage asset – Sayers Croft Field Centre

Significance of heritage assets:

The Combined Kitchen and Dining Hall is a prefabricated hut designed by T.S Tait for evacuee camps erected to house and educate vulnerable urban children during WWII. T.S. Tait's designs were not only innovative and successful, but they also have a strong

aesthetic which is particularly well illustrated in the combined dining hall and kitchen building. Not only does this building demonstrate the flexible use of all elements of Tait's design, but it also has the distinction of housing two fine examples of war art, murals designed and executed by the boys depicting aspects of life at the camp in winter and summer respectively. These are painted on the walls above the fireplace at either end of the hall: in 1998 they were included on the United Kingdom national inventory of War Memorials. Although this building would have been replicated at all the evacuee camps in England and Wales, Sayers Croft is the only one that survives in a virtually unaltered state. Therefore, the value of Sayers Croft lies not only in Tait's designs for the individual huts, but in the camp's unique survival as a whole, and in its history. These are best represented in the totality of its structures. Hence, the rest of the buildings/structures dating to this period are considered to be, collectively, a non-designated heritage asset. The site is currently used as an education centre. The significance of the listed building lies in both its interior and its exterior.

The immediate setting of the listed building is the rest of the camp and the woody dell it resides in. Sayers Croft as a whole retains its character as a rural setting for educational activities and provides an appropriate setting for the listed building. Its wider setting is its rural setting. This rural setting contributes to its significance because these camps were specifically built in quiet, wooded countryside, away from military bases and railway lines but close enough to nearby towns to allow access for provisions.

The application site is located to the south of Sayers Croft and the undeveloped nature of the majority of it forms parts of this wider rural setting. There is also intervisibility between the two, particularly in the winter months. Views across the site towards Sayers Croft from the public footpath serve to separate the open areas around the huts on the former camp, including the listed building, from the enclosed rear gardens of the dwellings fronting Cranleigh Road and the access road to Sayers Croft. This degree of separation and openness is essential to the setting of the listed building and the wider Sayers Croft site.

Comments with regards to impact of the proposal on the heritage asset's significance (taking into account paragraphs 201-203 of the NPPF:

There are two previous applications on this site through both included additional land (WA/2014/0878 and WA/2018/0255), both of which were dismissed at appeal. Both identified harm to the setting of the listed building. The 2014 appeal also identified harm to the non-designated heritage asset. There is also an outstanding planning application on the site for 6 self-build dwellings (WA/2023/01924), for which less than substantial has been identified.

The proposed scheme would introduce built form in the form of 5 self-build dwellings into this currently open space. This would have an urbanising effect and would result in the significant degradation of the sense of openness of the site and the contribution which it makes to the setting of Sayers Croft and the listed building. Therefore, less than substantial harm is identified. However, through the retention of an area of open space directly adjacent to the public footpath (which now lies outside the red line) a degree of this separation and openness would be retained, in particular when entering Sayers Croft along the vehicular access. Therefore the harm identified is lower than previously identified. Landscaping would be a key element of any reserved matter application.

Moreover, the application site is not of intrinsic heritage interest. Like other fields and land parcels around the camp perimeter, it makes no particular contribution to the significance of the Combined Dining Room and Kitchen.

In terms of the balancing exercises and with due regards to Policy HA1 of LPP1, and Policy DM15 of LPP2, Officers consider that heritage assets are not offended by the proposal, as the application site lies beyond the setting of the Combined Dining Room and Kitchen. There is consequently, no harm to heritage. Neither the application site, nor its setting, is a heritage asset, and it lies beyond the setting of the designated heritage asset at Sayers Croft.

15. Character and appearance of the site and visual Impact on the Open Countryside

The NPPF places a strong emphasis in achieving well designed places by the creation of high quality, beautiful and sustainable buildings and places. Paragraph 131 sets out that Good design is a key aspect of sustainable development.

Paragraph 135 sets out criteria that development proposal expected to meet, including:

- are visually attractive as a result of good architecture, layout and appropriate and effective landscape;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

LPP1 Policy TD1 requires new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located. Furthermore, it requires developments to maximise opportunities to improve the quality of life and health and well-being of current and future residents.

This application seeks outline planning permission for 5 self-build dwellings. The details of the design of each plot will be subject to a separate reserved matters application. However an illustrative masterplan and landscaping plan are submitted with this application to demonstrate how the development could come forward. Moreover, the Ewhurst and Ellens Green Neighbourhood Plan (May 2022) (EEGNP) supports self-build dwellings and identifies them as an additional tool which can help to assist people in accessing the housing ladder. Policy EEG1 (Meeting the Housing Needs) of the EEGNP states that the mix of housing sizes, types and tenures in proposed development should assist in meeting the needs identified in the most recently available West Surrey SHMA. The EEGNP Neighbourhood Plan states that proposals that deliver one, two and three bedroom dwellings at lower to median financial cost or rent will be particularly supported within the neighbourhood area.

The reason for refusal for application reference WA/2018/0255 was with regards to the “urbanising impact and harm to the character and appearance of the open field, which would fail to preserve the intrinsic character and beauty of the Countryside” which was considered to be in conflict with Policies RE1, SP2 and TD1 of the Local Plan.

Officers consider the applicants have addressed this as the site area has been reduced and the number of dwellings has been reduced from 9 dwellings to 5 dwellings, which would subsequently reduce the massing of the built form. The illustrative plans submitted with the application also indicate how the proposed dwellings and the potential landscaping could reflect the surrounding area.

The drawings indicate a courtyard arrangement with contemporary design which allows for the development to sit within its landscape. The illustrative proposal seeks to restore and enhance the countryside, whilst respecting the intrinsic value of the countryside. As such, it is considered that sufficient amendments have been undertaken to comply with Policy DM4 of the LPP2.

16. Impact on residential amenity

Whilst in outline form, the proposed illustrative layout for the 5 self-build dwellings demonstrates appreciative distances from existing nearby dwellings. To the north the existing landscape buffer which would be enhanced further within the proposal, demonstrates that there will be limited to no views at all to Sayors Croft. To the south the orientation of the dwellings and setback, again with the internal landscape buffer show there would likely be little impact to Blue Cottage and Little Whinfields.

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, Policy DM5 of the Local Plan (Part 2) 2023 and the Residential Extensions SPD.

17. Highway Impacts

Policy ST1 of the Local Plan 2018 (Part 1) states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

With regard to 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.

LPP2 Policy DM9 requires safe and convenient access for all highways users and ensure that the design and layout complies with the highways standards and guidance. Proposals would also include adequate car parking spaces and cycle storage in accordance with the Council's parking guidelines.

The -proposal will be served from a single access point onto Cranleigh Road which is already an existing informal access. The access into the site will be a shared surface with the existing PRoW retained on the eastern boundary. The width of the access road from Cranleigh Road to the main area of the site varies due to the ownership boundary. However, the narrowest point along the extent is 4.8m and therefore suitable to allow two cars to pass. It is considered that there will be a negligible impact to peak periods as the site will generate 3 two way traffic movements. Details of parking and cycle storage, will be provided with subsequent detailed reserved matters. However, given the size of each plot, there is ample space to accommodate the required

allowance. As such, the development meets the requirements of national and local policy.

The Surrey Highway Authority had been consulted on the application and recognise the Public Right of Way (Footpath No. 436). They have therefore offered conditions so there is a safe and suitable access road constructed prior to commencement of construction of the dwellings, to ensure that the movement of construction traffic does not detriment the safety of footpath users. To ensure that the use of sustainable modes of transport is enabled and encouraged further conditions related to covered cycle storage and a CTMP are provided for. As such Officers concur with this view and consider that the proposal would therefore, subject to conditions

18. Impact on Trees and Landscape

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 is attributed full and significant weight respectively due to their level of consistency with the NPPF 2023.

The design intent for the outline application is that the landscaping will complement the detailed application arrangement with a range of indigenous trees loosely defining the access and central space within an informal rural village landscape setting. The boundary trees are reinforced by this rural perimeter landscaping, creating considerable offsets from Sayers Croft to the north, the existing trees to the west and existing properties to the south, where additional boundary screening can be considered. To the east a waist of landscaping is proposed as a green edge emphasising the sense of enclosure such that the proposals are encapsulated in a green, treed setting. The submitted illustrative landscape plan demonstrate the potential for this landscape approach with the patterned hard landscaped central area surrounded by increasing greenery toward the perimeter trees, with hedgerows defining the demises between dwellings. The hedgerows and central landscaping likewise assist in the sense of enclosure of the residential grouping.

An Arboricultural Impact Assessment has been undertaken to support this application to demonstrate how new tree planting can be accommodated into the scheme to assist in retaining the character of the area as well as providing additional design and ecological benefits. Whilst an outline application and the matter is to be dealt with at reserved matters stage, the Council's Tree Officer has not raised any objections to the proposal and offered conditions to any adverse tree and landscape impacts are mitigated in accordance with Policy N2 of the Local Plan (Part 1) 2018 and DM11 of the Local Plan (Pat 2) 2023.

19. Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) 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.'

SWT have reviewed the documents submitted by the applicant which include:

• Design and Access Statement, OSP, January 2024 • Ecological Appraisal, Assystem Energy & Infrastructure Ltd (AEIL), January 2024 • Biodiversity Net Gain Report, Assystem Energy & Infrastructure Ltd (AEIL), January 2024.

They have advised that prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive.

They have further advised that survey work for reptile and GCN should be submitted prior to determination. SWT also explain that they were anticipating findings of presence/likely absence and population estimate surveys, to be completed in the spring of 2024.

Within the 2023 submission for 6 dwellings, further discussions occurred between the case officer, SWT and the agent whereby SWT agreed that a case for the conditioning of updated survey information should be made by the applicant with reference to The British Standard BS 42020:2013 Biodiversity – Code of Practice for planning and development. This current application sought to accommodate those comments and also provide an amended Ecological Appraisal which took into account the discussions with SWT. No further information was formally submitted for the six dwelling scheme (WA/2023/01924).

The methodology for dealing with this from the agent is that a reptile presence/likely absence survey to provide up-to-date information will commence as soon as possible, conditions across April were less predictable with higher rainfall and less sunshine potentially influencing suitability. To secure planning agreement for the site, the previously agreed planning condition to secure mitigation measures remain appropriate and subject to the findings of the update survey. This would then be submitted to discharge the necessary condition and confirm the approach.

As referenced in Paragraph 8.4.13 of the Preliminary Ecological Appraisal, Policy 4 of Natural England's Licensing Policies (2016) allows for licencing to be based on a lower than standard survey effort where *"the costs or delays associated with carrying out standard survey requirements would be disproportionate to the additional certainty that it would bring; the ecological impacts of development can be predicted with sufficient certainty; and mitigation or compensation will ensure that the licensed activity does not detrimentally affect the conservation status of the local population of any EPS"*.

In light of the issues in gaining access to third party land, the following are considered to apply in respect to the development:

- The ecological impacts of the development have been predicted with sufficient certainty based on historical data, the habitat within the site is generally of lower value than the surrounding environment and only a small proportion of the site falls within 250 m of a breeding pond. The Rapid Risk Assessment contained within the Natural England licence application method statement concludes an offence based on habitat loss to be unlikely.

- Adverse effects are, thus, associated with disturbance or capture of GCN. However, by committing to the installation of an exclusion and translocation methodology (as would be provided if newts were present) the species will be protected from harm and thus the conservation status of the local population will not be detrimentally affected.

Therefore, Officers opine that through an appropriately worded condition, the mitigation necessary can be secured to ensure the protection and maintain the favourable conservation status of GCN.

The issue of ecology was considered in both of the earlier appeals, it was concluded that this was a matter that could be addressed through the use of planning conditions.

20. Flood Risk

Policy CC4 of the Local Plan Part 1 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.

The application site is located within Flood Zone 1. The proposal would provide for residential development, which is classified as 'More Vulnerable' and as such, the use is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 2 of the NPPF – Technical Guidance Document. It is not therefore necessary to consider the sequential or exception tests in this instance.

Officers consider that conditions can be applied to ensure that a SuDS scheme is properly implemented and maintained throughout the lifetime of the development at reserved matter stage if planning permission is forthcoming.

21. Archaeology

No supporting archaeological information has been provided but the archaeological potential of the site has been assessed in a desk based archaeological assessment provided with a previous application for this site. The assessment was produced by Cgms Consulting and concluded that there is a moderate potential for Roman remains due to the proximity of a known Roman road, with a low potential for remains of other periods.

Given that the assessment has demonstrated that the site is unlikely to contain any archaeological assets significant enough to warrant preservation in situ, the Council's Archaeological Officer does not consider that it is necessary for the archaeological work to be undertaken in advance of any planning permission; but securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response.

Officers concur with the view above and a satisfactory condition is offered that 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.

22. Contamination

The Council's Environmental Health Officer has reviewed the submitted reports and have advised they have no objection the proposal subject to contaminated land conditions attached. Officers concur with this view in the event planning permission is forthcoming.

23. 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.

The proposal is an outline application for 5 self-build plots and further climate change enhancement measures can be considered and condition at reserved matters approval if planning permission is forthcoming. No concern is therefore raised.

24. Planning Balance

The majority of matters which have been raised, including those in relation to heritage, highways, neighbouring amenity and visual amenity, have been fully assessed within this report.

Officers have had full regard to the planning history and the previous appeal decision in connection with WA/2014/0878 and WA/2018/0255. There are differences between the previous scheme and the current scheme, along with material differences in the policy position. These have been set out within the report. Whilst the planning history is a material consideration in the assessment of the current application, each application is judged on its own merits. The refusal of WA/2014/0878 and dismissal at appeal or the refusal of WA/2018/0255 and its subsequent dismissal at appeal does not restrict the submission of further applications, or indeed mean that development should automatically be refused on the basis that there has been an appeal decision. Officers have assessed the current application having regard to the Development Plan.

As, outlined in this report, it comprises a completely fresh approach to part of the previous site following a history of refusals, notably updated heritage, and the overall scale of the proposal (5 dwellings) is reduced. The proposal has had regard to the consultation feedback on the presently live planning application for 6 no. self-build dwellings (WA/2023/01924), and fundamentally, proposes one less dwelling.

- Is located on a sustainable edge of settlement location.
- Is located in a Neighbourhood Plan area which does not make new allocations and makes no direct provision for self-build. There is strong evidence of needs for housing, and that supply is not meeting the specific need for self-builds. This is therefore a strong material consideration when considered in the planning balance.
- As such it meets a housing need.

25. Conclusion

The application site is not of intrinsic heritage interest and as such it makes no particular contribution to the significance of the Combined Dining Room and Kitchen. There is therefore no harm to the designated heritage asset, and no harms which significantly or demonstrably outweigh the benefits identified in the planning balance. The development would also benefit the local economy in both the short term during the construction phase and in the long term as a result of new residents using local

shops and services. These outcomes weigh in favour of the scheme. There is no clear reason not to engage NPPF paragraph 11d. Therefore, Officers opine that planning permission should be granted.

Recommendation

That permission be OUTLINE APPROVAL subject to the following conditions:

1. Condition:

(a) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (b) 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 Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition:

Approval of the details of the and of the building(s), and (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).

3. Condition:

No development shall take place, including demolition, until details of the reserved matters set out below ('the reserved matters') have been submitted to the Local Planning Authority for approval within three years from the date of this permission: a.) Layout b.) Appearance c.) Scale d.) Landscape The reserved matters shall be carried out as appal of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended). This is a pre commencement condition as it goes to the heart of the permission.

4. Condition:

The plan numbers to which this permission relates solely to the access arrangements are:

- 230008-CON-XX-00-DR-C-1003-P01;
- CIL Phasing Plan;
- Indicative Coloured Site Layout;
- Indicative Coloured View;
- 230008-CON-XX-00-DR-C-1003-P02;
- Site Access Plan;
- Swept Path Drawing;
- Visibility Splays Plan;
- Component Plan C;
- Existing Site Survey A;
- Indicative Site Layout A;
- Location Plan B;
- Arboricultural Impact Assessment.

-

The access arrangements 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) and Policy DM4 of the Local Plan (Part 2) 2023.

5. Condition:

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. Further investigation and risk assessment, in accordance with a scheme, and as recommended in findings of previous investigations/risk assessments, 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:

- i. Be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF
- ii. Aim to address gaps identified in the initial investigations, as detailed in consultation memorandum from Waverley Borough Council's Pollution Control Officer (20/09/2023).
- 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 safeguard the site from potentially contaminated land conditions in accordance with Paragraph 178 and 179 of the NPPF.

6. Condition:

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 5 and shall be submitted to the Local Planning authority for approval prior to

occupation of the development

Reason:

To safeguard the site from potentially contaminated land conditions in accordance with Paragraph 178 and 179 of the NPPF.

7. Condition:

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 5, 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 5 of this permission.

- b. Where required, a remediation scheme in accordance with the requirements as set out in Condition 6.
- c. Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 6

Reason:

To safeguard the site from potentially contaminated land conditions in accordance with Paragraph 178 and 179 of the NPPF.

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:

To preserve the archaeological interests of the site in accordance with Policy HA1 of the Local Plan 2018 (Part 1).

9. Condition:

No part of the development shall be commenced unless and until the proposed modified vehicular and pedestrian access onto Cranleigh Road hereby approved shall be constructed and provided with a means within the private land of preventing private water from entering the highway, vehicular visibility splays in accordance with the approved plans (drawing number 23-T043 02 Rev A), and pedestrian visibility splays of 2m by 2m measured at either side of the shared surface. Thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m high

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

10. Condition:

No part of the development shall be commenced unless and until the shared access road and footpath demarcation within the site has been constructed in accordance with the approved plans (drawing no. 23122 P102 A).

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

11. Condition:

The development hereby approved shall not be commenced unless and until space has been laid out within the site in accordance with the approved plans (drawing number 23122 P102 A) for visitors to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

12. Condition:

The development hereby approved shall not be first occupied 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. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

13. 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 with timer 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 that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

14. Condition:

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) measures to prevent the deposit of materials on the highway
- (e) on-site turning for construction vehicles

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

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 and Policy DM9 of Waverley Borough Council's Local Plan Part 2 (2023)

15. Condition:

Immediately prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species

Reason:

In order to protect the nature conservation and biodiversity value of the site in accordance with Policy NE1 of the Waverley Borough Local Plan 2018.

16. Condition:

The development is to be implemented in accordance with an appropriately detailed landscape and ecological management plan (LEMP). This document should be submitted to and approved in writing by the LPA prior to the commencement of development. The LEMP should be based on the proposed impact

avoidance, mitigation and enhancement measures specified in the report and should include, but not be limited to following:

- a) Description and evaluation 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, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme

Reason:

In order to protect the nature conservation and biodiversity value of the site in accordance with Policy NE1 of the Waverley Borough Local Plan 2018.

17. Condition:

The proposed development shall be required to be implemented only in accordance with an appropriately detailed CEMP. This document will need to be submitted to and approved by the LPA 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 of the 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 protected fences, exclusion barriers and warning signs.

Reason:

In order to protect the nature conservation and biodiversity value of the site in accordance with Policy NE1 of the Waverley Borough Local Plan 2018.

18. Condition:

No development shall take place until the following updated reptile presence/likely absence surveys by a qualified ecologist has been submitted to and approved in writing by the local planning authority.

The updated survey shall be carried out by suitably qualified ecologists and in line with good practice for reptiles. The report shall include a timetable for the implementation of any proposed mitigation and be in line with CIEEM report writing guidelines and good practice for each species group. Where required, the report or report(s) should include detailed mitigation strategies. Any agreed habitat mitigation measures shall be carried out in accordance with the approved details and the approved timetables and shall be retained in perpetuity.

Reason:

In order to protect the nature conservation and biodiversity value of the site in accordance with Policy NE1 of the Waverley Borough Local Plan 2018.

19. Condition:

No development shall take place until an Exclusion and Translocation Methodology Statement for Great Crested Newts has been submitted to and approved in writing by the local planning authority.

The agreed exclusion and translocation measures shall be carried out in accordance with the approved details and the approved timetables and shall be retained in perpetuity.

Reason:

In order to protect the nature conservation and biodiversity value of the site in accordance with Policy NE1 of the Waverley Borough Local Plan 2018.

20. Condition:

No development shall take place until arboricultural details have been submitted to and approved in writing by the Borough Council and these works shall be carried out as approved.

This scheme shall include details of:

a) the measures taken to protect existing trees and hedges during construction, demolition, and delivery of materials / machinery, including a tree protection plan and an arboricultural method statement in line with BS5837:2012 (See Arboricultural Method Statement Informative.), and include details of new access road construction methodology (including edging details, finished levels, and sectional drawings).

b) prior to the commencement of works on site and after the installation of the tree protection in accordance with above the applicant shall arrange a pre-commencement meeting between the Borough Council and the applicant's project arboriculturist to allow inspection and verification of the protection measures.

Reason:

Having regard to the visual amenities of the area including landscape in accordance with Policy NE1 of the Local Plan 2018 (Part 1) and DM11 of the Local Plan (Part 2) 2023.

21. Condition:

'Retained tree' means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, or submitted to meet a condition of consent shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. This condition may only fully be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason:

Having regard to the visual amenities of the area including landscape in accordance with Policy NE1 of the Local Plan 2018 (Part 1) and DM11 of the Local Plan (Part 2) 2023.

Informatives:

1. The applicant is reminded that that the granting of planning permission does not authorise obstructing, diverting or interfering in any way with a public right of way. If the applicant wishes to move the path, they may apply under the provisions of the Town and Country Planning Act 1980 where a diversion is required to enable development to take place. This is usually administered by the Planning Authority but SCC will frequently carry out this work on their behalf and there is a charge. There is a charge of approximately £6,500, the process is open to public consultation and there is no guarantee of success. The applicant will be expected to enter into a works agreement to carry out any work required to bring the new route up to the necessary standard. Please note that if a temporary closure is required while development work is underway, this will not be issued unless a formal diversion application has been made
2. Safe public access must be maintained at all times
3. Should the applicant feel they are unable to ensure public safety while work is underway, a temporary closure may be necessary. A closure will only be issued if a diversion application has been received. A minimum of 3 weeks' notice must be given and there is a charge. Please contact the Countryside Officer if this is required
4. Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way
5. There are to be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals
6. Vehicles using the right of way to access their properties must leave and enter the right of way in a forward gear

7. Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Countryside Access Officer. Please give at least 3 weeks notice
8. Contractor's vehicles, plant or deliveries may only access along a right of way if the applicant can prove that they have a vehicular right. Surrey County Councils' Rights of Way Group will expect the applicant to make good any damage caused to the surface of the right of way connected to the development
9. If the applicant is unsure of the correct line and width of the right of way, Countryside Access will mark out the route on the ground. Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group)
10. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings
11. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
12. 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).

13. The developer is advised that Public Footpath Number 436 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
14. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
15. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-droppedkerb
16. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
17. 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.
18. The applicant 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

19. It is advised that where an arboricultural method statement is required to satisfy a condition of planning consent it must be submitted prior to demolition or development works and be detailed, site specific, prepared by a qualified and experienced arboriculturist and in line with BS5837:2012 - 'Trees in relation to design, demolition, and construction - Recommendations'.

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WA/2023/02045 - Change of Use from Micro-Brewery (Use Class B2) to Mixed Use Micro-Brewery (Use Class B2) and sale of drink and food on the premises (Use Class E (b)), siting of storage container; installation of a 'stretch tent' and associated works. THE TAP ROOM, PIERREPONT HOME FARM, THE REEDS ROAD, FARNHAM, GU10 3BS

Applicant: The Countryside Regeneration Trust
Parish: Frensham
Ward: Western Commons
Grid Reference: E: 485964
N: 142289
Case Officer: Michael Eastham
Neighbour Notification Expiry Date: 20/10/2023
Extended Expiry Date: 10/05/2024

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

Site Description

The application site measures 0.09 hectares and is located to the south-east of The Reeds Road in Frensham. The site comprises two buildings, Buildings J and K, which comprise a micro-brewery and a tap room respectively. The two buildings were formerly a bull pen and farm blacksmiths and they form part of a complex of Grade II Listed Buildings at Pierrepont House Farm. The site is located within a wider agricultural holding, Pierrepont Farm estate, which extends to approximately 48 hectares and includes a dairy farm. The area is rural in character.

Proposal

Planning permission is sought for the change of use from a Micro-Brewery (Use Class B2) to mixed use as a Micro-Brewery (Use Class B2) and for the sale of drink and food in the Tap Room and the external dining areas on the premises (Use Class E (b)). Permission is also sought for the installation of insulation to the underside of the roof in Building K; the siting of a storage container set into the existing earth bank to the rear of the buildings, approximately 18.3m² of bank would be removed in order to facilitate the positioning of the storage container; the installation of a covered outdoor seating area comprising a 'stretch tent' measuring 12 metres x 4 metres mainly for use during the winter months located to the front of Buildings J and K; the provision of a mobile food truck parking area; parking for 20 bicycles; and 8 car parking spaces, including 3 staff parking spaces. The existing storage container would be removed from the site.

Relevant Planning History

WA/2024/00612 - Installation of a replacement package treatment plant and associated works. Pending determination.

WA/2023/02046 - Listed building consent for installation of roof insulation on Building K, Pierrepont House Farm. Consent granted on 8th April 2024.

WA/2019/1560 – Erection of shed and cold store together with alterations to wall to provide gate for pedestrian access. Granted on 4th November 2019.

WA/2016/1882 – Change of use of Buildings J and K to a micro-brewery (Use Class B2) at Buildings J and K, Pierrepont House Farm. Granted on 17th November 2016.

WA/2016/0770 – Application under Section 73 to remove Condition 7 of WA/2015/1988 (operating hours). Refused on 7th June 2016.

WA/2015/1989 – Listed Building Consent for the erection of an in-fill extension and alterations following the demolition of lean-to structures. Listed Building Consent granted on 9th December 2015.

WA/2015/1988 – Change of use to B1(a), B1(c) and B8, erection of in-fill extension and alterations following the demolition of lean-to structures. Full permission granted on 9th December 2015.

WA/2013/1475 – Change of use of milking parlour to a micro-brewery together with alterations (as amplified by letter received 22nd October 2013 and email received on 17th December 2014). Granted on 20th February 2014.

Relevant Planning Constraints

- Green Belt – outside any settlement
- Surrey Hills Area of Outstanding Natural Beauty (AONB)
- Area of Great Landscape Value (AGLV)
- Grade II Listed Buildings
- Article 4 Direction (covers a large area bounded by the Reeds to the north).
- Bridleway (513) King Alfred's Way cycle route
- Ancient Woodland 500 metre buffer
- Wealden Heaths II Special Protection Area (SPA) 5km Buffer Zone
- Wealden Heaths I SPA 400m Buffer Zone
- Wealden Heaths I SAC 2km Buffer Zone
- Flood Zones 2 and 3

Development Plan Policies and Proposals

Waverley Borough Local Plan (Part 1) 2018: Strategic Policies and Sites - Policies SP1, SP2, ST1, EE1, RE2, RE3, TD1, HA1, NE1, NE2, NE3, CC1, CC2, CC4.

Waverley Borough Local Plan (Part 2) 2023: Site Allocations and Development Management Policies – Policies DM1, DM2, DM3, DM4, DM5, DM6, DM7, DM9, DM11, DM15, DM20, DM32.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 has been updated by the Levelling Up and Regeneration Act 2023 – now refers to Section 38(5B) of the Planning and Compulsory Purchase Act 2004 which requires all applications for planning permission to be determined in accordance with the Development Plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. The Local Plan (Part 1) 2018 and the Local Plan (Part 2) 2023 are the starting point for the assessment of this proposal.

Other Guidance

- National Planning Policy Framework (2023)
- National Planning Practice Guidance (2014)
- Waverley Council’s Parking Guidelines (2013)
- Surrey County Council Vehicular and Cycle Parking Guidance (2018)
- Surrey Hills Management Plan (2014-2019)
- Employment Land Review (2016)
- Council’s Economic Strategy (2015-2020)

Consultations and Parish Council Comments

County Highway Authority	No objection
Surrey County Rights of Way Officer	Public Bridleway 513 crosses the site. It is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.
Frensham Parish Council	Object. Should adhere to WA/2013/1475. Lack of detail on storage area/bund. Lack of detail on proposed car parking area. Survey required confirming no tree removal. See Forestry Commission comment on trees See Rights of Way Officer’s comment. Restrict hours in AONB and Green Belt.
Tilford Parish Council	Object Proposal is inappropriate in rural location. Adverse effect on businesses and residents. Residents affected by anti-social behaviour. Proposed operating hours unacceptable. Consider impact on wildlife and dark skies.
AONB Planning Advisor	No objection subject to conditions including a 3 year temporary permission in order for

	the Planning Authority to assess in practice any impact upon this nationally protected landscape.
Surrey Wildlife Trust	No objection subject to conditions.
Natural England	No objection. Natural England considers that the proposal would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Forestry Commission	Ancient woodlands are irreplaceable habitats. Existing trees should be retained wherever possible.
Council's Tree Officer	No objection subject to conditions.
Environmental Health Officer	No objection subject to conditions.
Council's Historic Buildings Officer	No objection subject to conditions.
CPRE Surrey	Object. Proposal is harmful to Green Belt. Detrimental to character/beauty of AONB. Loss of neighbouring amenities. Contrary to Development Plan and NPPF.

Representations

Thirty-eight letters of representation have been received from local residents and from the East Millbridge Sustainable Development Association (EMSDA) objecting on the following grounds:

- Application is at odds with small scale artisan businesses that operate at Farm.
- Increased noise, lights, traffic would have harmful urbanising impact on AONB.
- A permanent food truck and stretch tent would result in material harm to AONB.
- Proposal for 7 days a week, late night opening result in anti-social behaviour.
- Proposal would have a detrimental on neighbouring residential amenity.
- The hours of operation should comply with rest of The Old Dairy: 8am-8pm Monday – Saturday and no bank holidays.
- Licensing committee granted license knowing anti-social incidents would occur.

- It should be in essence a weekend bar and tap room business, serving drinks and food, closing at the latest at 9PM (as its Licence reflects), and not also an all-day café.
- Restrict use of hard standing and stretch tent to no more than 28 days a year.
- Proposed storage and parking area would damage trees and disturb tree roots.
- Insufficient parking proposed for the mixed-use development.
- Current number of cars on lane is hazardous to pedestrians and cyclists.
- Single track road is unsuitable for the mixed-use development.
- Junction of single-track lane and The Reeds Road has limited visibility.
- Detrimental impact on the wildlife in the area.
- Septic tank overflows to meadow and cannot accommodate development.

Three letters of representation has been received from a furniture maker based in a unit at Pierrepont Home Farm and local residents in support of the planning application on the following grounds:

- Application regularises existing uses, which are enjoyed by large number of people.
- Use of container instead of white cooler units would be more attractive.
- The container being partially buried and situated behind the buildings.
- Use of stretch tent would be less intrusive and more elegant than previous marquees.
- Frensham Brewing have worked hard since taking on the business several months ago.
- Frensham Brewing offer a variety of food/drink which is popular with customers.
- Noticeable change in clientele which is now largely made up of family groups in search of a pleasant afternoon out or a meal.
- Frensham Brewing should be commended for what they have achieved to date.

Planning Considerations

Principle of development

The site is located within the Green Belt, where there is a presumption against inappropriate development. The site is also located within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV), where policies seek to preserve or enhance the existing landscape character. The site also lies adjacent to designated heritage assets and the Local Planning Authority should identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.

The planning history is a material consideration in the assessment of this current application. Permission was granted under WA/2015/1988 for the change of use of the site and the surrounding buildings to Class B1(a). B1(c) and B8 with alterations and an infill extension between the two buildings. Listed Building Consent was granted under WA/2915/1989 for alterations to the buildings in relation to WA/2015/1988. A micro-brewery was originally established in the former milking parlour following the granting of WA/2013/1475 on 20th February 2014. The former milking parlour forms part of the wider complex of buildings at Pierrepont Home Farm and it is approximately 35 metres from the application site.

The principle of developing a micro-brewery (Use Class B2) in Buildings J and K was established with the granting of planning permission (WA/2016/1882) on 17th November 2016. This permission has been implemented and the micro-brewery has moved from the former milking parlour to Building J. The current proposal (WA/2023/02045) is for the change of use of Buildings J and K from a micro-brewery (Use Class B2) to mixed-use micro-brewery (Use Class B2) in Building J and for the sale of drink and food in Building K (Use Class E (b)).

This retrospective application seeks to regularise the planning for the serving of food and drink at the Micro-brewery and the Tap Room in line with the existing licence.

A separate application for listed building consent (WA/2023/02046) has been submitted for the installation of roof insulation in Building K.

Location of development

The site's location is somewhat rural and isolated from existing built form and settlements. The proposed mixed-use development would require vehicle movements to and from the site.

The site lies within a rural area wherein opportunities for travel by public transport are limited. The NPPF outlines that there are three dimensions to sustainable development, notably economic, social and environmental. Officers agree with this and that sustainable development is not just about transport and location. Paragraph 88 of the NPPF, 2023 outlines that planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

- b) The development and diversification of agricultural and other land-based rural businesses;
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Policy EE1 of the Local Plan (Part 1) states: “the provision of development for economic growth to meet the needs of the economy will be delivered through promoting well designed buildings for economic development and promoting the development and diversification of agricultural and other land based rural businesses.”

Policy DM32 of the Local Plan (Part 2) states: “measures which promote tourism, including recreation based rural diversification, will be encouraged. Support will be given to proposals which develop opportunities associated with rural diversification, rural development initiatives and sustainable tourism, particularly where they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside.”

The proposed mixed-use development involves temporary additions to Buildings J and K, and their curtilages to enable a wider offer of food and drink for consumption on the site in addition to the micro-brewery.

It is acknowledged that the proposed mixed-use development at Buildings J and K at Pierrepont Home Farm would be car reliant and result in use of cars to visit the site. This in itself is not considered to result in the proposal being unsustainable, due to the wider likely benefits that the proposal brings, namely the provision and retention of small-scale employment and enterprise. The proposed mixed-use micro-brewery serving food and drink would contribute to operations of the wider agricultural holding. The proposed mixed-use of Buildings J and K would therefore support a prosperous rural economy.

Overall, taking into consideration the details of the proposal, and the benefits to the rural economy, officers raise no objection to the site’s rural location with regard to the proposed mixed-use development. It is considered that the proposed mixed-use development complies with Policy EE1 of the Local Plan (Part 1) 2018, Policy DM32 of the Local Plan (Part 2) 2023 and the NPPF, 2023.

Lawful use of the site

The lawful use of the application site that is subject to the current planning application is an existing micro-brewery business (Class B2) which operates at Buildings J and K at Pierrepont Home Farm, with the benefit of planning permission since 2016.

The site is located within a wider agricultural holding, which main operation comprises dairy activities. There would be no physical interaction between the proposed mixed use micro-brewery (Building J) and food outlet in the Tap Room (Building K) and the dairy operations at Pierrepont Home Farm. The proposal would not result in the

fragmentation of agricultural or horticultural holdings and would not undermine the economic viability of the holding.

Impact on the Green Belt

The site is located within the Green Belt outside any defined settlement boundary.

Policy RE2 of the Local Plan (Part 1) 2018 outlines that the Green Belt will continue to be protected from inappropriate development. Inappropriate development will not be permitted unless very special circumstances can be demonstrated. Certain forms of development are considered to be appropriate and will be permitted provided they do not conflict with the exceptions listed in paragraphs 154 and 155 of the NPPF, 2023.

Paragraph 155 of the NPPF, 2023 sets out that certain forms of development are not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it, these are:

- Mineral extraction;
- Engineering operations;
- Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- The re-use of buildings provided that the buildings are of permanent and substantial construction;
- Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The NPPF states that in promoting a strong rural economy, local plans should support the conversion of existing buildings within rural areas.

Local Planning Authorities are required to give substantial weight to any harm which might be caused to the Green Belt by inappropriate development. Development which can be considered to be acceptable in the Green Belt includes: “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building” (paragraph 154c of the NPPF, 2023).

Paragraph 155 of the NPPF, 2023 goes on to state that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include “the re-use of buildings provided that the buildings are of permanent and substantial construction” (paragraph 155d of the NPPF, 2023).

The structural integrity of Buildings J and K was examined under WA/2015/1988 which was accompanied by a Structural Engineers Report dated 12th November 2015, which was assessed by the Council’s Building Control Service which was satisfied that the buildings were of substantial construction. The two buildings retain the appearance of a small cluster of farm buildings, which once formed part of a wider farm complex. The proposed mixed-use development would not result in a material alteration to the buildings granted under WA/2015/1988 and WA/2016/1882.

The application seeks mixed-use development of the site as a micro-brewery and the sale of food, which is considered to be capable of operating from within Buildings J and K. As such, it is considered that the proposed mixed use of Buildings J and K as a micro-brewery and for the sale of food and drink would not adversely affect the rural character or amenities of the area.

It is proposed that Building J would continue to be used for brewing and Building K to house beer for sale to the public, distribution, storage and for administration; and for the serving of food and drink to customers. The sale of food and drink on site is considered to be ancillary to the primary use of the premises as a micro-brewery. It is considered that the sale of food and drink on site would not prejudice the vitality of nearby settlements.

The micro-brewery currently operates in Building J and the introduction of a mixed-use including the production and sale of beer and the serving of food and drink from Building K would not result in an increase in traffic to the site.

The proposed mixed use for a micro-brewery and the serving of food would not conflict with the purposes of the Green Belt set out at paragraph 143 of the NPPF, 2023, and the development as a whole would, when compared to the existing situation, preserve openness. It would therefore amount to appropriate development in the Green Belt as per paragraphs 154 and 155 of the NPPF, 2023. Officers consider that the proposal does represent the provision of appropriate facilities for a mixed-use micro-brewery and the serving of food and drink would therefore be an appropriate form of development in the Green Belt. Buildings J and K are well screened from view by the existing farm buildings at Pierrepont Home Farm. Consequently, the proposed mixed-use development would not impact on the openness of the Green Belt and the mixed-use development would be acceptable. The re-use of buildings in the Green Belt is acceptable, subject to them being of a permanent and substantial construction. Buildings J and K appear to be both permanent and of substantial construction. This element of the proposal would be seen to be an appropriate form of Green Belt development.

The proposal would therefore comply with Policy RE2 of the Local Plan (Part 1) 2018, Policy DM14 of the Local Plan (Part 2) and the NPPF, 2023.

Design and impact on visual amenity, AONB and the AGLV

Policy TD1 of the Local Plan: Part 1 states “the Council will ensure that the character and amenity of the Borough are protected by requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.”

The site is located within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). Policy RE3 of the Local Plan (Part 1) 2018 sets out that new development must respect and where appropriate, enhance the character of the landscape in which it is located. *“The same principles for protecting the AONB will apply in the AGLV which will be retained for its own sake and as a buffer to the AONB, until there is a review of the Surrey Hills AONB boundary, whilst*

recognising that the protection of the AGLV is commensurate with its status as a local landscape designation.”

Policy 6 of the AONB Management Plan says: *“Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.”* The latter part of the section of Policy RE3 of the Local Plan (Part 1) covering the AONB states much the same about protecting the setting of the AONB as Policy 6 of the AONB Management Plan.

Policy RT1 of the Surrey Hills AONB Management Plan states: *“Visitors and facilities that enhance people’s enjoyment and understanding of the Surrey Hills will be encouraged, whilst conserving or enhancing the landscape character and biodiversity”*. It is understood that many walkers and cyclists using authorised long-distance routes through the site, visit the gastro pub. It can be imagined they very much welcome its presence and gain considerable enjoyment. Exercising and enjoying the countryside has increasingly been recognised to promote the public's health and wellbeing.

The LPA’s decision should be guided by paragraph 182 of the NPPF, 2023 which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals, paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

This would be a new pub in the Surrey Hills AONB interestingly associated with a microbrewery and selling its local produce. The premises are small and make use of a redundant farm building assisting in farm diversification.

The proposed mixed-use development would not result in external alterations to Buildings J and K above those previously permitted under WA/2015/1988 and WA/2015/1989. Buildings J and K are relatively low-profile and they are well screened from view by the adjacent farm buildings and the proposed mixed-use development would not be harmful to the character of the AONB and the AGLV.

The AONB Planning Adviser requested that the proposed use be effectively controlled by stringent planning conditions and a 3 year’ temporary permission. The restrictions should cover limiting the hours of operation in the evenings; having no music or amplified sound to be played outside, or in the covered outdoor seating area comprising a ‘stretch tent’ located to the front of Buildings J and K; and no parties or functions outside the hours of operation. The storage container should be removed within 2 years. The 3 year’ temporary permission would be to demonstrate the use could be effectively carried out without disturbance and noise especially in the evenings so the Local Planning Authority can review the experience of the use and any representations of local residents and amenity groups in considering towards the end of the 3 year period a permanent permission with the conditions.

Officers consider that the proposed mixed-use development would not result in external alterations to Buildings J and K above those previously permitted under WA/2015/1988 and WA/2015/1989. Buildings J and K are relatively low-profile and they are well screened from view by the adjacent farm buildings and the proposed

mixed-use development would not be harmful to the character of the AONB and the AGLV; and that this retrospective application seeks to regularise the planning for the serving of food and drink at the Micro-brewery and the Tap Room in line with the existing licence. As such, there is no need for a 3-year temporary permission for a change of use.

The proposed conditions limiting the hours of operation in the evenings; having no music or amplified sound to be played outside, or in the covered outdoor seating area comprising a 'stretch tent' located to the front of Buildings J and K; and no parties or functions outside the hours of operation are considered to be sufficient and they would meet the 6 tests of imposing conditions as set out in the NPPF, 2023. A lighting condition is also considered to be reasonable and necessary due to the site's location within the Surrey Hills AONB and the AGLV. Officers considered that conditions would control the level of noise and late night activity and therefore there is no planning reason to grant a permission for a temporary period.

Overall, officers are satisfied that the proposed mixed-use development would not result in a harmful impact on the landscape. The impact on the intrinsic character and beauty of the countryside is considered to be acceptable subject to conditions. As such, subject to conditions, the proposed mixed-use development complies with Policies TD1 and RE3 of the Local Plan (Part 1) 2018, Policy DM4 of the Local Plan (Part 2) 2023 and the NPPF, 2023.

Impact on Designated 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 building or its setting or any features of special architectural or historic interest which it possesses.

Policy HA1 of the Local Plan: Part 1 states "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 by safeguarding all heritage assets."

Paragraph 200 of the NPPF, 2023 states that "Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."

Paragraph 201 of the NPPF, 2023 states that "Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The NPPF defines “significance” as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

Paragraph 203 of the NPPF, 2023 states that “In determining planning applications, Local Planning Authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.”

Paragraph 205 of the NPPF, 2023 states “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.”

Paragraph 207 of the NPPF, 2023 states: “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.”

Paragraph 208 of the NPPF, 2023 states: “Where a development 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 National Planning Practice Guidance (NPPG) provides guidance under the Section titled “Conserving and Enhancing the Historic Environment”. Whilst not a policy document, it does provide further general advice to policies in the NPPF, 2023.

Following on from the decision of the High Court in Barnwell Manor Wind Energy, the Decision Maker should give considerable importance and weight to the setting of the Listed Building. If the harm is found to be less than substantial, it does not follow that the Section 66 duty can be ignored, although this would lessen the strength of the presumption against the grant of planning permission.

Pursuant to the decision of the Court of Appeal in Forge Field Society, the finding of harm to the setting of a Listed Building or a Conservation Area gives rise to a strong presumption against planning permission being granted. If harm is identified then the decision maker should acknowledge that there is a presumption against permission.

Pierrepoint Farm comprises a range of Grade II Listed former farm buildings, including Buildings J and K, that have been renovated and now accommodate a number of artisan businesses. The listed buildings form a loose courtyard farmstead with an 18th century threshing barn, farmhouse and cottages which was then developed in the 19th century to include a milking parlour, bull pen, cow byre and blacksmiths. They are all built in local vernacular materials of bargate stone rubble, red brick, ironstone rubble and weatherboarding. The complex of buildings illustrate the differing spatial arrangements of contemporary farms and how the running of this farm may have been undertaken. The Tap Room consists of the former blacksmiths, the former bull pen and the cow byre, which are 19th century elements which illustrate how the farm evolved over time.

The significance of the Listed Buildings on the site lies in their collective form as an important complex of buildings that illustrate the differing spatial arrangements of contemporary farms and how the running of Pierrepoint Home Farm may have been undertaken. The survival of much of the historic fabric of these buildings forms a large part of their significance.

The Council's Historic Buildings Officer considered that the proposed storage container would not be particularly attractive visually however, the applicant has minimised the harm through the choice of location which means the storage container would be obscured from the main public areas and screened by the existing topography and mature trees. The Council's Historic Buildings Officer has requested a condition requiring the storage container to be removed once its use is no longer required and the land put back to how it was.

The size and siting of the proposed 'stretch tent' would obscure views of the listed building, however, as a temporary structure this is not irreversible and it would not remove the ability to appreciate the building as part of a farmstead. However, the Council's Historic Buildings Officer concludes that the proposal would result in no harm to the heritage assets.

As such, subject to conditions, the proposed mixed-use development is considered to be acceptable and complies with Policy HA1 of the Local Plan (Part 1) 2018, Policy DM20 of the Local Plan (Part 2) 2023, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, 2023.

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. Policies DM1, DM4 and DM5 of the Local Plan (Part 2) 2023 are also applicable.

Policy DM5 of the Local Plan (Part 2) 2023 states that development should avoid harm to the amenity of future and existing occupants of nearby land, buildings and residences including by way of overlooking, loss of daylight or sunlight, or overbearing appearance.

The nearest neighbouring dwellings to the site are a pair of cottages within the building complex to the south-west, also within the applicant's ownership. The next nearest dwellings are approximately 290 metres on foot to the south-west.

The applicant is requesting that the Tap Room be open in Building K for the serving of food and drink from 8.00am to 11.00pm Monday to Friday; 8.00am to 12.00pm on Saturdays; and 8.00am to 10.00pm on Sundays. If these hours were permitted, staff would arrive before 8.00am and leave after midnight on weekends & after 11.00pm on weeknights. The microbrewery will be a 7 days' a week business.

WA/2015/1988 gave permission for change of use for the whole site from agricultural to commercial but with the condition of operating hours. CRT attempted to remove this condition but that was refused in WA/2016/0700. Then in WA/ 2016/1882 permission was granted for buildings J and K "for a microbrewery and for no other purpose" but without any condition as to hours. It is considered that this superseded WA/2015/1988 in relation to buildings J and K. In the course of the officer's report, the imposition of a condition on operating hours was considered and rejected.

The Licensing Permission granted in April 2023 is proving detrimental to the amenity of residents and users of the Farm and surrounding countryside. In cases where licensing and planning decisions differ, the more restrictive provisions will take precedence.

All of the other existing planning permissions at the farm complex stipulate operating hours finishing at 8.00pm Monday to Saturday and not on Sundays or Bank Holidays so as to protect the AONB and the amenities of neighbouring properties. It is considered that this mixed-use development including the serving of food and drink both indoors and outdoors should have the same operating hours all of the other businesses on at Pierrepont Home Farm from Monday to Saturday. However, it is considered appropriate to allow the serving of food and drink on a Sunday which could be a peak time especially for walkers and cyclists. As such, it is recommended that the hours imposed by condition are 8:00am-8:00pm Monday to Sunday (excluding Bank Holiday), so as to safeguard neighbouring residential amenity in accordance with Policy DM1 of the Local Plan (Part 2) 2023, the NPPF, 2023 and the Licence which states clearly in the Licensing Conditions that 'the general opening hours shall be to 19.00/20.00 hours.'

If permission is to be granted to allow for use other than that of a micro-brewery with ancillary sale of the beer brewed on site, there should be no provision for private parties or other events outside the hours of operation imposed by condition to ensure that there is no unreasonable disturbance to neighbouring residential amenity.

The Council's Environmental Health Officer commented that the applicant will need to demonstrate the ability to control noise at and from the premises. The Environmental Health Officer has recommended conditions relating to noise levels; the need to submit a noise management plan; and that no amplified music is to be played outside or in the covered outdoor seating area in front of Buildings J and K; all of which are considered to be acceptable and meet the six tests of applying conditions as set out in the NPPF, 2023.

Overall, it is considered that the proposed mixed-use development, subject to conditions, would not cause material harm to neighbouring amenity and would comply with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2) 2023 and the NPPF, 2023.

Impact on Ancient Woodland

Ancient Woodland exists within 15 metres of the mixed-use development but the Council's Tree Officer does not envisage the mixed-use development would directly affect the woodland. Tree protection measures would be required along the sites northern boundary to eliminate stray equipment, material storage or other unauthorised access associated with this construction into the Ancient Woodland and this should be conditioned.

The Council's Tree Officer has recommended a condition requiring the submission of a Landscape and Environmental Management Plan (LEMP) with mitigation measures, which is considered to be acceptable and meet the 6 tests as set out in the NPPF, 2023.

Natural England and the Forestry Commission have been consulted on this application and have advised that standing advice with regard to Ancient Woodland should be followed, this includes maintaining a minimum 15 metre buffer zone between development and Ancient Woodland.

As such, subject to conditions, the proposed mixed-use development complies with Policy NE2 of the Local Plan (Part 1) 2018, Policy DM11 of the Local Plan (Part 2) 2023 and the NPPF, 2023, in terms of tree protection.

Impact on Highways, Access and Parking

Policy ST1 of the Local Plan (Part 1) 2018 states that the Council will work in partnership with Surrey County Council to ensure development schemes make appropriate provision for parking and maximise sustainable modes of transport.

Vehicular access to the site and to the existing micro-brewery buildings is taken from The Reeds Road which is a private road and does not form part of the public highway, therefore it falls outside the County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed mixed-use development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.

The proposed mixed-use development appears to result in a change to the layout of the site, including the creation of a further area of car parking within an area shown as deciduous woodland Habitat of Principal Importance.

The application has been amended, by removing the proposed additional area of car parking within the deciduous woodland immediately behind the micro-brewery, as there is no real need for the additional parking. The existing parking provision on site works perfectly well for the proposed mixed-use. The proposed mixed-use

development would provide 8 existing car parking spaces, including 3 staff parking spaces, whilst providing 74m² of employment space.

This works out as 1 space per 5.2m² of employment space, which exceeds the Council's Parking Guidelines (2013) which indicate that 1 space should be provided per 500m² with a minimum of two spaces. However, Officers consider that the proposal comprises sufficient spaces for customers to Building K (The Tap Room). The proposed mixed-use development includes the provision of parking for 20 bicycles which is acceptable as the site is located on a bridleway (the King Alfred's Way cycle route) which is a popular cycle route.

Overall, the proposal would provide safe access to the site and would not cause harm to highway safety; and the parking provision complies in general with the Council's parking guidelines. As such, the proposed mixed-use development is considered to comply with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023, the Council's Parking Guidelines (2013) and the NPPF, 2023.

Flood Risk and Foul Drainage

The NPPF, 2023 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. 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, it should be made safe without increasing flood risk elsewhere.

Development should only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exceptions Test, it can be demonstrated that:

- Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- Development is appropriately flood resilient and resistant.

Whilst the site is within Flood Zones 2 and 3, 'general industry' is classified as 'less vulnerable' in the NPPG Flood Risk Vulnerability Classification. It is therefore considered the proposed mixed-use development is appropriate.

Furthermore, the NPPG states that the Sequential and Exceptions Tests do not need to be applied to minor developments and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site.

As such, the proposed mixed-use development complies with the NPPF in terms of flood risk.

There is an existing foul drainage system, in terms of a septic tank that is in place and which serves the users of the former farm buildings at Pierrepont Home Farm.

Biodiversity and compliance with Habitats and Species Regulations 2017

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. Policy DM1 of the Local Plan (Part 2) 2023 sets out that development should avoid negative impacts upon biodiversity.

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 submitted biodiversity checklist and the additional letter from the applicant (ref. 978 13 LMS MAG) dated 11th September 2023 identify that the site has features favourable to bats. The proposal seeks change of the use of the land only and does not incorporate operational development. As such, it is considered that the change of use of the land would not result in material harm to biodiversity.

The Surrey Wildlife Trust was consulted and recommended that the applicant submitted an assessment of the potential impact of the proposed development on reptiles; an impact assessment for the proposed works and mitigation strategy for the adjacent ancient woodland; and an impact assessment for the proposed works and mitigation strategy for the lowland mixed deciduous woodland, prior to determination of the current planning application. ESL Ecological Services submitted a letter (Ref. DH/ES/146/L042.24) dated 12th March 2024 on behalf of the applicant in response to Surrey Wildlife Trust’s recommendations.

Prior to commencement, details of how the floodplain grazing marsh would be adequately protected from development should be submitted by means of a condition. The applicant should be required to implement the development in accordance with an appropriately detailed CEMP. The Surrey Wildlife Trust recommended that the development should incorporate the provision of bird and bat boxes erected on the buildings or nearby trees by means of a condition; and that an informative should be added to remind the applicant that protected species may present and that works should stop should they be found during the course of the works; both of which are considered to be acceptable.

Overall, it has been demonstrated that the proposal would not cause harm to protected species. As such, subject to conditions, it is considered that the proposed mixed-use development complies with Policy NE1 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023 and the NPPF, 2023, in terms of habitat protection and biodiversity enhancement.

Effect upon the Wealden Heaths Phase I Special Protection Area (SPA)

The site is within the 400 metres buffer zone of the Wealden Heaths Phase I Special Protection Area (SPA). As the proposal is for the proposed mixed-use of the micro-brewery and for the serving of food and drink on the premises, it is not likely to result in a significant 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 Wealden Heaths Phase I SPA in accordance with Policy NE3 of the Local Plan (Part 1) 2013. As such an Appropriate Assessment under Regulation 63 of the Conservation of

Habitats and Species Regulations 2017 is not required. In drawing this conclusion regard has been had to guidance provided to the Council by Natural England.

Climate Change and Sustainability

Waverley Borough Council has declared a climate emergency. The motion was passed at a Full Council meeting on Wednesday 18th September 2019 which sets out the Council's aim to become carbon neutral by 2030. Policy CC1 of the Local Plan (Part 1) 2018 relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, setting out a number of measures against which developments should accord. Policy CC2 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions through a number of measures relating to new development. Policy DM2 of Local Plan (Part 2) 2023 seeks to improve energy efficiency and reduce carbon emissions in the Borough.

The Planning, Design and Access Statement and Drawing No. 978-13_PL_GA01 Rev. A – 'Proposed Plans and Elevations' include the provision of an air source pump which would be attached to the storage container, which would be located to the rear of Buildings J and K.

As such, the proposal complies with Policies CC1 and CC2 of the Local Plan (Part 1) 2018, Policy 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.

Crime and Disorder

Section 17(1) of the Crime and Disorder Act, 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on and the need to do all that it can to prevent crime and disorder in its area. This requirement is reflected in the NPPF, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Given the scale and nature of the proposed mixed-use development in Buildings J and K it is considered that the proposal would not lead to crime and disorder in the local community and it would accord with the requirements of the NPPF, 2023.

Environmental Impact Regulations 2017

The proposed mixed-use development is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2017 or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

Other Matters

Frensham Parish Council has commented that the brewery development should remain as granted by WA/2013/1475. A micro-brewery was originally established in the former milking parlour following the granting of WA/2013/1475 on 20th February 2014. The former milking parlour forms part of the wider complex of buildings at Pierrepont Home Farm and it is approximately 35 metres from the application site. The principle of developing a micro-brewery (Use Class B2) in Buildings J and K was established with the granting of planning permission (WA/2016/1882) on 17th November 2016. This permission has been implemented and the micro-brewery has moved from the former milking parlour to Building J.

Development Management Procedure Order 2015 – Working in a positive / proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraph 38 of the NPPF. This included:

Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development. Having proactively communicated with the applicant through the process to advise on progress, timescales or recommendation.

Conclusion

The officers have not identified harm to the countryside with the existing use of Building J as a micro-brewery and Building K as a retail outlet for the sale of the beer; or the proposal to serve food and drink in Building K at Pierrepont Home Farm. The Officers recommend conditions limiting the hours of operation in the evenings; having no music or amplified sound played outside, or in the covered outdoor seating area comprising a 'stretch tent' located to the front of Buildings J and K; and no parties or functions outside the hours of operation; and the storage container should be removed when no longer in use.

The proposed mixed-use development would be appropriate to its surroundings on Pierrepont Home Farm and would be compatible with surrounding area subject to conditions. The proposed change of use would not result in harm to the character of the Grade II Listed Buildings. There would be no adverse impacts on neighbouring amenities, subject to conditions restricting the hours of opening for the serving of food and drink on the premises.

It is acknowledged that employees and customers travelling to and from the site are and will be car reliant, however, the number of employees would not be at a significant number and although this is a negative aspect with the proposal, it is not considered, in itself to warrant objection to the overall scheme. The proposal would provide a source of employment and would make a positive contribution toward the rural economy, which the Development Plan and the National Planning Policy Framework seek to encourage.

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 storage container hereby approved and identified on Drawing No. 978-13_PL_SP01 Rev. A – ‘Proposed Site Plan’ which is to be sited at the rear of the Tap Room, should be removed from the site when no longer in use.

Reason:

To protect the visual amenity and character of the AONB, the amenity of nearby residential properties, in accordance with Policy RE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

2. Condition:

Within three months of the date of this permission, the existing storage container which is parked by the fence near the Tap Room should be removed from the site.

Reason:

To protect the visual amenity and character of the AONB, the amenity of nearby residential properties, in accordance with Policy RE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

3. Condition:

The ‘stretch tent’ hereby permitted, located on the hardstanding in front of Buildings J and K shall not be erected or be retained on site between the months of April to October.

Reason:

In the interests of the character and amenity of the area, to protect the amenity of nearby residential properties, in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

4. Condition:

The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Drawing No. 978-13_PL_LP01 Rev. A – Location Plan
Drawing No. 978-13_PL_GA02 – Existing Plans and Elevations
Drawing No. 978-13_PL_SP02 Rev. A – Existing Site Plan
Drawing No. 978-13_PL_GA01 Rev. A – Proposed Plans and Elevations
Drawing No. 978-13_PL_SP01 Rev. A – Proposed Site Plan
Drawing No. 978-13_PL_DD01 Rev. A – Proposed roof insulation

Reason:

In order that the development hereby permitted shall be 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) 2023.

5. Condition:

The premises shall be used for a micro-brewery (Use Class B2) and for the sale of drink and food on the premises (Use Class E(b)) and for no other purpose (including any other purpose in Class B2 or Class E as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to Class B2 or Class E in any statutory instrument revoking and re-enacting that order with or without modification.

Reason:

In the interests of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM5 of the Local Plan (Part 2) 2023.

6. Condition:

Within one month of the date of this permission, a Sensitive Lighting Management Plan should be submitted for approval in writing by the Local Planning Authority. The lighting plan shall be implemented in strict accordance with agreed details within one month of the formal approval of submitted details and thereafter retained. Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trust's document titled: "Bats and Lighting in the UK – Bats and the Built Environment Series."

Reason:

To protect the visual amenity and character of the AONB, in the interests of protecting protected species and to avoid light pollution, in accordance with Policy RE3 and Policy NE1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2023.

7. Condition:

Prior to commencement of development a Landscape Ecological Management Plan (LEMP) shall be submitted to and be approved by the Local Planning Authority. The LEMP shall include:

- a) Designation and evaluation 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.
- j) Monitoring strategy, including details of 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.

Once approved the development shall be completed at all times in accordance with the approved details.

Reason:

To safeguard protected species and their habitat and to protect the biodiversity of the site in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 Policy NE1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2023. This condition is a pre-commencement condition as it goes to the heart of the permission.

8. Condition:

The hours of operation of the Tap Room in Building K both indoors and outdoors shall only be between 8.00am to 8.00pm Monday to Sunday (excluding Bank Holidays) and all members of the public should have left the site by 8.30pm; and there should be no provision for private parties or functions or other events.

Reason:

To protect the visual amenity and character of the AONB, and to safeguard neighbouring residential amenity, in accordance with Policy RE3 of the Local Plan (Part 1) 2018, Policies DM1 and DM4 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

9. Condition:

Prior to the commencement of development, a noise management plan should be submitted to and be approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason:

To protect the visual amenity and character of the AONB, and to safeguard neighbouring residential amenity, in accordance with Policy RE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

10. Condition:

No music is to be played outside, or in the covered outdoor seating area comprising a 'stretch tent' located to the front of Buildings J and K hereby permitted, and there shall be no amplified music played inside Buildings J and K at any time.

Reason:

To protect the amenity of nearby residential properties, in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

11. Condition:

An Arboriculture Method Statement and scaled Tree Protection Plan, shall be submitted to the Local Planning Authority for their prior approval, to include:

a) The protection fence and stabilisation feet (if applied) shall remain clear of spoil and materials. A minimum clear gap of 1 metre shall therefore be maintained during demolition and construction activities.

b) 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.

c) 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 shall be attached to the mesh of each protection fence panel at shoulder height (1.5 metres).

The development shall be carried out in accordance with the approved details. All revisions of the approved details shall be submitted to the Local Authority Tree Officer for their approval before it can be applied.

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 and Policy DM11 of the Local Plan (Part 2) 2022.

12. Condition:

The Local Authority shall be notified at least 2 weeks prior to expected commencement of demolition/construction activities with a written notice. The notification shall include photographic evidence of tree protection, such as temporary ground cover, sacrificial surface layer and Heras fencing. All protection measures shall strictly accord with the approved Tree Protection Plan (TPP) and Arboriculture Method Statement (AMS). The Local Planning Authority shall determine the detail within the notice and if found satisfactory shall provide written approval for the development to proceed. 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 TPP and AMS.

Retained trees which become damaged by demolition and construction activities shall be considered as a breach of this Condition and could lead to a temporary Stop Notice being issued immediately upon the development.

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 NE2 and TD1 of the of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023.

13. Condition:

Within three months of the date of this permission, the car parking spaces shall be laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking spaces shall be retained and maintained for their designated purpose.

Reason:

To limit the total number of vehicles parking at the Tap Room and at Pierrepont Home Farm at any time in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and Policy DM9 of Local Plan (Part 2) 2023.

14. Condition:

No development shall take place until a Construction and Environmental Management Plan ("CEMP") has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to:

- a) Map showing the location of all of the 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 protected fences, exclusion barriers and warning signs.
- g) The provision of bird and bat boxes on the buildings or nearby trees.

The construction of the development shall be carried out in accordance with the approved CEMP.

Reason:

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site and to mitigate any adverse impact from the development on both the strategic and local road networks in accordance with Policies ST1 and NE1 of Local Plan (Part 1) 2018 and in accordance with DfT Circular 01/2022. It is also to ensure impact on neighbouring residents' amenity is minimised in accordance with Policy DM1 of Local Plan (Part 2) 2023. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

15. Condition:

Prior to commencement, details of how the floodplain grazing marsh would be adequately protected from development should be submitted for approval in writing by the Local Planning Authority. The approved details for the protection of the floodplain grazing marsh should be implemented.

Reason:

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policies ST1 and NE1 of Local Plan (Part 1) 2018. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

16. Condition:

Prior to the commencement of development, a Biodiversity Enhancement and Mitigation Plan (BEMP), written by a suitably qualified ecologist, shall be submitted to and be approved in writing by the Local Planning Authority. The BEMP should include details of the proposed ecological enhancements. The development shall proceed in accordance with the approved details.

Reason:

To safeguard protected species and their habitat in accordance with the Conservation of Habitats and Species Regulations 2017 and the Wildlife and

Countryside Act 1981. This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

Informatives:

1. "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 actively 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.
2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 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 website. 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.
3. 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 Tel. 0845 600 3078.
4. The applicant 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.
5. The developer is advised that Public Bridleway Number 513 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

6. The granting of any 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.
7. 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.

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Agenda Item 10

WA/2024/00035 – Installation of a 20m high monopole supporting 3 no. antennas, 2 no. 0.3m dishes, 6 no. luminaires, new 1.8m high mesh fencing and associated apparatus and ancillary works. at GODALMING TOWN FOOTBALL CLUB MEADOW GODALMING

Applicant: EE (UK) Ltd and H3G (UK) Ltd -

Case Officer: Sam Wallis

Neighbour Notification Expiry Date: 29/01/2024

Expiry Date/Extended Expiry Date: 07/06/2024

Committee Meeting Date: 05/06/2024

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

1. Summary

The application has been referred to Committee as there are 101 letters of objection.

The application seeks permission for the installation of a 20m high telecom monopole with ancillary telecom equipment to replace a recently removed 18m monopole, six floodlights to serve the Godalming Football Club and 1.8m high mesh fencing. The monopole and antennas alone fall within permitted development under Part 16 of the GDPO the installation of lighting requires planning permission. The proposed works are intended to upgrade this existing telecommunications site. Officers consider the proposal is acceptable with regards to the impact on the Green Belt, design and visual amenity, residential amenity and other related matters.

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

2. Site Description

The application site is part of Godalming Football Club and consists a fenced area that previously housed a 18m telecom tower and associated equipment on the south-eastern edge of Godalming Football Club. The site is located beside Guildford Road and Broadwater Park. The previous monopole was removed around 2022 due to overloading concerns.

3. Proposal

The application seeks permission for:

- The installation of a 20m high monopole to replace the recently removed 18m high monopole which supported the operator's infrastructure. The proposed structure has an overall height of 20m and will support 3x antennas, 2x dishes and 6x luminaires floodlights and will be sited adjacent to the siting of the original pole with additional ancillary development within an enlarged fenced area. The enlarged area will be enclosed by a 1.8m high meshed fence.

4. Relevant Planning History

Reference	Proposal	Decision
NMA/2023/02329	WA/1991/0382 To change the existing metal halide floodlight luminaires to modern LED luminaires Better for the environment More modern equipment that is still supported as metal halide bulbs are no longer supported by manufacturers	NON MATERIAL AMENDMENT ALLOWED (20/11/2023)
WA/2000/0097	Variation of Condition 1 of WA91/0382 to allow the use of floodlights for a longer period on limited occasions.	GRANTED (07/04/2000)
WA/1991/0382	Erection of four floodlight pylons	GRANTED (12/06/1991)

5. Relevant Planning Constraints

- Green Belt (outside defined settlement area)
- Flood Zone 2 / 3
- Setting of Grade I Listed Almhouses, Grade II Listed boundary wall and Grade II Listed Meads Cottage
- Potentially Contaminated Land

6. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, TD1, NE2, RE2,
- Godalming Neighbourhood Plan (made August 2019): GOD5, GOD6
- Waverley Borough Local Plan (Part 2) (adopted March 2023): DM1, DM2, DM5, DM14, DM30

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)

7. Consultations and Town Council Comments

None received.

8. Representations (as of 14/03/2024)

101 letters have been received raising objection on the following grounds:

Health Concerns

- Proximity to residential area is below the ICNIRP guidelines of no residences within 50m.
- Recommendation of a 500m exclusion zone.
- Risk of radiation.

- The action of RFR in the body is unpredictable when there are metal implants present.
- The ICNIRP declaration is from a dissolved company.
- Studies on 5G have not considered impact on children or elderly.
- Development too close to nursery and care home.
- Would harm people who suffer from electro-hypersensitivity.

Appearance

- Design is incongruous with tranquil landscape setting.
- Height and form is unattractive and overbearing.
- Close in proximity to Grade I-listed Almhouses.
- Impact on mature trees fronting Maedrow.
- Many alternative locations better suited away from residential development

Other Matters

- No need for 5G mast as current 4G service is good
- Impact of light pollution from floodlights
- No consideration as site is within Flood Zone 2/3
- Impact on biodiversity
- Lack of consultation with community.
- Devalue property prices in the area.
- Contravenes climate policies.
- No previous planning history for the telecom tower.
- Sited on contaminated land.
- Inaccuracies in application form.

15 letters have been received expressing support for the following reasons:

- Need for 5G infrastructure in Godalming.
- Essential in age of home-working to improve telecoms infrastructure.
- Current signals and connection in the area are poor.

Planning Considerations:

9. Principle of development

The application has been submitted in full due to the installation of the luminaires (floodlights) on the monopole, the monopole and antennas alone fall within permitted development under Part 16 of the GDPO therefore the principle of the monopole is acceptable, consideration must be given to the floodlights and fencing.

Officers note the large amount of objections in relation to health and safety of the proposal, specifically that 5G networks are unsafe.

The NPPF is clear in that it supports high quality communication infrastructure, given that it is essential for sustainable economic growth. Paragraph 118 of the NPPF states that: “Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections”.

Paragraph 121 of the NPPF advises that applications for telecommunications development (including for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

Paragraph 122 of the NPPF requires Local Planning Authorities to determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure. Officers would also highlight that the development of the telecom tower would usually benefit from

10. Impact on the Green Belt

The site is located within the Green Belt outside any defined settlement area. Policy RE2 of the Local Plan (Part 1) 2018 outlines that the Green Belt will continue to be protected from inappropriate development. Inappropriate development will not be permitted unless very special circumstances can be demonstrated.

Certain forms of development are considered to be appropriate, and will be permitted provided they do not conflict with the exceptions listed in paragraphs 154 and 155 of the NPPF.

As already established the monopole does not require planning permission the floodlights attached to the monopole do, the new mesh fencing is under 2m and therefore would also be permitted development. Officers consider Paragraph 154 (d) would apply.

The fixture of luminaires onto the monopole would replace existing lighting that was present on the previous tower. The additional fencing would only involve a slight extension to the south-west to encompass the concrete base. Ancillary development included cable tray, feeder duct and power ducts would also be well related and within existing fenced areas so not to impact upon openness.

For the reasons stated above, it is considered that the proposed development would comply with the exception as stated under paragraph 154 (d) of the NPPF and no concerns are raised regarding Policy RE2 of the Local Plan (Part 1) 2018 and Policy DM14 of the Local Plan (Part 2) 2023.

Policy DM30 of Part 2 of the Local Plan is relevant, the policy recognises the importance of the improving the coverage and quality of mobile phone services particularly for rural enterprises. Resilient telecommunications infrastructure is also important in supporting public safety, particularly in events such as floods and storms.

11. Impact on Heritage Assets

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 stated 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.

Policy DM20 of the Local Plan (Part 2) 2023 further outlines that proposals which would cause substantial harm to, or loss of the heritage asset 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.

Paragraph 205 of the NPPF (2023) states '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.'

Paragraph 206 of the NPPF (2023) states that '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.'

Paragraph 207 of the NPPF (2023) states that '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.

Paragraph 208 of the NPPF (2023) states that '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.'

In the case of this proposal, the site lies within the setting of the Grade I Listed Wyatts Almhouses, Grade II Listed boundary wall and Grade II Listed Mead Cottage.

Wyatts Almhouses is a Grade I Listed building that comprises ten almshouses, now eight flats, with chapel. The building is fronted by a Grade II Listed boundary wall. To the north-east of the Almhouses is the Grade II-Listed Mead Cottage.

The replacement monopole and lighting will be sited in the same location as the previous pole but will be taller and wider. As a result of it being set back from the road and behind

trees the previous monopole was not prominent within views of the listed buildings and due to this did not impact on their setting. Whilst floodlighting is proposed on the monopole given its distance from the Listed Buildings no harm to the heritage asset is identified.

The proposal would therefore be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990,

12. Design and impact on 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 policy is attributed substantial and full weight respectively due to its level of consistency with the NPPF 2023.

Officers note a number of objections on design grounds that include the design being an incongruous feature within the tranquil landscape setting, that the height and form is unattractive and overbearing and there are many alternative locations better suited away from residential development.

Views of the proposed telecom mast and lighting will be afforded from Broadwater Park, but largely screened from Guildford Road with high trees and foliage during summer months. Furthermore, as established the monopole does not require planning permission the floodlights do and will be visible however they will be read with the wider football club which has existing floodlights and together with the monopole development, not appear unduly prominent.

Therefore, the design for these reasons would on the whole accord with Policy TD1 of the Local Plan 2018 (Part 1), Policy DM4 of the Local Plan 2023 (Part 2) and Policy GOD5 of the Godalming and Farncombe Neighbourhood Plan.

13. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 seeks to protect future and existing amenities for occupant 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.

Given the nature as a 5G telecom application, the proposal should be supported by comment that the equipment complies with the requirements of the radio frequency public exposure guidelines for the International Commission on Non-Ionising Radiation. In line with paragraph 121 (b) of the NPPF, officers consider the provided signed statement / declaration self-certifying that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection is acceptable.

The application has also been supported by a lighting assessment (Michael Butterill dated 01/05/2024). After review by Environmental Health, this is considered acceptable. Lighting level maps demonstrate light pollution would be minimal to residential properties adjacent to the football club. The lights and pitch will be visible but there should be minimal glare from direct lighting into homes and gardens. An informative has been attached.

Subject to the condition, 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, Policy DM5 of the Waverley Local Plan (Part 2) 2023 and the Residential Extensions SPD.

14. Biodiversity and compliance with Habitat Regulations 2017

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.

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 site does not fall within a designated SPA, SAC, SNCI or SSSI and does not include an agricultural building or barn. Having regard to this, and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance.

15. Contaminated Land

The proposed development is located on the southern boundary of the former Broadwater Landfill site. Any potential for contamination will not have an impact on the proposed development. However unstable ground / unsuitable founding conditions should be anticipated if landfill materials are present. As such, a suitable informative has been attached.

16. Climate Change & Sustainability

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. Given the nature of development and the provision of adequate telecommunications infrastructure is one strand of sustainable development and supported by Section 10 of the NPPF, no concern is therefore raised.

17. 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. The plan numbers to which this permission relates are 22904_GodalmingFC_M001A (002 Site Location Plan, 100 Existing Site Plan, 200 Proposed Site Plan, 150 Existing Elevation and 250 Proposed Elevation).

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:

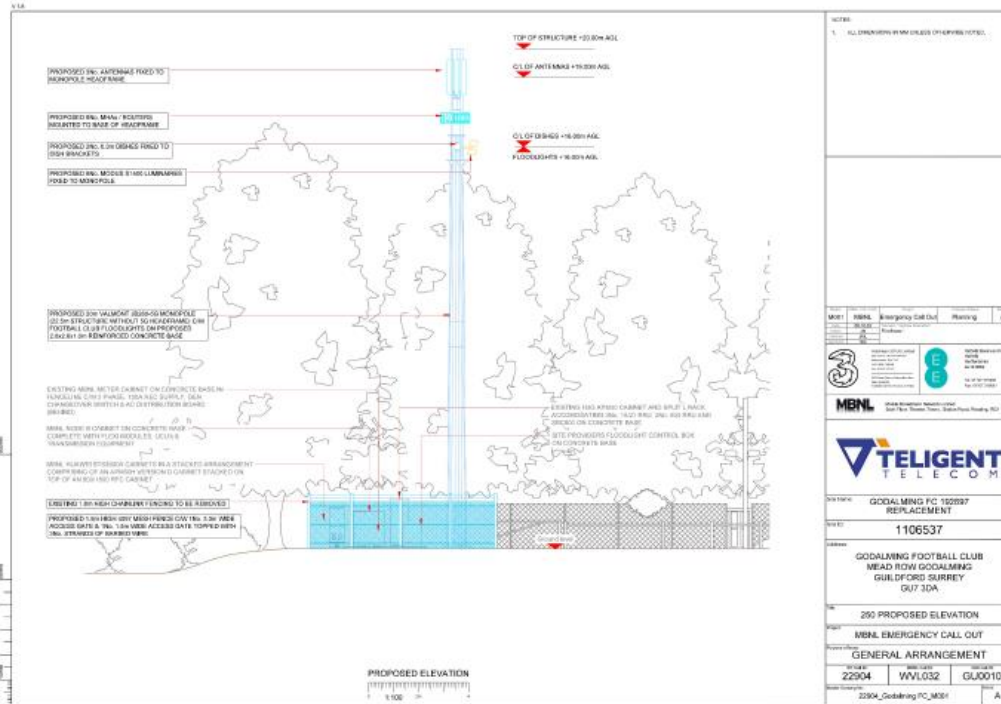
In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1 and DM4 of the Local Plan (Part 2) 2023.

Informatives

1. The granting of this 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.
2. It is recommended that the new construction should comply with all relevant building regulations. During excavations care should be taken to investigate any soils which appear by eye or odour to be contaminated. In the event that contamination, or materials suspected to be landfill waste, are found at any time when carrying out the approved works, please cease works and contact this Service immediately for advice.

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.

Appendix



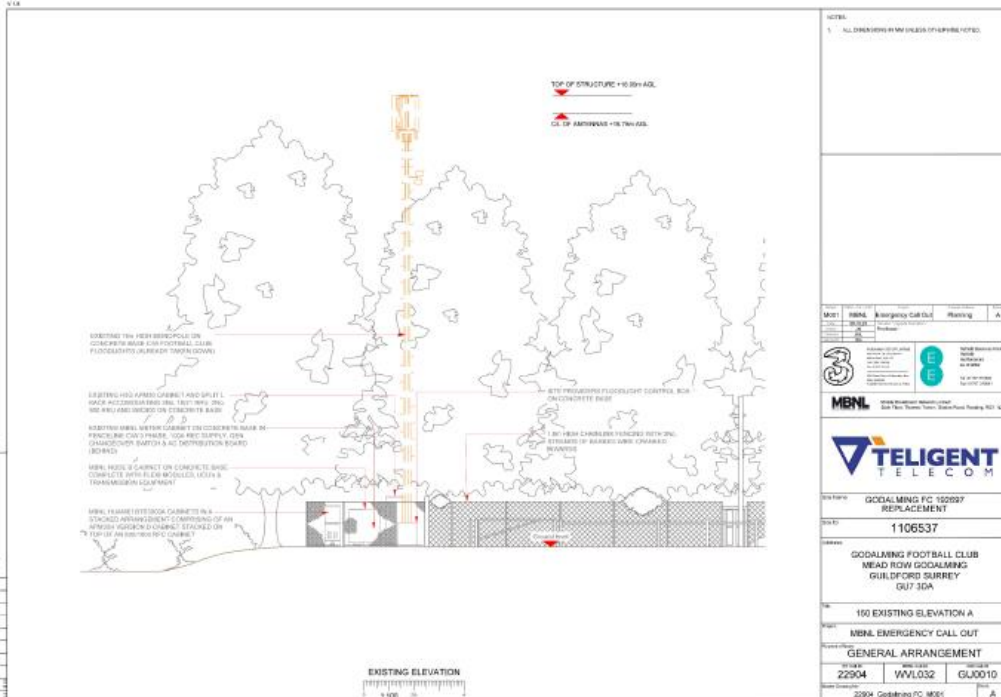
NOTES
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

MOB	MBNL	Emergency Call Out	Rating	A
MOB	MBNL	Emergency Call Out	Rating	A

MBNL Mobile Network Limited
1000 High Street, London, Greater London, SE1 1NF, UK

TELIGENT TELECOM

PROJ NO: GODALMING FC 102897 REPLACEMENT
SITE NO: 1106537
PROJECT: GODALMING FOOTBALL CLUB MEAD ROW GODALMING GUILDFORD SURREY GU7 3DA
NO: 250 PROPOSED ELEVATION
PROJECT: MBNL EMERGENCY CALL OUT
GENERAL ARRANGEMENT
DRAWN: 22904
REVISED: WVL032
CHECKED: GU0010
DATE: 22904_Godalming FC_M001
SCALE: A



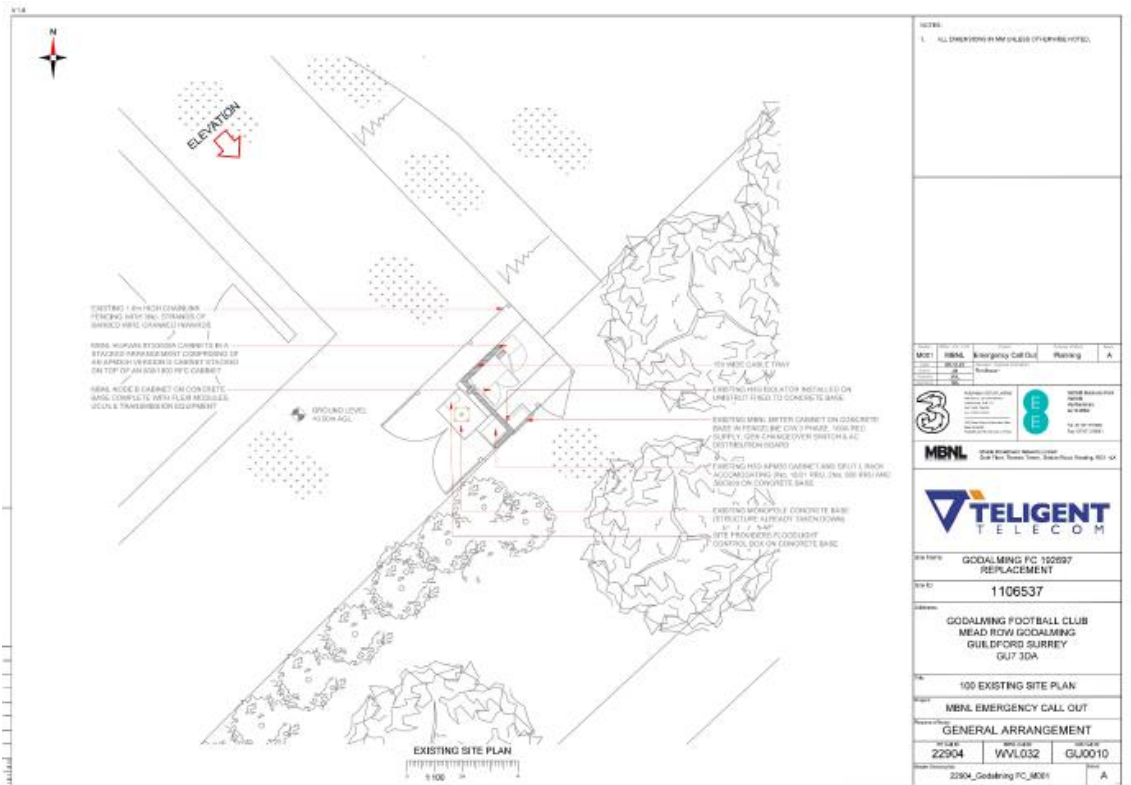
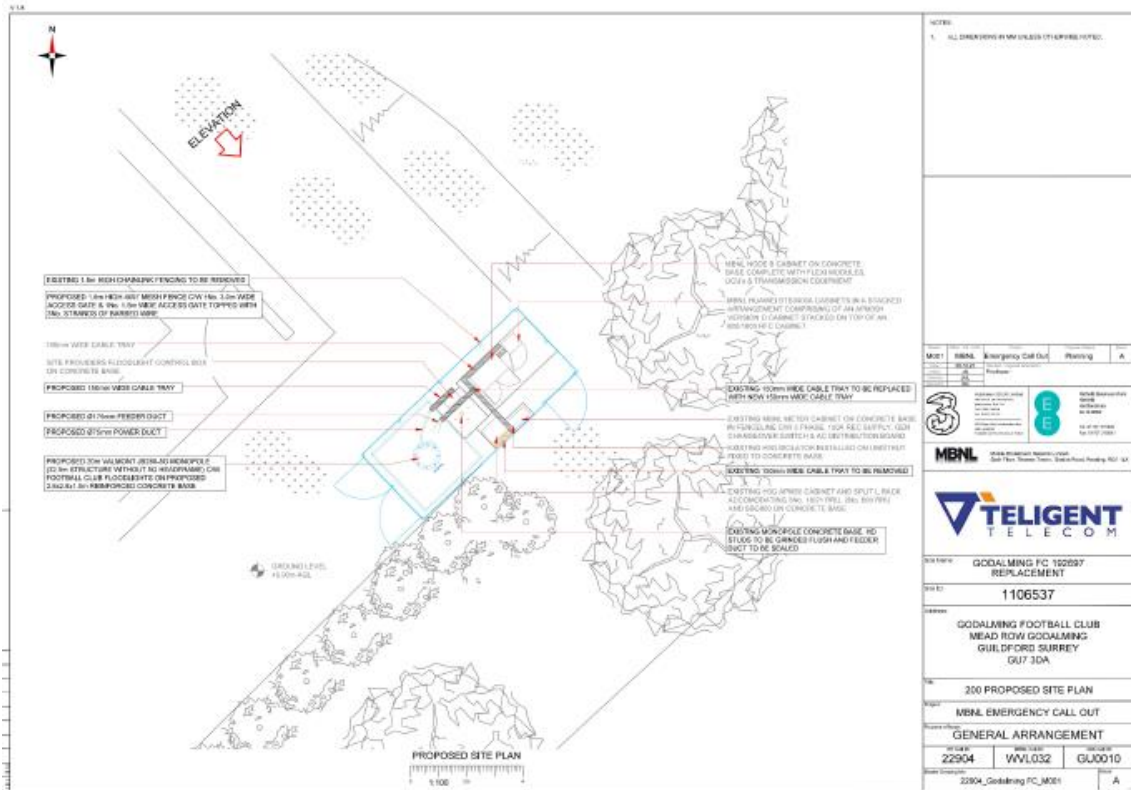
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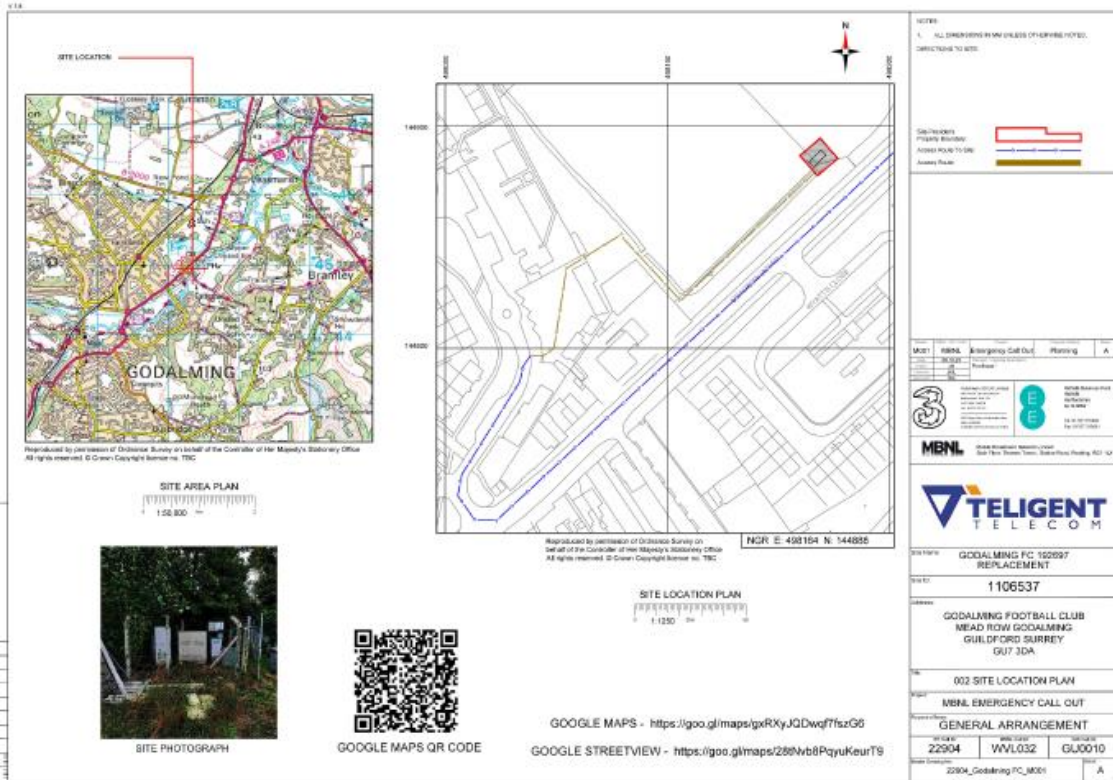
MOB	MBNL	Emergency Call Out	Rating	A
MOB	MBNL	Emergency Call Out	Rating	A

MBNL Mobile Network Limited
1000 High Street, London, Greater London, SE1 1NF, UK

TELIGENT TELECOM

PROJ NO: GODALMING FC 102897 REPLACEMENT
SITE NO: 1106537
PROJECT: GODALMING FOOTBALL CLUB MEAD ROW GODALMING GUILDFORD SURREY GU7 3DA
NO: 150 EXISTING ELEVATION A
PROJECT: MBNL EMERGENCY CALL OUT
GENERAL ARRANGEMENT
DRAWN: 22904
REVISED: WVL032
CHECKED: GU0010
DATE: 22904_Godalming FC_M001
SCALE: A





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Agenda Item 12

WA/2024/00500 – Application under Regulation 3/4 for Section 73 to vary Condition 2 of WA/2023/00905 (approved plans) to allow relocation of condenser units and alterations to car parking arrangement; alterations to louvres into roof. at WEY COURT EAST UNION ROAD FARNHAM GU9 7PT

Applicant: Mr Adam Holt - Waverley Borough Council
Case Officer: Sam Wallis
Neighbour Notification Expiry Date: 06/04/2024
Expiry Date/Extended Expiry Date: 08/05/2024
Committee Meeting Date: 05/06/2024
RECOMMENDATION That, subject to conditions, permission be **GRANTED**

1. Site Description

The application site is located on the corner of the junction of South Street and Union Road, Farnham. The building is a three-storey property, originally constructed to accommodate offices, that has since had permission to convert into a GP surgery and pharmacy. The site is located in the town centre where there is a mixture of commercial and residential properties.

2. Proposal

Planning Permission was granted under WA/2023/00905 for external alterations to the existing building to enable use as a GP Surgery & Pharmacy. Under recent changes of the Use Classes Order includes former B1(Office Use) within Class E which includes Doctors Surgery accordingly there is no change of use.

The proposal seeks to vary conditions 2 (approved plans) of WA/2023/00905 which state:

Condition 2:

The plan numbers to which this permission relates are: ADP-00-00-DR-A-0800 Rev D2P1, ADP-00-02-DR-A-0902 Rev D2P1, ADP-00-02-DR-A-1002 Rev D2P4, ADP-00-03-DR-A-0903 Rev D2P1, ADP-00-03-DR-A-1009 Rev D2P2, ADP-00-00-DR-A-0803, ADP-00-00-DR-A-0900 Rev D2P2, ADP-00-00-DR-A[1]1000 Rev D2P7, ADP-00-01-DR-A-0901 Rev D2P1, ADP-00-01-DR-A-1001 Rev D2P4, ADP-00-XX-DR-A-0905 Rev D2P1, ADP-00-XXDR- A-1010 Rev S2P2 and ADP-00-00-DR-A-0802 Rev S2P3. 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.

The proposed changes are as follows:

- Relocation of nine condenser units to the west of the car park area with louvred screen.
- Alterations to car parking arrangement.
- Alterations to louvres on three elevations on the main roof.

3. Relevant Planning History

Reference	Proposal	Decision
NMA/2023/02688	Amendment to WA/2023/00905 to	NON MATERIAL

	relocate air conditioning units, as the addition of decoration fencing and a new car parking space.	AMENDMENT REFUSED (05/01/2024)
WA/2023/00905	Application under Regulation 3 for external alterations to existing building for use as a GP Surgery & Pharmacy; alterations include erection of entrance canopy, alterations to elevations, installation of louvres and PV panels to roof and alterations to existing car park.	WBC REG 3/4 GRANTED (30/08/2023)

4. Relevant Planning Constraints

- Developed Area of Farnham / Built Up Area Boundary
- Town Centre – Farnham
- Thames Basin Heaths SPA 5km Buffer Zone
- Wealden Heaths I SPA 5km Buffer Zone
- AQMA
- Flood Zone 2
- Ancient Woodland 500m Buffer Zone

5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, CC1, CC2, TCS1
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP12, FNP23
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM4, DM5, DM9, DM13, DM27
- South East Plan: Saved policy NRM6

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)
- Farnham Design Statement (2010)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

6. Consultations and Town Council Comments

Surrey Highways Authority	No objection (subject to conditions) (04/04/2024)
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7. Representations

None received.

Planning Considerations:

8. Principle of development

The principle of development was established by the granting of planning permission WA/2023/00905. Whilst the applicant is applying for a variation of Condition 2 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. In considering the current application officers have been mindful of any material changes in planning circumstances since the granting of that original permission.

Significant weight is given to the existing permission which could be implemented on site. It would be inappropriate and unreasonable to revisit the principle of the entire development.

9. Design and impact on 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 policy is attributed substantial and full weight respectively due to its level of consistency with the NPPF 2023.

The existing building has nine external condenser units which are located within the undercroft car parking of the building. The proposed works to relocate these the west of the parking area, is necessitated because of overheating due to their current position, and would be a minor change largely hidden from public views from Union Road by the intervening undercroft and brick wall. The development would continue to appear ancillary to the wider use of the site as a GP surgery and pharmacy. The louvred screen proposed around the plant equipment would serve to further screen these condenser units.

On the main roof, the proposed louvres on three elevations would be amended to increase in size. These would continue to be set into the roof plane and given existing building plant on the roof, would not appear out of character.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policies TD1 of the Local Plan (Part 1) 2018 and DM4 of the Local Plan (Part 2) 2023.

10. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 seeks to protect future and existing amenities for occupant 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.

. These are existing condenser units that are in situ that will be relocated. Wey Court East comprises further office use to the west of the site and separation from residential properties (flats at the Bridge to the south) is considered acceptable. Given these separation distances and nature of proposal for minor changes to an extant permission, no harm by way of overbearing development or loss of light would occur.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policies TD1 of the Local Plan (Part 1) 2018 and DM5 of the Local Plan (Part 2) 2023.

11. Highways

The relocation of the condenser units would add a further parking space where the existing has been relocated. This is considered an improvement on the permission and accordingly the Highways Authority have raised no objection subject to previous conditions from planning application WA/2023/00905 being carried forward.

12. Climate Change & Sustainability

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.

A Climate Change and Sustainability Checklist has been submitted in support of the application. The proposal to relocate the condenser units will allow them to operate more efficiently. No concern is therefore raised.

13. Conditions

The Planning Practice Guidance makes it clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions for the original planning permission, unless they have already been discharged.

Condition 1 of the previous permission states that '*the development hereby permitted shall be begun before the expiration of three years from the date of this permission.*' This is deemed unnecessary as such condition is already provided to any permission by virtue of Section 91 of the Town and Country Planning Act 1990. Furthermore, the date of expiry for implementation of a Section 73 application would be three years from the date of the original permission so Condition 1 could not be carried over to this application.

The remaining two conditions will be attached to permission, albeit Condition 2 will be varied.

14. Conclusion

The proposed changes to the planning permission are considered acceptable.

Recommendation

That permission be GRANTED subject to the following conditions:

1. The plan numbers to which this permission relates are: ADP-00-00-DR-A-0800 Rev D2P1, ADP-00-02-DR-A-0902 Rev D2P1, ADP-00-02-DR-A-1002 Rev D2P4, ADP-00-03-DR-A-0903 Rev D2P1, ADP-00-03-DR-A-1009 Rev D2P2, ADP-00-00-DR-A-0802 Rev S4C7, ADP-00-00-DR-A-0900 Rev D2P2, ADP-00-00-DR-A-1000 Rev S4C13, ADP-00-01-DR-A-0901 Rev D2P1, ADP-00-01-DR-A-1001 Rev D2P4, ADP-00-XX-DR-A-0905 Rev D2P1, ADP-00-XX-DR-A-1010 Rev S4C8, ADP-00-00-DR-A-0803 and ADP-00-00-DR-A-4550 Rev S2C2. 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.

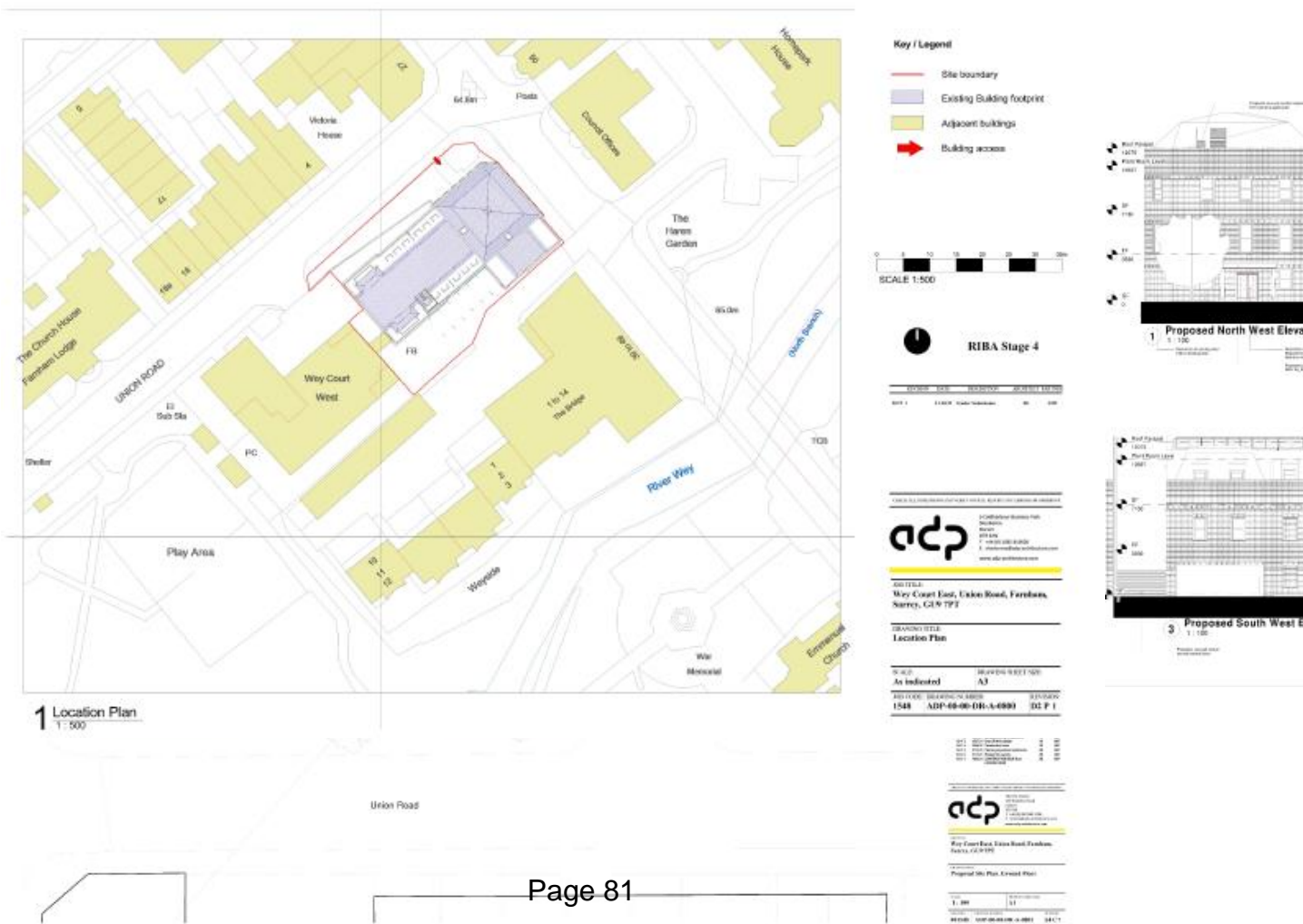
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building(s).

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 DM1 of the Local Plan (Part 2) 2023.

Informatives

APPENDIX 1 (PLANS)



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