Outline application for erection of 3 dwellings including access, layout and scale following demolition and removal of existing buildings and structures (as amplified by additional information received 18/8/17, 8/9/17, 26/1/18, 19/3/18 and 27/3/18 and amended plan received 26/1/18) at Borrow House Farm, Jumps Road, Churt, GU10 2LB

Committee: Southern Area
Meeting Date: 9 May 2018
Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 486555 N: 139503
Parish: Churt
Ward: Frensham, Dockenfield and Tilford
Case Officer: Flo Taylor
Expiry Date: 22/08/2017
Time Extended Date: 05/01/2018
Neighbour Notification Expiry Date: 07/07/2017

RECOMMENDATION That permission be REFUSED

Introduction

The application has been brought before the Area Committee at the request of the Local Member.

The planning application seeks outline permission for the development proposal with all matters reserved except access, layout and scale.

Access covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.

Layout includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.

Scale includes information on the size of the development, including the height, width and length of each proposed building.
All other matters are to be reserved for future consideration. An application for outline planning permission is used to establish whether, in principle, the development would be acceptable. This type of planning application seeks a determination from the Council as to the acceptability of the principle of the proposed development. If outline planning permission is granted any details reserved for future consideration would be the subject of future reserved matters application(s).

Reserved matters include:

- **Appearance** aspects of a building or place which affect the way it looks, including the exterior of the development.
- **Landscaping** the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.

If outline planning permission is granted, a reserved matters application must be made within three years of the grant of permission (or a lesser period, if specified by a condition on the original outline approval). The details of the reserved matters application must accord with the outline planning permission, including any planning conditions attached to the permission.
Location Plan

Aerial Photo
Site Description

The application site measures 2.53 ha and is located at the northern end of a shared access lane off Jumps Road. The site comprises a number of former Nissen Hut buildings, including a detached two storey dwelling house (subject of concurrent planning application WA/2017/0913) and a single storey stable building. The buildings are positioned in two groups on the site, with one group sited toward the north of the site and the other toward the southern end of the main section. A tarmac shared access road runs through the site toward the north from Jumps Road. The site also contains open areas of grassland and tree cover. The site surroundings comprise Common to the north and natural vegetation cover to the east and west. The site largely lies within a valley between two hills to the east and west.

The site is located 1.5km to the north-east of Churt.

Proposal

The proposal comprises the demolition and removal of existing buildings and structures on the site, with the exception of Borrow House Cottage, and seeks outline permission for the erection of 3 dwellings (two 4 bedroom dwellings and one 5 bedroom dwelling) including access, layout and scale. Appearance and landscaping would be reserved matters, should outline planning permission be granted, however officers note that the indicative plans show a contemporary design and planted green roofs.

To the immediate north of the access from Jumps Road is an area of the site where there are 6 Nissen hut type buildings and areas of hardstanding. North of this is an extended 2 storey dwelling with an area of garden land to its east. North of this, towards the north of the site is an area of open land and paddocks. To the north of this are 13 more buildings, mainly Nissen hut type, a stable block and hardstanding and some storage containers. Beyond this is a sandschool and wooded area. With the exception of the dwellinghouse, these buildings would all be demolished.

Following demolition and clearance of the site, the proposed development would include the erection of one dwelling to the north-west of where the access meets the main area of the site (the area is currently occupied by 6 buildings). This dwelling would be a 4 bedroom dwelling and have a double garage at lower ground floor level and the living accommodation at upper ground floor level.

The current access would be re-routed from the west side of Borrow House Cottage to the eastern side of Borrow House Cottage’s garden towards the east of the site.

In the area to the north of the site, currently the host of 13 buildings, two dwellings would be erected, with associated gardens, to be contained in the areas of
previously developed land. House 2 would be located to the eastern side of this part of the site and house 3 would be located to the western side of this part of the site.

House 2 would be a part single storey and part two storey five bedroom dwelling. There would be a double garage and habitable accommodation at lower ground floor level and an area of upper ground floor level accommodation to the east of the house.

House 3 would be a 4 bedroom dwelling with a double garage and habitable accommodation at lower ground floor level and habitable accommodation to the western side of upper ground floor level.

Whilst appearance would be a reserved matter, should planning permission be granted, it has been indicated that the proposed dwellings would have a contemporary design with regressive materials to blend with the wooded character of the site.

A householder application has also been submitted and has a decision pending. This application, under WA/2017/0913 proposes the erection of a rear extension and porch to Borrow House Cottage. WA/2017/0913 relates to the current outline application WA/2017/0928 as it is put forward in that application that there would be very special circumstances to allow a disproportionate extension to the existing dwelling (which would be inappropriate Green Belt Development) due to removal of the buildings proposed as part of this application. This is considered in the assessment of WA/2017/0913.
Proposed site layout
Indicative elevations

Indicative floor plans House 1
Relevant Planning History

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Description</th>
<th>Decision Status</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA/2017/0913</td>
<td>Erection of extensions and porch.</td>
<td>Pending Decision</td>
<td></td>
</tr>
<tr>
<td>WA/2016/1074</td>
<td>Alterations to elevation of building - Unit 10 (as amended by plans received 13/03/2018).</td>
<td>Pending Decision</td>
<td></td>
</tr>
<tr>
<td>WA/2015/2182</td>
<td>Alterations to elevations of existing commercial units</td>
<td>Withdrawn</td>
<td>12/01/2016</td>
</tr>
<tr>
<td>WA/2015/1233</td>
<td>Erection of replacement commercial buildings for storage and distribution (B8 use) and light industrial uses (B1 use) following demolition of existing commercial buildings (B8 and B1 uses) together with associated works.</td>
<td>Refused</td>
<td>19/08/2015</td>
</tr>
<tr>
<td>WA/2015/1198</td>
<td>Erection of 5 dwellings with detached garages, landscaping and formation of new access road</td>
<td>Refused</td>
<td>13/11/2015</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Decision</td>
<td>Date</td>
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<tr>
<td>WA/2015/0853</td>
<td>Erection of non-illuminated sign board and display of one non-illuminated fascia sign on existing entrance gate.</td>
<td>Advertisement Consent</td>
<td>22/06/2015</td>
</tr>
<tr>
<td>WA/2015/0783</td>
<td>Certificate of Lawfulness under Section 191 for the commencement of works to implement front and rear extensions.</td>
<td>Refused</td>
<td>03/07/2015</td>
</tr>
<tr>
<td>WA/2015/0436</td>
<td>Certificate of Lawfulness under Section 192 for alterations to existing outbuildings (units 4, 14 and 18) (as amplified by email dated 21/04/2015).</td>
<td>Certificate of Lawfulness Refused</td>
<td>23/04/2015</td>
</tr>
<tr>
<td>WA/2014/2362</td>
<td>Erection of 5 dwellings with detached garages together with extension to Borrow House Cottage and associated works; formation of new driveway following demolition of existing buildings and removal of hard standing, part of existing driveway and sand school.</td>
<td>Withdrawn</td>
<td>09/03/2015</td>
</tr>
<tr>
<td>WA/2014/1379</td>
<td>Certificate of Lawfulness under Section 191 for the use of buildings (numbered 2, 4, 5, 6, 12, 14, 15, 17 and 18) for B8 storage purposes together with associated parking, turning areas and access within the planning unit. (as amplified and amended by emails dated 03/11/2014, 16/09/2014 and letters dated 04/12/2014, 16/10/2014 and 23/09/2014).</td>
<td>Certificate of Lawfulness Granted</td>
<td>23/04/2014</td>
</tr>
<tr>
<td>WA/2013/1654</td>
<td>Application under Section 106A for the discharge of a planning obligation associated with application WA/1990/0211 (agricultural occupancy restriction).</td>
<td>Discharge of planning obligation approved</td>
<td>05/12/2013</td>
</tr>
<tr>
<td>WA/2013/0709</td>
<td>Certificate of Lawfulness under Section 191 for use of certain</td>
<td>Certificate of Lawfulness</td>
<td>12/07/2013</td>
</tr>
</tbody>
</table>
buildings for office (B1) and storage (B8) purposes. (As amplified by emails dated 08/07/2013 and 02/07/2013).

<table>
<thead>
<tr>
<th>Application</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA/1999/1458</td>
<td>Application for a Certificate of Lawfulness under section 191 for the retention of stable block and menage (as amplified by letters dated 25/01/00, 27/06/00, 03/08/00 and 12/09/00; statements dated 24/08/00; and photographs received 26/01/00)</td>
<td>Certified of Lawfulness Granted 29/11/2000</td>
</tr>
<tr>
<td>WA/1999/0619</td>
<td>Erection of extensions.</td>
<td>Full Permission 16/06/1999</td>
</tr>
<tr>
<td>WA/1994/0633</td>
<td>Erection of extensions (as amended by letter and plans received 09/06/94).</td>
<td>Full Permission 20/07/1994</td>
</tr>
</tbody>
</table>

Planning Policy Constraints

Green Belt – Outside of any defined settlement
Surrey Hills AONB & AGLV
Wealden Heaths 1 SPA 400m Buffer Zone
Article 4 Direction
Area of Historic Landscape Value (AHLV) (adjacent to the north of the site)
Special Area of Conservation (to the north and east of the site)
Wealden Heaths II SPA 5km Buffer Zone
Site of Special Scientific Interest (SSSI) (adjacent to the north and east of the site)
Local Nature Reserve (to the north of the site and east of the site)
Registered Common Land (north of the site)
Wealden Heaths I SAC 2km Buffer Zone
East Hants SPA 5km Buffer Zone
Ancient Woodland 500m Buffer Zone

Development Plan Policies and Proposals

The development plan includes:

- Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018)
- Waverley Borough Local Plan 2002 (retained policies February 2018)
- South East Plan (saved policy NMR6)
- Farnham Neighbourhood Plan (made May 2017)
In accordance with paragraph 215 of the National Planning Policy Framework (NPPF) due weight has been given to relevant retained policies in the Waverley Borough Local Plan 2002.

The relevant policies to this application are:

Local Plan, Part 1, Strategic Policies and Sites: SP1, SP2, ALH1, ST1, AHN3, TD1, NE1, NE2, RE2, RE3, HA1, CC1, CC2, LRC1, EE2

Local Plan 2002: D1, D4, D6, D7, D8, D9, C5, C7, HE12, HE15, IC2, IC3.

Other guidance:

- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Cycling Plan SPD (April 2005)
- Council’s Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Employment Land Review (2016)
- Churt Village Design Statement 2011
- Frensham Village Design Statement 2008

Consultations and Parish Council Comments

<table>
<thead>
<tr>
<th>County Highway Authority</th>
<th>Recommends conditions in respect of parking space provision and Construction Transport Management Plan and informatives.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Churt Parish Council</td>
<td>No comment re current outline application. Churt Parish Council objected to the previous applications on the site and wish to object on the previously stated grounds. The objection on the previous scheme stated that: Conflicts with Churt Village Design Statement Development should only be acceptable within the existing settlement area. Harm to visual and environmental value of the area with AONB, Green Belt, SSSI, AGLV and European Heritage</td>
</tr>
</tbody>
</table>
Visual impact of existing buildings is low and their removal and replacement is not warranted to enhance the visual environment.
Proposal not in the public interest.
Cumulative impact would reduce the landscape and scenic beauty.
Doesn't address need for affordable housing within Churt.
Inappropriate access to site and proposal would result in additional vehicle movements.
Concerns about proposed sewage treatment plant and effluent near The Flashes.

| Frensham Parish Council | Objected to previous applications WA/2014/2362, WA/2015/1198 and WA/2015/1233 and objects to current application for many of the same reasons including inappropriate development in an unsustainable location. Substantial part of the application site at its northern end lies within the civil parish of Frensham with the parish boundary passing through the site. Particular concerns in respect of the potential downstream impacts of the development on the immediately adjoining Flashes Local Nature Reserve (SSSI, SPA, SAC, AONB and AGLV). Having read the representation from SERGann Consulting on hydrological matters, which takes issue with the conclusions of the applicant’s own submission, and the objection by Natural England resulting from insufficient information being available on which to determine the significance of potential adverse impact of groundwater flows on the SAC, Frensham Parish Council is not convinced that these important environmental issues have been satisfactorily resolved. Considers a full application would be more appropriate than an outline application. |
| Lead Local Flood Authority | Satisfied that the proposed drainage scheme meets the appropriate requirements. Recommends condition. |
| Forestry Commission | Advised of standing advice. |
| Council’s Environmental Health Service – Potentially Contaminated Land | Due to potentially contaminative former uses and the introduction of residential use, recommends contaminated land conditions. |
| County Archaeologist | Consider further archaeological investigations will be required in order to clarify the archaeological potential of the |
| **Council’s Waste and Recycling Co-ordinator** | Access road into development will need to be capable of accommodating a collection vehicle and suitable turning space be provided.

Each dwelling will need storage space for refuse, recycling, garden waste (optional) and food waste bins. |
|---|---|
| **Surrey Wildlife Trust** | Comments 3/10/2017
Reviewed additional information addressing additional survey work for bat and reptile species.
Protected Species Survey Addendum (Sep 2017) by Ecology Solutions.
Recommends conditions in respect of Section 5 of the report, bat method statement, lighting, reptile mitigation strategy.
Initial comments 27/07/2017
Proposes 3 new dwellings within 400m of SPA – LPA should consider application against the avoidance strategy/policy and discuss the application with Natural England.
Advises Natural England’s SAC objection should be addressed prior to determination.
Advises LPA to take note of conditions recommended by Natural England regarding mitigation for possible effect of development on the SPA.
Submitted Ecological Assessment Report and Habitat Regulations Assessment Report (both April 2017 and by Ecology Solutions) provide useful information.
Advises additional bat surveys should be undertaken prior to determination.
Advises LPA should approve a Reptile Mitigation Strategy for the site.
Advises LPA to seek confirmation from RSPB that would be satisfied that the proposed mitigation for breeding bird species in the Ecology Assessment (6.3.29-6.3.32) is appropriate for the development, particularly for SPA species such as Nightjar.
Applicant should undertake all actions in Section 6.0 of the Report for other species including badgers and invertebrates |
and to protect habitat from possible effects of the development.
Development should be subject to a Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP). The Surrey Wildlife Trust and species conservation bodies such as the Amphibian and Reptile Conservation (ARC) and Surrey Amphibian Reptile Group (SARG) should be consulted on the detail of any LEMP.

<table>
<thead>
<tr>
<th>Surrey Hills AONB Officer</th>
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<tr>
<td>Current application is a significant improvement over previous proposals for which AONB officer has given AONB planning advice. Existing site detracts from the character of this part of the AONB. Limited extent of the proposed domestic gardens and reduction to 3 detached dwellings is welcomed. The dwellings would be substantial and larger than would have been preferred from an AONB aspect. Contemporary design would be appropriate which helps keep buildings relatively low profile. The articulated and angled nature of the dwellings, together with their planted flat roofs, would help them to be better assimilated into their landscape setting. Choice of external materials will be most important to the setting. They should be of muted colours and not of light colours that would contrast with the darker back drop of the buildings. Requests LPA don’t allow any dilution or cheapening of the currently proposed designs or use of light coloured external building materials. Would expect all permitted development rights for extensions and outbuildings to be removed. Having regard to the amount and nature of the existing development and use of the site, considers expressing concern from an AONB aspect is now more difficult under the current well designed proposals, subject to building materials comments and the removal of PD rights.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Natural England</th>
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<tbody>
<tr>
<td>Comments received 18/04/2018</td>
</tr>
</tbody>
</table>

OBJECTION: Further information required to determine impacts upon designated sites.

The application could still have potentially significant
effects on Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC). Evidence has not been provided to give certainty that there is no hydrological connectivity between the development and the SAC and therefore a precautionary approach must be applied under the Habitats Regulations, 2017. Natural England requires further information in order to determine the significance of impacts and the scope for effective mitigation.

It remains Natural England’s advice that this application presents a significant risk to the habitats of the adjacent SAC.

Thursley, Hankley and Frensham Commons Special Protection Area – No objection subject to suitable mitigation being secured.

Need to ensure WBC has remaining capacity for additional dwellings within 400m of the SPA and agree to allocate this development to the allocated capacity.

Need to secure conditions in respect of agreement to landscaping, details of surface drainage and soakaways, design and layout of “shared treatment plant”, boundary fencing and ecological watching brief.

Thursley, Hankley and Frensham Commons SSSI – refer to SAC and SPA discussion.

Protected Landscapes – advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

Comments received 16/02/2018

OBJECTION: Further information required to determine impacts upon designated sites.

It is still currently Natural England’s opinion that this application presents a significant risk to the habitats of the adjacent SAC. Resultantly, the applicant will need to provide sufficiently detailed information to allow your Authority to undertake an appropriate assessment, under the Habitats Regulations. This will allow your Authority to fully assess the suitability of the proposals in relation to
likely significant effect on the SAC.

Thursley, Hankley and Frensham Commons Special Protection Area – No objection subject to suitable mitigation being secured.
Need to ensure WBC has remaining capacity for additional dwellings within 400m of the SPA and agree to allocate this development to the allocated capacity.
Need to secure conditions in respect of agreement to landscaping, details of surface drainage and soakaways, design and layout of “shared treatment plant”, boundary fencing and ecological watching brief.

Thursley, Hankley and Frensham Commons SSSI – refer to SAC and SPA discussion.

Protected Landscapes – advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

Comments dated 03/11/2017:
Provided advice on septic tank discharge to soakaway.

Phosphorus
Natural England not certain that there is no hydrological connectivity between the proposed soakaway and the protected site which leads us to conclude that effects cannot currently be ruled out.
The ‘drainage field’ proposed within the application is currently located within 15m of the designated site which would not be appropriate.
The current application states that the percolation test value at the site is 10 which is outside the required range. This indicates to Natural England that a soakaway system is unlikely to be appropriate in this location.
The current application does not currently provide certainty that the proposed system would be maintained and fully effective in the long term.

Nitrogen
The most recent submitted documents state that the treated effluent would have concentrations of 12 mg/l N which is significantly higher than the threshold value.
As currently presented, this proposal does not demonstrate
adequately that it can reduce the concentrations to an acceptable level, and be effective and secure over time as detailed above for phosphorus. The evidence submitted to date indicates that likely significant effects on the sensitive features of the SAC cannot be ruled out and therefore the development is not acceptable under the Habitats Regulations, 2010.

Comments dated 19/09/2017:
Objection – Further information required to determine impact upon designated sites.

The following information is required:

- Evidence must be produced which provides certainty that the discharged water from the PTP will not migrate to the SAC site, either from ground or surface water connectivity.
- Further information should be provided detailing with certainty of the potential nitrogen and phosphorus inputs to the ground.
- Groundwater depth and connectivity to the adjacent designated site must be fully investigated.
- Details of the funding arrangements for the in perpetuity management, monitoring and maintenance of the proposed Package Treatment Plant (PTP), the exact specifications and safeguards for the PTP must be confirmed.

Natural England consider that the proposal presents a significant risk to the habitats of the adjacent SAC and the applicant needs to provide sufficiently detailed information to allow the LPA to undertake an appropriate assessment under the Habitats Regulations.

Comments dated 07/07/2017
Objection – Further information required to determine impacts upon designated sites.

The application could have potential significant effects on Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:
Evidence must be produced which provides certainty that the discharged water from the PTP will not migrate to the SAC site.

Further information should be provided detailing the potential nitrogen and phosphorus inputs to the ground.

Groundwater depth and connectivity to the adjacent designated site must be fully investigated.

Details of the funding arrangements for the in perpetuity management, monitoring and maintenance of the proposed PTP.

The effect of groundwater abstraction at Rushmoor on the site should be established.

Thursley, Hankley and Frensham Commons SPA – No objection subject to conditions in respect of Landscape Masterplan, agreement of details of proposed surface drainage and soakaways, agreement of details of “shared treatment plant”, appropriate boundary fencing and ecological watching brief during construction works.

Designated landscapes – no objection.

Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 16/06/2017 site notices were displayed around the site 16/06/2017 and neighbour notification letters were sent on 05/06/2017.

52 letters have been received raising objection for the following reasons:

(N.B. BHF = Borrow House Farm; THFC-SSSI = Thursley, Hankley and Frensham Commons SSSI).

<table>
<thead>
<tr>
<th>Ecology/ Biodiversity:</th>
<th>Unacceptable risk to protected reptiles and amphibians.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Risks through habitat fragmentation, predation by cats,</td>
</tr>
<tr>
<td></td>
<td>introduction of non-native species, and pollution.</td>
</tr>
<tr>
<td></td>
<td>Damage to ecology and biodiversity both on site and to</td>
</tr>
<tr>
<td></td>
<td>neighbouring area.</td>
</tr>
<tr>
<td></td>
<td>Use of herbicides and pesticides by residents and impacts on The Flashes.</td>
</tr>
</tbody>
</table>
- Potential biodiversity improvements are not considered to outweigh the likely ecological and landscape harm.
- Potential harm to the European Protected Species, the great crested newt, sand lizard and smooth snake, which are known in the area but for which adequate surveys have not been undertaken.

<table>
<thead>
<tr>
<th>Assessment Methods:</th>
<th>Insufficient exploration of impacts and insufficient attempts to mitigate impacts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application:</td>
<td>Absence of documents in relation to safeguarding the immediately adjacent Nature Reserve Area of the Flashes SPA.</td>
</tr>
<tr>
<td></td>
<td>Outline application is inappropriate given proximity to sensitive areas SSSI, SAC and SPA.</td>
</tr>
</tbody>
</table>

<p>| Hydrology:          | Developer has failed to adequately characterise the site hydrologic conditions relative to the THFC – SSSI. |
|                     | Water levels in the BHF monitoring wells and the single surface-water measurement cannot be compared due to the absence of a common reference datum. |
|                     | No assessment made to rule out a hydraulic connection between the BHF site and the THFC – SSSI, using standard hydraulic or geophysical methods, incorporating adjacent observation points on both sides of the boundary. |
|                     | No assessment made of the unsaturated (vadose) zone of the BHF site. |
|                     | Proposal’s response during storm events, when precipitation would be expected to shift the saturation state in this environment; |
|                     | The potential for horizontal transport through this zone to the THFC – SSSI, especially given the placement of the foul effluent discharge zone in a sloping gradient at the foot of the adjacent middle jump. |
|                     | The water chemistry data presented are not adequate to demonstrate that the local water bearing zone underlying the BHF site is not connected to the adjacent THFC – SSSI. |
|                     | Water Environment continues to fail to adequately characterise the hydrogeology at BHF. |
|                     | Has failed to address concerns regarding its lack of assessment of vadose zones and the potential impact this zone may have on rising groundwater levels underlying the site. |
|                     | Water Environment appears to have incorrectly applied NE’s guidance regarding the assessment of septic tanks around freshwater SSSIs. |</p>
<table>
<thead>
<tr>
<th>Surface Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extract water for public use from the aquifers underneath the Flashes</td>
</tr>
<tr>
<td>Hydrogeological system has not been adequately characterised to assess the relationship between the BHF site and the adjacent THFC – SSSI</td>
</tr>
<tr>
<td>Suitability of the surface and foul drainage strategies is impossible to assess due to uncertainties in the hydrogeological characterisation and the flood risk assessments.</td>
</tr>
</tbody>
</table>

**Flooding**

| Errors identified in the FRA and inappropriate mitigation measures to protect the THFC - SSSI |
| Failure to appropriately address the flood risk assessment and hydrogeological characterisations |
| Water Environment significantly fails to recognise the validity of all the Impact Risk Zones, intersecting the BHF site. |
| Has failed to address serious issues identified in its flood risk assessment by SERGann Consulting. |

**Drainage:**

Foul Drainage Strategy (Section 1):

| Review of the proposed changes to the foul drainage strategy include no actual engineering designs for a system, making review and comment on the proposal ‘speculative at best’. |
| Reed Bed System – proposed as an add-on to the effluent treatment process, requires significant management and long-term maintenance to work effectively, yet only four maintenance visits are proposed in the first two years of installation. |
| No contingency plan should the reed bed freeze or become otherwise impaired. |
| No contingency plans should there be any other catastrophic failure and escape effluent from this system. |
| Water Environment significantly fails to recognise the validity of all the Impact Risk Zones, intersecting the BHF site. |
| It would like to choose which IRZ boundary it must comply with, irrespective of the statutory guidance. |
| Foul Drainage Strategy |
| Proposed drainage pump strategy does not give confidence that the area will be protected. |

**Water / Waste / Waste Water**

| Water Environment appears to have incorrectly applied NE’s guidance regarding the assessment of septic tanks around freshwater SSSIs. |
| Highways / Traffic: | • No contingency plans should there be any other catastrophic failure and escape effluent.  
• No contingency plan should the reed bed freeze or become impaired.  
• Inadequate provision for protection against sewerage pollution  
• Proposed Foul Drainage Strategy is flawed.  
• Single track exit near a bend in Jumps Road is a high-risk zone – incoming and outgoing vehicles cannot pass and safely exit.  
• History of accidents at the site.  
• Officer’s comparison of three houses’ traffic with 16 storage huts is guesswork.  
• At no time have all 16 huts been in storage use. Some have never been used.  
• TRICS database methodology employs urban data not rural.  
• Request for WBC to consider SCC’s Highway Authority’s submission in light of the above comments.  
• Accuracy of Transport Statement  
• Traffic Statement and analysis is the same as that provided with previous applications - concerns over its accuracy.  
• Projections (40-79 movements a day for the commercial units) indicate activity that is materially different to those stated by the previous owners of the site (12 movements a week, which averaged at around 2 movements per day) for the same lawful use.  
• Sensitivity analysis has no statistical justification and therefore also potentially unreliable.  
• No public transport accessible from the site  
• Increase in cars, deliveries and Traffic |
| Legislation / Policy: | • False comparison between residential development and alternative development that would theoretically be lawful.  
• Building outside the PDL  
• Proposal is not inline with WBC Local Plan  
• Proposal is not inline with the NPPF – proposed houses are not sustainable, having no access to public transport links or having other environmentally friendly transport options, not near GPs, schools or other support facilities.  
• Proposal is not inline with Churt’s Village Design Statement  
• Houses not in WBC Local Plan |
| Housing Mix | • Not sustainable housing as there are only three large houses. |
| **Design** | 4 and 5 bedroom houses do not meet the requirement for smaller houses in the area.  
Inappropriate, excessive development.  
Three additional houses in addition to the extension of the existing house will seriously over-develop this sensitive area, especially as at least two houses will be extremely close to The Flashes. |
| **Sustainability** | Not sustainable development. |
| **Protected Sites / European Sites** | Properties may be visible from the SSSI and impair visual amenity.  
Environmental damage to the Flashes.  
Potential for serious harm to the European designated sites (SAC and SPA) from urbanisation, disturbances and hydrological effects  
Proposal lies within the Special Protected Area where there is currently no habitation and represents a delicate environment. Any new development is likely to impact this sensitive landscape.  
Visible from the Common  
Impact, including visual, on Devil’s Jumps, The Flashes and SPA  
Heathland Habitat is rare.  
Would destroy a rare example of an ancient unpolluted wet heathland ecosystem.  
Environmental Impact – impact on the AONB, AGLV and surrounding SSSI, SNCI, SPA and Historic Landscape Quality.  
Scheduled Ancient Monument – Kings Ridge Barrows  
Regionally Important Geological Site (RIG) – Stoney Jump  
Registered Common  
Direction of surface water flow and damage to SSSI |
| **Nuisances / Pollution** | Light pollution from houses.  
Noise/disturbance from residents and pets next to the SSSI.  
Building equipment |
| **Fire** | Fire Risk |
| **Contamination** | Ground contamination and risk from asbestos.  
Acidity of the soil of the Flashes affected by run off and septic tank overflows. |
| **Green Belt** | Impact on the openness of the Green Belt. |
| **Trees** | Loss of mature trees |
| **Safety** | Safety – new houses immediately adjacent to and within the dry Pine Forest. |
Determining Issues

Principle of development
Planning history and differences with previous proposal
Housing Land Supply
Location of development
Loss of existing use
Housing mix and density
Impact on Green Belt
Impact on visual amenity, AONB and AGLV
Impact on trees
Impact on residential amenity
Standard of accommodation and amenity space
Highways, traffic, parking and access
Flooding and surface water drainage issues
Effect upon the SPAs, SAC and SSSI
Impact on Heritage Features
Archaeology
Ancient Woodland
Potentially Contaminated Land
Financial considerations
Biodiversity and compliance with Habitat Regulations 2017
Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights
Implications
Environmental Impact Regulations 2017
Pre Commencement Conditions
Very Special Circumstances
Third Party representations
Working in a positive/proactive manner

Planning Considerations

Principle of development

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.

Planning history and differences with previous proposal

The planning history is a material consideration.

Planning permission has been previously refused for 5 dwellings on the site under WA/2015/1198.
The previous application was refused for the following reasons:

1. Reason
The proposal conflicts with national and local planning policies regarding Green Belts set out in Policy C1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012. There is a general presumption against inappropriate development and development which materially detracts from the openness of the Green Belt. The Council is not satisfied that there are any very special circumstances which outweigh the harm to the Green Belt by reason of its inappropriateness, impact on openness and other harm as identified by the Local Planning Authority.

2. Reason
The proposal, by reason of its unsustainable location and encroachment into open countryside, would result in new isolated homes. No special circumstances have been put forward by the applicant to outweigh this. The proposal would therefore fail to accord with Paragraph 55 of the National Planning Policy Framework 2012.

3. Reason
The site lies within the Surrey Hills Area of Outstanding Natural Beauty within which the area's distinctive landscape character and natural beauty is to be conserved and enhanced. By virtue of the layout, form, scale and location of the development, the proposal is inconsistent with this aim and conflicts with the national, strategic and local policy guidance and advice set out in Policy C3 of the Waverley Borough Local Plan 2002, the Surrey Hills AONB Management Plan 2014 - 2019 and the National Planning Policy Framework 2012.

4. Reason
The site lies within an Area of Great Landscape Value within which the landscape character is to be conserved and enhanced. By virtue of the form, scale, materials and location of the development, the proposal is inconsistent with this aim and conflicts with national, strategic and local policies set out in Policy C3 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

5. Reason
The applicant has failed to demonstrate to the satisfaction of the Highway Authority that the proposed development provides safe and suitable access for all people on the surrounding highway network. The proposed development is therefore contrary to Policy M2, M4 and M5 of Waverley Borough Council's Local Plan 2002 and the requirements of the National Planning Policy Framework 2012.
6. Reason
The site is in an unsuitable location where there is no practical public transport option and where there is no street lighting or footway provision in the vicinity of the application site. This will lead to a car reliant form of travel contrary to the objectives of the National Planning Policy Framework 2012 and Policy M1 of the Waverley Borough Local Plan 2002.

7. Reason
It has not been sufficiently demonstrated that protected species and their habitats would not be materially affected or harmed by the proposed development. Therefore the proposal conflicts with Policy D5 of the Waverley Borough Local Plan 2002 and the requirements of the National Planning Policy Framework 2012.

8. Reason
It has not been sufficiently demonstrated that there would not be a likely significant effect upon the special interests of the adjacent SAC, in conflict with Policies D1 and D5 of the Waverley Borough Local Plan 2002, the Conservation of Habitat and Species Regulations 2010 (as amended) and the National Planning Policy Framework 2012.

9. Reason
The application fails to demonstrate that the development would not lead to surface water run off that would increase flood risk on the site and the surrounding area. The proposal therefore fails to accord with paragraphs 100 and 103 of the National Planning Policy Framework 2012 and the National Planning Practice Guidance 2014.

The differences between the current proposal and that application are that the current application is an outline application for only 3 dwellings with access, layout and scale to be considered as part of the outline application. The previous application was for 5 dwellings. Whilst the dwellings subject of the previous application were concentrated to the north of the site, in the current application 2 of the dwellings would be to the north and one dwelling to the south of the main area of the site. Appearance and landscaping are reserved matters.

Comparison block plan from refused scheme WA/2015/1198
Since the time of the previous decision, the Waverley Borough Local Plan Part 1 2018 has been adopted and is now a material consideration.

The test for Members is whether having regard to the changes, the current proposal has overcome the objections to the previously refused scheme and is acceptable in its own right.

**Housing Land Supply**

In July 2017, the Council published an update to their five year housing supply position based on the Local Plan Examination Inspector’s provisional findings in July 2017. The statement sets out the housing requirement for the next five years based on West Surrey SHMA figures and various components of housing supply that the Council expects to come forward in that period. As it stands, the supply of housing is 6.28 years worth of the housing requirement. Therefore, the Council can demonstrate in excess of the requirements of paragraph 47 of the NPPF.
Notwithstanding this point, the provision of 3 dwellings as proposed does not make a significant contribution to housing supply although this does not mean that what is otherwise sustainable development should be refused.

**Location of development**

The site is located within the Green Belt outside any defined settlement area. The site is accessed via a single lane access road which leads off Jumps Road. The site surroundings consist of large open land with vegetation cover and some low density residential dwellings.

Policy SP2 of the Local Plan Part 1 sets out the Council’s Spatial Strategy to 2032 and refers to the allocation of strategic sites under Policies SS1-SS9 to meet the majority of the housing needs for the Borough:

‘To maintain Waverley’s character whilst ensuring that development needs are met in a sustainable manner, the Spatial Strategy to 2032 is to:

1. Avoid major development on land of the highest amenity value, such as the Surrey Hills Area of Outstanding Natural Beauty and to safeguard the Green Belt;
2. Focus development on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh)
3. Allow moderate levels of development in larger villages (Bramley, Chiddingfold, Elstead, Milford and Witley) whilst recognising that due to Green Belt constraints Bramley has more limited scope for development;
4. Allow limited levels of development in/around other villages (Alfold, Churt, Dunsfold, Ewhurst, Frensham, Tilford, Shamley Green, Wonersh), whilst recognising that those villages not within Surrey Hills AONB or Green Belt offer more scope for growth
5. Allow only modest growth in all other villages to meet local needs
6. Maximise opportunities for the redevelopment of suitable brownfield sites for housing, business or mixed use, including at Dunsfold Aerodrome which is identified as a new settlement. More details are given in Policy SS7.
7. Allocate other strategic sites (Policies SS1 – SS9). Non-strategic sites will be identified and allocated through Local Plan Part 2 and Neighbourhood Plans
8. Ensure that where new infrastructure is needed, it is provided alongside new development, including funding through the Community Infrastructure Levy (CIL).”

The NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements,
development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
  - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
  - reflect the highest standards in architecture;
  - significantly enhance its immediate setting; and
  - be sensitive to the defining characteristics of the local area.

Officers consider that the proposal would introduce dwellings in an isolated area. The site is not close to a settlement area and is not located within an area of countryside that is well served by public transport.

However, Paragraph 55 of the NPPF sets out that isolated homes can be acceptable in special circumstances. In this instance, regard must be had to the existing buildings on site and what uses they have.

Officers consider that the harm resulting from the proposed use for only 3 dwellinghouses is no more harmful than the existing unsustainable use that would be lost. Officers therefore conclude that there are special circumstances in this case and the isolated location should not amount to a reason for refusal.

Loss of existing use

Policy EE2 of the Local Plan (Part 1) 2018 states that the Council will permit the change of use of existing employment sites to residential and other alternative uses where it can be clearly demonstrated that there is no reasonable prospect of the site being used for employment use.

Retained Policy IC2 of the Local Plan 2002 states “The loss of suitably located industrial and commercial land will be resisted”.

The majority of the buildings on site have a lawful B8 storage use. Having regard to the isolated location of the site which is not well served by public transport, Officers consider that the site could not be described as being suitably located commercial land. The planning history indicates that since the ceasing of the mushroom farm business on the site in the mid-1990’s, the majority of the buildings on site have been used for storage over a long period of time and subsequently became the lawful use through time. Two Certificates of Lawfulness have been issued which confirm these lawful uses (WA/2013/0709 and WA/2014/1379). It should be noted that the certificates do not relate to all of the buildings on site.

It is acknowledged that the site is in a remote and isolated location, away from public transport links and amenities. Officers accept that the site is not a good location for commercial uses.

As such, in this instance, the loss of the employment generating use is considered acceptable.

It is considered that the proposal would not conflict with Policy EE2 of the Local Plan 2018 or retained Policy IC2 of the Local Plan 2002. There is no overriding objection to the loss of the existing buildings and uses on site.

Housing mix and density

Policy AHN3 of the Local Plan (Part 1) 2018 states 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 provides an updated likely profile of household types within Waverley.

The proposal comprises the erection of 2 four bedroom dwellings and 1 five bedroom dwelling.

The proposal is for 100% 4 bedroom or larger units, in conflict with the indicative requirements of the SHMA 2015 which demonstrates the need for a mix of unit sizes, including one, two and three bedroom units. However, as the proposal is only for 3 units, it could never accord with the SHMA 2015 requirements. For this reason, and given the overall low number of units proposed, officers consider it unreasonable to consider conflict with the SHMA 2015 indicative housing mix requirements a reason for refusal. In addition to this, the previous scheme was not refused on housing mix and it would be unreasonable to introduce a new reason for refusal.
Impact on 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 89 and 90 of the NPPF.

Local planning authorities are required to give substantial weight to any harm which might be caused to the Green Belt by the inappropriate development.

Paragraph 89 of the NPPF lists exceptions to inappropriate development in the Green Belt and these include the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The NPPF 2012 defines Previously Developed Land as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”.

The application has been presented on the basis that the proposal represents redevelopment of Previously Developed Land. The applicant has outlined on drawing number RE1556-GA-110 the extent of the site which they consider is previously developed. Officers are satisfied that the area of the site proposed for development is Previously Developed Land.

The applicant asserts that the proposed development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
In order to assess the impact on the openness of the Green Belt, the applicant has submitted calculations (see tables below) of existing floor area, footprint and volume calculations and made a comparison with the proposal for these same criteria.

### Table 1 – Existing Floor Areas, Volumes and Lawfulness

<table>
<thead>
<tr>
<th>Building No.</th>
<th>Floor Area m²</th>
<th>Footprint m²</th>
<th>Volume m³</th>
<th>Lawfulness Use Confirmed WA/2013/0709</th>
<th>Lawfulness Use to be Confirmed WA/2014/1379</th>
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<td>1</td>
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<td><strong>Total</strong></td>
<td><strong>1421</strong></td>
<td><strong>1421</strong></td>
<td><strong>4587</strong></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### Table 2 – Proposed Floor Areas and Volumes

<table>
<thead>
<tr>
<th>Building</th>
<th>Floor Area m²</th>
<th>Footprint m²</th>
<th>Volume m³</th>
</tr>
</thead>
<tbody>
<tr>
<td>House 1</td>
<td>215</td>
<td>218</td>
<td>677</td>
</tr>
<tr>
<td>House 2</td>
<td>349</td>
<td>302</td>
<td>811</td>
</tr>
<tr>
<td>House 3</td>
<td>369</td>
<td>348</td>
<td>972</td>
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<tr>
<td>Extension to house</td>
<td>137</td>
<td>68</td>
<td>427</td>
</tr>
<tr>
<td>Garage</td>
<td>88</td>
<td>88</td>
<td>164</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1178</strong></td>
<td><strong>1024</strong></td>
<td><strong>2951</strong></td>
</tr>
</tbody>
</table>

### Table 3 – Summary table - Net Change in Floor Area and Volume

<table>
<thead>
<tr>
<th>Category</th>
<th>Floor Area m²</th>
<th>Footprint m²</th>
<th>Volume m³</th>
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</thead>
<tbody>
<tr>
<td>Existing to be demolished</td>
<td>1421</td>
<td>1421</td>
<td>4587</td>
</tr>
<tr>
<td>Proposed Houses, extension and garage</td>
<td>1178</td>
<td>1024</td>
<td>2951</td>
</tr>
<tr>
<td><strong>Net Reduction</strong></td>
<td>-243 (17.1%)</td>
<td>-397 (27.9%)</td>
<td>-1636 (35.7%)</td>
</tr>
</tbody>
</table>

Whilst officers own measurements do not identically match those submitted by the applicant, officers are satisfied that the proposal would result in a significant reduction in built form footprint on the site, reducing from 1459m² to 1110.85m² (officer calculations). It is noted that officers have not included the proposed extensions to the dwelling, subject of application WA/2017/0913 in calculations and this accounts for some of the difference, but nonetheless officer calculations indicate an overall reduction of footprint of built form by 23% over the existing situation. Furthermore, there would also be a reduction in both floor area and volume, reducing the overall spread of development across the site. Officers are satisfied that a
condition could be imposed on any grant of planning permission requiring the demolition and removal of all existing built form (excluding the dwelling) to ensure that this occurred.

Officers are satisfied that the proposal would result in a reduced spread of development, with only 4 buildings left on the site. Whilst the dwellings would make use of the topography to include lower ground floor and upper ground floor sections, the built form would be predominantly read as single storey development. The use of green flat roofs would also limit the impact of height on openness.

Officers are satisfied that the reduction in overall quantity of built form, and concentration of built form into 3 new dwellings and the existing dwelling, would not have a greater impact on the openness of the Green Belt than the existing development on site and that the proposed development would be located on previously developed land. As such, the proposal is considered to be appropriate Green Belt development. Officers are therefore satisfied that the proposed development would accord with Policy RE2 of the Local Plan (Part 1) 2018 and the relevant exception within Paragraph 89 of the NPPF.

Impact on visual amenity, AONB and AGLV

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. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2012.

The site is located within the AONB and 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 Surrey Hills Management Plan 2014 – 2019 sets out the vision for the future management of the Surrey Hills AONB by identifying key landscape features that are the basis for the Surrey Hills being designated a nationally important AONB.

The site is within the AONB and AGLV. It is immediately adjacent to (between) two of the Devil’s Jumps heritage features and the adjacent Flashes/Churt Common (subject of CROW Act) designated as AHLV/SAC/SSSI/LNR. It is surrounded by landscape recognised as being of high value and its sylvan setting, of mature trees in relatively close proximity to the buildings, contributes positively to the local landscape character.

The appearance of the dwellings is a reserved matter, however, the scale is to be considered. Whilst they would be 2 storeys in places, these would be lower ground and upper ground storeys, making use of the topography of the land. As such, the
dwellings would mainly appear as single storey. The final appearance of the
dwellings, including materials, would be considered at reserved matters stage,
should outline planning permission be granted.

The Surrey Hills AONB Advisor has been consulted in respect of the application and
considers the current proposal to be a significant improvement on previous
applications and also considers that the existing site detracts from the character of
the AONB in the area.

The AONB advisor considers that the limited extent of the proposed domestic
gardens and the reduction to 3 dwellings are to be welcomed, however, notes that
the dwellings would be substantial and larger than would have been preferred from
an AONB aspect.

The AONB officer also considers the contemporary design to be appropriate and that
this would also keep the dwellings relatively low profile. It is also considered that the
articulated and angled nature of the dwellings, together with their planted flat roofs,
would help them to be better assimilated to their landscape setting. In terms of
materials, it is considered that they should be of muted colours and not of light
colours that would contrast with the darker backdrop.

The AONB advisor recommends that, should planning permission be granted, that
there should not be any dilution or cheapening of the currently proposed designs or
use of light coloured external building materials. The AONB advisor also
recommends that should outline planning permission be granted, permitted
development rights for extensions and outbuildings should be removed.

The AONB officer concludes by stating that, having regard to the amount and nature
of the existing development and use of the site, that expressing concern from an
AONB aspect is now more difficult, subject to considerations of the points made
about materials and permitted development rights.

It is considered that the layout of the proposal would be acceptable and the scale of
development would be acceptable. The proposed dwellings would be of an
acceptable height, width and depth, making use of the topography of the land. The
dwellings would be of a contemporary design with green roofs, which officers
consider would be an acceptable approach for the site, helping the dwellings to
blend in with their surroundings. Notwithstanding, appearance and landscaping
would be reserved matters, should outline planning permission be granted, and
would be considered in detail at that stage. However, officers consider that an
acceptable scheme in terms of appearance and landscaping could be put forward at
reserved matters stage.

It is considered that the proposed development would respect the character of the
AONB and AGLV, subject to conditions. Officers consider the design approach to
be acceptable but note that the specific design details would be considered at reserved matters stage, should outline planning permission be granted.

Impact on trees

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Retained Policies D6 and D7 of the Local Plan 2002 are attributed full and significant weight respectively due to their level of consistency with the NPPF 2012.

The application tree report recognises that many of the trees internal to the site could be removed with relatively limited visual impact from surrounding public viewpoints providing reasonable buffers of trees are maintained around the site edges. The Public Right of Way to the east is over 100 metres away from principal areas of development at its closest point and reasonable tree cover exists along the boundary with the Common to the north.

The tree constraints plan provided illustrates the scale of tree removal in blue that would be realistically likely if the scheme as proposed were to be implemented. The scale of felling required would ordinarily require a felling licence from the Forestry Commission which was previously highlighted to the applicant’s arboriculturist. This requirement would be superseded by any appropriate planning permission.

The Arboricultural Impact Assessment recognises that four additional mature trees would have relatively minor incursions for new driveway construction within minimum recommended root protection areas. Other trees may be affected by the demolition of structures and removal and replacement of hardstanding. No assessment has been made of potential impacts on trees on either side along the shared access drive to the site. Whilst an existing access, the scale of plant access requirements for the proposed development may require additional precautions to afford protection e.g. for passing places. Details could be secured by condition.

It is considered that, should outline planning permission be granted, it would be prudent to add conditions to afford protection to the trees proposed for retention from the demolition and construction processes.

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. Retained Policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2012.
There would be long distances between the proposed dwellings and neighbouring dwellinghouses. Having regard to these separation distances, it is concluded that the proposed dwellings would not result in material harm from overlooking or loss of light. Officers note that the nearest point of proposed house 1 to the boundary of the curtilage of Borrow House would be 15.4 metres, however, officers are satisfied that a reserved matters scheme could be developed to ensure that there would be no material harm to neighbouring residential amenity from over-looking or loss of privacy as a result of this relationship, especially given the topography of the land, vegetation screening and built height of the proposed dwelling.

The proposed access drive would be sited adjacent to the east boundary beyond which lies natural vegetation land that forms part of the property known as Borrow House. Officers acknowledge that there would be some visibility of vehicle movement from this neighbouring property and that there would be some light overspill from vehicles travelling south at night, however, taking into consideration the distance between the new access drive and the front elevation of Borrow House, officers do not consider this would result in material harmful impact.

The proposal site is accessed via a long single lane road off Jumps Road. This existing access drive serves 4 existing residential properties (including the existing dwelling on site). The proposal would result in vehicle movements associated with the proposed 3 dwellings. Officers consider that the additional vehicle movement on the access road would cause some inconvenience with existing users, however, this is considered not to be harmful to residential amenity in planning terms, particularly taking into consideration the vehicular movements that could occur with the lawful use of the site.

Officers therefore conclude that the proposal would not cause material harm to any neighbouring residential occupier and is considered acceptable having regard to Policy TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

Standard of accommodation and amenity space

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

The Government Technical Housing standards – nationally described space standards (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided
for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

Whilst details in respect of design are a reserved matter that do not form part of this outline application, officers are confident that, if outline permission is granted, a reserved matters scheme could be developed to provide a good standard of amenity for future occupiers and are satisfied that there could be sufficient separation between dwellings to ensure acceptable levels of amenity for all future occupiers. Each of the dwellings would have good sized private amenity spaces, the final details of which are to be provided at reserved matters stage, should planning permission be granted. Officers therefore raise no concerns in this regard when considering the current outline application.

**Highways, traffic, parking and access**

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.

A Transport Statement by Motion (dated 07/04/2017) accompanies the application.

Access to the site would remain as existing, using the existing private driveway to the north of Jumps Road. Two passing bays would be included within the main area of the site to enable vehicles to pass each other safely.

The proposal would include space for parking for 4 cars for each unit which would accord with the Council’s Parking Guidelines 2013. Cycle parking would be accommodated within proposed garages, the details of which would be considered at reserved matters stage, should planning permission be granted. Notwithstanding, officers are satisfied that there would be sufficient space afforded to each of the proposed dwellings to enable the provision of an appropriate level of parking.

The County Highway Authority has assessed the proposal and have confirmed that they are satisfied that the proposal for 3 dwellings would not lead to a material increase in vehicular movements, compared to the lawful use of the site. They have also confirmed that the applicants use of the TRICS database to inform their Transport Statement is appropriate and the methodology is fit for purpose. The Highway Authority have recommended conditions to be imposed, should outline planning permission be granted. These conditions would relate to the provision and
retention of parking and turning space and agreement of a Construction Transport Management Plan.

Flooding and surface water drainage issues

Paragraph 103 of the NPPF 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 highest 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 Exception 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.

The site lies wholly within Flood Zone 1 and thereby has a low probability of flooding. The site area is over 1.0 ha and therefore must be accompanied by a site-specific Flood Risk Assessment (FRA). The application has been accompanied with a site-specific FRA which states that the proposed development would result in a decrease in impermeable runoff surfaces on the site and that SuDS would be introduced to ensure that surface runoff rates do not increase post development. The surface water drainage strategy shows that green roofs have been adopted for all new houses and that the runoff from the roof areas of the proposed dwellings would be discharged to private soakaways. A separate foul water drainage strategy has been prepared.

The Lead Local Flood Authority has been consulted on the application and reviewed the surface water drainage strategy for the proposed development. The Lead Local Flood Authority is satisfied that the proposed drainage scheme meets the relevant requirements and considers that outline planning permission is granted, subject to suitably worded conditions to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Effect upon the SPAs, SAC and SSSI

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity.
The site lies within the 400m Buffer Zone Thursley, Hankley and Frensham Commons (Wealden Heaths Phase 1) SPA and the Thursley, Ash, Pirbright and Chobham Common SAC.


Under the Habitats Regulations, the Council is the “competent authority” to consider whether applications for development are “likely to have a significant effect” on a European site, of which the Wealden Heaths SPA is one. Whether a proposal is likely to have a significant effect on the SPA (with the consequence that an Appropriate Assessment (AA) is required) must be ascertained by considering the proposal both alone and in combination with other plans or projects. As the proposal would result in a net increase in dwellings, and permanent residents, within 400m of the SPA, an AA is required to be undertaken.

The Conservation of Habitats and Species Regulations 2010 transpose the Habitats Directive into law. Natural England has been consulted on the current application and has assessed the proposal and supporting Habitat Regulations Assessment information. A summary of their responses can be found earlier in the report.

Natural England considers that insufficient information has been provided to determine the impact upon designated sites. Officers note that the applicant has been given a number of opportunities to resolve issues, and that Natural England has provided detailed feedback of the issues on a number of occasions.

Natural England advises that the application could still have potentially significant effects on Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC). Evidence has not been provided to give certainty that there is no hydrological connectivity between the development and the SAC and therefore a precautionary approach must be applied under the Habitats Regulations, 2017. In the absence of the additional information required, Natural England considers that the proposal would present a significant risk to the habitats of the adjacent SAC. For this reason officers consider the proposal to be unacceptable in this regard and that this should amount to a reason for refusal.

Natural England has raised no objection in respect of the Thursley, Hankley and Frensham Commons SPA, subject to the proposal being carried out in strict accordance with the details of the application as submitted and providing the Council has capacity for dwellings within 400m of the SPA.
Officers can confirm that the Council has remaining capacity for 3 dwellings within 400m of the SPA which could be allocated to the proposed development. Officers also consider that conditions could be imposed on any grant of planning permission to secure agreement to a landscape masterplan, details of proposed surface drainage and soakaways, details of “shared treatment plant”, boundary fencing and ecological watching brief.

In relation to the SSSI, other than the specific concerns raised above in relation to the SAC, which are also relevant to the SSSI, Natural England have no other concerns in relation to the conservation interests of the SSSI.

It is therefore considered that insufficient information has been submitted to demonstrate that there would not be a likely significant effect upon the special interests of the adjacent SAC, in conflict with Policy NE1 of the Local Plan (Part 1) 2018, retained Policy D1 of the Waverley Borough Local Plan 2002, the Conservation of Habitat and Species Regulations 2010 (as amended) and Paragraph 118 of the National Planning Policy Framework 2012 and that this should amount in a reason for refusal.

**Impact on Heritage Features**

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

Retained Policy HE10 of the Local Plan 2002 seeks to ensure that any proposed development will be located and designed so as to preserve the features of the heritage asset and avoid having a detrimental impact on designated heritage features. Retained Policy HE10 is afforded substantial weight owing to its consistency with the NPPF.

There are designated Heritage Features beyond the site to the east. The identified heritage features to the east of the site are known as the Devils Jump and Little Jump. These are both heritage features which are recognised for their natural high landmark visible from the common to the north and formed out of crops of ironstone which feed Frensham Little Pond. It is likely that parts of the proposed development would be visible from both these designated heritage features. Both these features are, however, sited on higher ground than the development site.

Officers consider that the proposed development would not have a direct impact on these Heritage Features due to their separation. As such, the proposal would not harm their significance and therefore officers raise no objection, having regard to

Archaeology

Retained Policies HE14 and HE15 of the Local Plan 2002 require that appropriate desk based or field surveys should be submitted with an application and appropriate measures taken to ensure any important remains are preserved. These policies are afforded full weight owing to their consistency with the NPPF.

The proposed development is over the 0.4 hectare threshold which is recommended for archaeological assessment and possibly evaluation under retained Policy HE15 of the Local Plan 2002.

The application is accompanied by a desk based archaeological assessment by Thames Valley Archaeological Services.

The County Archaeologist has assessed the submitted information and considers that further archaeological investigations will be required in order to clarify the archaeological potential of the site. In first instance this should take the form of an archaeological field evaluation of the individual development areas in order to establish rapidly what Archaeological Assets may be present. The results of this would enable mitigation measures to be developed which may involve more detailed evaluation of any archaeological remains.

It is considered that it would be reasonable to secure the provision for archaeological evaluation and any subsequent archaeological work, which may include detailed excavation, assessment and publication of the results, by condition, should outline planning permission be granted.

Ancient Woodland

Whilst the site is located within the 500m buffer zone of the Ancient Woodland, the site is located at some considerable distance from the nearest Ancient Woodland and would not result in unacceptable harm in this regard. As such, the proposal would be in accordance with Policies D6 and D7 of the Local Plan 2002, Policy NE1 of the Local Plan (Part 1) 2018 and paragraph 118 of the NPPF.

Potentially Contaminated Land

The Council’s Environmental Health Officer has considered the application in respect of potentially contaminated land. The submitted Geotechnical and Phase 1 Ground Condition (Contamination) Assessment PBA Ltd Report Rev01 October 2014 identified a moderate to low risk to future occupants of the proposed development
due to identified former uses during World War 2 and associated landfilling and the site’s subsequent use as a mushroom farm. The report recommends ground investigation and sampling and also highlights the presence of asbestos cement and possible asbestos lagging and insulation at the site.

Due to the potentially contaminative former uses, the Council’s Environmental Health Officer has recommended that contaminated land conditions are imposed, should outline planning permission be granted.

Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL).

The NPPG sets out that whether or not a local financial consideration is material to a decision will depend on whether it could help to make the development acceptable in planning terms. It is not appropriate for a decision to be made on the basis that the development could have the potential to raise money for a local authority or other government body.

In the current case, the Council does not rely on local financial considerations to mitigate against the effects of the development to make it acceptable in planning terms. As such, it does not form a material planning consideration.

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 is accompanied by a Habitat Regulations Assessment by ecology solutions (April 2017), Ecological Assessment by ecology solutions (April 2017) and Protected Species Survey Addendum by ecology solutions (September 2017) accompany the application.
Surrey Wildlife Trust has been consulted twice on the application. In its initial consultation response dated 27 July 2017, Surrey Wildlife Trust recommended that additional bat surveys were undertaken prior to determination. The Trust recommended that a Reptile Mitigation Strategy should be approved by the Council and that landscaping should take into consideration the requirements of legally protected reptile species.

The Surrey Wildlife Trust advised that the Council seek confirmation from the RSPB that they would be satisfied that the proposed mitigation for breeding bird species in the Ecology Assessment (6.3.29-6.3.32) is appropriate for the development, particularly for the SPA species such as Nightjar. Notwithstanding this recommendation from the Surrey Wildlife Trust, Natural England is the Council's statutory consultee in respect of the SPA and they have raised no objection in relation to the SPA. Officers are therefore satisfied that Natural England considers the proposal to be acceptable in respect of likely impact on bird species.

Surrey Wildlife Trust also recommended that all actions in Section 6 of the Ecology Report for other species including badgers and invertebrates and for habitat protection should be undertaken. Surrey Wildlife Trust also recommended that, should planning permission be granted, it should be subject to agreement of a Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP).

In the consultation response dated 3 October 2017, following the submission of a Protected Species Addendum Report, Surrey Wildlife Trust recommends that in respect of bats the applicant should be required to undertake the recommended actions within section 5 of the Addendum Report with particular reference to the need for the applicant to obtain a European Protected Species Licence, undertake all actions in the Method Statement to help prevent adverse effects to legally protected species.

Surrey Wildlife Trust also recommends that the Council secures external lighting details to be agreed by the Council.

In respect of reptiles, Surrey Wildlife Trust recommends that the actions within Section 5 of the Addendum Report are undertaken and that the Council secures for a Reptile Mitigation Strategy to be agreed by the Council.

Surrey Wildlife Trust also notes that any landscaping plan for the site should also take into account the requirements of legally protected species currently found on the site. Officers note that landscaping would be a reserved matter, should outline planning permission be granted, and that further consultation with Surrey Wildlife Trust on this matter could be undertaken at reserved matters stage.
Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.

Environmental Impact Regulations 2017

The proposal 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.

Parish and Third Party representations

Officers note that a large number of representations have been made and these have been outlined above and considered in addressing the application. It is noted that some specialist technical information has been raised by third parties. Appropriate consultations have been undertaken with statutory consultees and the specialist advice received from these has been used when assessing the application.

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 paragraphs 186-187 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.

Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;

Conclusion

The benefit of the proposal would be a reduction of overall built form on the site, reduced impact on the openness of the Green Belt and an improvement in the visual appearance of the area of benefit to the landscape character of the AONB and AGLV. The proposal would also provide 3 additional dwellings which would be a benefit of the scheme.
It is considered that an acceptable reserved matters scheme could be developed in terms of design and visual amenity, residential amenity and landscaping.

No objection has been raised in respect of highways and access, impacts on ecology or the neighbouring SPAs and SSSI, trees and ancient woodland.

Whilst the dwellings would not be in a sustainable location, it is considered that the proposed use would be no less sustainable than the existing use of the site and officers consider that there would not be unacceptable harm from the loss of the current use.

The harm from the proposal results from failure to demonstrate that there would not be a likely significant effect on the special interests of the neighbouring Special Area of Conservation. The applicant has been given detailed feedback from Natural England on how to resolve issues and, despite a number of opportunities, this outstanding objection has not been resolved.

The proposal is therefore not in accordance with the Development Plan and the benefits of three new dwellings would not outweigh the adverse impacts in relation to a likely significant effect on the neighbouring Special Area of Conservation. As such, planning permission is recommended for refusal.

Recommendation

That permission be REFUSED for the following reason:

1. Insufficient information has been submitted to demonstrate that there would not be a likely significant effect upon the special interests of the adjacent SAC, in conflict with Policy NE1 of the Local Plan Part 1 2018, retained Policy D1 of the Waverley Borough Local Plan 2002, the Conservation of Habitat and Species Regulations 2010 (as amended) and Paragraph 118 of the National Planning Policy Framework 2012.

Informatives

1. The drawing numbers relevant to this decision are: Site Location Plan (unnumbered), RE1556-DE-100, RE1556-DE-101, RE1556-DE-102, RE1556-DE-103, RE1556GA-100, RE1556-GA-101, RE1556-GA-102, RE1556-GA-103, RE1556-GA-200B, topo/BH/01/14, GP/BH/01/14, GP/BH/03/14, GP/BH/04/14, GP/BH/05/14, GP/BH/06/14, GP/BH/07/14, GP/BH/08/14 and SJATCP16352-03.

2. 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 186-187 of the National Planning Policy Framework 2012.