Erection of a building and associated works to provide 4 flats following demolition of existing house as amended by emails dated 13th March and 1st April and amended plans received 1/4/2015 at Gaston House, Guildford Road, Cranleigh GU6 8QZ

Committee: Eastern Area
Meeting Date: 22/04/2015

Public Notice Was Public Notice required and posted: NA
Grid Reference: E: 504160 N: 141669

Parish: Wonersh
Ward: Shamley Green and Cranleigh North
Case Officer: Mrs J Dawes
8 Week Expiry Date: 05/03/2015
Neighbour Notification Expiry Date: 06/02/2015
Amended Neighbour Notification Expiry Date: 16/04/15
Extended expiry date: 27/4/15

RECOMMENDATION That subject to the consideration of any new material considerations from outstanding consultations, and clarification regarding vehicle movements on site, then permission be REFUSED

Introduction

The application has been brought before the Area Committee because an elected Councillor is a Director of the company submitting the application.

Location Plan

![Site Location Plan 1:1250 (CJS, Extract)]
Site Description

The application site measures 0.1 hectares, although this area includes an area of Common Land outside of the applicant's ownership and a shared driveway also serving the commercial site to the rear. The part of the site excluding the access driveway and Common Land is approximately 0.05 hectares. The site is located on the western side of the Guildford Road, to the south of the roundabout junction at the northern end of the settlement of Rowly. To the south of the property is Gaston Gate garage, a commercial property selling cars. To the rear (west) of the site lies the applicants commercial yard which is accessed by a driveway crossing through the northern part of application site.

Immediately in front of the site lies an area of Common Land. The area is semi rural in character.

Proposal

This application seeks to demolish the existing detached house and associated outbuildings and erect a single apartment block with 4 no. x 2 bed apartments. The building which would have a length of 24m and a depth of 13m would fill the width of the site, and would be positioned on the southern boundary immediately adjacent to the existing garage building.

The proposed apartments would be accessed via an existing driveway currently serving the yard to the rear of the site. A new vehicular access into the site would be created in the north western corner of the site and would provide a parking area for 8 vehicles, six of which would be located underneath the first floor accommodation within the frame of the existing building. All of the apartments would be accessed from this parking area at the rear of the building. A communal area of garden located behind a new 2.1m high wall fronting onto the common is provided, together with a small private garden area in the southern part of the site to serve the ground floor unit. A bin and cycle store is provided in the southern part of the site.

The proposed new front boundary wall, as now amended is set on the same line as the existing front boundary wall. New tree planting is proposed on the common land in front of the site, and the existing hardstanding to the existing property is to be removed, although this is on land designated as Common Land and will therefore require the approval of the Council as landowner.

The proposed building, as amended, indicates a building 8m in height with an eaves height of 4.5m. The roof whilst originally a crown flat has been amended to a series of pitched roofs. The building is proposed to be finished in brick with partial tile hanging at first floor and a plain tiled roof.
Existing elevations and floor plans

Front Elevation

Side Elevation

Rear Elevation

Side Elevation

Ground Floor Plan

First Floor Plan

Existing layout
Proposed Layout/Ground Floor Plan

Proposed north east elevation (facing Guildford Road)

Proposed south eastern elevation (facing garage)
Proposed south western elevation (facing Stennetts Yard)

Proposed north western elevation (facing access driveway)

Proposed first floor plan  Proposed roof plan

Proposed street scene
Relevant Planning History

There is a lengthy planning history related to this site, although much of the history is more specifically related to the land to the rear of the site and the adjacent garage.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Description</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA/2005/1766</td>
<td>Use of land for plant and vehicle hire, retention of office and welfare accommodation and refurbishment of existing store and workshop unit together with associated works.</td>
<td>Full permission 28/10/2005</td>
</tr>
<tr>
<td>WA/2001/2110</td>
<td>Use of land for plant and vehicle hire, erection of new office / workshop building with the installation of fuel tanks and associated works following demolition of existing buildings (as amplified by letter received 23/01/02, 20/02/02 and 26/02/02).</td>
<td>Full permission 6/03/2002</td>
</tr>
<tr>
<td>WA/1993/1618</td>
<td>Display of an illuminated sign</td>
<td>Consent granted 24/01/94</td>
</tr>
<tr>
<td>WA/1993/1617</td>
<td>Erection of a single storey vehicle valeting bay (as amended by plans received 14/01/94)</td>
<td>Full Permission 24/01/1994</td>
</tr>
<tr>
<td>WA/1993/0958</td>
<td>Display of two non illuminated signs (as amended by letters and plans received 22/09/93)</td>
<td>Consent granted 24/09/1993</td>
</tr>
<tr>
<td>WA/1992/0729</td>
<td>Use of land and buildings as waste deposit and recycling depot (as amplified by letter received 13/07/92)</td>
<td>Refused 7/09/1992</td>
</tr>
<tr>
<td>WA/1988/1730</td>
<td>Installation of fuel tank</td>
<td>Full Permission 11/10/1988</td>
</tr>
<tr>
<td>WA/1982/1143</td>
<td>Redevelopment of forecourt with new canopy and sales building</td>
<td>Full Permission 07/10/1982</td>
</tr>
<tr>
<td>WA/1982/0800</td>
<td>Outline application for the erection of one detached house and double garage</td>
<td>Refused 14/07/82 Appeal dismissed 5/12/1983</td>
</tr>
<tr>
<td>WA/1982/0608</td>
<td>Redevelopment of forecourt with new canopy and sales building</td>
<td>Refused 17/06/1982</td>
</tr>
<tr>
<td>WA/1981/1051</td>
<td>A portable concrete building housing MOT test equipment used for the purposes of carrying out MOT tests on private cars</td>
<td>Full permission 20/08/1981</td>
</tr>
<tr>
<td>WA/1981/0461</td>
<td>New petrol sales canopy for existing petrol station</td>
<td>Full Permission 26/06/1981</td>
</tr>
<tr>
<td>WA/1980/1986</td>
<td>Established use certificate application for transport of haulage depot including as subsidiary use garaging and maintenance of cars and commercial vehicles, transport office, maintenance and repair area warehousing of goods and all general service ancillary service.</td>
<td>Appeal allowed 5/12/1983</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Decision</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>WA/1980/1210</td>
<td>Change of use from Transport / Haulage depot to furniture warehousing and removal business, erection of new warehouse to replace existing workshop (outline)</td>
<td>Refused</td>
</tr>
<tr>
<td>WA/1980/0207</td>
<td>Demolition of existing garaging and workshops and the erection of two detached houses (outline)</td>
<td>Refused</td>
</tr>
<tr>
<td>WA/1980/0206</td>
<td>Demolition of existing garage and workshops and the erection of three detached houses (outline)</td>
<td>Refused</td>
</tr>
<tr>
<td>WA/1979/1480</td>
<td>Demolition of existing garages and the erection of dwelling houses (outline)</td>
<td>Refused</td>
</tr>
<tr>
<td>HM/R22285</td>
<td>Installation of 4,000 gallon petrol storage tank</td>
<td>Approve</td>
</tr>
<tr>
<td>HM/R 16597</td>
<td>Erection of a pair of semi detached two storey houses with garages</td>
<td>Refused</td>
</tr>
<tr>
<td>HM/R 15713</td>
<td>Relaid petrol forecourt crossovers and sales building</td>
<td>Approve</td>
</tr>
<tr>
<td>HM/R 14798</td>
<td>Construction of one 4,000 gallon storage tank</td>
<td>Approve</td>
</tr>
<tr>
<td>HM/R 14319</td>
<td>Demolition of existing building and erection of new one – garage of vehicles</td>
<td>Approve</td>
</tr>
</tbody>
</table>

**Planning Policy Constraints**

**Green Belt**
Within rural settlement boundary for Rowly
AGLV
Blackheath, Shamley Green and Wonersh Village Design Statement
Potential contaminated land
Low and Medium pressure pipeline

**Development Plan Policies and Proposals**

Saved Policies C1, RD1, D1, D4, of the Waverley Borough Local Plan 2002

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002) therefore remains the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. Paragraph 215 states that where a local authority does not have a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the
requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The Council is in the process of replacing the 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Development Management and Site Allocations) will follow the adoption of Part 1. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. Public consultation on potential housing scenarios and other issues took place in September/October 2014. The timetable for the preparation of the Local Plan (Part 1) is currently under review.

Other guidance:

- National Planning Policy Guidance (2014)
- Strategic Housing Land Availability Assessment (2014 update)
- Draft West Surrey Strategic Housing Market Assessment (2014)
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (Draft 2010 and factual update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2010)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)

Consultations and Parish Council Comments

<table>
<thead>
<tr>
<th>County Highway Authority</th>
<th>Recommends conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wonersh Parish Council</td>
<td>No objection in principle to the proposals. However it does consider that the planned front boundary wall could be particularly imposing upon the street scene and requests Waverley Borough Council to consider conditions upon any granted permission that might reduce this impact.</td>
</tr>
<tr>
<td>Thames Water</td>
<td>With regard to sewerage infrastructure and water infrastructure capacity Thames Water raise no objection.</td>
</tr>
<tr>
<td>Officer - Noise</td>
<td>Advises that there is a water main crossing the development site which may need diverting at the developers expense. Recommends informative.</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Noise and demolition / construction is likely to cross the no observed effect level and become noticeable.</td>
</tr>
<tr>
<td>Officer</td>
<td>In relation to dust and odour the development may potentially have an unacceptable impact during construction for nearby sensitive locations. Recommends an informative to ensure that the applicant is aware of their duties under Environmental Protection Legislation.</td>
</tr>
<tr>
<td>Countryside Manager</td>
<td>Application includes common land owned by WBC between the front wall of the development to Guildford Road. The applicant has no control over this land and cannot propose tree planting or changes to the current access track which is only for existing use. Any change to the access track across the common (both surfacing and position) would require the approval of WBC and an easement and a fee based on the value of the new development. The Council has a responsibility to protect the common land from encroachment under the Commons Regulation Scheme and common land must be available for public access and cannot be enclosed in any way.</td>
</tr>
<tr>
<td>Council’s Tree and Woodland Officer (Countryside)</td>
<td>The planting of one tree on the Common outside of the front of the proposed development is acceptable in principle, species, size and location to be agreed and paid for by the applicant.</td>
</tr>
<tr>
<td>Environmental Health Officer - Recycling</td>
<td>Bin and recycle store is in a satisfactory location, suggest a 660 litre refuse bin and 4 x 240 litre blue recycling bins.</td>
</tr>
<tr>
<td>Environmental Health Officer - Contamination</td>
<td>The site adjoins an area of existing commercial uses including motor vehicle repairs and servicing and contrary to the requirements of the NPPF and NPPG no information has been provided regarding the potential risks of contamination of the site arising from the current and historical land use. If minded to approved, recommends conditions. As well as future residential occupiers the site may also pose a risk to Controlled Waters underlying or in the vicinity of the development site. The applicant should seek specific advice from the EA to ensure that any risks to Controlled Water are properly assessed and mitigated.</td>
</tr>
<tr>
<td>Environmental Health Officer – Air Quality</td>
<td>Odour and dust can be a planning concern because of the effect on local amenity. Recommends a dust management plan for suppression of mud, dust and other emissions</td>
</tr>
</tbody>
</table>
during de-construction and construction phase; condition to prohibit burning of materials on site, and an hours of construction condition.

Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” neighbour notification letters were sent on 8th January 2015.

2 letters of objection have been received which raise the following objections:

- Concerned about potential problems of 4 new residents adjacent to a busy garage which operates 6 days a week, morning until night;
- Garage has security lighting and canopy lighting and car alarms often go off at night due to flat batteries;
- Implication of noise from the garage workshops to new residents;
- Wish to have assurance that there will not be long lasting feuds and complaints of noise and light pollution from long established business;
- Existing property is a well proportioned family property and should be retained;
- Overlooking and loss of privacy to neighbours house and garden;
- Noise and disturbance from a disproportionate number of people on a small plot, located closer to neighbouring dwellings;
- New brick wall on the boundary would be out of character with the area;
- Insufficient on site parking provision, potential for traffic to spill onto the access way and affect traffic flow at the roundabout;
- Loss of natural light due to proximity to neighbouring properties house and garden;
- Light pollution, including within the flats and security lighting of the communal garden, refuse and parking area;
- Potential road hazard of additional traffic flow exiting and entering the site close to roundabout;
- Density is out of character with the surroundings.

Submissions in support

In a supporting email, the agents indicate:

- Proposals will provide 4 affordable dwellings in Cranleigh;
- Proposal is for 2 bed flats for the affordable rental market;
- Client wishes to retain the freehold interest in the land / property but is willing to lease the scheme to an RSL (Housing Association) or have rents sent by legal agreement;
- Proposal offers a community asset providing valuable and affordable rental accommodation;
- Site is existing developed land and will limit wider expansion into Greenfield sites;
- Proposals will create a domestic frontage of traditional vernacular form and materials, screening the commercial yard to the rear;
• Design has been remodelled with ridges and valleys to design out the crown flat roof;
• The frontage would be the same width as three terrace cottages;
• Communal amenity area is not small compared to average gardens, or flats;
• Frontage wall can be designed with hedging;
• Proposals allow for screening of cars which would otherwise be evident in the public realm.

Determining Issues

Principle of development
Location of development and compliance with Green Belt and Policy RD1.
Impact on Landscape Character
Housing Land Supply
Density and Mix of Housing
Affordable housing Provision
Impact on visual amenity design
Residential amenity and play space
Car Parking, bin and bicycle storage
Contamination
Crime and disorder
Financial considerations
Climate change and sustainability
Biodiversity and compliance with Habitat Regulations 2010
Water Frameworks Regulations 2011
Accessibility and Equalities Act 2010 Implications
Human Rights Implications
Environmental Impact Regulations 2011
Working in a positive/proactive manner

Planning Considerations

Principle of development

The site is located within the Green Belt, the NPPF states that within the Green Belt inappropriate development is, by definition harmful and should not be approved except in very special circumstances. Any development which would materially detract from the openness or visual amenity of the Green Belt will not be permitted. Proposals for the limited infilling of villages may not constitute inappropriate development within the Green Belt. The application site also lies within the rural settlement area of Rowly.

The site is also located within an Area of Great Landscape Value wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute
to and enhance the natural and local environment by protecting and enhancing valued landscapes.

**Location of development and compliance with Green Belt and Policy RD1.**

As indicated above this site lies within the Green Belt, the NPPF states that within the Green Belt inappropriate development is, by definition harmful and should not be approved except in very special circumstances. Any development which would materially detract from the openness or visual amenity of the Green Belt will not be permitted. However, whilst the Green Belt washes over the settlement, proposals for the limited infilling of villages may not constitute inappropriate development within the Green Belt. This application site lies within the rural settlement area of Rowly.

Policy RD1 of the Local Plan states that development will only be permitted if it is well-related in scale and location to the existing development and:

a) Comprises infilling of a small gap in an otherwise continuous built up frontage or the development of land or buildings that are substantially surrounded by existing buildings; and
b) Does not result in the development of land which, by reason of its openness, physical characteristics or ecological value, makes a significant contribution to the character and amenities of the village; and
c) Does not adversely affect the urban/rural transition by using open land within the curtilage of buildings at the edge of the settlement; and
d) Takes account of the form, setting, local building style and heritage of the settlement; and
e) Generates a level of traffic which is compatible with the environment of the village and which can be satisfactorily accommodated on the surrounding network.

This site is considered to be a small gap in development, and is surrounded by existing development and would therefore comprise infilling of a small gap in an otherwise continuous built-up frontage. At this point the development is loose-knit and is only present on the south-west side of the carriageway. The proposal would not therefore conflict with criterion (a).

The surrounding development is relatively loose knit and spaciously positioned, reflecting the character of this edge of settlement location. The spacious character together with the set back position of the properties creates the semi rural character of the area. The proposed development filling the entire width of the site, offering no relief between built form will adversely affect the character of the area by using land within the curtilage of buildings at the edge of the settlement. It will also harm the gradual urban to rural transition at the edge of the settlement, which is an important feature of villages within the District, which policy RD1 seeks to retain. The proposal would therefore conflict with criterion (b) and (c).

The proposed development across the full width of the site would also not reflect the form and local building style. The proposal is therefore in conflict with criterion (d).
The proposal is not considered to comply with Local Plan policy RD1, as it harms the urban to rural transition given the scale of the development and its design. The NPPF at paragraph 89 identifies limited infilling as being an appropriate form of development in the Green Belt.

It is an Officers view that the proposed development would not constitute limited infilling of a site, given its scale and harm to the gradual transition from urban to rural which the site in its current form contributes to. As such, the proposal would constitute inappropriate development in the Green Belt given its conflict with paragraph 89 of the NPPF.

Impact on Landscape Character

The site is located within an Area of Great Landscape Value (and the AONB lies on the opposite side of the road), wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

This site lies at the edge of the rural settlement area and is clearly visible from the surrounding area, including from within the AONB, and in particular from the approach from the roundabout to the north of the site. Whilst it is acknowledged that the commercial premises to the rear of site would be obscured by the proposed building, it is considered that the visual break between the buildings is an important feature which contributes to the setting of the village. Furthermore villages and settlements are an intrinsic part of the landscape and development within them needs to be carefully controlled. The proposed building would be of a size and scale which would be out of character with the area and would have an adverse impact on the landscape character of the area contrary to Local Plan Policy C3.

Housing Land Supply

Paragraph 159 of the NPPF states that Local Planning Authorities should have a clear understanding of housing needs in their area, they should, inter alia prepare a Strategic Housing Market Assessment to assess their full housing needs; and prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified needs for housing over the plan period.

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their local plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five year supply of specific and deliverable sites against their housing requirements. Further, a supply of specific, developable sites or broad locations for growth should be identified for 6-11 years and, where possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.
Paragraph 49 of the NPPF continues that housing application should be considered in the context of the presumption in favour of sustainable development.

Paragraph 50 of the National Planning Policy Framework directs that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should, inter alia

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- Identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand.

It is considered that the Council’s policies with regards to assessing housing need and demonstrating supply, are consistent with the NPPF in their respect.

The provision of new market and affordable housing will assist in addressing the Council’s housing land supply requirements. Following the withdrawal of the Core Strategy from examination in October 2013, the Council agreed an interim housing target of 250 dwellings a year for the purposes of establishing five year housing supply in December 2013. That was the target in the revoked South East Plan and is the most recent housing target for Waverley that has been tested and adopted. However, as a result of court judgements, it is accepted that the Council should not use the South East Plan figure as its starting point for its five year housing supply and that the Council does not currently have an up-to-date housing supply policy from which to derive a five year housing land requirement.

It is acknowledged that both the latest household projections published by the Department for Communities and Local Government and the evidence in the emerging draft Strategic Housing Market Assessment point to a higher level of housing need in Waverley than that outlined within the South East Plan. Specifically, the Draft West Surrey SHMA December 2014 indicates an unvarnished figure of at least 512 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure, latest estimates suggest a housing land supply of 3.7 years based on the unvarnished housing supply figure of 512 dwellings per annum. This falls short of the 5 year housing land supply as required by the NPPF. This is a material consideration to be weighed against the other considerations for this application.

The application site lies within the defined rural settlement boundary of Rowly, and the proposed development would contribute to meeting the need for homes in Waverley, and this is a material consideration to be weighed against the other considerations for this application.
Density and mix of housing

The NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Local Plan 2002, in respect of housing mix, is considered to be broadly consistent with the approach in the NPPF. It outlines the Council’s requirements for mix as follows:

a) at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,
b) not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
c) no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

The Council’s Strategic Housing Market Assessment 2009 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan, however, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4.

The density element of Policy H4 has been superseded by guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances. The proposal is for four units, a net increase of three and all of the units are proposed to be 2 bed units. The proposals are therefore considered to be compliant with the detailed criteria of Policy H4.

In terms of the density however, the surrounding area being at the edge of the rural settlement is characteristically low, with properties set within relatively substantial plots. The proposed development would, when taking out the area of the Common Land and the shared access drive would result in a density of approximately 80 dwellings per hectare. Officers are of the view that a density of 80 dwellings per hectare would indicate a density of development completely out of character with its surrounding and would indicate an overdevelopment on this edge of settlement site.

The proposal would also not meet the minimum gross internal floor areas set out in the Government’s Technical Housing Standards – Nationally Described Space Standard (2015), as the proposed single bedroom in unit 3 has an internal floor area below 7.5 sq m, and one of the double bedrooms in unit 2 is less than 11.5 sq m, although this could be a
single bedroom. Officers consider that this is a further indication that the proposal would represent an overdevelopment on the site.

**Affordable Housing**

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2012 – 2015. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need. Planning mechanisms are an essential part of the Council’s strategy of meeting local housing needs.

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified. Whilst this site lies below the threshold for affordable housing provision as set out in Policy H5, and despite the application form indicating the provision of 4 x 2 bed market dwellings, the agents have indicated that the proposal will provide accommodation for the affordable rental market. The agents have indicated that whilst the applicant wishes to retain the freehold interest in the land / property, he would be to lease the scheme to a Registered Housing Association or have rents set by legal agreement.

The Strategic Housing Market Assessment (SHMA) estimates that there is a need for 515 additional affordable homes to be provided each year over a period of 5 years. It estimates a need for 70% of new affordable homes to be smaller 1 and 2 bedroom properties.

The proposal is for four, two bed units.

The updated housing register indicates the following:

<table>
<thead>
<tr>
<th></th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed+</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cranleigh</td>
<td>85</td>
<td>36</td>
<td>19</td>
<td>140</td>
</tr>
<tr>
<td>Rowly</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total Housing Register</td>
<td>939</td>
<td>456</td>
<td>158</td>
<td>1553</td>
</tr>
</tbody>
</table>

Whilst there is only one household on the housing register living in Rowly, there would be no policy requirement for the new homes to be restricted to Rowly or Cranleigh households, as this site is not being proposed as a rural exception site.

Whilst the proposal is not a form of affordable housing that is normally put forward, officers are of the view that the proposed units could be considered to be affordable housing as defined within the NPPF, if:
(1) the units are secured as affordable in perpetuity in the S106 agreement; and
(2) the rents (including service charges) are set at no more than 80% of market rents and below the maximum Local Housing Allowance level for the area – to be set out in the S106 agreement; and
(3) a Nomination Agreement is put in place to ensure that the vacancies are allocated to households in housing need in accordance with Waverley Borough Council's Allocation Scheme.

The strong preference would be for the scheme to be leased to a Registered Provider with experience of managing stock in Waverley. Registered Providers are able to offer a range of services to their tenants, including dealing with anti-social behaviour and neighbour disputes, initiatives to help tenants who are seeking employment, advice on energy efficiency and financial advice e.g. on welfare benefits. If the leasehold is retained by the landowner, rather than leased to a Registered Provider, there is a concern that the management of the tenancies and the arrangements for re-letting the properties when vacancies arise may not be consistent with other affordable housing in Waverley. Notwithstanding this preference however, in the event that the freehold is retained by the landowner and criteria (1) (2) and (3) are met, the units would still be a form of affordable housing in line with the NPPF.

In relation to the tenure the Draft SHMA recommends an affordable tenure split of 75% rent and 25% shared ownership. However, given the number of units proposed, the provision of 100% affordable rent would be acceptable in this instance. Furthermore, for managing and service charging reasons it would be practical for them to be one tenure.

The Draft SHMA and the Housing Register both demonstrate a need for 2-bed rented affordable housing, therefore, subject to the units being secured, via a legal agreement, as affordable housing as detailed above, the proposed development would meet housing need in Waverley and is a material consideration to be weighed against other considerations for the application.

However, in the case of this proposed application, the applicant is not a registered Affordable Housing provider, nor does the application form propose that these units are to be provided as affordable housing. Also no mechanism is in place to secure these properties as affordable homes, such as a S106 legal agreement, therefore very limited weight can be given to the suggest affordable housing offer in determining this application.

Impact on Visual amenities and design

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in
requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

In considering the proposed development, the Council’s Planning Projects Officer has been consulted in relation to the design. Officers consider that the site is located within a transitional area, moving from the clear countryside area to the north, to the semi-rural area to the south of the roundabout. The area is defined by ribbon development along the Guildford Road, primarily residential but including some commercial properties. Whilst some of the properties are well set back from the street frontage (providing large front garden areas), the buildings themselves are legible and traditional in the fact that the front door is directed towards the front of the site. Front boundaries are primarily defined using mature hedging although there are some low level brick walls and fences.

The existing site has a single detached property with a detached single garage. The property is set back from the street scene and is accessed via a private drive from a lane off of Guildford Road. The property lacks any meaningful private amenity space/garden as the internal arrangements of the site are largely hard landscaping to provide parking facilities for the residents. However, the building itself reflects the Surrey vernacular, with a plain tile roof, tile hanging to the first floor and a cream render to the ground floor. It also incorporates two chimneys. Directly adjacent to the property (to the south) is a garage which sells motor vehicles. The forecourt extends, in part in front of the property.

The proposal seeks to demolish the existing property and replace this with a two storey, and in part 1.5 storeys, block of four flats with car parking at the ground floor level, partially incorporated into the block. The amenity space provided would be incorporated to the front of the site and enclosed with a 2.1m high brick wall.

Officers are of the view that the proposal does not take the opportunities available to it to improve the existing relationships with the commercial garage to the south. The proposed very close relationship with the existing commercial premises adjacent has the potential to cause long term conflicts between the uses. The proposed development provides no relief in built form and proposes the provision of a habitable room immediately adjacent to the boundary with the garage, with an outlook over the forecourt.

Officers consider that the scale of the building is not commensurate with the location. This is a transitional area, defined primarily by domestic scale, detached homes. Whilst this in itself shouldn’t preclude an apartment style development, the appearance must be responsive to the surrounding area. The extended ridge line and eaves line are not characteristic of this area and only serve to highlight the differences of the proposed building compared to those in the locality.

The proposed building is not legible in the street scene. The frontage of the site will be formed by a 2.1m brick wall, more akin to an urban estate type development rather than a semi-rural, edge of settlement location. The design of the building itself also turns its back on the street, which is not the prevailing character of the street scene with the front doors and entrance to the building accessed amongst the car parking spaces. The amenity
space afforded to the flats is also behind a 2.1m high wall immediately adjacent to a commercial use.

The scale of the building, taking up the width of the entire site is not a common feature in this area and creates a more urban form, and does not reinforce the distinctiveness and character of the area. As indicated above, the proposed development would result in a density of approximately 80 dwellings per hectare, when the area of Common Land, outside of the applicants ownership, and the shared access drive is omitted from the site area. This is considerably higher than the prevailing density of the area and would further support the view that the proposal is more suited to an urban area.

Officers are of the view that the proposed development represents an overdevelopment of the site, does not address the existing street scene and introduces harmful urbanising elements not commonly found within the local area. To this end it neither accords with the NPPF design requirements or Local Plan Policies D1, D4 and RD1.

Residential amenity and play space

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council’s SPD for Residential Extensions.

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable ‘outdoor area’ should be provided in association with residential development and that ‘appropriate provision for children’s play’ is required. The proposed development provides an area of outdoor communal amenity space, although the provision is very close to an existing commercial premises. Notwithstanding this concern however the proposed development could not be refused on inadequate amenity space.

Whilst the concerns of neighbours are noted, it is considered that given the proposed distance from the northern boundary, it would be difficult to substantiate a reason for refusal on overbearing form or loss of light. Furthermore, whilst noting the first floor side window serving a bedroom, in the event that the scheme is acceptable an obscurely glazed condition would prevent any overlooking or loss of privacy.

The concerns regarding the proximity to and potential conflict with the existing commercial site are however acknowledged. The proposed living room to unit 2 is immediately
adjacent to the garage forecourt, and would be in very close proximity to the existing illuminated canopy and forecourt. Officers are concerned that this relationship will result in a level of residential amenity below that which could be reasonably expected in a principal living room, contrary to Local Plan Policies D1 and D4.

**Car Parking, bin and cycle storage**

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. Development proposals should comply with the appropriate guidance as set out within these documents.

The proposal provides accommodation for 8 car parking spaces which accords with the Council's parking requirements of 2 spaces per dwelling (2 bed). Concern however is expressed at the relatively constrained nature of the proposed parking and the ability for cars to turn within the site. It is noted that the Highway Authority standing advice advises that a 6.8m wide aisle between a space and a wall be proposed, whereas the proposal indicates 6m. The applicant has been requested to provide a swept path analysis in relation to the parking provision to demonstrate that cars can turn reasonably within the site. Members will be updated on this issue at Committee.

The proposal includes provision of a communal bin store and bike store, which would adequately provide for the development.

In the light of the above, and subject to further demonstration that vehicles can turn within the site, no objections are raised in relation to the level of vehicle or cycle parking provision, or bin storage.

**Contamination**

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, the responsibility for securing a safe development rests with the developer or landowner.

The Council's Environmental Health Officer has advised that the site adjoins an area of existing commercial uses including motor vehicle repairs and servicing. Contrary to the requirements of the NPPF and NPPG no information has been provided regarding the potential risk of contamination of the site arising from the current and historical land use. In the absence of such information, in the event that planning permission is granted specific and detailed conditions should be imposed preventing any development, other than that required as part of an approved scheme of remediation, until such time as the
conditions regarding the identification and remediation of contamination have been complied with.

Crime and disorder

S17(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 National Planning Policy Framework, 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 proposal it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF.

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.

The weight to be attached to these considerations is a matter for Committee.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total £4,350) per annum for six years. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal.

Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. The lack of any policy backing in this regard, however, prevents conditions being added to require this.

Biodiversity and compliance with Habitat Regulations 2010

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the
overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

When determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, 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 National Environment and Rural Communities Act 2006 states that the Council as local planning authority has a legal duty of care to protect biodiversity.

The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland, other than a very narrow strip of trees 156m to the north east, or water, and is not an agricultural building or barn. Having regard to this, and the location immediately adjacent to an operational garage with illuminated canopy and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance. However, an informative should be added to remind the applicant that protected species may be present at the property and that works should stop should they be found during the course of the works.

**Water Frameworks Regulations 2011**

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems
- promote the sustainable use of water
- reduce pollution of water, especially by ‘priority’ and ‘priority hazardous’ substances
- ensure progressive reduction of groundwater pollution

The proposal would not conflict with these regulations.

**Human Rights Implications**

The proposal would have no material impact on human rights.
Environmental Impact Regulations 2011

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 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.

Article 2(3) Development Management Procedure (Amendment) Order 2012

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:-

- 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;
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion/planning judgement

The proposed development of 4 apartments on a restricted site at the edge of the rural settlement, would by virtue of its size, which fills the full width of the site, the density and its detailed design, including the provision of a high boundary wall would represent an overdevelopment of the site. The proposal would introduce harmful urbanising elements out of character with the prevailing low density semi rural character of the area.

The proposed development would adversely affect the urban/rural transition and would not reflect and respect the wider street scene and local distinctiveness. The proposal would also constitute inappropriate development within the Green Belt, as it would not result in limited infilling between existing built form, given the scale and design of the building proposed. As such, the proposal conflicts with paragraph 89 of the NPPF.

The proposal would also adversely affect the landscape character of the area, designated as an Area of Great Landscape Value and the AONB which is opposite the site.

The proposal would result in a poor relationship between the proposed dwelling and existing commercial premises and would result in poor levels of amenity for proposed residents.

The proposal would, subject to an appropriate legal agreement, provide a level of affordable housing which would contribute to the housing needs of the Borough, however,
in the absence of a mechanism to secure this provision limited weight is given to this matter. As a result it would not outweigh the substantial dis-benefits in terms of the impact of the proposed building on the character of this sensitive edge of settlement location and the Green Belt.

Officers conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate that the proposal should be resisted.

**Recommendation**

That subject to the consideration of any new material considerations from outstanding consultations, and clarification regarding vehicle movements on site, then permission be REFUSED for the following reasons:

1. **Reason:**
   The proposal conflicts with national policy advice regarding Green Belts set out within the National Planning Policy Framework (2012) and Planning Policy Guidance (2014). There is a general presumption against inappropriate development and development which adversely affects the openness of the Green Belt. The proposed development would not constitute limited infilling of an existing site and therefore conflicts with Paragraph 89 of the NPPF. No considerations have been put forward which outweigh the harm to the Green Belt by reason of the inappropriateness, and any other harm, so as to amount to very special circumstances.

2. **Reason**
   The proposed development does not comply with the requirements of Policy RD1 because it represents an undesirable intensification and urbanised form of development, at a scale and density out of character with the immediate locality on land at the edge of the settlement, which would adversely affect the urban/rural transition and would be detrimental to the more spacious and open character of the periphery of the settlement.

3. **Reason**
   The proposed development comprises an undesirable overdevelopment of the site out of keeping with and detrimental to the character and appearance of the area and if permitted, would by virtue of intensification of the development on the site and the proximity to existing commercial premises, result in a poor level of residential amenity for proposed residents in conflict with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

4. **Reason**
   The site lies within an Area of Great Landscape Value, and immediately opposite an Area of Outstanding Natural Beauty within which the landscape character is to be conserved and enhanced. The proposal is by virtue of the size of the built form filling the width of the site and its out of character appearance in this relatively low density area would be
inconsistent with this aim and conflicts with national and local policies set out in Policy C3 of the Waverley Borough Local Plan 2002.

5. **Reason**
The proposed development would represent an overdevelopment of the site with a scale and form of development that is not commensurate with the location, does not address the existing street scene and introduces harmful urbanising elements out of character with the surrounding area. The proposal would therefore be contrary to Local Plan Policies D1 and D4.

**Informatives**

1. This decision relates to the following plans:
   14-08-01 Rev C; 12-08-02 Rev B; 14-08-03 Rev B; 14-08-04; Topographical survey

2. Notwithstanding the decision the applicant is advised that the land immediately in front of the site is Common Land and an easement to access the site will be separately required from the Council for any intensification or alteration of the existing access.

3. 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.