

WA/2022/02046 – Erection of one detached dwelling and garage following the demolition of the existing garage at 33 AVELEY LANE, FARNHAM, GU9 8PR

Applicant: Tom Garsed-Bennet
Parish: Farnham
Ward: Farnham Bourne
Case Officer: Michael Eastham
Neighbour Notification Expiry Date: 05/09/2022
Expiry Date/Extended Expiry Date: 15/02/2023

RECOMMENDATION

That, subject to the applicant entering into an appropriate S106 Agreement securing a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) within the 5km buffer of the Thames Basin Heath SPA; and to facilitate any works required in respect of the access across land classified as Common Land and that the necessary statutory processes as per the Commons Act 2006 have been sought and secured prior to the commencement of the development, and subject to the conditions listed below, permission be **GRANTED**

1. Site Description

The application site located in a suburban area to the south of Farnham comprises a large irregular tract of land, measuring 0.02 hectares in the back garden of Number 33 Aveley Lane. The site is surrounded by dwellings on Valley Lane, White Rose Lane and Aveley Lane, and their associated gardens. The rear garden includes a couple of log cabins and a greenhouse. The land level slopes down from the north to the south and the application site is at a lower level than the existing two storey detached dwelling. There are a number of mature oak trees growing on or close to the boundaries of the site; and the site is bounded by hedgerows and hedgerow trees.

2. Proposal

Planning permission is sought for the erection of one 4-bed detached dwelling and a detached double garage located to the south-east of the existing dwelling at Number 33 Aveley Lane. The proposed new dwelling would comprise a two-storey structure with raised decking along the southern and eastern elevations, with a flat roof which would be covered in sedum. The site would be accessed from Aveley Lane via the existing driveway serving Number 33 Aveley Lane; and the driveway would be extended by demolishing the integral garage to gain vehicular access to the rear of the site.

3. Relevant Planning History

WA/2023/00101 - Erection of two storey and single storey extensions and alterations following demolition of existing attached garage, kitchen and chimneys; erection of outbuilding to provide garage, gym and home office at Number 33 Aveley Lane. Pending determination.

WA/2021/01921 – Erection of two-storey front, side and rear extension and erection of single storey side extension with internal alterations and associated roof works following the demolition of the existing garage, covered walkway and kitchen. Granted on 25/03/2022.

WA/2018/2081 – Erection of extensions and alterations following the demolition of existing elements. Granted on 25/01/2019.

4. Relevant Planning Constraints

- Wealden Heaths I SPA 5km buffer zone
- Thames Basin Heath SPA 5km buffer zone
- Registered Common Land (Land in Aveley Lane)
- Access Land (Common Land)

5. Relevant Development Plan Policies and Guidance

Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018)

Policies SP1, SP2, ST1, ALH1, AHN3, RE3, TD1, NE1, NE2, NE3, CC1, CC2, CC4, RE3

Waverley Borough Council Local Plan 2002 (retained policies February 2018)

Policies C7, D1, D4, D7, D8, D9

South-East Plan 2009 was the Regional Spatial Strategy (RSS) for the South-

East region. The Plan was revoked in March 2013 except for Policy NRM6: Thames Basin Heath Special Protection Area. This policy remains in force.

Farnham Neighbourhood Plan 2020:

Policies FNP1, FNP12, FNP13, FNP27

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), the Local Plan: Part 1 (2018), the Farnham Neighbourhood Plan and the South-East Plan 2009 in relation to Policy NRM6 are 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 219 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 the 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 Waverley Draft Local Plan Part 2: Site Allocations and Development Management Policies (December 2022) (LPP2) is now at an advanced stage of preparation. At the time of writing this report, the Planning Inspector had issued his final report and recommended Main Modifications which are to be reported to Executive and Council on 21 March with a recommendation that Local Plan (Part 2) is adopted.

The Inspector concluded that, subject to Main Modifications, LPP2 is legally compliant and sound. As such, all emerging Policies within LPP2 now carry significant weight. The relevant policies are as follows: DM1, DM2, DM4, DM5, DM6, DM7, DM9, DM11.

Other Guidance

National Planning Policy Framework (2021)

National Planning Practice Guidance (2014)

Waverley Council's Parking Guidelines (2013)

Surrey County Council Vehicular and Cycle Parking Guidance (2018)

Climate Change and Sustainability SPD (October 2022)

National Design Guide (2019)

Farnham Design Statement (2010)

6. Consultations and Town/Parish Council Comments

Farnham Town Council:	Object unless the new dwelling is conformed compliant with Farnham Design Statement, Neighbourhood Plan Policy FNP1, Local Plan: Part 1 Policies TD1, CC1 and CC2. Objections have been raised by neighbours about discrepancies with the width of the access and the potential loss of trees and harm to tree roots; clarification must be sought.
County Highway Authority:	No objection subject to conditions relating to the provision of secure, covered cycle parking; the provision of an EV charging point; the provision of car parking spaces; and the submission of a Construction Transport Management Plan.
Natural England	No comments to make on this application, as long as the relevant avoidance and mitigation measures

specified in the Appropriate Assessment are secured.

Surrey Wildlife Trust:	Recommended mitigation measures. A condition is recommended requiring the submission of a Habitat Enhancement Management Strategy prior to commencement.
Lead Local Flood Authority:	No objection subject to a condition to ensure that a suitable surface water drainage scheme is implemented and maintained throughout the lifetime of the development.
Southern Water:	The site is not located within Southern Water's statutory area for water supply and wastewater drainage services.
Thames Water:	No comments to make.
Council's Tree Officer:	No objection subject to conditions relating to the submission of an Arboriculture Impact Assessment, Arboriculture Method Statement and Tree Protection Plan, the provision of tree protection measures and the submission and implementation of a landscaping scheme.

7. Representations

Twenty-one representations have been received objecting to the proposed development for the following reasons:

- Surrounding dwellings lie below height of proposed dwelling, due to topography.
- Raised viewing platform would overlook Numbers 4 and 6 White Rose Lane.
- Noise from people on raised viewing platform would affect neighbours.
- Hedges could be removed/lowered resulting in loss of privacy to neighbours.
- Reduce size of raised viewing platform to minimise impact on trees (T1/T2).
- Proposed design does not reflect the character and appearance of area.
- Proposal is not sympathetic to surrounding built environment and landscape.
- Proposal does not comply with Policies D1 and D4 of the Local Plan 2002.
- Proposal contrary to Policy FNP1 as it does not respect natural contours of site.
- Widening of access would encroach on common land and damage woodland.
- Widening of vehicular access is unnecessary.
- Lack of detailed ecological assessment by qualified professional ecologist.
- Accuracy / inaccuracy of the plot dimensions.
- Proposed dwelling is 2.0m from western boundary; it should be re-sited centrally

- Move dwelling 1.5m/2.0m south; lower height by 1.0m reduce impact on No. 6 White Rose Lane.
- No consideration of drainage running through Nos. 4 and 6 White Rose Lane.
- A new wastewater sewer would avoid overflows in 4 and 6 White Rose Lane.
- Condition should be imposed restricting hours of construction to weekdays only.

One representation has been received expressing comment in relation to the condition of the road and the management of construction traffic.

Determining Issues

Principle of development

Housing Land Supply

Design and Appearance

Impact on residential amenity

Impact on Trees

Highways and Parking

Biodiversity and compliance with Habitats and Species Regulations 2017

Effect upon the Thames Basin Heaths Special Protection Area (SPA)

Effect upon the Wealden Heaths Special Protection Area (SPA)

Drainage

Sustainability

Other Matters

8. Planning Considerations:

Principle of development

The site is located within the defined settlement of Farnham.

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

Policy SP2 of Part 1 (LPP1) 2018, of the new Local Plan sets out the Council's spatial strategy and says that development will be focused on 4 main settlements, one of which is Farnham. LPP1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy ALH1 of LPP1 sets out the overall target for housing delivery of 11,210 homes (equivalent to at least 590 per annum), with at least 2,780 directed towards Farnham as a main settlement.

As such, the principle of residential development on this site is acceptable in principle.

Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 20 February 2023 on 28 February 2023. The Council calculates it currently has

between 4.15 and 4.56 years' worth of housing land supply. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF 21 is engaged via footnote 8. As the Council cannot currently demonstrate a 5-year supply, the Council accepts that the 'tilted balance' at paragraph 11(d) of the NPPF is engaged and the development plan policies most important in the determination of the application must be considered out-of-date. Permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits. From February 2023 the Council will be subject to the Standard Method for housing need which will potentially affect the Council's annual housing requirement.

Design and Appearance

Policy TD1 of the Local Plan: Part 1 states "the Council will ensure that the character and amenity of the Borough are protected by requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located." Retained policies D1 and D4 of the Local Plan 2002 seek high-quality design.

Policy DM1 of emerging LPP2 states that development should not cause harm or damage to existing environmental assets and, and maximise opportunities to enhance such assets. Policy DM4 of LPP2 states that all new development will be expected to be of a high quality design. Development should respond effectively to its surroundings, reinforcing local distinctiveness and landscape and historic townscape character. It sets the principles of good design.

Policy FNP1 of the Farnham NP states: "new development will be permitted where it:

- a) is designed to a high quality which responds to the heritage and distinctive character of the individual area of Farnham in which it is located, by way of:
 - i. height, scale, density, layout, orientation, design and materials of buildings,
 - ii. boundary treatment,
 - iii. the scale, design and materials of the public realm.
- b) Follows guidance in the Farnham Design Statement;
- c) Protects and enhances heritage assets and their setting;
- d) Respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site;
- e) Is well integrated into the landscape by existing and new landscape buffers;
- f) Will not be at an unacceptable risk of flooding itself, and will not result in any increased risk of flooding elsewhere; and
- g) Will not result in unacceptable levels of light, noise, air or water pollution".

The site is within the Bourne character area in the Farnham Design Statement (2010) and this area comprises of varied architecture and it is particularly notable for its greenery around the houses and high-quality natural environment; and new development should respect the special character of the Bourne.

The proposed dwelling would be a two-storey pavilion style building with a flat sedum covered roof, together with a detached double garage with a matching flat roof. The dwelling would have the appearance of a single storey structure when viewed from the front (from the north), as the lower ground floor would be partly cut into the ground; but

the dwelling would have a two-storey appearance when viewed from the south; together with an area of raised decking along the southern and eastern elevations with a staircase down to the garden.

The proposed dwelling would be of a contemporary design with white rendered walls and extensive glazing on the rear (southern) elevation. The contemporary appearance of the proposed development would not conflict with the existing dwellings in Aveley Lane and would not be harmful to the character or appearance of the area. The proposed dwelling would measure 18.8m wide, by 9.0m deep, with a roof height of 6.1m. The proposed double garage would measure 6.1m wide by 6.0m deep. The flat roofs on the dwelling and the double garage would ensure that the roofscape of both buildings did not have an overbearing impact on the surrounding area, especially as both buildings would be located at the lowest point in the site.

The land level slopes down from the north to the south and the application site is at a lower level than the existing two storey detached dwelling (33 Aveley Lane); and the siting of the proposed dwelling at the lowest point of the site would clearly respect the natural contours of the site. It is acknowledged that the surrounding dwellings lie below the height of the proposed dwelling and the existing dwelling at Number 33 Aveley Lane, due to the topography of the site and the adjacent land. However, the site is well-screened by hedgerows and hedgerow trees.

Officers are satisfied that the design, appearance and size of the proposed dwelling and the associated double garage would not cause material harm to the wider residential area, due to the large size of the plot, the siting of the dwelling at the lowest point on the site; the scale of the dwelling which has the appearance of a single storey structure when viewed from the north; and the contemporary design and appearance of the dwelling.

As such, the proposal complies with Policies D1 and D4 of the Local Plan 2002, Policy TD1 of the Local Plan: Part 1, Policy FNP1 of the Farnham Neighbourhood Plan, the Farnham Design Statement (2010), emerging Policies DM1 and DM4 and the NPPF.

Impact on residential amenity

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 Retained Policies D1 and D4 of the Local Plan 2002 and guidance contained in the Council's SPD for Residential Extensions. Policy DM5 of the emerging LPP2 states that development should avoid harm to the amenity of future and existing occupants of nearby land, buildings and residences including by way of overlooking, loss of daylight or sunlight, or overbearing appearance.

The floor area of the proposed dwelling would be ample for the proposed occupancy, all habitable rooms would be adequately lit, and the outdoor amenity space at the rear and the raised decking along the southern and eastern elevations would be commensurate with the footprint. The dwelling would provide a good standard of occupation for future occupiers; in accordance with the national space standards (NDSS).

The nearest residential properties to the site are the adjacent dwellings at Numbers 4 and 6 White Rose Lane and Number 5 Valley Lane; and concerns have been raised by the neighbouring residents in respect of impact on privacy and overlooking specifically from the raised decking. Neighbouring residents claim that the raised decking along the southern and eastern elevations would overlook Numbers 4 and 6 White Rose Lane; and noise from people on the decking would affect their quality of life. In practice, substantial screening would be retained along the boundary of the site which would reduce overlooking and help to minimise noise generated from residents on the raised decking.

The Council's Residential Extensions SPD (2010) recommends that the location of windows (especially to principle habitable rooms) is critical to ensure that overlooking does not occur and therefore reduce the neighbours' privacy. The general rule of thumb is that there should be a distance of at least 21 metres between proposed windows and those of neighbouring properties and 18 metres between proposed windows and neighbouring private amenity space. The distances between the windows on the proposed development and the windows on Numbers 4 and 6 White Rose Lane and Number 5 Valley Lane would exceed 21m which complies with the guidance in the Council's Residential Extension SPD.

There is scope for the occupiers of the existing dwelling (Number 33 Aveley Lane) to overlook the proposed hard standing, car parking area and the double garage of the proposed dwelling. The residual garden area of the existing dwelling would be diminished and subject to an embankment to the rear; however, there is sufficient space to accommodate the new dwelling due to the extensive size of the plot. As such, it is considered that the proposed layout and scale of the residential development would respect its context and the relationship to adjacent dwellings and gardens.

Due to the change in levels and the orientation of the proposed dwelling there would be no overlooking of the existing dwelling (Number 33 Aveley Lane), but the garden to the proposed development would be overlooked from the rear garden retained by the existing dwelling (Number 33 Aveley Lane). The proposed dwelling would be located at the bottom of the garden and open space to the rear of the existing dwelling at Number 33 Aveley Lane the site and would not produce any significantly harmful overbearing impact to neighbouring gardens on or off site, nor any unacceptable noise impact.

The proposed dwelling would be orientated so that the primary habitable room windows would face north and south, rather than east or west toward the neighbouring properties on White Rose Lane and Valley Lane. It is acknowledged that no habitable room windows are proposed on the western (side) elevation facing the rear garden of Number 6 White Rose Lane. With the orientation of the proposed dwelling, there would be approximately 3.0 metres from the two storey rear elevation of the proposed dwelling and the boundary with Number 6 White Rose Lane and 3.0 metres from the boundary with Number 5 Valley Lane, which is characteristic of much of the residential development off White Rose Lane and Valley Lane and it would comply with the guidance in the Council's Residential Extensions SPD.

Overall, it is considered that the proposed development would not cause material harm to neighbouring amenity and would comply with saved Policies D1 and D4 of the Local Plan 2002, Policy TD1 of the Local Plan: Part 1, Policy DM5 of emerging LPP2, the NPPF and guidance contained in the Council's SPD for Residential Extensions

Impact on Trees

Policy NE2 of LPP1—and Policy DM11 of emerging LPP2 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Retained Policies D6 and D7 of the Local Plan 2002 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

A large number of trees have been removed by the owner over the years, but 2 mature oak trees (T1 and T2) remain on the eastern boundary of the site and a mature oak (T5) on the western boundary which may be affected by the proposed development. The site is located next to woodland and common land which is a habitat for wildlife.

There were concerns from an objector regarding future pressure to cut back neighbouring trees from the new build. The Tree Report prepared by Green Earth Arboricultural & Environmental Consultancy identifies the two nearest English Oak trees T1 and T2 along the east boundary. Although the root protection areas (RPAs) extend into the site their branches have been significantly lopped and would not require cutting back to facilitate the development. It is important however to ensure that the RPA areas are not impacted upon by the development by providing ground protection. The other Oak trees within neighbouring gardens are adequately protected with fencing. The WBC Tree Officer considers that there is scope for future tree planting towards the southern and northern parts of the site which should be the subject of a landscaping condition.

Neighbouring residents have requested that the dwelling should be re-sited centrally; but if the dwelling was moved eastwards it would be located within the root protection areas (RPAs) of 2 mature oak trees (T1 and T2) which would not be acceptable as the foundations would have an adverse impact on the tree roots.

The submitted tree report identifies the extent of the RPA of the 2 mature oak trees (T1 and T2) on the eastern boundary of the site; this RPA on the eastern boundary and the oak tree (T5) on the western boundary, require a further arboricultural method statement to be submitted by means of a condition. The method statement must detail how the RPAs of T1, T2 and T5 will not become indirectly damaged by compaction and contamination. The underlying soils within the RPA must not be lowered and all new hard surfaces such as patios must be built above the existing soil level, porous and breathable (i.e. coarse inert 'no-fines' washed grit as substrate and between each patio slab).

Overall, the proposal would not result in the loss of trees that make a significant contribution to the landscape. However, it is considered necessary that some replacement tree planting is implemented to help mitigate the visual impact of the new buildings in the site's location. A condition seeking this requirement is therefore considered necessary and applicable in this case. As such, subject to a replacement tree planting condition, a condition requiring the submission of a further Arboriculture Impact Assessment, Arboriculture Method Statement and Tree Protection Plan, and a

landscaping condition the proposed development complies with saved Policies D6 and D7 of the Local Plan 2002, DM11 of emerging LPP2 and the NPPF, 2021.

Highways and Parking

The proposed access to the new dwelling is an extension of an existing residential access across land classified as Common Land. Therefore, taking into account that the access may need to be widened to provide fire access, servicing access and work connected with the garage to be demolished to facilitate the extended vehicle access, the County Highway Authority is of the opinion that this would have an impact on Common Land and could damage woodland. The County Highway Authority advises that the LPA secures an appropriately worded Section 106 Agreement to facilitate any works required in respect of the access and that the necessary statutory processes as per the Commons Act 2006 have been sought and secured prior to the commencement of the development.

In response to the comments made by the County Highway Authority, the original title plan from when the applicant moved in 5 years ago clearly shows the driveway being as it is now and it does not encroach into the woodland in any way. It also shows the boundary to the north being the same as it is now between the domestic curtilage of Number 33 Aveley Lane and the adjacent common land.

In connection to the impact of a new dwelling, the County Highway Authority has taken into consideration the net additional traffic generation and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway. Construction traffic would likely cause some temporary disruption, but as this is a transient issue it does not amount to significant harm. However, the Construction Transport Management Plan recommended by the County Highway Authority is considered justified in this instance due to the relatively constrained site access, and a condition has been included to secure its implementation.

Three off-road car parking spaces would be provided for the proposed dwelling, two within the double garage and one within the forecourt, in compliance with the Council's adopted Car Parking Guidelines (2013).

Overall, the proposal would provide safe access to the site and would not cause harm to highway safety; and the proposed parking provision complies with the Council's parking guidelines. As such, the proposed development is considered to comply with Policy ST1 of the Local Plan: Part 1, the Council's Parking Guidelines (2013), Policy DM9 of the emerging LPP2 and the NPPF.

Biodiversity and compliance with Habitats and Species Regulations 2017

Policy NE1 of the Local Plan: Part 1 states: "the Council will seek to conserve and enhance biodiversity within Waverley. Development will be permitted provided that it retains, protects and enhances features of biodiversity and ensures appropriate management of those features; and ensures any adverse impacts are avoided, or if

unavoidable, are appropriately mitigated.” Policy DM1 of emerging LPP2 sets out that development should avoid negative impacts upon biodiversity.

The site consists of short sward amenity grassland with scattered introduced ornamental scrub areas and a section of bare ground surrounded by a hedgerow. The submitted Ecological Report, prepared by Darwin Ecology Ltd, dated July 2022 concludes that habitats on site provide opportunities for nesting birds, foraging bats and hedgehogs. The buildings in the rear garden were assessed as providing a negligible potential for bats and no mitigation or compensation is required for their loss. A sensitive lighting scheme is recommended in accordance with the Guidance by the International Lighting Professionals and the Bat Conservation Trust (2018). The Ecological Report recommends that an updated walkover of the site is undertaken immediately prior to the start of works to check for any active badger setts; that the removal of any brush piles is undertaken outside of the hedgehog hibernation period (March to October inclusive); and that initial development works are undertaken outside of the usual bird breeding season (March to August inclusive). Ecological enhancements are recommended comprising the installation of 2 integrated bat boxes into the proposed dwelling; and the installation of bird boxes within the new dwelling or on mature trees on the site; and all amenity planting and formally landscaped areas should be designed using a variety of plant species beneficial for wildlife.

The applicant has submitted additional information (dated 27th February 2023) to show that the ecology survey includes all areas and habitats within the proposed development site, and appropriately considered woodland habitat in close proximity to the site. Habitat enhancements have been proposed and these could be included in a Habitat Enhancement Management Strategy, which would include the proposed sandy bank and wildflower strip. Surrey Wildlife Trust is satisfied with the information submitted and has requested that the Habitat Enhancement Management Strategy is conditioned.

Overall, it has been demonstrated to the satisfaction of Officers and Surrey Wildlife Trust that the proposal would not cause harm to protected species, while a degree of ecological enhancement would be secured. Suitable conditions are recommended to ensure the development is undertaken in accordance with the recommendations set out in the Ecological Report; to protect bats; and to ensure the provision of ecological enhancements. Furthermore, an informative should be added to remind the applicant that protected species may be present and that works should stop should they be found during the course of the works.

As such, subject to conditions, it is considered that the proposed development complies with Policy NE1 of the Local Plan: Part 1, DM1 of the emerging LPP2 and the NPPF, in terms of habitat protection and ecological enhancement.

Effect upon the Thames Basin Heaths Special Protection Area (SPA)

The site is within 5km of the Thames Basin Heaths Special Protection Area (SPA). The net addition of one dwelling would result in an increase in the number of people permanently residing on the site and therefore would have a likely significant effect on the integrity of the Thames Basin Heaths SPA.

The applicant is willing to enter into a S106 Agreement for a contribution of £4,283.48 towards the provision of Suitable Alternative Natural Greenspace (SANG) within the 5km buffer of the Thames Basin Heath SPA.

The Council has carried out an Appropriate Assessment in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. The Council is content that the documentation provided by the applicant is sufficient to demonstrate that the proposed development will not result in an adverse effect on the integrity of the European site. There is sufficient capacity at Farnham Park SANG.

Natural England has no comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured. The applicant will need to enter into a Section 106 agreement securing a financial contribution towards the SANG.

As such, subject to a Section 106 agreement securing a financial contribution towards the SANG it is considered that the proposed development complies with Policies NE1 and NE3 of the Local Plan: Part 1, 2018, Policy FNP12 of the Farnham Neighbourhood Plan, Policy NRM6 of the South East Plan, 2009 and the NPPF.

Effect upon the Wealden Heaths Special Protection Area (SPA)

The site is within 5km of the Wealden Heaths I Special Protection Area (SPA). The net addition of one dwelling is not considered likely to have a significant effect on the SPA. In drawing this conclusion regard has been had to guidance provided to the Council by Natural England.

Drainage

Elements of the proposed access are at varying degrees of risk of surface water flooding, and the topography of the main part of the site suggests that surface water flows toward the adjacent dwellings at Numbers 4 and 6 White Rose Lane. Neighbouring residents have objected claiming that no consideration has been given to drainage running through Nos. 4 and 6 White Rose Lane and they have suggested that the construction of a new wastewater sewer would avoid overflows at Numbers 4 and 6 White Rose Lane. Thames Water has submitted a consultation response stating 'no comment to make' on the application. Therefore, the existing wastewater drainage network is considered to be acceptable and capable of accommodating the additional flows from the proposed new dwelling. Surface water drainage details will be secured by condition as requested by the Lead Local Flood Authority, thereby ensuring flood risk is not increased.

Sustainability

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

emissions through a number of measures relating to new development. Policy DM1 and DM2 of emerging LPP2 seeks to improve energy efficiency and reduce carbon emissions in the Borough.

The permission would be conditioned to ensure appropriate sustainability and climate change measures within the development such as the requirement for an electric vehicle charging point and the requirement that the dwelling meets the 110 litres of water per person per day in accordance with the above policies.

Other Matters

Third party comments have been received regarding the accuracy of the plot dimensions, but the land registry field plan supports where the boundary is and the Officers hereby confirms that the plot dimensions are accurate.

9. Conclusion

The proposed residential development would provide one additional unit of accommodation in a sustainable location. There would be no significant impact to the character of the area, or to neighbouring amenity. The application is therefore recommended for approval subject to conditions and a legal agreement securing a contribution towards the provision of Suitable Alternative Natural Greenspace (SANG).

Recommendation

That, subject to the applicant entering into an appropriate Section 106 agreement securing a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) within the 5km buffer of the Thames Basin Heath SPA; and to facilitate any works required in respect of the access across land classified as Common Land and that the necessary statutory processes as per the Commons Act 2006 have been sought and secured prior to the commencement of the development, that permission be **GRANTED** subject to the following conditions:

1. Condition:

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

Location Plan 1/1250

Drawing No. GP/05/22 Rev. D – Proposed Block Plan

Drawing No. GP/03/22 – Existing Topographical Survey and Sections

Drawing No. GP/02/22 Rev. E – Proposed Floor Plans and Elevations

Drawing No. GP/01/22 Rev. A – Proposed Floor Plan and Elevations

No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

In order that the development hereby permitted shall be implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan (Part 1) 2018, retained Policies D1 and D4 of the Local Plan 2002 and Policies DM1, DM4 and DM5 of the Local Plan Part 2 (draft, 2022).

2. Condition:

No above ground development associated with the dwelling hereby permitted shall commence until details and samples of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM1 and DM4 of Local Plan Part 2 (draft 2022) retained Policies D1 and D4 of the Local Plan 2002.

3. Condition:

Prior to the commencement of the development hereby permitted, a landscape scheme including method of planting and establishment in accordance with BS 8545:2014 and BS5837 (2012) shall be submitted to the Local Planning Authority in writing. The scheme shall include the following information.

- (a) A scaled plan containing the location of new trees and plants
- (b) List of tree/plant species and sizes according to Nursery Stock detail
- (c) Tree pit dimensions, planting techniques, method of support and protection
- (d) Method of irrigation and weekly watering frequency at peak growing and dry periods
- (e) Detail of the planting site monitoring schedule in report format to be submitted for approval by Local Planning Authority

Planting site monitoring shall be carried out monthly by the appointed landscape consultant/delegated person, or as otherwise agreed with the Local Authority.

Planting site monitoring shall identify and arrange for completion of the following key activities to include:

- a. Checking health and condition of plants and trees
- b. Checking watering application as sufficient to maintain healthy roots
- c. Carrying out formative pruning
- d. Checking and securing loose supports, tie-straps, stakes
- e. Checking and securing strimmers, guards and other plant protection
- f. Arranging for replacement of plants and trees in the following planting season that are found to be beyond full recovery.

This part of the Condition shall only be fully discharged on completion of a 5-

year management plan and subject to receiving satisfactory written evidence of contemporaneous monitoring and compliance including activities mentioned above and replacement planting by the pre-appointed landscape specialist throughout the 5 year landscape scheme. The above detail must be submitted to and agreed in writing by the Local Planning Authority before construction commences.

Reason:

In the interests of the visual amenity and in order to adequately protect all trees and hedges worthy of retention from development harm and to provide for their continued amenity contribution with biodiversity enhancement in accordance with Policies TD1 and NE2 of the Local Plan (Part 1) 2018, Policies D1, D4, D6 and D7 of the Local Plan (2002)

4. Condition:

The dwelling hereby permitted shall not be occupied until details of the boundary treatment around the perimeter of the site have been submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

To safeguard the amenities of the neighbouring properties in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM4 and DM5 of the Local Plan Part 2 (draft 2022).

5. Condition:

The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site, including the finished floor levels of the proposed dwelling, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

In the interests of the amenities of neighbouring properties and the character of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM5 of the Local Plan Part 2 (draft 2022). This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

6. Condition:

The dwelling hereby permitted shall not be occupied until written evidence has been submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that it will achieve a maximum water use of no more than 110 litres

per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition with 2016 amendments). Such evidence shall be in the form of a Design Stage water efficiency calculator. The development shall be completed wholly in accordance with the agreed details.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policies CC1 and CC2 of the Local Plan (Part 1) 2018 and Policy DM2 of Local Plan Part 2 (draft 2022)

7. Condition:

Prior to the commencement of the development hereby permitted, an Arboriculture Impact Assessment, Arboriculture Method Statement and Tree Protection Plan must be submitted to Local Planning Authority for their prior approval. The Local Authority also require detail to include

- (a) Location detail of soil, material storage, mixing areas, construction access, portacabins/portaloos and parking areas outside of RPAs and 3m minimum distance of hedgerows
- (b) Detail of ground level changes within 15m of retained trees
- (c) Detail of interlocking/static ground protection for expected traffic loads within RPAs
- (d) Detail of hard surface and method of construction within the encroachment of RPAs (T1, 2 and 5)
- (e) Plans showing all services and routes including electric, water, gas, telecommunications/TV/broadband cables, surface/suds and foul water drainage associated with this development

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

Reason:

In the interests of the protection of the rooting areas of trees in the interests of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM11 of the Local Plan Part 2 (draft 2022).

8. Condition:

Prior to the commencement of the development hereby permitted, the Local Authority shall be notified at least 2 weeks before any excavation/construction activities and associated vehicular movement commences within the site to ensure ground and fence protection is in accordance with the arboriculture method statement and tree protection plan.

Reason:

In the interests of the protection of the rooting areas of trees prior to construction and preservation of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 and Policies DM1 and DM11 of the Local Plan Part 2 (draft 2022).

9. Condition:

Prior to the commencement of the demolition and/or development hereby permitted, the following shall be submitted and adhered to.

- a. Detail of the site monitoring schedule in report format shall be submitted by the appointed arboriculturist prior to commencement of demolition/construction for Local Planning Authority approval
 - b. The site monitoring shall be carried out monthly by the appointed arboriculturist/delegated person, or as otherwise agreed with the Local Authority. This shall include key activities identified within the Arboriculture Method Statement. This part of the Condition shall be fully discharged on completion of the development and subject to receiving satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist throughout the development
 - c. Stop Notices shall be issued upon the development with immediate effect and enforceable where demolition/construction activities are not found to be strictly adhering to the Arboriculture Method Statement (AMS).
 - d. Amendments to the AMS must be submitted to and agreed in writing by the Local Authority prior to re-commencement of Demolition/Construction activities. The amendment shall be included within the AMS where all other unrevised detail shall continue to be strictly adhered to.
- The development hereby permitted shall be carried out in accordance with the approved details.

Reason:

In the interests of the protection of the rooting areas of trees prior to construction in the interests of preserving the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 and retained Policies D1, D4, D6 and D7 of the Local Plan 2002.

10. Condition:

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design shall satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate 3 l/s for 1 in 1yr, 7.9 l/s for 1 in 30yr and 11.2l/s for 1 in 100yr +40% storm event for the entire site

- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) Evidence the outfalls have connectivity downstream of the watercourse and that it connects into the wider drainage network.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy CC4 of the Local Plan (Part 1) 2018. This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

11. Condition:

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

Reason:

To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and does not increase flood risk on or off site, in accordance with Policy CC4 of the Local Plan (Part 1) 2018 and DM1 of the Local Plan Part 2 (draft 2022).

12. Condition:

The dwellings hereby permitted shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking spaces (including garage space) and turning area shall be retained and maintained for their designated purpose.

Reason:

In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and Policy DM9 of Local Plan Part 2 (draft 2022)

13. Condition:

The development hereby permitted shall not be occupied until the proposed dwelling is provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The charging point shall thereafter be maintained.

Reason:

In the interests of achieving a high standard of sustainability with regards to electric vehicle charging infrastructure requirements, in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and Policy DM9 of Local Plan Part 2 (draft 2022).

14. Condition:

The dwelling hereby permitted shall not be occupied until facilities for the secure, level and covered parking of two bicycles within the development site have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking provision shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In the interests of sustainable transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and DM9 of the Local Plan Part 2 (draft 2022).

15. Condition:

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (h) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason:

To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and DM9 of the Local Plan Part 2 (draft 2022). This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

16. Condition:

The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the submitted Ecological Report, prepared by Darwin Ecology Ltd, dated July 2022.

Reason:

To safeguard protected species and their habitat in accordance with the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981.

17. Condition:

Prior to the commencement of development, a Habitat Enhancement Management Strategy, written by a suitably qualified ecologist, shall be submitted to and be approved in writing by the Local Planning Authority. The Habitat Enhancement Management Strategy should include details of the proposed landscaping, sand bank, wildflower strip and ecological enhancements such as 'bug boxes'. The development shall proceed in accordance with the approved details.

Reason:

To safeguard protected species and their habitat in accordance with the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981. This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

18. Condition:

Prior to the first use of any building hereby permitted, a Sensitive Lighting Management Plan shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trust's document titled: "Bats and Lighting in the UK – Bats and the Built Environment Series."

Reason:

In the interests of protecting protected species, in accordance with Policy NE1 of

the Local Plan: Part 1, Policy DM1 of Local Plan Part 2 (draft 2022) and the National Planning Policy Framework.

Informatives:

1. Community Infrastructure Levy (CIL)- - The Waverley Borough Council CIL Charging Schedule came into effect from 1 March 2019. - - Where CIL liable development is approved in outline on or after 1 March 2019 the liability to pay CIL arises at the time when reserved matters approval is issued - For further information see our webpages (www.waverley.gov.uk/CIL) or contact CIL@waverley.gov.uk
2. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development actively taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our website.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
4. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on Tel. 0845 600 3078.

5. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstructions to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
8. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
9. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022.
10. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance, obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
11. Any land outside the application site, identified as Common Land or otherwise, the LPA must be satisfied that the applicant has sufficient control of the land affected to deliver the necessary access works and recommend that a Section 106 Agreement is entered into to secure statutory permissions are obtained and in place connected to the Commons Act 2006, prior to the commencement of development.
12. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework, 2021.

