

SCHEDULE "A" TO THE AGENDA FOR THE  
JOINT PLANNING COMMITTEE  
24TH SEPTEMBER 2014

Applications subject to public speaking.

Background Papers

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

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

A1	WA/2014/0878 S Thorpe Thakeham Homes Ltd 13/05/2014	<u>Erection of 27 dwellings and associated works following demolition of 2 existing dwellings as clarified by additional information received 30/7/2014; 13/08/2014 and 8/08/2014; and amended plans received by 13/08/2014 and 9/09/2014 and amplified by plan received 29/08/2014, on Land At Penlan And Garden Cottage, Cranleigh Road, Ewhurst GU6 7RN</u>
	Committee:	Joint Planning Committee
	Meeting Date:	24 September 2014
	Public Notice	Was Public Notice required and posted: Required and posted.
	Grid Reference:	E: 508832 N: 139855
	Parish :	Ewhurst
	Ward :	Ewhurst
	Case Officer:	Mrs J Dawes
	8 Week Expiry Date	12/08/2014
	Neighbour Notification Expiry Date	28/08/2014
	Neighbour Notification	20/09/2014
	Amended/Additional Expiry Date	
	Time extension expiry date:	12/11/2014
	RECOMMENDATION	That subject to the consideration of the views of outstanding consultees and further representations, and subject to the applicant entering into an appropriate legal agreement by 12/11/2014, to secure the provision of

contributions towards education; libraries; playing pitches; equipped and casual play space; sports and leisure centres; community facilities; recycling; environmental improvements and transport, and improvements to the public footpath, and the surface water management scheme and attenuation facilities, the provision of on site affordable housing and the establishment of a Management Company for the management and maintenance of play and open space, and subject to planning conditions, permission be GRANTED.

## Contents

Section	Heading
1	Introduction
2	Location Plan
3	Site Description
4	Proposal
5	Relevant Planning History
6	Planning Policy Constraints
7	Development Plan Policies
8	Parish Council Comments
9	Consultation responses
10	Representations
11	Submission in Support
12	Determining Issues
12.1	Principle of Development
12.2	Prematurity
12.3	Environmental Impact Assessment
12.4	The lawful use of the land and loss of agricultural land
12.5	Location of Development
12.6	Housing Land Supply
12.7	Housing Mix and density
12.8	Affordable Housing
12.9	Highway Considerations
12.10	Impact on Countryside beyond the Green Belt and Landscape
12.11	Impact on Sayers Croft Residential Field Centre / Heritage Asset
12.12	Impact on Visual Amenity / Trees
12.13	Impact on Residential Amenity
12.14	Provision of amenity and play space
12.15	Land Contamination
12.16	Air Quality
12.17	Flooding and Drainage considerations
12.18	Archaeological Considerations
12.19	Crime and Disorder
12.20	Infrastructure
12.21	Financial Considerations
12.22	Climate change and sustainability
12.23	Biodiversity / Habitat Regulations 2010
12.24	Health and Wellbeing
12.25	Water Frameworks Regulations 2011
12.26	Accessibility and Equalities Act 2010 Implications
12.27	Human Rights Implications
12.28	Third Party and Cranleigh Parish Council comments
12.29	Article 2(3) DMPO 2012
12.30	Cumulative / in combination effects
12.31	Conclusion / planning judgement
13	Recommendation

## 1.0 Introduction

The application has been brought before the Joint Planning Committee because the proposal does not fall within the Council's Scheme of Delegation.

## 2.0 Location Plan



## 3.0 Site Description

The application site measures 1.4 hectares and is located to the rear of properties fronting onto the Cranleigh Road, Ewhurst and includes existing properties known as Penlan and Garden Cottage.

The site currently comprises two dwellings (Penlan and Garden Cottage) and an open field.

There are several trees on the site (principally within the curtilage of the existing dwellings on site) and a further number of trees located along the northern, southern and western boundaries of the site.

Vehicular access to the site is currently via a small unnamed road off Cranleigh Road. There is a public footpath (Reference: FP436) from Cranleigh Road along the eastern boundary.

North of the site is Sayers Croft, which is a residential education centre that provides outdoor experiences for young people. It comprises wooden chalets, and associated buildings, woodlands, meadows, ponds and fields. The access to Sayers Croft is also via the small road off Cranleigh Road.

Residential dwellings are located to the south in ribbon form fronting Cranleigh Road and to the east of the site fronting onto the access drive to Sayers Croft. These are typically large, single or two storey detached dwellings on plots of varying sizes. The properties are individual in character and style.

To the north east, beyond the access road to Sayers Croft is a large playing field that comprises football pitches and changing facilities, a basketball court and a children's play area.

An area of woodland lies to the west of the site.

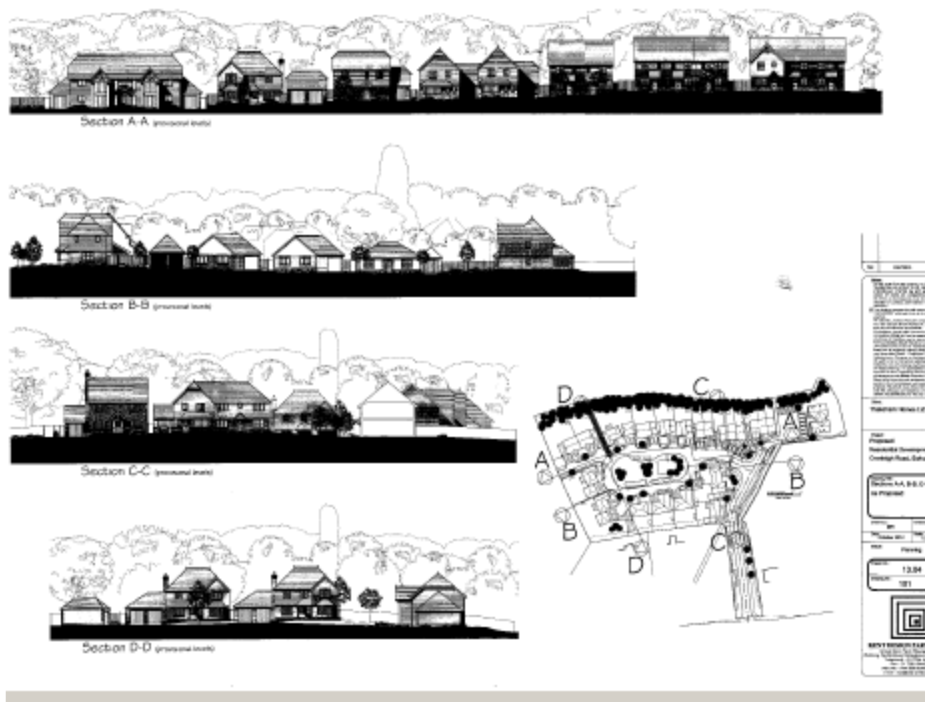
#### 4.0 Proposal

The proposal seeks permission for the demolition of two dwellings (Penlan and Garden Cottage) and the erection of 27 residential dwellings (net increase of 25 dwellings), associated car parking, amenity space, access and landscaping, including sustainable urban drainage scheme, on land north of Cranleigh Road, Ewhurst. The proposal is a full application.



Site layout plan

The proposal is for a range of housing types.



Street scene showing variation in housing styles



Revised plan of bungalows



Elevations for revised block of flats

The proposed mix is summarised below:

Tenure	1 bed flat	1 bed House	2 bed House	2 Bed Bungalow	3 Bed House	4 Bed House	Total
Market			4	3	5	6	18 (67%)
Affordable	4	1	3	0	1	0	9 (33%)
Total	4 14.8%	1 3.7%	7 25%	3 11.1%	6 22.2%	6 22.2%	27

Dwellings in the western part of the site are set around and overlook a green space, with all new buildings fronting the street.

A new access road is proposed from Cranleigh Road. In order to provide adequate access, a single storey dwelling, Penlan, to the south of the site would be demolished and two trees removed.

The scheme proposes car parking spaces, provided via driveways and garages, and a courtyard for the apartments. There would also be five visitors parking spaces located around the central green space.

All properties would have access to the rear gardens to allow for secure cycle and bin storage.

The agents submit that the development:

- creates a development set around a focal green space, providing a layout which responds to the constraints and opportunities for the site.
- The proposal represents an efficient use of land at an edge of settlement location, providing a 'quality design in both built form and landscape'.

The application is also supported by a number of technical documents which include:

- A Transport Statement, which concludes that the proposed development would be acceptable in highway terms and would not result in a detrimental impact on the local highway network.
- An Archaeological Desk Based assessment which concludes that the site has a moderate archaeological potential for the Roman period and a low archaeological potential for other periods of activity. The report states that past archaeological impacts are unlikely to have been significant and if further investigations are required these may be secured by condition.
- A Noise Assessment concludes that there are no reasons, on noise grounds why planning permission for the development should not be granted. A further noise assessment was submitted on 13/8/2014 which recognises that the noise from children's activities at Sayers Croft is sporadic in nature. To reduce noise levels in the nearest gardens of the development, a 1.8m high barrier is proposed on the perimeter facing Sayers Croft.
- An Air Quality Assessment concludes that based on the assessment results, air quality issues are not considered a constraint to planning consent.
- A Ground Appraisal and Geotechnical report classified any plausible pollutant linkages on the site to have a low risk.
- An Extended Phase I Habitat Assessment identified potential adverse impacts as a result of the construction and / or operating activities of the proposed development to two species: great crested newts and breeding birds and the report has



recommended impact avoidance, mitigation and compensation measures.

An additional letter dated 28<sup>th</sup> July 2014 has also been submitted which indicates that the application site presents poor terrestrial habitat for great crested newts; the habitat would afford insufficient cover to support foraging newts and was not found to contain any potential hibernation sites.

A Flood Risk Assessment concludes that the site is not considered to be liable to significant or unmanageable flooding and that surface water run off from the development will be discharged into the adjacent watercourse.

A Landscape and Visual Impact Assessment concludes that the proposed development is not out of context or out of scale with its surroundings. It is surrounded by existing residential development on two sides and woodland on the other two sides. Further development is present to the north. The type of housing proposed is of a scale and design which are not incongruous within the local area. The proposed development also includes provision of new tree and hedgerow planting which will contribute further to the characteristically wooded nature of the local area and will ensure that the built form is viewed between trees as is characteristic of the area.

The only significant adverse impact will be on the short stretch of footpath which runs through the proposal site, which is to be expected of such a development in close proximity to a footpath.

Arboricultural reports also accompany the application.



Proposed Landscaping

## 5.0 Relevant Planning History

WA/1994/1637	Outline application for the erection of 24 dwellings and construction of an access	Refused 16.02.1995 Appeal dismissed 7.11.1995
WA/1986/1573	Land adjoining Sunnybrook. Outline application for the erection of a detached dwelling	Refused 13.10.86
WA/1983/1322	Land at Sunnybrook. Outline application for the erection of a bungalow.	Refused 20.10.83
WA/1981/0056	Sunnybrook. Outline application for the erection of a bungalow.	Refused 05.03.81
WA/1977/0184	Hill Rise. Outline application for the erection of 2 dwellings.	Refused 14.04.77
SO/2014/0005	Request for Screening opinion for erection of 27 dwellings following demolition of 2 existing dwellings.	Screening Opinion Given. 26.03.14 Not EIA development

## 6.0 Planning Policy Constraints

Public Footpath

Countryside beyond Green Belt – outside defined settlement area

## 7.0 Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1	Environmental Implications of Development
D2	Compatibility of Uses
D3	Resources
D4	Design and Layout
D5	Nature Conservation
D6	Tree Controls
D7	Trees, Hedgerows and Development
D8	Crime Prevention
D9	Accessibility
D13	Essential Infrastructure
D14	Planning Benefits
C2	Countryside beyond the Greenbelt
HE15	Unidentified Archaeological Sites
H4	Density and Size of Dwellings
H10	Amenity and Play Space
M1	The Location of Development
M2	The Movement Implications of Development
M4	Provision for Pedestrians
M5	Provision for Cyclists
M14	Car parking Standards

The Council is preparing a new Local Plan to replace the current Waverley Borough Local Plan that was adopted in 2002. The new Local Plan is being produced in two stages. Part 1 will set out the overall spatial strategy and strategic site allocations. Part 2 will contain development management policies and other land allocations. Extensive work has already been carried out for Part 1 through the Core Strategy, which was submitted for Examination in January 2013. Following comments from the Inspector the Core Strategy was withdrawn in October 2013.

The Council has since sought to address the Inspector's concerns and is moving forward with the new Local Plan, building on the foundations of the Core Strategy. In some areas, the policy/approach is not likely to change significantly. A number of evidence base studies have been published to support the new Local Plan, including a Draft Strategic Housing Market Assessment. The Council will be consulting on potential housing scenarios and other issues during September and October 2014. A full draft Local Plan is intended to be published in early 2015, with submission to follow later in 2015.

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management)

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

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes clear that where a local authority does not possess 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.

Other guidance:

- The National Planning Policy Framework 2012 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Waverley Borough Council Parking Guidelines 2013
- Planning Infrastructure Contributions 2008
- Surrey Vehicular and Cycle Parking Guidance 2012
- Density and Size of Dwellings SPG (2003)
- Surrey Design Guide (2002)
- Strategic Housing Land Availability Assessment 2014
- Strategic Housing Market Availability Assessment Draft (2013)
- Reaching Out to the Community – Local Development Framework- Statement of Community Involvement – July 2006

## 8.0 Parish Council Comments

<p>Ewhurst and Ellens Green Parish Council</p>	<p>There is a huge number of local objections to the development. This is the first planning application of this size the village has received in a number of years and there is deep concern with respect to the site, the density of the build and the knock on effects this would bring to the village and the villagers.</p> <p>The Parish Council strongly objects to this substantial, back land development, outside of the village settlement and in the Countryside beyond the Green Belt on a number of grounds:</p> <ul style="list-style-type: none"> <li>• Contrary to Policy and NPPF – Heritage Asset</li> <li>• Overriding concern is for the wellbeing of Sayers Croft Rural Centre.- Proposal would have a huge detrimental effect on the heritage assets of Sayers Croft Rural Centre which lies on the fringe of the site – a most important resource both to the locality and nationwide;</li> </ul>
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- The centre provides education, recreation, employment, housing and cultural and environmental benefits to all ages and has served as a centre of excellence for 74 years. It is a unique establishment, one of a kind and to be treasured.
- The proposal would have an adverse impact on the Heritage Asset; significant harm to amenities of neighbouring properties, proposals would not enhance or improve their lives;
- Proposal does not provide adequate amenity space;
- Overdevelopment and sustainability of the site – proposed dwellings do not flow as a whole and the topography and density of the site raise concerns;
- Noise and disturbance to new residents, existing residents and to Sayers Croft Rural Centre.
- Parking and deliveries are insufficient;
- Creation of a two way access road will have a significant impact on the approach to the village – urban element, changing the character of the village;
- Increased traffic generation;
- Reference to planning and enforcement history, and recent removal of trees and provision of a rubble track, cessation of grazing of the site;
- Infrastructure – the pumping station is already overstretched, broadband under powered and local school at capacity; Health and Police services are also stretched as is the local road network;
- The view from the public footpath will be unrecognisable;
- Proposal does not address the housing needs Ewhurst Parish Council wish to pursue and the shortage of small, affordable homes for local people of modest income;

Proposal is premature to the preparation of a statutory Neighbourhood Plan for Ewhurst which will select the most appropriate and acceptable sites in the area for housing development.

## 9.0 Consultation responses

County Highway Authority	Recommends conditions
Council's Environmental Health Service (Contamination)	Having reviewed the Geo-environmental Investigations reports, remediation is not required at the site. The requirement for basic radon protection measures and the discovery strategy provided in the case of unexpected contamination are noted. No conditions recommended.
Council's Environmental Health Service (Waste and Recycling)	Provision is provided for adequate bin storage; the roadways of the development and the forecourt of the apartment block need to be capable of permitting safe access for a collection vehicle having a width of 2520mm and an overall length of 9840m with a gross weight of 26 tonnes.
Council's Environmental Health Service (noise )	<p>Identified issues –</p> <p>Proposed new development sensitive to the prevailing acoustic environment;</p> <p>During demolition and construction; potential disturbance to adjacent dwellings from noise and dust and accumulation and disposal of waste on the site.</p> <p>It has been determined that noise from construction is likely to cross the lowest observed adverse effect level above which the noise starts to cause small changes in behaviour and attitude, consideration therefore needs to be given to mitigating and minimising those effects.</p> <p>The principal issue is whether a good standard of amenity can be achieved from the proposed dwellings located close to Sayers Croft. Having regard to the additional Noise Survey mitigation in the form of an acoustic barrier to minimise adverse effect from noise for the proposed dwellings. Conditions are recommended.</p>
Council's Environmental Health Service (Air Quality Officer )	No objections in principle, although the proposed site is likely to introduce new occupants to areas of potentially poor air quality associated with road traffic. The limited transport options will contribute to additional traffic in other areas. There are some concerns relating to potential emissions during the deconstruction and construction phases of the project, affecting existing receptors in the area – the impact of dust and emissions from deconstruction and construction can have a significant impact on local air quality. Information supplied with the application for air quality controls are considered appropriate and conditions should be applied to ensure that these are adequately followed throughout the development process.

<p>County Archaeologist</p>	<p>The application is accompanied by an Archaeological Desk Based Assessment which suggests that as the site has the potential to contain archaeological assets from the Roman period and that the proposed development has the potential to destroy any such assets that may be present, then further archaeological investigation will be required to clarify the identified potential in line with the NPPF and Local Plan Policy. This should initially comprise an archaeological evaluation and trenching exercise which will enable suitable mitigation measures to be developed.</p> <p>Given that the assessment has demonstrated that the site is unlikely to contain any archaeological assets significant enough to warrant preservation in situ, I do not consider it necessary for archaeological work to be undertaken in advance of any planning permission; recommends a condition.</p>
<p>County Rights of Way Officer</p>	<p>Whilst initially objecting, following the submission of a revised site layout drawing, the plan shows a consistent width of 2m for Footpath 436.</p> <p>The developer is advised that a part of footpath 436 running through the site was diverted by legal order in 2003 and a minimum of 2mtrs was allocated to the new route. This is the width that the County Council, as highway authority, would maintain and assert and protect the rights of the public to use. However, the actual defined route on the ground has been fenced to a far greater width than this for the diverted section and also the section running south west of the diversion towards Cranleigh Road. This last section is recorded as 4'00" wide on the definitive Statement but looks to be fenced much wider in aerial photos.</p> <p>The Definitive Map and Definitive Statement together form the legal record of Public Rights of Way in the County. As documents, they are conclusive as to what they contain not what they omit. This means that the public could attempt to modify these documents by providing evidence that public rights have been acquired over the full fence to fence width of this section. This usually arises if their use of this width is challenged in some way. Examples of a challenge could involve moving the opposing fences closer together to narrow the width or constructing a building or part of one on a section of the route. Ultimately if this claim for a greater width was upheld then the County Council would be under a duty to seek removal of any obstructions and revert the footpath back to a revised width.</p>

	The Countryside Access Team will be seeking a contribution from the developer towards the improvement of Footpath 46 to the north of the site leading across the recreation ground and beyond and also the short section where Footpath 436 leaves the site to the south west running to the B2127. Would also require that the section of Footpath 436 running through the site is improved where required in terms of its surfacing, as a condition.
Environment Agency	The proposed development is located in Flood Zone 1 (low probability); note a FRA has been submitted. No bespoke assessment on this application – Standing Advice Referral.
Director of Public Health	Do not have the capacity to respond to proposals for less than 200 dwellings.
Humberts Agricultural Advisers	From an agricultural perspective, the land appears to offer little in terms of productivity by way of the production of an agricultural crop or from the keeping of animals. The field is too small and remote to sustain any realistic commercial agricultural use in its own right and the isolated position, small size and edge of residential settlement and lack of buildings further reduce the scope for any commercial farming. It is understood that the field is held in isolation and does not compromise part of an agricultural unit as it stands today. The loss of the field does not impact on an existing agricultural holding as there is no such unit in existence. There is no fragmentation of an existing agricultural unit.
Surrey Police	Requests that the developers seek Secured by Design accreditation for this development.
Surrey Wildlife Trust	<p>Note the Extended Phase 1 Habitat Assessment Report, however concerned that the applicants' ecologist may not have had the opportunity to fully consider the possible effect of the proposed development on legally protected species Great Crested Newts and Bats.</p> <p>Note that Pond 2, which has records for Great Crested Newts is only a short distance from the development site boundary, and risk of species being on the development site appears significant. Note the Surrey Amphibian and Reptile Group have over 10 records of this species in the locality of the development site, also note the applicants' ecologists did not / could not under take a close inspection of Pond 2 to assess its current suitability for this species. Not clear if Sayers Croft Field Centre was approached for info on any records they hold, to establish the current status of this species in locality.</p> <p>Advise that further information is obtained with a reasoned statement concerning any need for further survey work</p>



	<p>and or any mitigation which may be required to prevent adverse impact.</p> <p>In relation to Bats, noted that local residents indicate that bats are regularly foraging / commuting on the development site. Advise that bat activity surveys are required to help establish the extent of bar usage of this site, how the proposed development may impact on bat activity and what if any mitigation / compensation would be required. Tree removal or significant amounts of external lighting illuminating tree canopies could disrupt bat activity.</p> <p>If development is to proceed, the application should undertake the recommendations in Section 4 'Recommendations and Mitigation'.</p> <p>LPA should consider a Landscape and Ecological Management Plan for the public spaces of the site, detailing how landscaping will be undertaken, what species of plants will be used and what ecological enhancements will be provided to enhance biodiversity value.</p> <p>A development of this type may offer opportunities to restore or enhance biodiversity and such measures will assist the LPA in helping to offsetting the localised harm to biodiversity caused by the development.</p> <p>Following consideration of additional information dated 28<sup>th</sup> July, remain concerned that the applicant's ecologist may not have fully considered the possible effect of the proposed development on Great Crested Newts or bats and further information from the applicant is required to help consider the current status of the species and consequent requirement for mitigation to prevent adverse impacts.</p>
Thames Water	<p>No objections with regard to sewerage infrastructure capacity.</p> <p>Recommends Informatives</p>

## 10.0 Representations

In accordance with the statutory requirements and the "Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006" the application was advertised in the newspaper on 30/05/2014 site notices were displayed around the site and neighbour notification letters were sent on 20<sup>th</sup> May 2014.

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

#### Impact on the Countryside

- Impact on the Countryside beyond the Green Belt where development should not be permitted;
- Damaging impact on the countryside setting;
- Light pollution in the countryside

#### Impact on Sayers Croft Residential Field Centre and its Heritage Assets

- Damaging impact upon Sayers Croft Field Centre together with its heritage assets and threatens the centre's future contribution to the sustainability of the Local Community. The site is currently surrounded by fields and woodlands so the development would irrevocably change the very character of the site

#### Impact on Residential Amenity

- The proposed development has failed to appreciate the relationship between Blue Cottage and Plot 5. Although Plot 5 is in the form of a bungalow, it is in an elevated position and only 14 metres back to back from Blue Cottage. Privacy in bedrooms and living rooms will be severely compromised in both properties. The proposed 2 m high close boarded fence will not resolve matters;
- Plot 6 is located 15 metres from Little Whinfields and due to its elevated position it would be provided with direct line of sight views into bedrooms and bathrooms. The October 2010 residential extensions SPD recommends a minimum of 21 meters separation distance to ensure privacy. To eliminate the privacy issue the boundary fence would need to be erected to a height of 3.5 metres;
- light pollution to Sayers Croft ;
- Overlooking the sleeping dormitories of Sayers Croft and effect on privacy;
- Loss of privacy to the rear of Canfold Flat, Sayers Croft Field Centre;
- Noise and disturbance from occupants of the proposal to Canfold Flat Sayers Croft Field Centre;
- Noise and disturbance from Sayers Croft affecting potential residents;
- Neighbouring amenity – The building line of the block of flats has been moved forward to the west which makes the bulk of the building more overbearing on the rear gardens of neighbouring properties which face the lane to Sayers Croft. The whole of the forecourt will be a car park with parking for 11 cars immediately adjacent to the rear garden of an existing property, with resulting noise and light pollution issues.

### Traffic impacts and highway safety implications

- There would be increased traffic and congestion
- There is danger related to increased traffic onto Cranleigh Road for motorists and pedestrians. The new junction with Cranleigh Road would be hazardous

### Arboricultural Impact Assessment and Landscape Proposals

- Damaging impact on mature trees. Cutting of trees back to the hedge line would significantly reduce the screen and along with pressure on the roots from the new buildings may cause die back in time;

### Affordable Housing

- The low cost housing element would bring no benefit to our community and would be sold on eventually at the market value;
- The affordable housing is crammed into one small corner of the site, well away from the public open space. The block of flats shows none of the cottagey features of the other houses. The scale of the block of flats is out of proportion to neighbouring properties.

### Drainage

- There would be increased problems with runoff should the extra houses be built.

### Biodiversity

- Effect on bats, great crested newts and barnowls

### Archaeology

- The site of the Roman Road passes just over 100m to the west of the proposed site

### Impact on Infrastructure and Local Services

- Include schools , drainage and waste, electricity, medical facilities

### Design and layout –

- Scale, character and density within its setting, cramped gardens, public amenity space.

### Impact on visual amenity

- The views and character of the public footpath running through the site will be severely harmed by the development
- Examples of inappropriate materials include use of flint on one of the bungalows and widespread use of slate roofs. Lack of understanding of Surrey vernacular buildings can be seen in several designs using half hipped roofs with the half hip on the front of the building rather than the side
- The area with the highest density is in the eastern part of the site on the highest ground where it will be all the more dominating.

### Sustainability – economic – Sayers Croft

- Sayers Croft depends on its rural setting to provide quality outdoor experiences for children. The customers may decide to go elsewhere, losing employment for 40 people;
- If the Centre were to fail, those living in accommodation provided would lose their homes as well as their livelihood.

### Prematurity

- In view of preparation of neighbourhood plan and
- In view of preparation of conservation area for Sayers Croft

### Health and safety concerns

- Related to construction and occupational phases of the development dust, noise and disruption. Increase in plant and traffic density. Maintenance of emergency services access to the site;
- Site security. Any interface between the development and the centre will need to be strictly regulated;
- Any unchecked transient labour in residence in such close proximity to children brings additional risks;
- Occupational phase – potential illegal and trespass onto Sayers Croft site by occupiers, pets;
- Recreational noise and environmental implications eg barbecues and risk of fire and fly tipping;
- Overall insufficient evidence that adequate consideration has been given to the health and safety implications the development introduces and the additional cost to the site in terms of it having to modify or provide additional health and safety controls;
- Child protection issues

### Inconsistencies

- Age of housing to the SW of the site, is incorrect, documents state that there is woodland to the north and west of the site. This is only partially correct. The design statement surmises that the glass

structures that once occupied the site were used as a market garden business during the last 20 years. This is incorrect.

- The noise/traffic survey was undertaken when the Cranleigh Road was closed to through traffic. The additional survey to compare the readings after the road was reopened was undertaken on two days between 14.30 and 14.45 which is the quietest time of day.
- There is inconsistency in the application which in one document proposes 27 units and in another proposes 20 units.

#### Suggested conditions:

- Further development to the west be limited either by the dead end road being removed or a “ransom” strip being set up to prevent further development west;
- A green buffer is not incorporated into the plans on the Northern Sayers Croft boundary. The present rubble road should be removed and a screen or native evergreen trees planted if the development were allowed to proceed;
- No street lighting;
- Public Right of Way should be preserved;
- Developer should pay for a cycle and footpath round the edge of the recreation ground to connect the houses to the school and shop

1 letter has been received expressing support which recognises the need for affordable housing for the younger generation – proposal offers a good opportunity to provide a higher proportion of smaller, low cost housing in the heart of the village. The area, however, does not need detached expensive homes.

### 11.0 Submissions in Support

In support of the application the applicant has made the following points:

- the site adjoins the built up area of Ewhurst and is a suitable location for housing development.
- The agents state that the proposals would provide an attractive and well designed extension to Ewhurst that would complement the existing built environment whilst providing much needed market housing and affordable housing to meet local housing demands and need.
- Ewhurst, is a sustainable location with a variety of local shops and services. The settlement has not seen much housing growth in recent history and the proposals assist in the organic growth of the settlement to assist in the retention of the existing services and facilities in the village.
- There is a severe under supply of housing across the Borough and this proposal will assist the Council in meeting its housing needs and addressing the housing supply shortfall.

- The proposals will not have an adverse impact on issues such as neighbouring amenity, traffic and transport, ecology, flood risk etc. In addition, in granting planning permission for this modest scheme, the development will provide social and economic benefits to the local economy, which will have indirect and direct benefits of job creation; social benefits of delivering affordable homes and providing a mix of private home sizes including a number of homes across a single storey providing homes for those entering the property market, growing families and those downsizing.
- The proposal meets all three dimensions of sustainable development.

## 12.0 Determining Issues

### 12.1 Principle of development

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside

shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. The Government's White Paper "The Natural Choice: securing the value of nature" published June 2011 states that as a core objective, the planning system should take a strategic approach to guide development to the best location, to protect and improve the natural environment including our landscapes.

## 12.2 Prematurity

[Annex 1 of the National Planning Policy Framework](#) explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the [presumption in favour of sustainable development](#) – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging [Local Plan](#) or [Neighbourhood Planning](#); and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

Officers conclude that the emerging Local Plan is not at an advanced stage and that the Ewhurst Neighbourhood Plan is at a very early stage in its development and therefore carries no weight at this stage. In view of the above, and having regard to the advice of the NPPG, Officers conclude that an objection to this proposal based on prematurity could not be sustained.

### 12.3 Environmental Impact Regulations 2011

A request for a screening opinion was submitted to the Council on 7<sup>th</sup> March this year, (reference SO/2014/0005). In accordance with Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the proposed development was considered not to be EIA development under either Schedule 1 or 2.

### 12.4 The Lawful use of the land and loss of agricultural land

The application site includes a field and two existing residential properties. Policy RD9 of the Local Plan outlines that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This site is categorised as agricultural Grade 3 land.

The Council's Agricultural Consultant has been consulted on the application and has advised that the field is too small and remote to sustain any realistic commercial agricultural use in its own right, and would not appear to result in the fragmentation of an agricultural holding. Officers consider that the proposal is in accordance with Policy RD9 and the guidance contained within the NPPF.

### 12.5 Location of Development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled.

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment. The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will



enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF states, *inter alia*, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues, that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Whilst it is recognised that the application site falls outside of the settlement boundary, within the Countryside beyond the Green belt, Officers acknowledge that the application site abuts the settlement boundary of Ewhurst. Officers further note the existing pedestrian link through the site and the proximity of bus stops which would encourage sustainable access to the facilities in Ewhurst. As such, Officers consider that the proposal would provide sustainable access to the facilities offered within the village of Ewhurst required for promoting healthy communities and would enhance the vitality of the rural community of Ewhurst. Therefore, whilst acknowledging that the site is outside of a defined settlement or developed area, it is considered that the proposal would not result in isolated dwellings in the countryside and as such the application is not required to demonstrate any special circumstances as required by paragraph 55 of the NPPF.

## 12.6 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 need 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 years 6-11 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 applications 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 homes 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 this respect. The supporting text to the Key Note Policy of the Local Plan 2002 outlines that the strategic policies contained therewith are particularly important in safeguarding Waverley's countryside from encroachment and preventing settlements from merging into one another. Paragraph 1.36 of the Local Plan further notes that such policies mean that development will continue to be focused in existing towns and villages.

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 recent 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 SHMA indicates an unvarnished figure of 470 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure, latest estimates suggest a housing land supply of 3.8 years based on the unvarnished housing supply figure of 470 dwellings per annum, which equates to approximately 396 dwellings per annum. When measured against the housing supply requirement of the Regional Spatial Strategy of 250 (albeit it is acknowledged that this

figure carries little weight) the Council has, in accordance with paragraph 47 of the Framework, worked to boost significantly the supply of housing. As such, it is considered that the shortfall in housing land supply identified at present, when assessed against the untested SHMA figure of 470 dwellings per annum, should be given limited weight at this time, particularly given the constraints of the Borough, which clearly influenced the conclusion of the Report of the Panel (August 2007) appointed by the Secretary of State to examine the Draft Regional Spatial Strategy for the South East.

Nonetheless, whilst the site is within the Countryside Beyond the Green Belt, outside of any defined settlement area, the proposed development would contribute to meeting the need for new homes in Waverley and this is a material consideration to be weighed against the other considerations for this application.

### 12.7 Housing mix and density

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 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 dwellings units in any proposal shall exceed 165 m in total gross floor area measured externally excluding garaging.

The Council's Strategic Housing Market Assessment (draft) (2013) (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 application as amended proposes the following mix of dwellings on site

Number bedrooms	Number of units proposed	Number of affordable units proposed	% mix
1 bedroom	5	5	18.5%
2 bedroom	10	3	37%
3 bedroom	6	1	22.2%
4bedroom	6		22.2%

In relation to the proposal 55.5% of the proposed units would be two bedroom or less, with 77.7% of the units being three bedroom or less. The proposed housing mix would therefore largely comply with the requirements of Policy H4.

The Council's Strategic Housing Market Assessment (draft) (2013) (SHMA) sets out the likely profile of household types. The evidence in the SHMA is more up to date than the Local Plan. Table 57 in the SHMA 2013 provides:

Indicative requirements for different dwelling sizes (2011-31)

	1 bed	2 bed	3 bed	4 bed
Market	10 - 15%	30 - 35%	30 - 35%	20 - 25%
Affordable	40 - 45%	25 - 30%	20 - 25%	5 - 10%

The proposed density of the scheme is approximately 19 dwellings per hectare.

Rather than prescribing a minimum or maximum density, the NPPF sets out at paragraph 47 that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Officers acknowledge that the density of the proposed development is reasonably low, but conclude that this is suitable having regard to the character of the wider area and the edge of settlement rural location.

## 12.8 Affordable Housing

The Local Plan is silent with regards to the delivery of affordable dwellings in location such as this. The site is located outside of any settlement and there is no specific policy threshold for affordable housing for sites located outside of settlements. There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to help meet need,

particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

The local housing need is set out in the Draft SHMA 2013 which indicates that there is a continued need for affordable housing, and is weighted heavily towards the need for smaller units with the highest proportion requiring 1 bed units, (40 – 45% of all new affordable homes).

The proposal in its original form included a mix of homes for affordable provision, however did not include 1 bed units. This mix did not meet the requirements of the SHMA. Following negotiations with the developers, the scheme has been amended.

In its amended form, the proposed mix of sizes for the affordable homes proposed as part of this application is as follows:

- 5 x 1-bed flats (55%)
- 3 x 2 bed houses, (33.3%)
- 1 x 3-bed house – 11.1%

The proposed mix would contribute towards meeting the requirements identified in the Draft SHMA. The opportunity this application presents in terms of providing a range of new affordable homes is a rare and valuable chance to contribute towards meeting the local housing need demonstrated above.

The developer has not specified the tenure of the affordable units. The predominant need for affordable housing from households on the Housing Register is for general needs rented housing. Even many shared ownership products remain unaffordable to a significant proportion of households on the Housing Register. Furthermore, the 2013 Draft SHMA recommends that 25% of new affordable homes should be intermediate tenures and 75% rent, with the rent composition slightly skewed towards social rent. The applicants have indicated that all of the one bed units and one of the 2 bed units will be for rent. This represents a split of 66.6% rented and 33.3% shared ownership which is still considered to be in line with the demand in the housing needs survey and the SHMA.

The proposed affordable housing provision would represent a 36% of the net increase in housing proposed on the site. This level of provision has not been supported by a viability assessment to demonstrate that this is the maximum affordable housing achievable on the site. However, the proposal would provide 36% of affordable housing which is a much needed requirement in the Borough. The mix and tenure seeks to achieve a mixed and balanced community. Officers are of the view therefore that this level of provision is acceptable in this instance.

## 12.9 Highway considerations, including impact on traffic and parking

The NPPF states at paragraph 32 that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed access to the site would be directly onto the Cranleigh Road, in the location of the existing property, Penlan.

The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has recently adopted a Parking Guidelines Document (October 2013) which follows the adoption of the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate standards as set out within these documents.

Waverley Borough Council's Parking Guidelines document has been produced following concern about adequate parking in some new housing development not being adequate, resulting in parking 'spilling' out onto surrounding road or vehicles being parked in unsuitable locations. The Guidelines show that car ownership in Waverley is higher than the rest of Surrey, the South East and England.

The NPPF sets out, at paragraph 39, that:

In setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- The accessibility of the development;
- The type, mix and use of development;
- The availability of and opportunities for public transport;
- Local car ownership levels; and
- An overall need to reduce the use of high-emission vehicles.

The submitted plan shows provision for 73 parking spaces / garages which exceeds the Council's minimum guidelines which would direct the provision of 55 spaces.

The County Highway Authority has recommended conditions and in relation to any works on the highway has indicated that this may need to be agreed as part of a S278 agreement.

The proposed access is acknowledged to be crossed by an existing public footpath and amendments have been made to the proposed layout to clarify that the Public Footpath 436 has a consistent width of 2m. The Countryside Access Officer has indicated that a contribution towards the improvement of the Footpath to the north leading across the recreation ground towards the centre of Ewhurst Village and to the B2127. This would be included as part of the legal agreement and the imposition of informatives and conditions would ensure that the surfacing requirements are appropriate if permission is granted.

In view of the above, the proposal is considered to be acceptable in terms of highway safety and capacity grounds.

#### 12.10 Impact on countryside

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. The Government's White Paper "The Natural Choice: securing the value of nature" published June 2011 states that as a core objective, the planning system should take a strategic approach to guide development to the best location, to protect and improve the natural environment including our landscapes.

The proposed development would involve the development of an open field. The proposal would have an overall moderate negative impact on the intrinsic character and beauty of the countryside by virtue of the urbanising effect of this edge of village location, through which a public footpath runs.

The overall moderate negative impact on the Countryside is to be balanced against other issues in the proposal.

The proposed development is considered to have a moderate negative impact on the landscape character. The current site, which is an open field, would be replaced by substantial built form. Whilst existing tree belts would be retained and additional landscaping is proposed, the proposal would result in moderate harm to short distance views into the site, particularly from the public footpath which runs through the site

between the recreation ground and the Cranleigh Road. However, longer distance views into the site are fairly limited due to existing boundary screening, and the existing ribbon of development fronting the Cranleigh Road. The overall moderate negative impact on the landscape character of the locality must be balanced against other issues in the proposed development.

#### 12.11 Impact on Sayers Croft Residential Field Centre and its Heritage Assets

The NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposed development. Great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect listed buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In accordance with this, the NPPF and Policies HE1, HE3 and HE5 of the Local Plan 2002, state that development should preserve or enhance the character and setting of Listed Buildings.

To the north of the site lies Sayers Croft, a World War II evacuee camp. The Combined Dining Hall and Kitchen is a Grade II Listed Building which was listed in January 2007. The listing description refers to 'the most remarkable feature of the room is the two murals painted above the fireplaces at either end of the hall. These depict, respectively, the life of the camp and its activities in summer and in winter. These were designed and executed by the boys.'

Sayers Croft was built in 1940 as an educational facility for children evacuated during the Second World War. The listing description indicates that 'in times of peace, the camps would continue to be used to provide education in a rural setting for urban children.' 'All camps consisted of the same elements and number of buildings, including accommodation huts, washblocks, administrative and class rooms. The dining hall and kitchen block, and the assembly hall, were at the heart of the site.'

The identified Heritage Asset is therefore the combined dining hall and kitchen building at Sayers Croft, which also has the distinction of housing two fine examples of war art, murals designed and executed by the boys depicting aspects of life at the camp in winter and summer respectively. The listing description recognises that these murals 'are painted on the walls above the fireplace at either end of the hall: in 1998 they were included on the United Kingdom National Inventory of War Memorials. However, the value of Sayers Croft lies not only in



Tait's designs for the individual huts, but in the Camp's unique survival as a whole, and in its history. These are best represented in the totality of its structures.'

Officers, taking into account the expert view of the Historic Buildings Officer, consider that the proposed development will cause some harm to the significance of the designated heritage asset by infilling an important buffer zone between the suburban houses fronting Cranleigh Road and the unique heritage asset. There is also some concern that the mix of dwelling types does not respond to the grain of the village and that the flat building in the eastern corner of the site would be the building closest to the entrance of the site and would sit uncomfortably with the single storey scale of the Sayers Croft buildings. In the view of the Historic Buildings Officer the proposal has not been conceived with a consideration of the impact that it will have on the setting of Sayers Croft and consequently will harm that setting. It is considered that the proposed development would result in less than substantial harm to the significance of the designated heritage asset.

In accordance with paragraph 134 of the NPPF, it is for the Council to weigh up whether the less than substantial harm is outweighed by the public benefits of the proposal including securing its optimal viable use. In this case, the proposed development does not affect the Listed Building itself and therefore it is the officers' interpretation that the requirement to secure the 'optimal viable use' is not relevant in this particular case.

Substantial harm to, or loss of significance of, a heritage asset should be exceptional and consent should be refused unless the harm is necessary to achieve substantial public benefits that would outweigh the harm. In considering development that may have substantial or less than substantial harm on a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Only where the benefits are found to outweigh the harm to the designated heritage asset should the development be approved.

The proposed development is considered to be a relatively self contained site which has an established tree screen on the northern boundary. Whilst it is appreciated that the screen is principally deciduous and would be less evident in the winter months, it is nevertheless considered that the tree belt provides a natural backcloth to the site and its retention would enable the rural setting of the Sayers Croft Field Centre to be maintained. The concerns of the Historic Building Officer, and third party concerns on this matter, have been carefully considered. However, having regard to the considerable public benefits in terms of the level of affordable housing and market housing which would be provided by the proposal, it is considered that the benefits would outweigh any harm to the designated heritage asset.

## 12.12 Impact on visual amenity and trees

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.

Notwithstanding the issues of developing in the countryside, in terms of its urban design, the proposal is considered to be of a simple layout which would not compromise the semi rural character of the area. It is considered that there is good variety shown within the plans, in terms of choice of architecture, and scale of the buildings which also include bungalows. Following advice from the Council's Design Officer a condition should be included if permission is granted with regard to the use of materials to ensure that the simple elegance of the design is not overpowered.

The application site principally comprises a field to the rear of properties fronting onto Cranleigh Road and bounded on two sides by rear amenity areas of properties, and to the north and west by mature tree belts / woodland. The direct impact of tree loss would appear to be relatively limited and therefore not of significant concern.

The proposed housing layout may place pressure on those trees that immediately overhang or abut the site as these trees may potentially have an influence on the reasonable enjoyment of the amenity areas of future occupiers of the proposed dwellings. In particular, within the properties along the western boundary, where afternoon light levels would be low, and in places along the northern boundary where amenity areas are not deep, there may be future pressure to prune back or fell trees. However, whilst some of the trees are on the boundary they are principally off site and some pruning works to tips to reduce overhanging would not be significantly detrimental to tree health, more substantive householder requirements might be foreseeable in the future. However, given the rural location and the wider character of the area it is accepted that, as part of household maintenance in a rural location, clearing of leaf litter would be anticipated. In relation to concern regarding light levels, those properties on the western boundary would have dual aspect sitting rooms and the sunrooms on the rear elevation would have glazing on three sides to maximise light.

An additional landscaping plan has been submitted (ref BMD.14.043.DR.001) which indicates close boarded fencing set in from the boundaries with a landscape buffer of native understorey planting proposed beneath the trees. The buildings on the northern side would have garden depth of 10m, with a landscape buffer behind. It is

considered that this boundary treatment would minimise the level of overhanging and the over - dominance of the existing trees on the boundary. Furthermore, given that the trees are to the north of the houses, it is considered that the trees would not adversely affect levels of sunlight.

Additional landscape planting is also proposed on the southern boundary to provide screening of the development from views from adjacent properties to the south, and in particular, Little Whinfields and Blue Cottage, which are positioned closer to the northern boundaries of their plots.

The rear amenity areas of proposed plots 4 – 6 (single storey bungalows) would have a depth of 7.5m, enabling a landscape buffer of 3m between the existing boundary fencing of existing properties and the 2m close boarded fence proposed for the new dwellings. A native hedge of varying width would be planted along the plot boundary to soften the appearance of the proposed fence and a number of trees will also be planted.

Whilst the proposal would clearly have a visual impact on this green field location, resulting in an urbanising impact in this countryside location, it is considered that the proposed landscaping would seek to minimise the impact from views outside of the site. No objections are therefore raised in relation to the impact on trees.

### 12.13 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 Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

The proposed development is bounded on the southern and eastern side by existing residential properties and by the Sayers Croft Field Centre to the north. Whilst those residential properties along the access drive to Sayers Croft have relatively deep rear gardens, the properties, Little Whinfields and Blue Cottage, located to the south of the site, are set back into their plots and are therefore very close to the southern boundary of the application site. It is also noted that the existing properties are set below the level of the proposed development site.

In recognition of the juxtaposition with and proximity to Little Whinfields and Blue Cottage the proposed dwellings along the southern boundary have been designed as modest single storey bungalows.

Blue Cottage and Little Whinfields have habitable rooms facing the proposed development site. In addition, Blue Cottage has an extant permission for a first floor bedroom extension (with Juliet balcony) above a dining room which would be within 4.5m on the site boundary, (this unimplemented first floor is not shown on the submitted plans indicating the relationship between the buildings but is a material consideration). The rear elevation of the proposed bungalows would be positioned with their rear elevation approximately 10.5 from the boundary. This separation distance of 15m, (rear wall to rear wall) would be below the recommended standard of 21 metres which is indicated in the Residential Extensions Guidelines SPD to be the normal minimum distance measured between habitable room windows to avoid overlooking. However, the proposed building is single storey and, with the provision of a close boarded fence and the provision of additional screening within a landscaped buffer zone, it is considered that the proposals would not result in an unacceptable level of overlooking of existing occupiers such as to substantiate a reason for refusal. Notwithstanding this view, it is accepted that the proposed development would alter significantly the outlook from existing properties which currently look out onto a field. It is noted that given the proximity of existing properties to their boundaries, the proposed single storey dwellings would experience a degree of overlooking of their garden areas from existing and extant first floor windows. However, given that these windows exist, a potential purchaser would be aware of this situation at the time of purchase. It is further recognised that the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the highway and public footpaths. However, such activity is, by definition, transient and could be minimised through the requirements of planning conditions, if permission is granted.

In relation to the impact of the proposed block of flats and a single dwelling on existing properties it is noted that the proposal is located to the north of existing dwelling and is set 4m from the boundary. Furthermore the proposal has a cat slide roof on the southern elevation with a lower eaves height of 3.5m. Given that no windows or roof lights are proposed in the southern elevation facing the existing neighbour and that all Juliet balconies have been removed it is considered that the proposal would not have an overbearing impact or result in an unacceptable level of overlooking such that permission should be refused

In view of the above, officers consider that the applicant has demonstrated that the quantum and form of development could be provided on the site and would provide a good level of amenity for the future occupiers of the development, whilst protecting the amenities of existing occupiers.

## 12.14 Provision of amenity and play space

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 encourages the active and continual use of public area. 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 useable 'outdoor area' should be provided in association with residential development. To comply with the need to provide for children's play the text accompanying Policy H10 states that a Local Area of Play (LAP) should be provided in development of 15 or more dwellings). A LAP comprises a small area within 1 minute walking time from home for children up to 6 years of age. These have no play equipment but provision is made for low key games such as hopscotch or play with small toys. Seating for carers should be provided.

The proposals provide a reasonable amount of private amenity space within the site and a central green provides an opportunity for a LAP. Furthermore, the area of open public space in the centre of the site, surrounded by the proposed development, provides a area which has natural surveillance and contributes to creating a sense of place and character. Additionally, the site is in very close proximity to an established children's playground, a small walk to the north east of the development site.

In view of the above, the proposal is considered to be in accordance with Policy H10 of the Local Plan and the guidance in the NPPF.

## 12.15 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, responsibility for securing a safe development rests with the developer and /or landowner.

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat contain or control any contamination. Wherever practical, contamination should be dealt with on site.

The site, which has historically been used for grazing does not have any history of contamination. The Council's Environmental Health Officer has been consulted and has not raised any objections, or the need for any conditions in this instance.

#### 12.16 Air Quality

Paragraph 109 of the NPPF states that the planning system should contribute to enhance the natural and local environment by: inter alia preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution.

Air quality at the development site is currently good. Within Waverley there exist Air Quality Management Areas (AQMA) along some major roads; however, the proposed development does not lie within one. The development does however have the potential to introduce new occupants to areas of poor air quality associated with road traffic, and the proposals will contribute to additional traffic in the area further adding to local pollution levels.

There are some concerns relating to potential emissions during the construction phase, affecting existing receptors in the area. It should also be noted that the impact of dust and emissions from deconstruction and construction can have a significant impact on local air quality. As there is no safe level of exposure, all reduction in emissions will be beneficial.

Subject to suitable conditions, particularly concerned with mitigation during the construction phase, it is considered that the impact on air quality would be acceptable.

#### 12.17 Flooding and Drainage considerations

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, it should be made safe without increasing flood risk elsewhere.

The application is located within Flood Zone 1 (low probability). However, because of the size of the application site, over 1 hectare, in accordance with paragraph 103 of the NPPF, the application is accompanied by a Flood Risk Assessment (FRA) undertaken by Cannon Consulting Engineers, March 2014 and a West Thames Surface Water Flood Risk Assessment (FRA). The FRA sets out that surface water runoff would be managed by way of onsite attenuation and restricted discharge to the unnamed tributary of the Thornhurst

Brook to the north-west of the site. It is proposed that the discharge rate would be at a variable greenfield rate up to, and then capped at, the calculated 1 in 30 annual probability greenfield rate for the site.

The majority of the required surface water attenuation would be provided within the central green as a combined basin and storage crate facility. A second crate facility serving the properties in the topographically lower area in the west would also be provided.

The assessment concludes that the site is considered not to be liable to significant or unmanageable flooding from the sources identified in the Flood and Water Management Act 210, and that surface water runoff from the development would be discharged to the adjacent to the adjacent water course at greenfield run off rates.

Officers consider, subject to the inclusion of suitably worded planning conditions seeking detailed information of surface water management plan and the establishment of a management company to manage and maintain the surface water management system, that the proposal would not increase flooding off site and as such would be in accordance with the Waverley Borough Local Plan and the NPPF in this regard.

#### 12.18 Archaeological Considerations

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on more than insufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The site area exceeds 0.4 hectares, and an Archaeological Desk-Based Assessment has been submitted with the application which acknowledges that the site has the potential to contain archaeological assets from the Roman period. However, given that the assessment demonstrates that the site is unlikely to contain any archaeological assets significant enough to warrant preservation in situ, the County Archaeologist raises no objections in principle subject to the imposition of a condition to secure the implementation of a programme of further archaeological work.

The impact of the proposal on archaeological interests can therefore be sufficiently controlled through the imposition of conditions, if permission is granted.

### 12.19 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.

In considering the application, the comments of the Surrey Crime Prevention Design Advisor have been sought. Whilst no specific objections or concerns have been raised to the proposed development, Surrey Police requests that the developers seek Secured by Design accreditation for the development.

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

### 12.20 Infrastructure

Policy D13 of the Local Plan states that “development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements”. Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

The three tests as set out in Regulation 122(2) require s106 agreements to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.



The NPPF emphasises that to ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The Council adopted a SPD on Infrastructure Contributions in April 2008. The policy requires that developments which result in a net increase in dwellings shall contribute towards infrastructure improvements in the Borough. This is the starting point for calculating the contribution in respect of major developments.

The application proposes the erection of 27 dwellings, a net increase of 25, of which 9 would be affordable. The Council's SPD indicates that this level of housing would require a financial contribution of £152,208.67 to mitigate for the impact on local infrastructure.

The County Rights of Way Officer also requires a developer contribution of £22,000 from the developer towards the improvement of Footpath 436 to the north of the site leading across the recreation ground and beyond and also the short section where Footpath 436 leaves the site to the south west running to the B2127. This would encourage residents of the new development and existing residents in the south west of the village to access the parish facilities (school, community hall, shops, recreation ground and park) on foot, which would complement the aims of Local Plan Policy M4 and the County Council's Local Transport Plan.

## 12.21 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/decision maker.

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 of £36,250) 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.

## 12.22 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.

Whilst the development of this site lies outside of any defined settlement boundary, the site is nevertheless considered to be in a relatively sustainable location in that the site immediately adjoins the village of Ewhurst and is within walking distance of the facilities currently provided by the village, including the village school, shop and recreation ground. Moreover, a bus route runs along the Cranleigh Road. Notwithstanding the above, Ewhurst is one of the smaller villages in the Borough and limited facilities are provided within the village itself. Therefore whilst the site is closely related to the village it is inevitable that there will be a high reliance on the motor car to access shopping, leisure, educational and other facilities.

## 12.23 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 was accompanied by a Phase 1 Habitat Assessment. The assessment concludes, in relation to European reptiles, widespread reptiles, and Great Crested Newts (GCN), that there is a low potential for adverse impact. In relation to Bats, Dormice, Otters, Water Voles, and Badgers, there is no impact anticipated. In relation to

Schedule 1 Listed Birds there is no adverse impact anticipated, and in relation to Nesting Birds there is a high potential for adverse impacts.

With regard to the Great Crested Newts, the survey identified that there is evidence to suggest that great crested newts are, or have been, present in habitats local to the application site. However, the survey indicates that the habitats within the application site are of low ecological value for supporting this protected species. The site does not lie between a potential breeding pond and a potential hibernation area and thus it is unlikely to be crossed. Officers acknowledge that there is a possible impact on the GCN and in recognition of this impact, if minded to grant planning permission, a planning condition requiring further survey work is considered reasonable to include.

In relation to Nesting Birds, Officers acknowledge that the potential impact arises through the timing of site clearance. If minded to grant planning permission, a planning condition controlling the timing of such works is recommended to minimise any possible impact.

#### 12.24 Health and Wellbeing

Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

The NPPG sets out that the range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how:

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes [access to healthier food](#), high quality open spaces and opportunities for play, sport and recreation);

- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The provision of open space in the scheme is considered to be positive in terms of the health and well being of future residents, and the proposed improvement to the public footpath will benefit future and existing residents near the site.

### 12.25 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.

### 12.26 Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

### 12.27 Human Rights Implications

The proposal would have no material impact on human rights.

## 12.28 Third Party and Parish Council Comments

A large number of concerns have been highlighted by third party representation and by the Parish Council and these have been carefully considered. The majority of the concerns relate to the impact on the countryside, concerns at the scale of the development in Ewhurst, the impact on existing residential amenities, and the impact on the heritage asset and the functions and activities at Sayers Croft. Issues are also raised in relation to biodiversity impacts, flooding and highway safety. These matters have been addressed elsewhere within the report and conditions have been recommended to overcome any harm that may arise.

In addition the following response is offered:

The Local Plan and Ewhurst Neighbourhood Plan are both at an early stage. The advice from Government sets out that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Therefore officers conclude that the application could not be reasonably refused on the basis of prematurity.

The site lies within the Countryside beyond the Green Belt and there would be an adverse impact on the intrinsic character of the countryside./ However this issue must be balanced against the immediate requirement for a significant increase in housing supply including affordable housing and the lack of a five year housing supply.

The proposed development would result in a less than substantial harm to the significance of the designated heritage asset, (Sayers Croft), although it would not affect the Listed building itself. Having regard to the considerable public benefit in terms of the level of affordable housing and market housing which would be provided by the proposal it is considered that the benefits would outweigh any harm identified. It has not been demonstrated that there would be any effect on the economic well being of Sayers Croft as a result of the development.

Whilst acknowledging the concerns in relation to residential amenities, Officers consider that the proposal, together with the imposition of appropriate conditions, would ensure that the proposals could be provided on the site, providing a good level of amenity for future and existing residents.

The County Highway Authority has reviewed the proposed development and has raised no objections on highway safety or capacity grounds, and the proposed parking provision exceeds the requirements of Borough Council's parking guidelines. In the absence of an objection from the Highway Authority, an objection on technical

highway safety and capacity grounds could not be reasonably sustained.

In relation to noise, officers are satisfied that subject to the imposition of conditions to inter alia, require the erection of an acoustic fence along the northern boundary of proposed residential properties, that the proposal would not result in unacceptable noise levels, and therefore an objection on noise grounds would be difficult to substantiate.

The proposed affordable housing provision would represent 36% of the net dwellings on the site and would provide a mix and tenure which would adhere to the requirements of the draft SHMA and the housing needs survey.

The benefits of the scheme must be balanced against any negative aspects of the scheme.

The scheme would provide a substantial level of housing, along with affordable housing, which would contribute towards housing in the Borough. Furthermore the scheme would provide infrastructure contributions towards infrastructure, together with contributions to improve the public footpath through the site.

Therefore, whilst acknowledging the considerable local objection to the proposed development, having regard to the immediate need for additional housing and the lack of deliverable sites to achieve the level of housing that is required, it is considered that the dis-benefits of the scheme (primarily in relation to the impact on the countryside and landscape, the impact on the heritage asset and residential amenities are outweighed by the benefits, in this instance).

#### 12.29 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:-

Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

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

Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

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

### 12.30 Cumulative / in combination effects

It is important that the cumulative effect of the proposed development and any other committed developments (ie schemes with planning permission, (taking into consideration impacts at both the construction and operational phases), or those identified in local planning policy documents) in the area are considered.

Cumulative effects comprise the combined effects of reasonably foreseeable changes arising from the development and other development within a specific geographical area and over a certain period of time. The significance of cumulative impacts needs to be assessed in the context of characteristics of the existing environment. This is to ensure that all of the developments:

- Are mutually compatible; and
- Remain within the environmental capacity of the area and its environs.

The schemes in the nearby area which have been granted planning permission, which should be considered alongside this development are:

- Development at Swallow Tiles, Cranleigh (WA/2011/2129)

The County Highway Authority has assessed the cumulative impact of the proposed development and other committed schemes and raises no objection in terms of traffic generation.

### 12.31 Conclusion/ planning judgement

This full application for 27 dwellings lies in the Countryside beyond the Green Belt, beyond any defined settlement area and as such the development would encroach into the countryside. The Council's preference would be for previously developed land to be delivered prior to the development on green field sites such as this. However, the Council cannot currently identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand in the next five years. This is a material consideration of some weight which has to be taken into account in the consideration of this application.

The scheme, which offering a range of dwelling sizes and styles located around a central area of green space would result in harm to the landscape character of the immediate area and would have an urbanising effect in the immediate locality, visible from a public footpath that crosses through the site.

The scheme would result in an increase in traffic movements, however the County Highway Authority has raised no objections on highway safety or capacity grounds.

The proposed development would have a less than substantial harm to the significance of the designated heritage asset at Sayers Croft, however this harm should be weighed against the public benefits of the proposal.

The benefits of the scheme must be balanced against any negative aspects of the scheme.

The scheme would deliver affordable and market housing, which would contribute towards the housing needs of the borough.

The scheme would contribute £152,208.67 towards infrastructure improvements to mitigate for the impact of the proposal. A further £22,000 would also be provided to improve the public footpath running through the site and onward to the recreation ground.

Having regard to the immediate need for additional housing and the lack of alternative deliverable sites to achieve the level of housing that is required, it is considered that the dis-benefits of the scheme, primarily the adverse impact on the character of the Countryside beyond the Green Belt; the landscape; the less than significant impact on a Heritage Asset are outweighed by the significant delivery of housing that this scheme would achieve.

### 13.0 Recommendation

That subject to the consideration of the views of outstanding consultees and further representations, and subject to the applicant entering into an appropriate legal agreement by 12/11/2014, to secure the provision of contributions towards education; libraries; playing pitches; equipped and casual play space; sports and leisure centres; community facilities; recycling; environmental improvements and transport, and improvements to the public footpath, and the surface water management scheme and attenuation facilities, the provision of on site affordable housing and the establishment of a Management Company for the management and maintenance of play and open space, then permission be GRANTED subject to the following conditions:



### 1.Condition

The development hereby approved shall not be commenced unless and until the proposed vehicular/pedestrian access to Cranleigh Road (B21217) has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002.

### 2.Condition

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002

### 3.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) on-site turning for construction vehicles
- (h) HGV deliveries and hours of operation
- (i) Vehicle routing

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

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002

#### 4. Condition

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for

- (a) The secure parking of bicycles within the development site
- (b) Information to be provided to residents regarding the availability of and whereabouts of local public transport, walking and cycling facilities

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002

#### 5. Condition

The development hereby approved shall not be commenced unless and until a plan showing the exact route and construction detail of Public Footpath No. 436 within the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The development shall be carried out in strict compliance with the approved details.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002

#### 6. Condition

Prior to the occupation of the first dwelling on site, the section of Footpath 436 running through the site shall be improved in terms of its surfacing, to a specification to be first submitted to and approved in writing by the Local Planning Authority following consultation with the County Countryside Access Officer.

#### Reason

In order that the development should not prejudice highway or footway safety nor cause inconvenience to other highway users and to accord with Policy M2 of the Waverley Borough Local Plan 2002.

#### 7. Condition

Prior to the commencement of development, a site management plan for the suppression of mud, grit, dust and other emissions during both the deconstruction and construction phase shall be submitted to and approved in

writing by the Local Planning Authority and implemented as approved. Emissions generation activities will be controlled and minimised through use of mitigation measures that are identified in section 4.3 of the London Councils Best Practice Guidance and other similar guidance.

#### Reason

In the interests of protecting air quality and neighbouring amenity and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 8..Condition

Prior to the commencement of development a scheme detailing the provision of an Electric Vehicle Charging Point (EVCP) within the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the scheme and maintained thereafter. Publicly accessible points shall be registered with a national scheme to ensure availability of EVCP's to a wider network of users.

#### Reason

In the interests of protecting air quality and to accord with Policy D1 of the Waverley Borough Local Plan 2002.

#### 9..Condition

The development shall not be occupied until an acoustic barrier has been erected along the Sayers Croft boundary of the site in accordance with Figure 2 on Page 5 of the Additional Noise Survey by Phlorum Limited dated 12 August 2014. Details of the acoustic barrier must be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved barrier shall thereafter be retained and maintained at the height and position as approved.

#### Reason

In order to protect neighbouring amenity and to accord with Policy D1 and D4 of the Waverley Borough Local Plan 2002.

#### 10..Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority

#### Reason

In the interests of establishing the archaeological assets present and enabling suitable mitigation measures to be developed and to accord with Policy HE15 of the Waverley Borough Local Plan 2014.

#### 11.Condition

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233:2014, Guidance on Sound Insulation and Noise

Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

#### Reason

In the interests of neighbouring amenity and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 12.Condition

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the external noise levels within the curtilage of residential units will conform to the “design criteria for external noise” upper guideline value of 55 dB LAeq,T’ as specified within BS8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

#### Reason

In the interests of neighbouring amenity and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 13.Condition

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- (a) An indicative programme for carrying out of the works
- (b) The arrangements for public consultation and liaison during the construction works
- (c) Measures to minimise the noise (including vibration) generated by the construction process, include hours of work for piling for foundations, the careful selection of plans and machinery and use of noise mitigation barriers
- (d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (e) The parking of vehicles of site operatives and visitors
- (f) Loading and unloading of plant and materials
- (g) Storage of plant and materials used in constructing the development

(h)The erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate

(i)Wheel washing facilities

(j)Measures to control the emission of dust and dirt during construction

(k)A scheme for recycling/disposing of waste resulting from demolition and construction works.

(l) Hours of construction including deliveries to the site for construction purposes

Reason

In the interests of neighbouring amenity and the amenity of the area and to accord with Policy D1 of the Waverley Borough Local Plan 2002.

14.Condition

Before any work on site begins, cross sections/details indicating the existing and proposed finished ground levels surrounding the buildings shall be approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason

In the interests of the visual amenities of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

15.Condition

Notwithstanding the submission of a Materials Schedule, no development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002.

16.Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any other order revoking or re-enacting that Order with or without modification, no extensions or alterations as defined within Part 1 of Schedule 2 Classes A-E inclusive of that order shall be constructed/erected without the written permission of the Local Planning Authority.

Reason

Having regard to the character of the area and the need to protect the amenities of the area and the residential amenities of existing and future

occupants and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 17.Condition

No forms of external lighting shall be installed on the dwellings, without the prior permission, in writing, of the Local Planning Authority.

#### Reason

In the interests of the amenities of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 18.Condition

Notwithstanding the submission of a Materials Schedule with the application, no development shall take place until details of the materials to be used in the construction of the hard surface areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### Reason

In the interests of the amenities of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 19.Condition

The garaging in the development hereby permitted shall be used only for the parking of vehicles and domestic storage ancillary to the associated dwellings

#### Reason

In order to protect the character and amenity of the area and to accord with Policies D1 and D4 of the Waverley Borough Council Local Plan 2002.

#### 20.Condition

No development shall take place until a strategy for surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy prior to the use of the buildings commencing.

#### Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to accord with Policy D1 of the Waverley Borough Local Plan 2002.

#### 21.Condition

Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS5837:2012 Trees in

relation to design, demolition and construction – Recommendations) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant such scheme shall also take “off site” trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002.

#### 22. Condition

Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to be agreed with the Local Planning Authority in writing.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002.

#### 23. Condition

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 24. Condition

No development shall take place until a detailed landscaping scheme including hard landscaping inclusive of fencing, has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or

defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

25. Condition

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

26. Condition

No development shall take place until details of all proposed screen walls or fences, or other means of enclosure, have been submitted to and approved by the Local Planning Authority in writing and such walls or fences or means of enclosure as may be approved by the Local Planning Authority shall be erected prior to the first occupation of any dwelling hereby permitted, and thereafter be maintained.

Reason

In the interests of the character and amenity of the area in accordance with Policies D1 and D4 of Waverley Borough Local Plan 2002.

27. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification) no fences, boundary walls or other means of enclosure, other than as may be approved as part of this permission, shall be provided forward of any wall of that dwelling or adjoining dwelling which fronts onto any highway.

Reason

In the interests of the character and amenity of the area and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

28. Condition

Prior to the commencement of development on the site, details of streetlighting shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall take place strictly in accordance with the approved plans.



Reason:

In order to protect the character and amenity of the area and to accord with Policies C2, D1 and D4 of the Waverley Borough Council Local Plan 2002.

#### 29. Condition

Prior to the commencement of development details of bin storage and means of vehicular access to the bin storage area are to be submitted to and approved in writing by the Local Planning Authority. Implementation shall take place in accordance with the approved submission and be retained thereafter.

Reason

In the interests of the character and amenity of the area and to accord with Policies D1 and D4 of the Waverley Borough Council Local Plan 2002.

#### 30. Condition

Development is to be carried out in accordance with the recommendations and mitigation requirements as set out in the Extended Phase 1 Habitat Assessment October 2013 by Enims Development Excellence

Reason

In order to safeguard protected species and to accord with Policy D5 of the Waverley Borough Local Plan 2002.

#### 31. Condition

No development shall take place until further survey work has been carried out in respect of the presence of and any association mitigation for Great Crested Newts. Development shall take place in full accordance with the findings of the survey and any associated mitigation recommendations required.

Reason

In order to safeguard protected species and to accord with Policy D5 of the Waverley Borough Local Plan 2002.

#### 31. Condition

The plan numbers to which this permission relates are Unnumbered Site Location Plan, BMD.14.043.DR.001, 100 Rev X, 201Rev D,202 Rev D, 203 Rev D, 206 Rev A, 207 Rev C, 205 Rev C, 101 Rev E, 070, 020, 208 Rev A, 209 Rev C, 210 Rev C, 211 Rev C, 212 Rev D, 213 Rev F, THA18790 -01A, THA18790-03, The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

## Informatives

1. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

2. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

3. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted from the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. The reason is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system

4. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development

5. The developer is advised that Public Footpath Number 436 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

6. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements for the County Highway Authority.

7. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

8. 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)

9. When access is required to be "completed" before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.

10. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

11. Planning permission does not permit the alteration or obstruction of a Public Right of Way in any form

12. The developers are advised to seek Secured by Design accreditation for this development. SBD NH 2014 (Secured by Design New Homes 2014) gives guidance around layout as well as the physical security of the building.

13. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

14. 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 web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.