

AREA PLANNING COMMITTEE

UPDATE SHEET

Correspondence received and matters arising following preparation of the agenda

Item

WA/2024/00268

LAND COORDINATES 508781 139928 CRANLEIGH ROAD EWHURST CRANLEIGH

Update to the report

Self Build

Under sections 2 and 2A of the Self-build and Custom Housing Building Act 2015 Local Authorities have to give enough suitable development permissions to meet the identified demand for self-build/custom build housing.

This is compounded in the NPPF paragraph 63 which supports meeting the needs for people wishing to commission or build their own homes and in Policy DM36 of the Local Plan Part 2 which explains that WBC will support self-build homes on smaller residential development sites. The monitoring section of this policy explains the Council should be seeking to meet the demand of the Council's self-build and Custom housebuilding register. Similarly, Policy EEG1 of the Ewhurst and Ellens Green Neighbourhood Plan supports the delivery of self-build housing.

As of December 2022, WBC's Authority Monitoring Report 2021-2022 indicated that there were 112 individuals on the self-build register. In a practical sense, attention is given to where an Inspector gave significant weight to the delivery of custom and self-build plot in an appeal (Land at Dunsfold Common, Appeal Ref: APP/R3650/W/22/3300262, December 2022) due to WBC not meeting their statutory duty to meet the need for custom/self-build housing. The Inspector at another appeal – (Land West of Hedgehog Lane, Appeal Ref: APP/R3650/W/22/3295573, June 2023) States "*The discussion also highlighted that there is a considerable shortfall in the provision of self-build plots in the district, and that this has been ongoing for some time.*" Thus, the issue was awarded substantial weight.

The applicant will deliver serviced plots along with the access road. This will contribute towards meeting the need for self-build housing in the borough. This has been the applicant's intention since the initial application for 6 self-build units and it is clear from the description of development the intended housing type to come forward. A condition is also offered to ensure this development comes forward.

Amendments to the report

n/a

Responses from Consultees

n/a

Additional representations

n/a

Additional comments from the applicant/agent

n/a

Amendment to conditions/informatives

n/a

Additional conditions/informatives

Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall not be constructed other than as self-build or custom build dwellings as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall not be used for any other purpose without express planning permission. Reason: To maintain control of development in accordance with Policy TD1 of the Local Plan, and Policies DM1, DM4 and DM36 of the Local Plan, Policy EEG1 of the Ewhurst and Ellens Green Neighbourhood Plan and the NPPF.

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include: detailed drawings of all the finalised SuDS/Drainage elements and layout; Confirmation that there is no flooding in the drainage network up to a 1 in 100 + CC year storm event; Confirmation of the half drain times of attenuation structures; Details of construction phasing, (i.e. how drainage will be dealt with during works including pollution prevention); Details of the required maintenance regime for the SuDS/Drainage elements and who will be responsible for that maintenance; and a post construction verification report by an engineer setting out that the elements have been installed as agreed and maintained in accordance with approved scheme thereafter.

Reason: To maintain control of development in accordance with Policy TD1 of the Local Plan, and Policies DM1, DM4 and DM36 of the Local Plan, Policy EEG1 of the Ewhurst and Ellens Green Neighbourhood Plan and the NPPF.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Policy CC4 of the Local Plan 2018 (Part 1).

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

Applicant: - Ewhurst Sunnybrook Ltd
Parish: Ewhurst
Ward: Ewhurst & Ellens Green
Grid Reference: E: 508781.7
N: 139928.47
Case Officer: Omar Sharif
Neighbour Notification Expiry Date: 04/03/2024
Expiry Date/Extended Expiry Date: 05/04/2024 /
Committee Meeting Date: Joint Planning Committee 05/06/2024
(committee only)
RECOMMENDATION That, subject to conditions, permission be OUTLINE APPROVAL

1. Executive Summary

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

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

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

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

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

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

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

2. Site Description

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

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

3. Proposal

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

4. Relevant Planning History

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

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

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

5. Relevant Planning Constraints

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

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Cranleigh Design Statement (2008)

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

6. Relevant Development Plan Policies and Guidance

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

7. Consultations and Town/Parish Council Comments

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

8. Representations

56 Neighbour Objections Received (in Summary):

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

9. Planning Considerations:

10. Principle of development

The site is located within the Countryside beyond the Green Belt, outside any defined settlement area. Policy RE1 of the Local Plan (Part 1) 2018 and Policy DM15 of the Local Plan (Part 2) 2023 state that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

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

Policy SP2 of the Local Plan Part 1 refers to the Council's Spatial Strategy to 2032 and the need to maintain Waverley's character whilst ensuring development needs are met in a sustainable manner.

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

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

11. Five Year Land Housing Supply

The Council published its latest Five Year Housing Land Supply Position Statement, with a base date of 1 April 2023 in October 2023 which calculates the Council's current supply at 3.89 years' worth. As the Council cannot presently demonstrate a five year housing land supply, paragraph 11(d) of the NPPF 2023 is engaged via footnote 8. Therefore, unless the site is located in an area, or involves an asset, of particular importance, that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole. The 'tilted balance' at paragraph 11(d) of the NPPF is therefore engaged and the development plan policies most important in the determination of the application must be considered out-of-date. Permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits.

Policy AHN3 of the Local Plan 2018 (Part 1) sets out that proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

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

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

12. Isolated Location

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

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

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

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

13. Sustainability

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

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

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

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

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

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

Previous refusals and appeal decisions

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

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

b. Whether the proposal would be sustainable development

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

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

a. Whether the site was appropriate for residential development

b. The effect of the development on;

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

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

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

14. Impact on Heritage Assets

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

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

Paragraph 205 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Heritage asset(s) potentially affected:

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

Significance of heritage assets:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16. Impact on residential amenity

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

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

17. Highway Impacts

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

With regard to parking, the NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

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

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

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

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

18. Impact on Trees and Landscape

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Policy DM11 of the Local Plan (Part 2) 2023 is attributed full and significant weight respectively due to their level of consistency with the NPPF 2023.

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

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

19. Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

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

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

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

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

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

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

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

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

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

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

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

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

20. Flood Risk

Policy CC4 of the Local Plan Part 1 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed.

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

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

21. Archaeology

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

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

Officers concur with the view above and a satisfactory condition is offered that no development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted.

22. Contamination

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

23. Climate Change & Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.

Policy CC2 of the Local Plan (Part 1) 2018 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions.

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

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

24. Planning Balance

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

Officers have had full regard to the planning history and the previous appeal decision in connection with WA/2014/0878 and WA/20180255. There are differences between the previous scheme and the current scheme, along with material differences in the policy position. These have been set out within the report. Whilst the planning history is a material consideration in the assessment of the current application, each application is judged on its own merits. The refusal of WA/2014/0878 and dismissal at appeal or the refusal of WA/2018/0255 and its subsequent dismissal at appeal does not restrict the submission of further applications, or indeed mean that development should automatically be refused on the basis that there has been an appeal decision. Officers have assessed the current application having regard to the Development Plan.

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

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

25. Conclusion

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

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

Recommendation

That permission be OUTLINE APPROVAL subject to the following conditions:

1. Condition:

(a) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (b) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition:

Approval of the details of the and of the building(s), and (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Condition:

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

Reason:

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

4. Condition:

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

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

-

The access arrangements shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

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

5. Condition:

Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

a. Further investigation and risk assessment, in accordance with a scheme, and as recommended in findings of previous investigations/risk assessments, to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

The investigation and risk assessment shall:

- i. Be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF
- ii. Aim to address gaps identified in the initial investigations, as detailed in consultation memorandum from Waverley Borough Council's Pollution Control Officer (20/09/2023).
- b. If identified to be required, a detailed remediation scheme shall be prepared to bring the

site to a condition suitable for the intended use by removing unacceptable risks to human

health, buildings and other property. The scheme shall include:

- i. All works to be undertaken
- ii. Proposed remediation objectives and remediation criteria
- iii. Timetable of works
- iv. Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A

of the Environmental Protection Act 1990 in relation to the intended use of the land after

remediation. The remediation works shall be carried out in strict accordance with the

approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason:

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

6. Condition:

Upon completion of the approved remediation works, a verification report demonstrating the

effectiveness of the approved remediation works carried out shall be completed in accordance

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

occupation of the development

Reason:

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

7. Condition:

Following commencement of the development hereby approved, if unexpected contamination is

found on site at any time, other than that identified in accordance with Condition 5, the Local

Planning Authority shall be immediately notified in writing and all works shall be halted on the site.

The following shall be submitted and approved in writing by the Local Planning Authority prior to

the recommencement of works:

- a. An investigation and risk assessment, undertaken in the manner set out in Condition 5 of this permission.

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

Reason:

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

8. Condition:

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

Reason:

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

9. Condition:

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

Reason:

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

10. Condition:

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

Reason:

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

11. Condition:

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

Reason:

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

12. Condition:

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:

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

13. Condition:

The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

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

14. Condition:

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway
- (e) on-site turning for construction vehicles

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

Reason:

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

15. Condition:

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

Reason:

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

16. Condition:

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

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

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme

Reason:

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

17. Condition:

The proposed development shall be required to be implemented only in accordance with an appropriately detailed CEMP. This document will need to be submitted to and approved by the LPA in writing, prior to the commencement of the development. The CEMP should include, but not be limited to:

- a) Map showing the location of all of the ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features

- e) Responsible persons and lines of communication
- f) Use of protected fences, exclusion barriers and warning signs.

Reason:

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

18. Condition:

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

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

Reason:

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

19. Condition:

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

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

Reason:

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

20. Condition:

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

This scheme shall include details of:

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

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

Reason:

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

21. Condition:

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

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

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

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

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

Reason:

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

Informatives:

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

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

and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

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

development works and be detailed, site specific, prepared by a qualified and experienced arboriculturist and in line with BS5837:2012 - 'Trees in relation to design, demolition, and construction - Recommendations'.