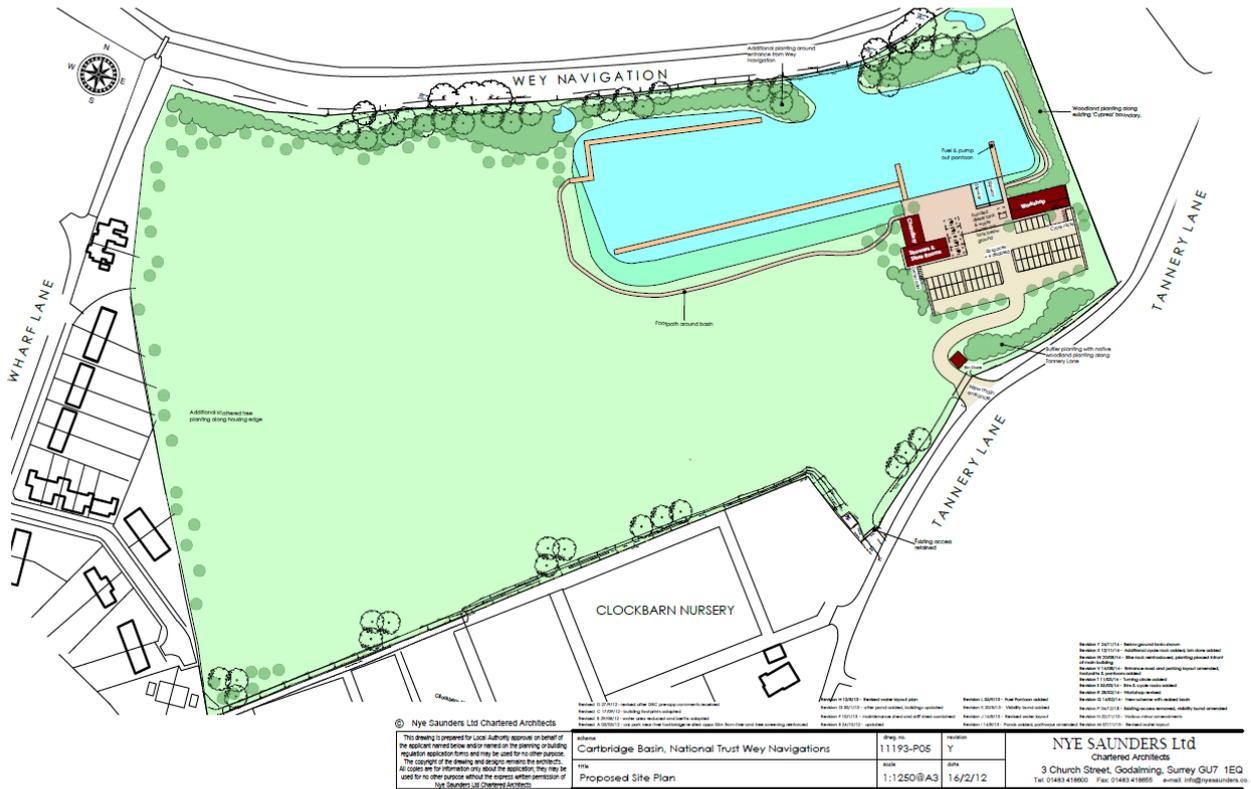


14/P/02289 – Land to the north of Tannery lane & east of Wharf Lane, Send



Not to scale

The site consists of a broadly triangular parcel of land, lying immediately to the east of the village of Send. The present land use is agricultural land, growing arable crops. The land has been previously used for sand / gravel extraction during the 1990s, and therefore consists now of poor quality made ground. The site is relatively level. Existing access to the site is via Tannery Lane and then an agricultural gateway, adjacent to a telecommunications mast / substation enclosure.

There are no Public Rights of Way running across the site land, however there are several nearby.

Proposal.

Construction of a narrowboat basin and moorings facility including: fuel, water & pump-out; Slipway with associated workshop building; Basin facility building with offices, chandlers, M & F toilets, showers, disabled toilet with changing and washing facility, laundry, storage area and employee single bedroom accommodation together with associated parking, landscaping and engineering works. (Revised Non-Technical Summary relating to the Environmental Statement received 21/05/15).

The proposed narrowboat mooring facility will be located on the eastern side of the site and include a connection to the Wey Navigation.

The excavated materials (estimated to be approx 36,000m³ based on a marina basin water area of 9,100m²), will be reused on site to regrade the western half of the site. There will therefore be no transport of materials off site. The elevation (maximum height) of the land will not change. The high point will be maintained. The gradient of the land from the high point to the majority of the field will become flatter. Whilst some gradients at the edge of the field will be steepened but will be managed as rough grassland.

The basin will provide 80 permanent recreational moorings.

A new vehicular access is proposed off Tannery Lane, constructed approximately 75m north-east of the existing access. The existing access will be retained to serve the western half of the site which will remain in agricultural use.

A short internal access road will be provided enabling boat owners / users to drive to a parking area comprising 53 parking spaces + 4 disabled parking spaces.

A new footpath is proposed around the perimeter of the marina. A new pedestrian link is also proposed along the southern edge of the application site, linking the proposed development with Wharf Lane.

Existing vegetation on all boundaries is to be retained and enhanced, including enhancement of the tree belt which runs along the boundary of the site with the Wey Navigation.

Two buildings are proposed comprising a main building (as detailed above) and associated workshop building.

Dimensions of proposed buildings:

Main building:

Height: 6.5m (max); 5.1m (min); Width (L-shaped): 18m (max); 8m (min); Depth (L-shaped): 20m (max); 8m (min);
Footprint: 240m²

Narrowboat workshop building:

Height: 6.1m (max); Width: 10m; Depth: 28m;
Footprint: 211m²

EIA development

The proposed development falls within category 12b (Tourism and leisure developments - Marinas) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (known as the EIA Regulations). The EIA Regulations take into account the European Community (EC) requirements of Directive 97/11/EC (the assessment of the effects of certain public and private projects on the environment).

As the proposal could give rise to significant environmental impacts, an Environmental Statement (ES) is required. An ES informs the decision maker of the likely significant environmental effects of the proposed development, both during construction and on completion, and identifies any measures to prevent, reduce or offset any significant effects on the environment. It is an important part of the environmental information that the Council must consider when determining the application, along with representations from consultation bodies and the public.

The applicant has submitted an ES. This considers the development, and its likely environmental effect with regard to:

- Water
- Community
- Land quality
- Noise
- Transport
- Landscape and visual
- Historic Environment
- Ecology

The applicant submitted a revised Non-Technical Summary as an addendum to the ES (received 21 May 2015).

In addition to the ES, the applicant has submitted the following documents:

- Planning Supporting Statement
- Design and Access Statement
- Statement of Community Involvement
- Flood Risk Assessment
- Transport Statement
- Construction Environmental Management Plan
- Tree Survey and Implications Assessment

- Supporting letter from the applicant
- Clarification Document (received 18 June 2015) - The clarification document has been produced to address concerns and provide clarification on representations submitted to Guildford Borough Council by statutory and non-statutory consultees, the local community and third parties.

The Clarification Document includes:

- Details of a Drainage Strategy for the proposals put together in consultation with the Council's Drainage Consultant's (Stillwell Partnership) and the Environment Agency;
- a letter from the National Trust regarding the requirements for mooring facilities along the Wey Navigations
- Lighting strategy (in response to comments from Natural England)
- Updated noise report
- A plan to show the proposed location of a walking and cycle link across the site to Wharf Lane, providing a pedestrian link to the centre of the village.

Supporting letter from applicant (dated 18 May 2015) setting out the need for the proposed facility:

- to provide off-line facilities and moorings for the growing narrowboat market
- to take up a portion of the current waiting lists (NT and commercial)
- to create a more competitive marketplace within the Wey Navigations
- to assist with the move from on-line to off-line facilities as proposed by the NT for biodiversity and safety reasons
- to improve the ease of on-line boat handling by supporting off-line mooring use
- to provide an additional contact point to the Navigation, thus encouraging sustainable use and Trust revenues
- provision of services to home water craft and the many visitors to the Navigations
- scheme well received by the boating community who are most supportive of the project in all aspects. These clients will undoubtedly form a strong customer base from the beginning.

Letter from the National Trust (NT) (dated 11 May 2015) (written to the Applicant to outline the National Trust's position on marinas and other boating facilities on the River Wey and Godalming Navigations, in response to comments and objections made to this planning application at Send) summarized as follows:

- have a list of around 50 people waiting on a suitable space becoming available for their boat on the waterway.
- over the last decade the boat ownership and the requirement for moorings and associated facilities and services has remained strong.
- as the Basingstoke Canal becomes more accessible and with the imminent restoration of the Wey & Arun Junction Canal, expect the number visiting boats to increase.
- there are private moorings found along the waterway, primarily at Farncombe Boat House and Pyrford Marina.
- the cost of mooring varies with the facilities and services offered by the supplier - the NT offering the most basic bankside mooring to Pyrford Marina offering a full range of facilities.
- a choice of supplier brings competition to the industry and gives the customer choice with regards to affordability and what facilities they require.

- currently there is only a very limited selection of narrowboat facilities and services available along the waterway and there is a lack of competition.
- Pyrford Marina is the only location with dry docking facilities and a full range of ancillary services.
- Farncombe Boat House has limited space for serving boats, has only a wet boat dock and is situated in a river section of the navigations.
- boaters have to travel some distance for simple services making the waterway as a whole less attractive for potential boaters, which in turn impacts on the Trust's revenue streams vital for continuing the maintenance and operation of the waterway.
- Send is conveniently located almost halfway between the River Thames and the southern terminus of Godalming Wharf.
- mooring basins are in the Trust's view reversible, not so easy for other types of land use such as housing.
- creation of off-line moorings is a benefit to the setting of the conservation area.
- the Trust would wish over time to see a reduction of on-line moorings which often conflict with the visual aspect of the waterway and can be detrimental to marginal vegetation so important for biodiversity.
- the Trust can only contemplate reducing on line moorings if the income derived from these moorings is replaced by income from a new source such as offline moorings.
- proposed location at Send would provide safe and accessible access to boats unlike on-line moorings found in river sections.
- a well planned and located mooring basin will have little if any visual impact on the conservation area compared to an on-line mooring.
- on-line moorings would not be replaced as they fell vacant thus emptying a mooring by natural wastage.
- if boating is to continue and prosper on the River Wey and Godalming Navigations it is desirable that the development and provision of modern and easily accessible boating facilities and services takes place to meet the needs of growth in this recreation sector.

Community engagement

A public exhibition was held on 20 September 2014 at Lancaster Hall, Send. The exhibition enabled members of the public to read information relating to the project presented as text and drawings on information boards. The applicant was present to answer questions and receive feedback on the proposals from attendees. All those in attendance were requested to complete a feedback form. 12 feedback forms were received, all of which were supportive of the proposals.

Relevant planning history.

None relevant.

Consultations.

County Highway Authority:

- No objection subject to recommended conditions and informatives (discussed later in the report).

- The impact of development traffic on the Tannery Lane/Send Road Junction has been assessed and the additional trips will not have a significant impact on this junction. The trips associated with the proposed development are more likely to occur at weekends or on Fridays outside of peak hours, therefore this will not result in increased congestion at the Tannery Lane/Send Road junction in the morning peak hours.
- The applicant had to undertake a speed survey to show the actual speed of vehicles on Tannery Lane in order to determine the required visibility at the proposed access. The 85th percentile speed of vehicles on Tannery Lane was 30.9mph and 29.1mph South of the proposed access and 25.9mph and 23.7mph at the North of the proposed access. The maximum required visibility for vehicles of this speed would be approximately 45m; the achievable visibility in both directions (82m and 174m) at the proposed access is in excess of this. Visibility from the proposed access onto Tannery Lane is therefore sufficient.
- Basing the level of parking provision on existing canal basin sites is a satisfactory method to determine the required level of parking. The justification for the level of parking is satisfactory and the parking being provided will be sufficient.
- The provision of a pedestrian/cycle link from the proposed development to Wharf Lane shall provide safe access for all to the facilities on Send Road. This will encourage users on the site to walk or cycle to nearby facilities instead of using the private vehicle, therefore making the development more sustainable. The widening of Tannery Lane at the bend south of the access will allow two cars to pass simultaneously, therefore reducing the impact of increased levels of traffic on Tannery Lane at this point.

Additional comments received (31 July 2015) following Member's site visit:

- The Transport Statement provided by RGP as part of this application, point 3.1.6 reads: 'Tannery Lane runs along the southern boundary of the site from west to east. It is subject to a 30mph speed limit, which extends from the A247 to approximately 10 metres east of the current site access, where the speed limit changes to derestricted (60mph), although the alignment of Tannery Lane ensures that vehicle speeds are significantly below 60mph.'
- The Transport Statement was published in February 2014, since then it would seem that the 30mph speed limit has been extended, as shown by the repeater sign helpfully pointed out by one of the Councillors. Therefore the speed surveys were a requirement given the speed provided by their transport consultants. If the speed limit had been stated as 30mph at the publication of the Transport Statement a speed survey would not have been asked for as the achievable visibility splays (to be in accordance with Manual for Streets) are more than sufficient for a road of that speed limit. The fact speed surveys were undertaken meant an even more thorough assessment was carried out, the findings showed that speeds are around 31mph which further justifies that the achievable visibility splays are more than sufficient.

Environment Agency:

- No objections to the proposals on biodiversity grounds and welcome the proposed ecological enhancements that will increase the biodiversity interest of the site.

- Particularly welcome the commitment to the long-term management of the site, as this will ensure the continued biodiversity interest of the enhanced and newly created habitats.
- The application is acceptable subject to conditions requiring a surface water drainage scheme, landscape management plan, construction environmental management plan
- the applicant has met the minimum requirements of the NPPF. The applicant should, as part of the surface water strategy, demonstrate to the LPA that the requirements of any local surface water drainage planning policies have been met and the recommendations of the relevant Strategic Flood Risk Assessment and Surface Water Management Plan have been considered.
- Although not affecting the designated main river Wey the proposed works do require consent as they are within 8 metres of the Wey Navigation.

Additional comments from Land Contamination and Groundwater Protection Team (at the Environment Agency):

- The Contamination Investigation work to date has not shown the site to be significantly contaminated but groundwater beneath the site itself has not been sampled to date. Therefore on site groundwater sampling is required during the site investigation and also during works on site to build the marina as contaminants could move onto the site during dewatering/excavation works. Monitoring of groundwater and surface water should be included as part of the validation works to confirm there has been no impact.
- Agree with the conditions suggested by the Council's Environmental Health Officer.

Nicholas Pearson Associates (NPA) (independent environmental consultants appointed by the Council to review the ES)

The ES review recommended that Guildford Borough Council consider the need for a revised Non Technical Summary, submitted as 'Further Information' under the terms of the EIA Regulations in order to ensure the ES meets the regulatory requirements. The NTS was not considered to provide a summary of the information required within Schedule 4 of the EIA Regulations.

The ES review also recommended that GBC consider the need for 'Further information' regarding whether the proposals would have any effects on water levels within the Wey Navigation or other water resources in the locality, particularly during the summer months, as requested by the Environmental Agency. [Officer note: Although this matter was raised at the Scoping stage, the Environment Agency has not raised concern in their consultation response. Further information is therefore not considered to be required regarding this matter]

The ES review has found a number of additional areas where it recommended that GBC seek clarification from the applicant to be satisfied that the ES is complete and to inform the determination of the planning application. These are summarised below:

- description of development
- transport
- community

- noise
- ecology
- land quality
- landscape and visual
- climatic factors
- cultural heritage

The applicant submitted a revised Non-Technical Summary as an ES Addendum on 21 May 2015. This together with the Clarification Document (received 18 June 2015) provided the additional information requested and clarification on the other issues raised.

NPA reviewed this revised Non-Technical Summary and concluded that the NTS meets the minimum requirements of the EIA Regulations, as set out in Schedule 4, Part 2.

Subject to the delivery of mitigation and other measures through conditions the development would not give rise to significant or harmful environmental impacts.

Drainage Consultants (Stillwell Partnership)

- The Flood Risk Assessment submitted for this development is a professionally prepared report and covers flood risk for the development.
- In accordance with NPPF, all forms of flooding should be considered for the development. The FRA should include formal discounting/mitigation for other sources of flooding. In addition, further investigations should be made into the primary risks of flooding to the site.
- It is recommended that the applicant provide a drainage strategy for this development before planning approval can be granted (recommendations made for the details that should be included in a drainage strategy).
- Thames Water have confirmed that there is capacity in the existing public sewer network to cope with the additional foul water flows from the development.

Updated comments (received 3 July 2015) in response to the Clarification Document which includes a Drainage Strategy submitted by Johns Associates for planning application 14/P/02289 – Cartridge Basin.

The following sections of the document have been reviewed in terms of flooding and drainage: Section 3 and Appendix A. The comments on the report are as follows:

- Appendix A Section 2. The concept of tanked permeable systems with a positive outfall is acceptable as previously discussed with the applicant and the details presented are acceptable
- Appendix A Section 4. The remodelling and consultation regarding the run-off rate is acceptable and the applicant has gone to a good level of detail to establish the potential run-off rate.
- Appendix A Section 5. The pond strategy is acceptable for the development and the recommendation to restrict the flow prior to the marina has been implemented.
- Appendix A Section 6.2. It is accepted that all water within the site will be contained with the upgrading of the perimeter ditches. This approach is acceptable.
- Appendix A Section 7. The strategy for exceedance flows is acceptable.
- Appendix A Section 8. The strategy for maintenance is acceptable.

Therefore the report issued by Johns Associates has met all the criteria previously set. Any detailed design works should be done in accordance with this strategy document and the FRA.

Council's Drainage Engineer

Concur with the Stillwell Partnership response.

Natural England (NE):

- Thames Basin Heaths Special Protection Area (SPA) - If the applicant is complying with the Council's adopted Avoidance and Mitigation Strategy then NE does not object.
- Sites of Special Scientific Interest (SSSI) - No objection, no conditions requested. This application is in close proximity to Papercourt SSSI and Basingstoke Canal SSSI. NE is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.
- Local sites - As the proposal site is on or adjacent to Broadmead Cut and Wey Navigation at Send SNCI the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application. [Officer comment: Volume 3 of the Environmental Statement sufficiently addresses the impact of the proposal on the SNCI.]
- Protected species - refer to standing advice [Officer note: Ecological surveys have been carried out for protected species in accordance with Natural England's Standing Advice.]
- would expect a lighting strategy to be produced to demonstrate that low level and directional light can be delivered. [Officer note: Further to Natural England's concerns, the applicant has submitted a proposed lighting strategy. This is discussed in more detail below]

Surrey Wildlife Trust (SWT)

- should the Local Authority be minded to grant the application, the applicant should be required to undertake the mitigation measures relating to Protected Species set out in the Environmental Statement.
- note that the development is intended to reduce on-line moorings, which could result in a reduction in adverse ecological impacts. However, there is no undertaking from the National Trust that such moorings will in fact be managed downwards in response to the new facilities; given the current economic pressures, the development may therefore result in an overall increase in traffic to the detriment of the wildlife.
- a draft Construction Environmental Management Plan (CEMP) has been prepared, which should help avoid adverse impacts from the construction phase of the development.
- recommendations made with regard to biodiversity enhancements
- this development is likely to offer some opportunities to restore or enhance biodiversity; such measures are in line with the NPPF, will assist the Local Authority in meeting their duty under NERC and also help offset any localised harm to biodiversity caused by the development process.
- The Trust supports the enhancement measures outlined in Volume 3 of the Environmental Statement which the applicant should be required to undertake

Thames Water:

No objection with regard to waste or water infrastructure.

Recommended informative with regard to surface water drainage.

Surrey County Council Archaeological Officer:

Due to the fact that the site has been disturbed to some extent by the existing development and the fact that remains of national importance worthy of preservation in situ are unlikely to be present, in this case it would be reasonable to secure the required programme of archaeological works by the use of the recommended condition should planning consent be granted

Arboricultural Consultant

- no objection to proposals
- no trees of any particular merit with many in a declining condition, replanting will adequately compensate for any trees that require removal
- require an Arboricultural Method Statement as a condition

Send Parish Council:

Objects to the application on the following grounds:

- application contains a lot of inaccuracies and misinformation
- flooding - concern that the soil displaced to the surrounding field will create a flood risk to the houses in the area
- impact on existing highway issues along Tannery Lane and the junction with Send Road
- impact on wildlife
- previous use of the site as landfill and implications for ground contamination as a result of the development
- not a disabled user friendly design
- unclear whether the development for public or private use [Officer note: The proposed facility would be a private enterprise which any member of the public would be able to pay to use]
- if permitted, there should be very good screening to the Wey Navigation to ensure its preservation
- would seek assurances than the land to the west of the site is kept as open countryside

Additional comments received from Send Parish Council 15 June 2015 following receipt of revised Non-Technical Summary:

- issues of environmental health should be fully investigated before approval is granted
- question how GBC's Environmental Control Officer states 'no objection'
- concerns regarding serious risk of flooding for Tannery Lane, parts of Send Road and for Wharf Lane
- ground contamination - there is already run off going into the Wey Navigation
- the added requirement for a pedestrian cycle link adds an element to the proposed development, which was not part of the original consultation - residents of Wharf Lane should be consulted on this
- concerns regarding impact of required security lighting in the link
- impact on wildlife including otters

Head of Community Care Services:

No objection subject to recommended conditions and informatives regarding:

- noise and dust control during construction
- noise associated with the use of the buildings
- plant and equipment noise
- investigation and remediation with regard to contaminated land

Landscape architect

- the buildings and layout are well designed and appropriate for the setting.
- the use of native species throughout is wholly appropriate and acceptable.

Third party comments:

366 letters of representation have been received raising the following objections and concerns:

- the site is within the Green Belt - no exceptional circumstances
- impact on protected species
- no proven or identified need for this type of leisure / recreation development
- no survey evidence of boat users
- inaccuracies in the application documents
- concerns regarding public consultation
- ground contamination risks, will disturb an old landfill site [Officer note: The application site itself is not a former landfill site]
- would adversely alter the character of the Wey Navigation Conservation Area
- loss of Grade 2 Agricultural Land [Officer note: An Agricultural Land Classification was carried out on the site in October 2014. This concluded that the site falls within a grading of 3b]
- adverse impact on congestion / highway safety in Tannery Lane (a single track lane), junction with A247, Papercourt Lane and Polesden Lane
- impact of change in ground levels on flood risk
- "trojan horse" for other substantial residential development along the River Wey Navigation [Officer note: With the exception of a single bedroom manager's flat, no residential development is proposed as part of this application. Any future applications for residential development would have to be assessed entirely on their own merits]
- detrimental impact on local environment
- detrimental impact on local birds and wildlife
- noise and pollution
- there is already a large marina at Pyrford
- not required or desired by local residents
- local infrastructure is already overloaded

16 letters of support have been received outlining the following positive comments:

- will provide much needed additional mooring space in the South East
- provide competition for the only other marina
- provide employment in the area
- support the local economy
- provide additional places to service a boat
- the noise footprint from such a marina will be very low and will provide a very quiet industry
- will stop the continuing spread of housing and industrial development
- will provide something that the public & wildlife can use & enjoy and will improve the wellbeing of so many local people
- will be an asset to the area and provide more funds to keep the River Wey properly maintained
- there is a shortage of moorings around Guildford and Godalming

Planning policies.

The following policies are relevant to the determination of this application.

National Planning Policy Framework (NPPF)

Core planning principles

Chapter 1. Building a strong, competitive economy

Chapter 3. Supporting a prosperous rural economy

Chapter 4. Promoting sustainable transport

Chapter 7. Requiring good design

Chapter 8. Promoting healthy communities

Chapter 9. Protecting Green Belt land

Chapter 10. Meeting the challenge of climate change, flooding and coastal change

Chapter 11. Conserving and enhancing the natural environment

Chapter 12. Conserving and enhancing the historic environment

Chapter 13. Facilitating the sustainable use of minerals

The Conservation of Habitats and Species Regulations (2010)

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

South East Plan

Policy NRM6 - Thames Basin Heath Special Protection Area

Ministerial statement March 2015 – removing maximum parking standards:

“Local Planning Authorities should only impose local parking standards for residential and non residential development where there is a clear and compelling justification that it is necessary to manage their local road network”.

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1	General Standards of Development
G5	Design Code
G6	Planning Benefits
G11	Corridor of River Wey & Guil & God Navig
HE10	Dev Which Affects the Setting of a CA
NE4	Species Protection
NE2	Sits of Special Scientific Interest
NE3	Local and Non-Statutory Sites

NE5	Dev. Affecting Trees, Hedges & Woodlands
R10	Water Based Recreational Activities
RE2	Development Within the Green Belt

Supplementary planning documents.

Manual for Streets (2010)
 Planning Contributions SPD (2011)
 Sustainable Design and Construction SPD (2011)
 Vehicle Parking Standards SPD (2006)
 Surrey County Council Vehicular and Cycle Parking Guidance (2012)
 Thames Basin Heath Special Protection Area Avoidance Strategy (2009-2016)
 Guildford Borough Landscape Character Assessment and Guidance (2007)
 The National Trust's Environmental Strategy
 National Trust Policy Statement for the River Wey and Godalming Navigation (May 2006)

Planning considerations.

The main planning considerations in this case are:

- Policy background - Status of the land in terms of the adopted Local Plan (2003) and the draft Local Plan strategy and sites (2014)
- the principle of development - Green Belt / provision of water based recreation
- loss of agricultural land
- the impact on the openness of the Green Belt
- need for the proposed facility
- alternative sites?
- heritage considerations
- character of the area including landscape character
- highway/parking considerations
- the impact on neighbouring amenity
- impact on flooding and drainage
- ground contamination
- impact on biodiversity
- impact on trees and vegetation
- archaeology
- sustainable design and construction
- Thames Basin Heat SPA
- legal agreement requirements
- other considerations
- balancing exercise

Policy background - Status of the land in terms of the adopted Local Plan (2003) and the draft Local Plan strategy and sites (2014)

The site area is currently designated Green Belt, in accordance with the extent of Green Belt as shown on the Local Plan Proposals Map (Local Plan 2003, Policy RE1 Extent of Green Belt and proposals map). Therefore, saved Local Plan Policy RE2 (2003) and national NPPF Green Belt policy, as set out in paragraph 87-90 of the NPPF, apply.

The Council is currently preparing a new Local Plan. To inform this process, the Council has carried out a review of the Green Belt, to identify possible development areas, should the identified development needs of the borough not be able to be sustainably met in the urban areas and village settlements.

The Guildford Borough Green Belt and Countryside Study (GBCS) is an evidence base document prepared to inform the emerging new Local Plan. The application site is identified in the GBCS (Volume III) as a potential development area (B16-C Send). It is also identified in Volume V as a larger potential major development area (B16-A Send). This evidence study does not, however, set policy nor does it amend existing Green Belt boundaries. As set out in the NPPF (paragraph 83), it is for the new Local Plan to consider whether exceptional circumstances exist in order to justify a review of Green Belt boundaries.

The draft Local Plan strategy and sites (2014) proposed to remove the application site from the Green Belt, as part of a larger potential development site (draft Local Plan proposed site allocation number 75), to provide housing (C3) and public village car park or housing (C3), public village car park and marina (*sui generis*).

Government guidance (PPG para 019 ID Ref 12-019-20140306) advises that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the NPPF. Whilst the draft Local Plan strategy and sites (2014) proposed amending Green Belt boundaries, including removing this land from the Green Belt, the draft Local Plan is at a relatively early stage in the plan preparation process (Regulation 18 draft plan consultation was completed in September 2014) with unresolved objections, and therefore should be given very little weight.

This planning application should be determined on its own merits in accordance with current planning policy and all relevant material planning considerations. Any subsequent future decisions to be taken as part of the Local Plan process do not influence whether this current proposal is acceptable in planning terms.

Principle of development - Green Belt

Saved Local Plan Policy RE2 is broadly consistent with the NPPF, therefore Policy RE2 should be given considerable weight. However, in relation to leisure and recreation uses, Policy RE2 is overly restrictive. It refers in point two to *essential* outdoor sports and recreation facilities whereas the NPPF refers to the provision of *appropriate* facilities (para 89).

Paragraph 89 of the NPPF says, "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include: the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it."

Paragraph 81 of the NPPF says, "local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation."

The proposal will involve the material change of use of just under one half of the site from agricultural land to an area to be used for the mooring of boats and the parking of up to 57 cars. The regraded land to the western half of the site will remain in agricultural use. The material change of use of land is not included in the exceptions set out in Para 89 of the NPPF. This would be inappropriate development in the Green Belt.

Notwithstanding this, proposed buildings for outdoor recreation are not in principle inappropriate in the Green Belt, as long as the new buildings proposed are appropriate, preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. A judgement needs to be made as to the impact of the proposed buildings on the openness of Green Belt. This is assessed in more detail below.

As an engineering operation, the construction of a marina and related earthworks in Green Belt is not inappropriate in the Green belt, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. (NPPF para 90).

In considering the proposal as a whole, whilst the engineering works and marina buildings may not be inappropriate in themselves the development as a whole derives from a material change of use of the land, which is inappropriate development in the Green Belt. NPPF Para 88 states that "inappropriate development is by definition harmful to Green Belt and should not be approved except in very special circumstances. Para 88 goes on to state that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

This report will now go on to consider whether the proposal would result in any other harm, and then have regard to other considerations, so as to undertake the balancing exercise outlined above.

Provision of water based recreation in the countryside

Policy R10 of the saved Local Plan supports the provision of water based recreational activities in the countryside. This policy states that the use of existing or new man made water areas for recreational activities in the countryside will be permitted provided:

1. There is no harm to the landscape character, nature conservation interest, archaeological interest, water environments, historic landscapes, conservation areas or buildings of historic or archaeological interest and the best and most versatile agricultural land;
2. Any associated buildings are small scale and would not cause harm to the character and openness of the area;
3. Car parking provision is discretely located and screened;
4. Traffic generation would not prejudice highway safety or cause harm to the environment or character of the area or local roads;

This policy goes on to state that to protect the character of the countryside proposals will be expected to have minimal impact, new buildings kept to a minimum and car parking appropriately screened in order to protect the character of the countryside.

R10 is consistent with the NPPF except for the first criteria in that this criteria 1 does not conform with the NPPF presumption in favour of sustainable development. Saved Local Plan Policy R10 therefore carries full weight, with the exception of criteria 1, as R10 does not allow harm to the landscape character, nature conservation interest, archaeological interest, water environments, etc, whereas the NPPF allows adverse impacts as long as the benefits outweigh them.

Para 28 of the NPPF states that 'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should...support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres;...'

Loss of agricultural land

The application site is currently in agricultural use, currently used for growing arable crops.

The Agricultural Land Classification (ALC) system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (Annex 2 of NPPF). Grade 3b is moderate, Grade 4 is poor and Grade 5 is very poor.

It is acknowledged that the land is shown as Grade 2 on the Natural England Agricultural Land Classification database. However, the guidance in the Natural England Technical Information Note (TIN049) states that 'these maps are not sufficiently accurate for use in assessment of individual fields or development sites, and should not be used other than as general guidance'.

Independent soil testing was subsequently carried out on the proposal site in October 2014. In order to establish the ALC a desktop investigation and field survey consisting of a number of hand auger borings to a depth of 1.2m were carried out, together with pit excavations to determine sub soil structure where necessary. The ALC was carried out by Soil Environment Services Ltd in October 2014 and is attached to the Planning Supporting Statement at Appendix D. The survey reports that 'the combination of the soil textures together with climatic factors results in an ALC grading of 3b for Type 1 soils. The survey therefore concludes that the proposals is not considered Best and Most Versatile Agricultural Land.

The proposal therefore accords with Policy R10 of the saved Local Plan and Para 112 of the NPPF.

The impact on the openness of the Green Belt

The proposed buildings would lead to an increase in built form in the Green Belt and the car parking area would also result in an encroachment. The proposed basin itself, although providing moorings for boats, by virtue of its open nature and due to its modest scale will maintain openness. The proposed development is consolidated on the eastern side of the site, with the proposed buildings and parking area confined to a modest area on the eastern edge of the site, thus minimising the spread of development.

The southernmost element of the main building will measure to a ridge height of 6.5 metres in height. This height is required to allow for the provision of living accommodation for the facility manager within the roofspace. The provision of a single bedroomed flat, is considered appropriate in connection with the day to day management of the proposed recreation facility. The proposed height is still relatively modest and enables the footprint of the building to be kept to a minimum. The narrower northern section of the building then steps down in height to 5.1 metres with a shallower pitched roof and lower eaves height which assists in minimising the overall bulk of the building.

The proposed workshop building is to measure to a ridge height of 6.1 metres. The height and footprint of the building has been kept to the minimum required to accommodate two narrowboats for repairs, together with a small amount of ancillary circulation space. This proposed building is sited adjacent to the eastern boundary of the site and will be set against an area of proposed woodland planting along the eastern edge of the site.

Both buildings have been sited as close as possible to the edge of the proposed basin, reducing the spread of development. It is considered that the size of the buildings has been limited to the minimum required to meet the operational needs of the proposed basin. Although consolidated on the eastern side of the site, a good sized gap will be provided between the two buildings which will break up the bulk of the built form, allowing views through, across the proposed basin.

The proposed parking area will provide 57 spaces. This is the minimum amount of parking required to serve the new facility. The length of the vehicular access has also been kept to a minimum.

The proposed regrading of the land to the western half of the site, would result in some modest increases in ground levels and alterations to topography, mainly comprising the flattening out of the surface from the existing higher point in the middle of the site, with steeper slopes around the edges of the site. There will be no increase in levels from the existing highest point and the maximum increase in levels at any point will be 2 metres. The regrading of the land will ensure that it remains suitable for agricultural purposes and will retain the openness of this part of the site.

Overall, the scale of the proposed basin is modest, and the scale of the proposed associated buildings and parking facilities are also modest and appropriate to the scale of basin proposed. The location of the development to the eastern side of the site, with the western side of the site remaining in agricultural use, will ensure that a large visual gap is retained between the existing housing to the west of the site and the proposed development. The consolidation of the built form and parking area, set against the eastern edge of the site, will minimise the impact on openness, whilst still allowing views through the site.

It is considered that the proposal, by virtue of the introduction of development on a currently undeveloped site will result in some harm to the openness of the Green Belt. However, for the reasons set out above, this impact across the site will be minimal. As such, it is concluded that the proposal will satisfactorily preserve the openness of the Green Belt and will not have a significant adverse impact, in accordance with policies RE2 and R10 of the saved Local Plan and Chapter 9 of the NPPF, and will not conflict with the purposes of including land within it.

As noted above, the proposal also includes the provision of living accommodation for the facility manager comprising a one bedroom flat. This provision of a residential unit within the Green Belt is only considered acceptable as it would be an essential requirement in connection with the day to day management of the recreation facility (for security and operational purposes). It is therefore necessary to ensure that this accommodation could only be occupied by the manager of the proposed basin facility. This will need to be secured by way of a condition. A condition is also recommended to ensure that the proposed moorings are used for recreational purposes only and not as residential moorings.

Need for the proposed moorings facility

Policy G11 of the saved Local Plan relates to the Corridor of the River Wey and the Guildford and Godalming Navigations.

The Wey Navigations are owned by the National Trust.

The National Trust's Environmental Strategy is referenced in Para 4.59 of the supporting text for Policy G11 which states that 'this strategy identifies the River Wey and the Navigations as being of considerable local importance and environmental sensitivity, providing opportunities for informal recreation and learning. Para 4.61 goes on to state that 'within the River Wey Navigation Corridor the Borough Council will expect development to support the objectives of the National Trust's Environmental Strategy which include to...' improve public access to the area' and 'support water recreation interests and users....'

Policy 94 of the National Trust Policy Statement for the River Wey and Godalming Navigation relates to the development of off-line moorings.

Para 28 of the NPPF states that 'sustainable rural tourism and leisure developments that benefit businesses, communities and visitors, and which respect the character of the countryside should be supported.'

The Planning Supporting Statement submitted with the application sets out the case for the need for the proposed moorings facility. This states that there is a need for long-term moorings on the Wey Navigation, which derives from the following three factors:

1. Demand for long-term moorings

The National Trust has confirmed that the waiting list for a mooring remains strong. The only existing off-line mooring facilities are at each end of a 20 mile stretch of waterway, at Pyrford Marina to the northern end and Farncombe Boat House to the southern end of the Wey Navigation. It is acknowledged that these existing facilities are not at full capacity. However, it is noted that the limited number of facilities means that there is limited competition and therefore the costs of moorings are relatively high. The applicant states that 'without doubt, additional offline moorings will have a strong impact on the mooring costs in favour of the customer.'

2. Waterway congestion

The Planning Supporting Statement includes details of the Canal & River Trust Boat Owners Survey 2011 which highlights that congestion is a problem in the south east area. The National Trust has confirmed that they would wish over time to see a reduction of on-line moorings which often conflict with the visual aspect of the waterway and can be detrimental to marginal vegetation so important for biodiversity. The Trust has advised that they can only contemplate reducing on-line moorings if the income derived from these moorings is replaced by income from a new source. The creation of offline moorings provides this opportunity.

3. Conservation of the Wey Navigation

The proposal would facilitate the preservation of the Wey Navigation Conservation Area by reducing the mooring of boats on-line at Papercourt Lock. This will in turn reduce boating congestion, bank erosion, oil spills compromising water quality, mooring ropes presenting as trip hazard to users of the tow path and the visual impact of poorly maintained boats.

In conclusion, it is considered that the provision of the proposed additional modern facility will be in an appropriate location and will assist in the growth of this recreation sector, to the benefit of existing boat users and providing the potential for attracting new boat users. The proposal will provide a recreational facility which would provide opportunities for outdoor sport and recreation. Furthermore, the proposal will assist in reducing the number of on-line moorings on the Wey Navigation which will reduce the visual impact of this activity on the conservation area which in turn be of benefit to the setting of the Conservation Area. This will be in accordance with Para 28 of the NPPF and Policy G11 of the saved Local Plan.

It is considered that the need for the facility and the benefits provided by the provision of enhanced facilities to support the recreational use of the river, together with the associated benefits to the visual amenity of the river, should be given considerable weight in support of the proposals. A further benefit, although moderate, is the employment opportunities that would result, together with the benefit to the local economy resulting from the use of local facilities and services by users of the proposed facility.

Alternative sites

The applicant has not considered alternative sites along the Wey Navigation for the proposed development. However, almost the whole Wey Navigations is located within the designated Green Belt. The only section that is not within the Green Belt runs through the Urban Area of Guildford between Ladymead and Millbrook. Therefore, a proposal for a narrowboat basin in any Green Belt location along the Wey Navigations would have to be assessed against Chapter 9 of the NPPF and Policy RE2 of the Guildford Local Plan 2003 pertaining to the protection of the Green Belt.

It is therefore very likely that the identified need would have to be provided within a Green Belt location. Consequently, this proposal for a well designed scheme, in a sustainable location, sensitive to its context with no objections raised by Statutory Consultees is considered preferable to an alternative that does not accord with adopted policy and which could possibly cause more harm.

Heritage considerations

Statutory provisions:

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework at para 129 sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 131-135 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The northern edge of the application site abuts the Wey Navigation which is a designated conservation area. The proposed development therefore has the potential to affect the setting of the conservation area. The site is currently screened from the conservation area by a mature belt of trees which run along the southern edge of the waterway. This belt of trees means that there is currently extremely limited visibility of the application site from within the conservation area, and land beyond on the opposite side of the waterway. This screening also means the Wey Navigation is not currently visible from within the application site.

The main impact would be the proposed creation of a connection through the existing tree belt between the proposed narrowboat basin and the existing waterway. This would result in the loss of a 30 metre length of the existing 300m (approx) long tree belt which runs along the northern boundary of the site. There is no objection to the loss of the trees (discussed in more detail below). This would create a relatively small opening in the otherwise continuous vegetation which runs along this side of the river. The proposal will therefore have very limited visual impact on the conservation area. Furthermore, the remainder of the tree belt along the northern boundary is to be significantly enhanced with new planting, which will positively enhance the setting of the conservation area.

The extent of the built development is confined to the vicinity of the access from Tannery Lane leading to parking and associated facilities at the eastern corner of the site. The proposal has been designed sensitively to its surroundings and riverside setting. The two buildings proposed are simple barn-like structures, with pitched tile roofs and timber cladding above a brick plinth for the walls. The buildings will sit comfortably in the context of the site and surroundings. This together with the provision of enhanced landscaping both within and along the edges of the site will result in an attractive feature which would result in a positive addition to the setting of the conservation area.

Furthermore, the proposal will result in the creation of off-line moorings which will reduce the visual clutter resulting from boats being moored on-line on the waterway and will subsequently be of significant benefit to the setting and visual amenity of the Conservation Area.

As such, subject to conditions regarding the use of materials and the implementation of a sensitive landscaping scheme, it is concluded that the proposal will provide an attractive facility that will preserve and significantly enhance the setting of the Conservation Area.

As such, it is concluded that the proposal will not result in material harm and will enhance the setting of the designated heritage asset, in accordance with policies G11 and HE10 of the saved Local Plan and Chapter 12 of the NPPF. As such, having due regard to Section(s) 72 of the Planning (Listed Building and Conservation Area) Act 1990 permission should be granted.

It is considered that the benefits to the setting of the Conservation Area is a consideration which should be given considerable weight.

Impact on the character and landscape of the area

This is a large countryside site on the edge of the settlement bounded by the Wey Navigation.

A Landscape and Visual Impact Assessment (LVIA) has been carried out as part of the ES. This acknowledges that the site currently forms a 'green gap' (between the edge of residential development in Wharf Lane and Tannery Works) from the Wey Navigation and its towpath.

In response to this, the siting, layout, massing and height of the proposed has been consolidated and situated on eastern edge of the site. The western part of the site is to be retained in agricultural use, maintaining a green gap of a minimum width of 180 metres to the proposed basin and approximately 300 metres to the proposed buildings from the existing housing to the west. In addition, enhanced native buffer planting has been included along the existing tree lined buffer along the northern boundary of the site to screen the site from sensitive views along the navigation.

Existing trees and vegetation on the remaining boundaries, together with proposed new native planting on the site boundaries and within the site will also ensure that the site remains well screened from the wider surroundings, reducing the visual impact of the proposed development. The landscaping proposal also includes the removal of the existing tall, uncharacteristic Cypress trees on the eastern boundary of the site and their replacement with native woodland planting, resulting in a positive enhancement to the wider landscape. The implementation of a Landscape Management Plan can be secured by condition.

With the retention of a sizeable 'green gap' between the proposed development and residential development to the west and due to existing and enhanced tree planting on the edges of the site, together with sensitive landscaping within the site and the modest scale and sympathetic design of the proposed basin and associated buildings and parking area, it is concluded that the proposal will not have an adverse visual impact on the surroundings and will not adversely impact the rural character of the area.

The submitted lighting strategy (discussed in more detail below) proposes the use of only low level and movement sensor lighting along the pontoons and external circulation spaces. This will ensure lighting is kept to the minimum required for health and safety purposes and will avoid any upward light pollution. As such, it is considered the proposed lighting will not adversely impact the wider rural landscape.

The proposal therefore accords with policies G5 and R10 of the saved Local Plan.

Highways / parking considerations

Para 32 of the NPPF (Chapter 4) states that 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 refused on transport grounds where the residual cumulative impacts of development are severe.

Sustainability

The site is located on the northern side of Tannery Lane, approximately 450 metres east of the A247, Send Road. The site is approximately 700 metres from Send's village centre which includes a food store, post office, restaurants and cafes and an ATM. It is therefore accepted that the development of this site as a canal basin would allow some journeys to be made by sustainable modes (walking / cycling) of transport in accordance with the objectives of the NPPF.

A Transport Statement has been submitted with the application.

Traffic generation

A Trip Generation Assessment has been carried out by the applicant's Transport Consultant's (RGP) and forms part of the Transport Statement.

The development is proposed on a site which currently generates minimal trips due to the vacant nature of the site. Therefore all of the trips associated with the proposed development would be considered to be an increase from existing levels. In order to establish the traffic generation associated with the Canal Basin, the TRICS database (the National System for Trip Generation Analysis) was interrogated to derive anticipated traffic flows. Similar (inland) marina sites were considered. The data shows that Marina sites are visited more frequently during the weekends, especially during bank holidays.

From this analysis it is concluded that the proposed trip generation from the site would result in an increase of 4 two-way vehicle movements during both the morning and evening peak hours. This slight increase in activity will not result in significant impact to the surrounding highway network, including Tannery Lane and Papercourt Lane and Polesden Lane.

The County Highways Officer (CHO) agrees with the conclusions of the Transport Statement. The CHO is satisfied that the impact of development traffic on the Tannery Lane/Send Road Junction has been assessed and the additional trips will not have a significant impact on this junction. The trips associated with the proposed development are more likely to occur at weekends or on Fridays outside of peak hours, therefore this will not result in increased congestion at the Tannery Lane/Send Road junction in the morning peak hours.

Notwithstanding this, the CHO acknowledges that the vast majority of vehicle movements will utilise the Tannery Lane / Send Road junction meaning an increase of vehicles using this narrow section of Tannery Lane to the south of the application site. In response to the concerns raised by the CHO regarding the increase in traffic in this section of Tannery Lane, the applicant has agreed to undertake works to widen the narrow section of Tannery Lane to 4.5m approximately 210m south of the proposed access. The CHA has confirmed that these improvements can be accommodated within land that is adopted by the CHA.

The proposed highway improvements will result in 2 cars being able to pass on the bend more easily and improve forward visibility at this point. Whilst the suggested level of movement generated by the construction traffic is low, these improvements would be for the traffic generated by the development itself not just for the construction period. It is considered that these improvements are essential to ensure that the development does not have an adverse impact on highway safety within Tannery Lane. It is therefore recommended that the provision of the improvements be secured by condition.

A detailed construction management plan is also recommended to be conditioned due to the rural nature of Tannery Lane and potential level of traffic associated with the construction of a canal basin. All the excavated material is to remain on site which will greatly reduce the amount of traffic; however restrictions will still be imposed on construction traffic.

Access

A new vehicular access is proposed off Tannery Lane to serve the proposed development, constructed approximately 75m north-east of the existing access. The existing access will be retained to serve the western half of the site which will remain in agricultural use.

The speed limit on Tannery Lane at the location of the proposed new access is 30 mph. The County Highway Authority required the applicant to undertake a speed survey to show the actual speed of vehicles on Tannery Lane in order to determine the required visibility at the proposed access. The 85th percentile speed of vehicles on Tannery Lane was 30.9mph and 29.1mph South of the proposed access and 25.9mph and 23.7mph at the North of the proposed access. The maximum required visibility for vehicles of this speed would be approximately 45m; the achievable visibility in both directions (82m and 174m) at the proposed access is in excess of this. Visibility from the proposed access onto Tannery Lane is therefore sufficient.

There are no pavements along Tannery Lane in the vicinity of the application site. Following concerns raised by the CHO regarding the lack of a pedestrian access to the site, the applicant has agreed to provide a pedestrian / cycle link from the proposed development (through the application site) to Wharf Lane. This has been shown on an indicative plan as running along the southern edge of the application site to the south western corner which will link directly with Wharf Lane which in turn links to Send Road. This will provide safe access for all to the facilities on Send Road, resulting in a positive improvement to pedestrian access and safety along Tannery Lane. In addition it will encourage users on the site to walk or cycle to nearby facilities instead of using the private vehicle, therefore making the development more sustainable. It is recommended that the provision of this pedestrian / cycle link is secured by way of condition.

Concern has been raised by residents and other third parties regarding the requirement for lighting along this proposed link and the potential impact on neighbouring amenity and wildlife. The suggested condition will include a requirement for the details of lighting to be submitted for approval by the LPA. There are technologies available that would allow for movement sensors to be fitted to any lighting. This would minimise any adverse impact.

Parking provision

A Ministerial Statement from March 2015 states 'local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.'

The application proposes the provision of 57 parking spaces (inc. 4 disabled spaces) to serve the proposed development.

The applicant has used a comparison with the level of parking provision on existing canal basin sites to determine the required level of parking. The CHA consider this to be a satisfactory method for determining the requirement

If parking were to be provided in accordance with Guildford Borough Council's parking standards there would be insufficient parking spaces for proposed users, resulting in overspill onto Tannery Lane which, particularly near the proposed access, is an unsuitable location for on-street parking. The justification for the level of parking is therefore satisfactory and the parking being provided will be sufficient.

The County Highway Authority has assessed the likely net additional traffic generation, access arrangements and parking provision, and has no objection to the proposal subject to conditions and securing suitable mitigation measures by condition.

Impact on neighbouring amenity

The nearest residential properties to the site are located in Wharf Lane to the west and Maybankes and Heath Farm to the south, together with adjacent residential properties further west along Tannery Lane. Clockbarn Nurseries (currently in B1 use) adjoins the southern boundary of the application site and sits between the site and residential properties at Maybankes and Heath Farm. The southern and western boundaries consist of tree and hedge planting. Whilst this provides some screening, the application site is visible to the neighbouring properties. Existing tree planting along the western edge of the site is to be enhanced with additional scattered tree planting as part of the proposal.

As a result of the proposed siting of the basin and associated buildings and parking towards the eastern side of the site, a minimum separation distance of 170 metres will be retained between the location of the proposed basin and the nearest property in Wharf Lane to the west. A minimum separation distance of 130 metres will be retained between the basin, buildings and parking area and the nearest residential properties in Tannery Lane (Maybankes and Heath Farm). Given the separation distances, the proposed basin and associated buildings and parking, will not result in any adverse loss of amenity to neighbouring residents in terms of any loss of light, overbearing impact or loss of privacy.

The proposal also includes the regrading of the existing ground levels on the western half of the site (through the use of the excavated material). The use of this part of the site is to remain as agricultural. The maximum change in ground levels at any point is 2 metres. This change in levels will not result in any adverse amenity impacts to neighbouring residents. The concerns raised with regard to flood risk and ground contamination are discussed below.

The main concern is with regard to the impact of the proposal in terms of noise and disturbance from the construction works. Volume 6 of the Environmental Statement addresses noise impacts. The Council's Environmental Health Officer considers that the noise report is satisfactory and adequately addresses noise issues. It is considered that the Control of Pollution Act 1974 gives sufficient powers in controlling potential nuisance both associated with the construction phase and the developed phase. A draft Construction Environmental Management Plan (CEMP) is included with the Environmental Statement and sets out the main methods for controlling noise from construction. The provision of a final document for approval by the LPA, which accords with the approach set out within the Environmental Statement is recommended to be secured by condition. It is therefore considered that, with the imposition of conditions requiring the Construction Environmental Management Plan to be submitted for approval and implemented during the course of development, together with the control (both during and post construction) provided by the Control of Pollution Act 1974, the proposal will not result in unacceptable noise or nuisance impacts to neighbouring residents.

The impact of the provision of a pedestrian link (as requested by the CHA) along the southern edge of the field linking in with Wharf Lane on neighbouring amenity has been considered. It is considered that given the nature of the proposed development, the level of use of this link will be relatively low and will not cause adverse noise or disturbance to neighbouring residents. A condition is recommended to ensure that details for any required lighting along the link are submitted for approval to ensure that any lighting is low level and controlled by movement sensors. This will ensure there will be no adverse impact to neighbours resulting from proposed lighting.

As such, subject to the recommended conditions, the proposal would comply with saved local plan policy G1(3) and the NPPF.

Flooding and land drainage

The application site is located within Flood Zone 1 (low probability). This zone comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%) which can be classified as having a low risk of fluvial flooding.

The land on the opposite side of the Wey Navigation is designated as an Area of Floodplain. However, this does not form part of the application site and will not be affected by the proposed development.

According to the NPPF, all forms of development are suitable within Flood Zone 1. In this zone, developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems.

For development proposals on sites of more than one hectare, the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be incorporated in a Flood Risk Assessment (FRA).

In accordance with the requirements of the NPPF, the applicant submitted a Flood Risk Assessment (FRA) with the planning application. The Environment Agency, the Council's Drainage Consultant (Stilwell Partnership) and the Council's Principal Drainage Engineer have concluded that the submitted FRA is acceptable and meets the requirements of the NPPF. However, the consultees did recommend the provision of a Drainage Strategy. Following this recommendation, the applicant submitted a Drainage Strategy (contained in the Clarification Document received 18 June 2015).

The proposed Drainage Strategy includes the following measures for mitigating flood and ground contamination risk:

- permeable surfacing is proposed for all hard standing areas, to allow water to infiltrate into the surface so that it reaches the watercourses or other receptors more slowly. The system has also been designed to retain surface water at the surface to avoid potential interaction with ground water. The permeable surfacing will be designed with an impermeable membrane to avoid interaction with ground water and to discharge directly into the balancing pond. A layer of stone within the surfacing and voids will provide additional storage capacity to contain surface water.
- The capacity of the proposed attenuation pond will be sufficient to take account of the potential increase in required storage volume (not included the further increase storage provided by the voids in the sub-base).
- Much of the change in the topography serves to flatten the surface, slowing the rate of surface water movement over the soil and increasing the potential for infiltration.
- In the small areas where the gradient is being steepened, the slopes will be managed as rough grassland habitat, with vegetation allowed to grow longer. This will increase rainfall interception, slow the passage of surface water, increase potential for infiltration and increase the extent and duration of evapo-transpiration reducing soil moisture levels. The root systems will also bind the soil, preventing erosion which can clog downstream flow paths and lead to localised flooding.
- The boundary ditches of the site will be deepened and cleared to increase their capacity.
- The micro-topography of the slopes will also be shaped and managed to ensure runoff is directed towards the SUDS features.
- Construction methodology will ensure that soil compaction is minimised from vehicle and foot traffic.
- three ponds are proposed on the site, two primarily with attenuation function, one primarily with an ecological / amenity function.
- the attenuation ponds will be lined in order to ensure that interactions with groundwater that may contain elevated levels of contaminants are avoided.

- road drainage currently connects directly, via a piped system, to the Wey Navigations, with no interaction with the site. This separation of road drainage and site drainage also ensures that runoff from Prews Farm, which may have elevated levels of contaminants, is kept separate from the site and does not create a pollutant pathway from Prews Farm to the Wey Navigations.
- throughout the operation of the basin, a site manager or deputy will be present at all times. They will have responsibility for monitoring drainage.

The strategy concludes that the information regarding road drainage, and the adjustment of the site design to slow the flow of water over the surface and increase the capacity of boundary ditches and the drainage ponds mean that the proposal could not increase flood risk.

Following this submission and subsequent assessment by the Council's Drainage Consultant (Stilwell Partnership) they concluded:

- The concept of tanked permeable systems with a positive outfall is acceptable as previously discussed with the applicant and the details presented are acceptable
- The remodelling and consultation regarding the run-off rate is acceptable and the applicant has gone to a good level of detail to establish the potential run-off rate.
- The pond strategy is acceptable for the development and the recommendation to restrict the flow prior to the marina has been implemented.
- It is accepted that all water within the site will be contained with the upgrading of the perimeter ditches. This approach is acceptable.
- The strategy for exceedance flows is acceptable.
- The strategy for maintenance is acceptable.

Both the Council's Consultant Drainage Engineers (Stillwell Partnership) have advised that the development is acceptable, in principle, subject to the development being carried out in accordance with the submitted FRA and Drainage Strategy. The Council's drainage engineer agrees Stillwell Partnership's conclusions and the Environment Agency and Thames Water have raised no objections subject to the imposition of conditions. Therefore, with conditions attached requiring the implementation of the FRA, Drainage Strategy, Landscape Management Plan and Construction Environmental Management Plan, the impact of the development is acceptable, and accords with policy G1(7) of the saved local plan and the requirements of the NPPF (Chapter 10).

Ground contamination

The site is a former sand quarry. It is understood that the site was infilled with natural silts and sands excavated during the formation of the adjacent Prew's Farm Landfill as part of the void extension works. Anecdotal information indicates that the site has been infilled with local natural re-worked material.

An intrusive site investigation has been carried out across the site (as detailed in the report from HyrdroGeo Ltd contained in Volume 5 of the Environmental Statement). The site investigation comprised the advancement of 16 no. trial pits and collection and analysis of 32no. soil samples for inorganic and organic determinants. A further 8 no. soil samples were obtained to analyse leachate concentrations within the shallow soils. An assessment has been made on the potential risk to human health from contamination within shallow soils by screening against available residential soil guideline values (SGV) and Generic Acceptance Criteria (GAC) as a first pass screening exercise. The report concludes that the potential risk to human health is considered to be low based on the redevelopment of the site for commercial use and low levels of determinants identified across the site.

The report concludes that based upon an initial screening assessment and the assumption that this site will be constructed in accordance with current best environmental practice that there is a low risk that contamination in shallow soils would pose a risk to human health or controlled waters.

The Council's Environmental Health Officer and the Environment Agency's Land Contamination and Groundwater Protection Team have confirmed they have no objection to the proposed development, subject to recommended conditions. The Contamination Investigation Work to date has not shown the site to be significantly contaminated. It is noted that groundwater beneath the site itself has not been sampled to date. The recommended conditions require further site investigation, to include site groundwater sampling, prior to commencement of development and during the construction of the marina in case contaminants move onto the site during dewatering / excavation works. Monitoring of ground water and surface water should be included as part of the validation works to confirm there has been no impact. A condition is also recommended to ensure that if any contamination is found appropriate remediation works are carried out.

In addition, the submitted Drainage Strategy confirms that all permeable paving systems and ponds will be lined to prevent any interaction with the ground water table. As noted above, the implementation of the Drainage Strategy is also recommended to be secured by condition.

With the recommended conditions in place, the impact of the development is acceptable and does not pose unacceptable risks to human health. The proposal therefore accords with Policy G1(11) of the saved Local Plan and Chapter 11 of the NPPF.

Ecology

The presence of protected species is a material planning consideration, which must be addressed prior to any permission being granted.

The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

NPPF paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF states that 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 and that opportunities to incorporate biodiversity in and around developments should be encouraged.

Furthermore, Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.

Circular 06/2005 (Biodiversity and Geographical Conservation - Statutory Obligations and Their Impact Within the Planning System) states that "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 otherwise all relevant material considerations may not have been addressed...".

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". Section 40(3) also states that, "conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat".

An initial Extended Phase 1 Habitat Survey was undertaken on 8 February 2012 and updated in October 2012. A further Extended Phase 1 Survey was undertaken on 15 July 2014. The following surveys were carried out:

River Corridor Survey
Tree Survey
Badger Survey
Amphibian Assessment
Reptile Assessment
Bat Tree Assessment
Birds
Invertebrates
Otter and Water Vole Surveys

The survey findings and detailed assessments are set out within the ES Chapter on Ecology. These are summarised as follows:

Bats

- The boundaries of the site offer suitable habitat for foraging and commuting bats.
- Foraging habitat is also available on land to the south west associated with the former nursery.
- The Wey Navigations provides the best foraging opportunities for bats.
- Building roosts may be present within houses associated with land beyond the western site boundary.
- The majority of trees within the site were assessed as having negligible potential for roosting bats, as they are not sufficiently mature to have developed features that may be used by roosting or hibernating bats.
- A very small number of trees along the boundary of the site adjacent to the River Wey Navigations contain features that limited potential to support roosting bats and one tree has a number of cavities.

Badgers

- The arable land offers suitable foraging habitat for badgers as part of the surrounding landscape, with hedgerows and scrub providing cover for setts.
- No badger setts or evidence of badger activity was observed within the site or immediately adjacent land during any of the surveys over a 2 year period.

Amphibians

- There is no suitable breeding habitat for great crested newt within the Site boundary or within 250m of the proposed developed part of the site (i.e. canal basin, roads, buildings or other development infrastructure).
- A search of available mapping indicates that two ponds are located approximately 190m and 110m west of the site boundary. No records for great crested newt at this location have been identified from the desk study. The presence of residential housing and minor road between the ponds and the site are likely to reduce the opportunities for amphibian species to access habitats within the site.
- The Wey Navigations contains an established fish population that is likely to limit the potential for successful great crested newt breeding due to fish predation on eggs and larvae.
- The majority of terrestrial habitat within the site is unsuitable habitat for great crested newt, terrestrial habitat opportunities being limited to the boundary features including hedgerows, trees and scrub and rank grassland. These habitats would be retained by the development.

Reptiles

- The majority of the Site, dominated by arable land is unsuitable for common reptiles.
- No reptiles were observed basking during any of the numerous visits made to the Site between 2012 and 2014 inclusive.

Birds

- The majority of the site provides very limited habitat opportunities for breeding birds as arable crops dominate (cabbages, maize etc). However, the site is likely to support an assemblage of common woodland and farmland species, including some Species of Principal Importance (SoPIs) such as dunnock and bullfinch which may use the hedgerows, scrub and trees associated with the site boundary for nesting, although the diversity of nesting niches in the hedgerow are considered to be limited by the low species diversity.
- other supporting habitats important for farmland species such as grassy buffers which may provide additional foraging and cover for farmland species are poorly represented within the Site.
- The banks of the Wey Navigation may support nesting waterfowl such as coot *Fulicra atra* and moorhen, and reed habitat is likely to support breeding reed bunting, whilst there is potential for some SoPIs, such as kingfisher *Alcedo atthis* to be present.
- The habitats within the Site and adjacent off-site land are therefore not considered to be suitable to support the species for which the Thames Basin Heaths SPA (located approx 4.5km away) is designated, including nightjar, Dartford Warbler and woodlark..

Otter and water vole

- along the Site boundary and to either side of it, the northern bankside offers features known to be used by water vole, given they are largely constructed of earth and vegetated with dense tall rural and reed habitat, which offer both foraging habitat and cover.
- The southern banksides are largely suboptimal habitat for water vole, being subject to dense shading from overhanging trees and with little suitable vegetation present, although some short stretches do support suitable vegetation for water vole. - Despite these features being present no signs of this species were recorded in 2012 or in 2014.
- The Wey Navigations adjacent to the Site provides suitable foraging and commuting habitat for otter, and land adjacent to the north such as dense willow scrub and tall rural mosaic habitat may provide potential lying up sites.- Despite these features being present no signs of this species were recorded in 2012 or in 2014.
- Terrestrial habitats associated with the Site are considered to offer negligible potential for the species to use as lying up sites, etc, due to a lack of suitable cover and habitat features.

A theoretical assessment of potential environmental changes and effects that may occur as a result of the development proposal has been completed. A schedule of all proposed ecological mitigation and enhancement measures associated with the development is included within the Volume 3 of the ES. These are aimed at delivering long-term net biodiversity gain. A landscape drawing for the site is included, showing retained and newly created areas of seminatural habitat, and habitat enhancement features. The ES states that 'one of the overriding aims for the site has been to maximise the value of the site for biodiversity and this will be achieved through the retention and enhancement of existing habitats and the creation of new habitat areas (including Priority habitats listed in the Surrey Biodiversity Action Plan) appropriate to the local area, including the following:

Wetland (including three ponds)
Species-rich neutral grassland
Woodland and scrub
Arable field margins
Hedgerows'

Management measures have also been identified that would be required to maintain the efficacy of the mitigation and enhancement measures, together with monitoring of these elements. The ES also confirms that a Landscape and Ecological Management Plan will be developed for the area subject to the development proposals and will be designed to deliver targets within the Surrey Biodiversity Action Plan. Information contained within this document will include the following:

- A management rationale together with key objectives for each target habitat and species;
- Details of the biodiversity mitigation measures to be implemented in advance of and during construction;
- Full details of the initial habitat enhancement/ creation measures to be implemented during the initial construction phases;
- Detailed management measures and procedures required to achieve these objectives over a 10 year programme;
- Monitoring protocols; and
- A programme/ timetable for undertaking this work.

The Environment Agency has confirmed that they have no objection in terms of the impact on biodiversity and they particularly welcome the commitment to the long-term management of the site, as this will ensure the continued biodiversity interest of the enhanced and newly created habitats.

The application site is in close proximity to Papercourt SSSI and Basingstoke Canal SSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.

The site is also adjacent to the Broadmead Cut and Wey Navigation at Send SNCI (locally designated). Surrey Wildlife Trust (SWT) has not objected to the application, subject to a requirement that the applicant is required to undertake the mitigation measures relating to Protected Species and biodiversity enhancement measures set out in the Environmental Statement. SWT also notes that a draft Construction Environmental Management Plan (CEMP) has been prepared which should help avoid adverse impacts from the construction phase of the development.

The proposed measures to restore or enhance biodiversity are in line with the NPPF and will assist the Local Authority in meeting their duty under NERC and also help offset any localised harm to biodiversity caused by the development process.

Lighting

Following comments from Natural England regarding lighting, a Lighting Strategy has been put together and submitted. This confirms that non-essential lighting is to be avoided. There will be no exterior floodlighting mounted at height. For Health and Safety reasons, the pontoons and external areas of the buildings and parking areas must be illuminated when in use. The strategy recommends the use of movement sensors for the pontoon lighting which would consist of small linear LED strips flush mounted in paving. The movement sensors should be designed so that they only switch on in the presence of humans and are not inadvertently set off by smaller animals such as foxes, domestic cats and dogs etc. For the car parking and external circulation areas around the buildings the use of bollards with fully cut-off light distribution to avoid any upward light pollution.

With regard to minimising the ecological impacts from lighting, it is important to maintain dark corridors for bat foraging and commuting. The main obstacles for bats are caused by high mounted, unbroken lines of light which operate continuously over long periods of time. It is considered that the proposed lighting overcomes these obstacles.

A condition is recommended to ensure that the proposal is carried out in accordance with the submitted lighting strategy. The lighting details for the proposed pedestrian / cycle link across the southern edge of the site will be dealt by way of a separate condition relating to the provision of the pedestrian link. It is considered that the use of low level movement sensor lighting would also be a requirement for the proposed link to ensure no adverse ecological impacts.

It is therefore considered that, with the imposition of conditions requiring the recommended mitigation and enhancement measures to be carried out, together with conditions to ensure that the proposed Landscape and Ecological Management Plan and Construction Environmental Management Plan are submitted for approval and implemented during the course of development, the impact on ecology is acceptable. The proposal would comply with saved local plan policies NE2, NE3 and NE4 and the NPPF.

Furthermore, the proposal will also result in a valuable enhancements to biodiversity within the site and surroundings, in accordance with Para 118 of the NPPF and the requirements of the NERC Act. This is considered to be a benefit of the proposals which should be afforded significant weight.

Trees and vegetation

The Council's Arboricultural Consultant has no objection to the proposals. Whilst the proposal does include the removal of some trees, mainly within the existing tree belt, to allow for the connection between the proposed basin and the existing waterway, there are no trees of any particular merit and many are in a declining condition. It is considered that the proposed replanting will adequately compensate for any trees that require removal. It is recommended that an Arboricultural Method Statement is required by condition. Subject to this, the proposal accords with policy NE5 of the saved Local Plan.

Archaeology

The site is over the 0.4 ha size specified in the Guildford Local Plan as requiring archaeological assessment and possibly evaluation prior to development. The application is supported by an Environmental Statement that contains a chapter dealing with the Historic Environment. This chapter is informed by a desk based archaeological assessment produced by Wessex Archaeology that forms the first stage of the archaeological scheme of work necessary to safeguard any Archaeological Assets that may be present on the site.

The assessment states that 'there is an archaeological interest within the western and northern parts of the site, as the eastern part is known to have been subject to sand quarrying. This interest is defined as comprising the potential for the presence of buried archaeological remains, especially related to the construction and operation of the Wey Navigation and associated activities, such as the wharf at High Bridge. The presence of finds or sites of Romano-British or prehistoric date within the site also cannot be excluded'.

It is clear therefore that as there is an identified potential for archaeological remains to be present then further investigations will be required in order that the nature, extent and importance of any remains can be properly assessed and an appropriate mitigation response devised. The County Archaeological Officer has advised that in order to make a more informed decision on the nature of any required mitigation works it will be necessary to carry out a detailed archaeological evaluation of the site. However, due to the fact that the site has been disturbed to some extent by the existing development and the fact that remains of national importance worthy of preservation in situ are unlikely to be present, the County Archaeological Officer has advised that in this case it would be reasonable to secure the required programme of archaeological works by the use of a suggested condition should planning consent be granted.

Subject to the imposition of the recommended condition, the proposed development would not have an adverse impact on the archaeological importance of the site. This would meet the requirements of the NPPF (Chapter 12).

Sustainable design and construction

The proposal incorporates a number of sustainability measures, including incorporating energy efficiency of buildings above building regulations, reducing energy demand, solar gains, rainwater harvesting and re-use and the use of Air Source Heat Pumps to provide heating and hot water requirements. A 10% reduction in carbon emissions and a requirement for the proposed development to meet a BREEAM rating of Very Good, as required by the Council's SPD on Design and Construction, will be secured by condition.

Legal agreement requirements

The three tests as set out in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) require S.106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As the application proposes the provision of an residential unit (comprising the manager's flat), in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2009-2016 (February 2010). This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 61 of the Habitats Regulations, a S106 agreement is required to ensure that the additional residential unit proposed by this development will not have any likely significant effect on the TBHSPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which relates to the number of residential units and number of bedrooms proposed.

As such, the requirement for the S106 agreement meets the three tests set out above.

Thames Basin Heaths Special Protection Area

1 residential unit is proposed (1 x 1 bed manager's flat). The Council's adopted Thames Basin Heaths SPA (TBHSPA) Avoidance Strategy 2009 - 2016 requires a Suitable Alternative Natural Green Space (SANG) contribution and an Access Management contribution to avoid any adverse impact on the SPA.

The SANG avoidance site will be determined at the time of, or following payment of contribution. A planning obligation is required in accordance with the terms of the Strategy. Subject to this there will be no adverse impact on the Thames Basin Heaths SPA. A planning obligation is required in accordance with the terms of the Strategy.

A SANG contribution of £3,487.09 and an SPA access management and monitoring contribution of £565.63 is required.

'Very Special Circumstances' - Balancing exercise

The site is within the Green Belt. NPPF Para 88 states that “inappropriate development is by definition harmful to Green Belt and should not be approved except in very special circumstances. Para 88 goes on to state that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' The Council is required to consider all relevant material planning considerations before reaching a decision. However, it is for the Council as the decision maker to determine the level of weight to be afforded a particular matter when balancing harm against the benefits.

The only harm identified is the inherent harm to the Green Belt by way of inappropriateness resulting from the change of use of the land and the moderate harm to openness resulting from the proposed buildings.

The modest scale and sensitive design of the proposed development and associated landscaping, would ensure that there would not be an adverse impact on the character of the area or wider landscape. It is also concluded that the proposal will preserve and positively enhance the setting of the Wey Navigation Conservation Area. All other potentially harmful impacts, such as on flooding and drainage, ground contamination risks, highway movement and safety, protected species, archaeology and neighbouring amenity have been carefully considered, and with the imposition of suitable conditions, any harm can be successfully mitigated against. The relevant statutory consultees, including Natural England, Environment Agency, Surrey Wildlife Trust and Surrey County Council, have been consulted and have indicated that they have no objections to the principle of development. It should be noted that these matters do not constitute planning benefits to be outweighed against the Green Belt harm, they simply do not add to the negative impacts of the proposals.

The benefits of the development are summarised as follows:

- the provision of a new outdoor recreation facility in a sustainable location to meet an identified need for narrowboat moorings and associated services and facilities, which will promote and support the recreational use of the Wey Navigation and promote tourism within the Borough
- it is acknowledged that given the constraints within the Borough it is highly likely that a facility such as this would need to be located within the Green Belt even in another location. It is also possible that another location would bring with it further planning issues
- enhancements to biodiversity, within the site and along the Wey Navigation, resulting from the creation of new habitats and the removal of on-line moorings
- significant improvements to the setting and visual amenity of the Wey Navigation Conservation Area, resulting from the removal of on-line moorings along the Wey Navigation
- the sympathetic design of the proposed development which will result in a positive addition to the riverside setting.
- protection and enhancement of the natural environment
- provision of a pedestrian link within site, resulting in positive improvement to pedestrian safety along Tannery Lane
- highways improvement to widen Tannery Lane, resulting in positive improvement to highway safety

It is acknowledged that harm to the Green Belt must be given substantial weight. However, having taken into account all of the relevant considerations, it is concluded that the significant benefits identified do amount, when taken together, to Very Special Circumstances which outweighs the harm to the Green Belt.

The proposed development is therefore considered to be in accordance with the aforementioned policies of the saved Local Plan and the NPPF.

RECOMMENDATION:

(i) Subject to the completion of a Section 106 Legal Agreement to secure:

- **SANG and SAMM contributions based on the adopted tariff to mitigate against the impact on the Thames Basin Heaths Special Protection Area**

(ii) That upon completion of (i) above, the application be determined by the Head of Planning. The preliminary view is that the application should be granted subject to conditions.

Approve subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
'Application Site Plan', 11193-P05Y, P002, P003, P010, P101, P102, P110, P111, 7553_S1_3_1/C, 2013/1948/003/C (RGP), 14-2381-101/P1, 14-2381-102/P1, 14-2381-103/P1, 14-2381-104/P1, 7266_B_1/B, and the following accompanying documents:

Planning Support Statement (Johns Associates)
Design and Access Statement (Johns Associates)
Transport Statement (RGP) (November 2014)
Flood Risk Assessment (Johns Associates)
Statement of Community Involvement (Johns Associates)
Draft Construction Management Plan (Johns Associates) (December 2014)
Tree Survey and Implications Assessment (Woodland and Countryside Management LTD) (November 2012)
Environmental Statement Volumes 1 to 9 (Johns Associates)

received on 11 December 2014, and the following additional documents:

Revised Non-Technical Summary (to Environmental Statement) (Johns Associates) received on 21 May 2015
Clarification Document (Johns Associates) received on 18 June 2015

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. The development shall be carried out in strict accordance with the agreed Flood Risk Assessment Cartridge Basin: A new marina for the River Wey, Send, Surrey, dated December 2014 and Drainage Strategy (from Johns Associates Environmental Consultants) June 2015 (included in the Clarification Document received 18 June 2015).

Reason: To ensure that flood risk is not increased onsite or elsewhere.

4. No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include all of the elements recommended in Volume 3: Ecology, of the Environmental Statement and in Drawing No. 7553_S1_3_1 Rev. C – Landscape/Ecology Proposals. This should include details of how the habitats will be managed and maintained over the long-term.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. It is considered necessary for this to be a pre-commencement condition because the implementation of a satisfactory landscape management plan goes to the heart of the planning permission.

5. No development shall take place until a method statement or construction environmental management plan (that is in accordance with the approach outlined in the Environmental Statement) has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works.

Such a scheme shall include details of the following:

- The timing of the works
- The measures to be used during the development in order to minimise environmental impact of the works, including potential disturbance
- Any necessary pollution protection methods
- Any necessary mitigation for protected species
- Construction methods
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The works shall be carried out in accordance with the approved method statement.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy and to protect residents from noise and disturbance during the construction period. It is considered necessary for this to be a pre-commencement condition because the implementation of a satisfactory construction environmental management plan goes to the heart of the planning permission.

6. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Tannery Lane has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. 2013/1948/003, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the provision of a satisfactory vehicular access goes to the heart of the planning permission.

7. 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, Drawing No. 11193-P05, 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 /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.

8. 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) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am and 17.00 and 18.00 nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, on Send Road or Tannery Lane during these times
- (k) 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. It is considered necessary for this to be a pre-commencement condition because the provision of a satisfactory Construction Transport Management Plan goes to the heart of the planning permission.

9. Prior to first use of the approved development a scheme for a pedestrian/cycle link from the proposed site to Wharf Lane shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle link should be 3 metres wide, consist of a bound surface suitable for all year round usage and have low level lighting. The approved details shall be implemented prior to the first operation of the use.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

10. Prior to commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to widen the carriageway to the south of the proposed development (approximately 210 metres from the proposed access near Heath Farm) to a width of 4.8 metres. The works shall be carried out in accordance with the approved details prior to the first operation of the approved use.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the provision of these highway improvements to Tannery Lane goes to the heart of the planning permission.

11. Prior to the commencement of development, a detailed site investigation must be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology and must include relevant sub-surface, soil gas, surface water and groundwater sampling together with the results of analysis and a risk assessment to any receptors will be detailed. Any remediation required shall be fully detailed to restore the site to a standard suitable for use, including works to address any unsuspected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and adjacent land are minimised, together with those to controlled waters and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. It is considered necessary for this to be a pre-commencement condition as the carrying out of a detailed site investigation goes to the heart of the planning permission and needs to be undertaken prior to development works commencing.

12. Any remediation scheme submitted in accordance with Condition 11 (above) shall be carried out as detailed in the applicants submission. Documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the development hereby permitted is occupied by any person not directly involved in constructing the development.

Reason: To ensure that risks from land contamination to the future users of the land and adjacent land are minimised, together with those to controlled waters and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. No development shall take place until the applicants or their agents or successors in title have 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 in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the agreed scheme.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development. It is considered necessary for this to be a pre-commencement condition as the carrying out of an archaeological investigation goes to the heart of the planning permission and needs to be undertaken prior to development works commencing.

14. No development shall take place until details and samples of the proposed external facing and roofing materials and external surface materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the development is satisfactory. It is considered necessary for this to be a pre-commencement condition as the use of satisfactory external materials goes to the heart of the planning permission.

15. No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2005 (or any later revised standard) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the

local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition as the protection of the existing trees on site goes to the heart of the planning permission.

16. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

17. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in Section 7.3 / Table 7.1 of Johns Associates Environmental Statement: Volume 3 - Ecology dated 2014.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

18. The development hereby approved shall be carried out in accordance with the 'Lighting impact assessment of proposed exterior lighting at Cartbridge Basin' from Alan Tulla Lighting dated 12 June 2015 (contained within the Clarification Document from Johns Associates received 18 June 2015).

Reason: To protect against any adverse visual or ecological impact.

19. Prior to the first occupation of the development hereby permitted, an energy assessment has been submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site / development and show the on-site measure(s) to be taken and feasible renewable energy equipment to produce a minimum of 10% of the total energy requirements of the new development by means of renewable energy sources above and beyond the current Building Regulations. The final total annual energy demand calculated should include energy use for all end uses known to be present or to be provided including:• Space heating and hot water• Gas and/or electric catering• Refrigeration/cooling• Fans, pumps and controls• Humidification• Lighting and office equipment• and communications equipment • Other miscellaneous electricity. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To optimise renewable energy and its conservation.

20. Prior to the first occupation of the development hereby permitted, a certificate of compliance from an accredited assessor confirming that the development has achieved a BREEAM rating of Very Good shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials.

21. No development shall take place until details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

Reason: In the interests of visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development. It is considered necessary for this to be a pre-commencement condition as the provision of satisfactory waste storage facilities goes to the heart of the planning permission.

22. The narrowboat moorings hereby approved shall only be used as recreational moorings and shall not at any time be used as residential moorings.

Reason: In granting this permission the Local planning authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use.

23. The occupation of the one bedroom flat hereby permitted shall be limited to a person employed as the manager of the narrowboat basin facility and to any resident dependants.

Reason: The site is within an area where a dwelling would not normally be permitted and permission is only granted because the dwelling is intended to serve the needs of the proposed recreation facility.

Informatives:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Guildford Borough Council takes a positive and proactive approach to development proposals focused on looking for solutions. We work with applicants in a positive and proactive manner by:
 - offering a pre-application advice service
 - updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this instance the applicant entered into pre application discussion and submitted the scheme that was agreed. No further changes were sought throughout the application process.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
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 for 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 0800 009 3921.
4. 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

5. 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.
6. There shall be no burning of waste on site.
7. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents in the locality. This may involve the use of dust screens and importing a water supply to wet areas of the site to inhibit dust.