14/P/02109 – Howard of Effingham School, Lower Road, Effingham
Logde Farm Housing Site

Not to scale
Not to scale
Location: Howard Of Effingham School, Lower Road, Effingham, LEATHERHEAD, KT24 5JR

Proposal: Hybrid planning application for outline permission (only access to be considered) for the erection of a replacement secondary school for Howard of Effingham and up to 258 residential dwellings with means of access at Howard of Effingham School and Lodge Farm, Lower Road following demolition of all existing buildings; and full permission for the erection of 37 dwellings, with access, parking and landscaping works on land at Brown's Field, Brown's Lane, Effingham.

This application has been referred to the Planning Committee because more than 10 letters of support have been received, contrary to the Officer’s recommendation.

Site description

This application is a hybrid proposal which includes three separate sites (Brown's Field, Lodge Farm and the Howard of Effingham secondary school) within Effingham, which is a rural village to the east of Guildford, close to the boundary with Mole Valley District Council. All three sites are located within the Green Belt and outside of an identified settlement area.

Brown's Field

Brown's Field is the most southerly of the three sites and is bounded by the A246 Guildford Road to the south, Brown's Lane and King George V playing fields to the east and The Street to the west. To the north, the site is bounded by residential dwellings which are addressed to Brown's Lane. The site has an area of approximately 1.7 hectares and is currently undeveloped and grassed. The field is currently used, mainly at weekends by local underage rugby teams for matches and practice etc. The site is relatively open to Brown's Field, but is raised above the highway by approximately one metre. The A246 and The Street boundaries consist of mature tree planting, which is relatively dense in places.

The site is within Effingham Conservation Area and the 19th century timber apple store along the western boundary of the site (which is within the red line boundary) is locally listed. The site adjoins Old Hollies to the north which is another locally listed building. Opposite the site on the other side of The Street is The Cottage, which is also locally listed and Vine Cottage which is grade II listed. On the opposite side of Guildford Road are Crosslands and Effingham House which are both grade II listed. A portion of the site is also within an area of high archaeological potential (AHAP).
The site is within the 5 to 7 kilometre buffer of the Thames Basin Heath Special Protection Area (TBHSPA).

Howard of Effingham

The Howard of Effingham is an Academy secondary school with approximately 1,600 pupils. The site is located to the south of Lower Road and is bounded to the south by the King George V playing field and to the east by the Effingham Place residential development. The land immediately to the west of the application site is within the administrative boundary of Mole Valley District Council, which is currently occupied by dwellings, a school and open space. The site has an area of approximately 3.75 hectares and is occupied by a range of single and two storey school buildings on the western part of the site and playing fields, a multi-use games area (MUGA) and parking on the eastern part of the site. As will be discussed in greater detail later in the report, the buildings vary in style and condition, ranging from single storey pre-fab type structures, the main two storey school building to the large sports hall. The site is relatively flat and currently it has two vehicular access points onto Lower Road. There is a public footpath running along the eastern boundary of the site, as well as one which skirts the southern boundary of the site.

The site is outside of, but adjoining Effingham Conservation Area (to the west) and neighbouring the site to the west is Effingham Place, with the main dwelling here being grade II listed. To the east of the site and within Mole Valley District Council is Little Bookham Conservation Area. Also to the east of the site are the Church of All Saints which is grade II* listed and The Manor School House which is grade II listed (within Mole Valley).

The site is within the 5 to 7 kilometre buffer of the TBHSPA.

Lodge Farm

Lodge Farm is the largest of the three sites (19.7 hectares) and is located opposite the Howard of Effingham on the other side of Lower Road. The site is bound to the east by The Vineries Garden Centre, which forms the eastern boundary of Guildford borough. To the west are a collection of residential dwellings, a church, Royal British Legion club house and St Lawrence Primary School which are all addressed to Lower Road. The western boundary is formed of the playing fields for St Lawrences and six detached dwellings which are addressed to Effingham Common Road and to the north-west, north and north-east is Thornet Wood (which is a Site of Nature Conservation Importance (SNCI) and ancient woodland), as well as open agricultural land.

While the majority of the site is open agricultural land, there are a number of large glass houses on the land, as well as a number of single storey buildings which were formally used for industrial and commercial purposes. All of the buildings on the site, as well as the greenhouses are currently vacant. Fronting onto Lower Road is Century Court which is another single storey brick built building. This remains in active use as a children’s day nursery.

The site is outside of but partly adjoins Effingham Conservation Area. There is one grade II listed building to the west of the site which is known as The Red House and the Church of Our Lady of Sorrows and its Lych gate are both locally listed. These buildings front onto Lower Road.
Proposal

Hybrid planning application for outline permission (only access to be considered) for the erection of a replacement secondary school for Howard of Effingham and up to 258 residential dwellings with means of access at Howard of Effingham School and Lodge Farm, Lower Road following demolition of all existing buildings; and full permission for the erection of 37 dwellings, with access, parking and landscaping works on land at Brown's Field, Brown's Lane, Effingham.

Browns Field (full application)

The application on Browns Field is for full planning permission for 37 dwellings. These are a mix of two storey detached, semi-detached and terraced dwellings, as well as a two storey building containing six apartments. The mix would be 2 x 1 bedroom apartments; 4 x 2 bedroom apartments; 5 x 2 bedroom houses; 16 x 3 bedroom houses and 10 x 4+ bedroom houses. The density would be approximately 21.7 dwellings per hectare.

Access to the site would be gained from Browns Lane, closer towards Guildford Road than the present field gate. Parking would be provided in a mixture of parking courts, garages and private driveways, with a total of 75 spaces provided.

The existing locally listed apple store which is located on The Street frontage would be retained as part of the proposal and converted into a bat roost. The existing footpath along the eastern side of The Street would be extended through the site, providing a pedestrian connection to Guildford Road.

Howard of Effingham (outline application)

The application on this site is in outline only, with all matters reserved apart from access. The proposal would result in all buildings on the site, apart from the existing lodge along Lower Road, being demolished and replaced with 99 dwellings over the entire width of the plot. Although only indicative, the proposal shows dwellings fronting onto Lower Road and the King George V playing fields. An on-site play space would also be provided towards the western side of the site. The density of this element of the proposal would be approximately 26.4 dwellings per hectare.

Only one access would be provided into the site, which would be in the position of the existing school exit. The current entry into the site would be either closed, or reserved for emergencies only.

Lodge Farm (outline application)

The application on this site is in outline only, with all matters reserved apart from access. The proposal on Lodge Farm would consist of two distinct elements; the replacement Howard of Effingham school on the eastern half of the site, and the construction of 159 dwellings on the western half.

The proposed school building would be set over three floors and would include a specialist autism centre, which would be known as the Cullum Centre. As part of the replacement of the building, the school would increase its capacity from 1,600 to 2,000 pupils (an additional two forms of entry). The proposal would also include a variety of pitches and games areas, which on the indicative plans are shown to the rear of the site, stretching back to the boundary with Thornet Wood.
Access to the school would be from a new link road which would also serve the proposed dwellings. This would lead to short term car parking for students and parents, as well as drop-off and pick-up spaces. A second access from Lower Road, along the eastern boundary of the site would lead to a staff car park, as well as deliveries.

The residential element would consist of 159 dwellings, some of which would front onto both Lower Road and Effingham Common Road. The density of the proposal would be approximately 30-35 dwellings per hectare. Play space would be provided on the site, as well as other areas of public recreation space. A part of the proposal a link road would be provided which would link Effingham Common Road and Lower Road. The residential development would have three access points off this link road.

As well as the Environmental Statement, the proposal is accompanied with the following documents:

- Transport assessment
- Affordable housing statement
- Educational needs statement
- Planning statement
- Utilities statement
- Sustainability statement
- Statement of community involvement
- Open space and playing fields assessment
- Energy statement
- Code for sustainable homes strategy
- Breeam strategy
- Waste management strategy
- Landscape Proposals: design and access contribution
- Design and Access statement

**EIA development**

The proposal is Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. 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, which follows the publication of a Scoping Report in January 2014. Together with other material information and comments from statutory Consultees, these items form the environmental information which is taken into account in this Report. The ES is comprised of the following sections:

- socio-economic effects
- transport and access
- local air quality
- noise and vibration
- nature conservation and ecology
- landscape and visual impact
- artificial lighting
- archaeology and cultural heritage
- ground conditions, hydrogeology and contamination
- water quality and water resources
- soils and agriculture
- cumulative effects

The ES has been reviewed independently for the Local Planning Authority by Nicholas Pearson Associates. It is noted that while a number of concerns have been raised, overall, it has been found that the ES is largely comprehensive and generally of good quality. The concerns raised will be discussed in greater detail in the appropriate section of the main body of the report.

Relevant planning history

There is no planning history for either the Lodge Farm or Brown's Field sites. There have been a number of planning applications for extensions and alterations to the school, however, these are not relevant to the current application.

Consultations

Statutory consultees:

Surrey County Council, County Highway Authority: Originally, the County Highway Authority raised a number of concerns regarding the proposal. These related to (i) inadequate visibility splays at the new roundabout improvement at the junction of Effingham Common Road with Horsley Road and Forest Road; (ii) concerns whether pedestrian infrastructure along The Street could be improved to provide safe access for all members of society and (iii) concerns whether the proposed signal controlled crossing on Lower Road could be delivered. Following the receipt of additional information and amended plans, the applicant has resolved points (i) and (ii) above to the satisfaction of the County Highway Authority. However, point (iii) above remains outstanding and has not been addressed. Originally, the County Highway Authority recommended the refusal of the application on this basis, however, subsequently, the use of a Grampian style condition has been suggested. It is considered that a Grampian condition would secure the delivery of crossing on Lower Road and as such, this point will not be taken forward as a refusal. The County Highway Authority has suggested a number of possible s.106 contributions as part of the proposal, and these will be addressed in the report.

[Officer Note: Motion, the Council's independent highways consultants have reviewed the planning application and note that overall, the original Transport Assessment submitted with the proposal addresses many of the highway impacts of the development sites. However, they note a number of points which require clarification and further information. These points will be considered below in the highways section of this report].

Natural England: Raise objection. Currently the only strategic SANG within 5km of the proposed development is Effingham Common SANG. This SANG only has a catchment of 400m, due to the lack of a car park. It is therefore not possible for this development to comply with NRM6 or Guildford Borough’s Thames Basin Heaths SPA Avoidance Strategy. The proposals also do not put forward any alternative means of avoidance mitigation measures. Consequently, it is Natural England’s view that the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of
the SPA. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking.

There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of regulation 62. Natural England is also of the opinion that the proposal is not in accordance with the development plan, namely policy NRM6. Natural England therefore objects to the proposed development and recommends that the application be refused planning permission.

**Sport England:** Raise objection. Sport England objects to the proposal as it would not accord with any of the exceptions in Sport England’s playing fields policy and includes new residential development that may exacerbate existing pitch deficiencies in the local area. This will be discussed in greater detail in the report below.

**Historic England:** Building on Browns Field would cause some harm to the historical value of the site and there would be some limited harm from the loss of views to open fields from the core of the village. The development of the Lodge Farm site would also cause some limited harm to the significance of Effingham Conservation Area, as views out to surrounding countryside would be lost, thus further harming the sense that Effingham was once a very modest rural village. It is noted that a modest increase in the extent of development on the existing Howard of Effingham site, would not unduly harm the significance of Little Bookham or Effingham Conservation Areas. It is suggested that 'heavy screening' would be required for all three sites.

**Environment Agency:** No objections on flooding or drainage grounds, subject to conditions requiring additional information regarding the detailed drainage design of all three sites.

**Environmental Health:** No objections raised.

**Parish Council:**

**Effingham Parish Council:** Raise objection. It is noted that the proposal represents inappropriate development in the Green Belt and that the applicant has failed to provide any very special circumstances. Substantial harm has been identified to the Green Belt in terms of the loss of undeveloped Green Belt. In addition, the Parish Council raise concerns regarding

- the proposal being a substantial overdevelopment of a small semi-rural village;
- the density and character of the development is incongruous with the surrounding area;
- the proposal is a major threat to the strategic wildlife corridor in this part of Surrey;
- the proposal would overwhelm the neighbouring conservation areas;
- harm to the setting of a number of listed buildings;
- the proposal would result in the loss of good agricultural land;
- the proposal does not represent sustainable development, due to lack of public facilities in the village and in particular, a lack of a doctors surgery
- the proposal would result in significant congestion in the area and highway safety concerns;
- harm to local wildlife;
- impact on flooding and possible subsidence issues
The Parish Council has submitted a critique of the applicant’s educational needs assessment which notes that within the catchment, the school has met the aspiration of every parent applying as a first choice. Beyond the catchment, unmet demand on average over the last five years is less than one form of entry. It is stated that the priority, based on current forecasts is in other parts of Surrey, outside of Effingham and the Horsleys. It is also noted that Surrey County Council has not prioritised the upgrading of the school. The Parish Council concludes by noting that the applicant has not demonstrated evidence of any need and certainly not at any level approaching that required to meet the very special circumstances which are required.

Non-statutory consultees:

Surrey County Council, Assistant Director, Schools and Learning: Letter confirms Surrey County Council’s support for the proposed rebuilding and expansion of the Howard of Effingham. It is noted that while there is no Basic Need funding available for this project, Surrey County Council is committed to working with The Howard Partnership Trust to manage the increase in the availability of places at the Academy as the projected future need arises in the area. This includes the forecast demographic upturn in Guildford Borough as projected in the current Surrey School Organisation Plan. This demographic upturn is initially most critical around Guildford town by 2019 and therefore Basic Need provision would have to be prioritised in that locality. However, the possible developments identified in the recently published, draft Guildford Local Borough Plan: Strategy and Sites, would seem to indicate additional capacity will be required. Further additional capacity would also be required as a result of the proposed enabling development for the new Howard of Effingham School. The age and condition of the existing school building stock makes the delivery of an outstanding quality of education extremely difficult. The many extensions and additional buildings that have been added over the years have led to inflexible accommodation on what has become an increasingly cramped site serving up to 1600 students. The current Government’s education reform agenda has a focus to provide improved up-to-date facilities to continue to drive up educational achievement. The proposed joint venture with Berkeley Homes offers the opportunity for a replacement school which befits 21st century teaching and learning and a relentless quest for raising standards for students. In summary, the redevelopment and enlargement of Howard Effingham School will address all these matters and consequently, Surrey County Council supports the proposed project.

Surrey County Council, Children, Schools and Families Directorate: Confirms Surrey County Council’s support for the education and place planning case for the proposed rebuilding and expansion of the Howard of Effingham. An expansion at the Howard of Effingham will add to the capacity of Guildford borough secondary schools. Future projections, based on rising birth rates and the resulting expansions in the primary sector, indicate at present a further five forms of secondary provision are required in Guildford Borough. The Howard of Effingham is recognised as a successful and popular school and has been consistently oversubscribed for the last 20 years. The Howard of Effingham will need to absorb pupils from its own development. With additional demand for this heavily oversubscribed school and the introduction of a Special Educational Needs dedicated centre for autism, the County Council supports an expansion by two forms of entry.

Department of Education: The Howard of Effingham, as the lead school in the Trust, has been a sponsor academy since 2011. In 2015 the school achieved 82 percent 5 A*-C including English and maths, a rise of 6 percentage points since 2012. It has also been judged to be Outstanding by Ofsted at its last inspection in 2009. It is noted that the Trust in also in a good financial position.
GBC Drainage Consultant (The Stilwell Partnership): No objections on flooding or drainage grounds, subject to conditions.

Surrey Wildlife Trust: The applicant has provided useful information to help the Local Planning Authority to assess the impact of the proposal on protected and important species and biodiversity. It has been noted that if suitable SPA mitigation cannot be made available, the Local Planning Authority may be required to refuse the application. Additional survey on water bodies within 500 metres of the site has been requested in relation to the impact of the proposal on Great Crested Newts (GCN). The applicant has advised that additional survey work is not possible, as some of these water bodies are on land which is not controlled by the applicant. The Trust notes that landowners should be contacted to arrange access and if this is denied, then the applicant should make an assessment of the possible risk of GCN being present and make appropriate precautionary mitigation proposals for the Local Planning Authority to consider. Without this further assurance, the Trust advises that the Local Planning Authority does not as yet have sufficient information to decide this material concern.

Surrey County Council, Archaeology: None of the investigations, either desk based or intrusive suggest that significant remains worthy of preservation in situ will be present. Therefore it is considered that in this case it would be reasonable to secure the further archaeological work, as well as any further mitigation works that may be required, through condition.

Surrey County Council, Environment and Infrastructure: Measures should be investigated to reduce waste during the construction phase.

NHS Guildford and Waverley Clinical Commissioning Group: The East Horsley practice is one of our member practices. They would have some capacity to take some of the proposed patients. However, it is noted that the location of the site might lead most patients to go to Bookham.

NHS Surrey Downs Clinical Commissioning Group: No comments received.

Thames Water: Following initial investigations, Thames Water have identified an inability of the existing waste water infrastructure to accommodate the needs of the proposed application. However, it is suggested that this issue could be dealt with through a Grampian style condition.

The National Autistic Society: Supports the application. It is noted that the development provides the opportunity to include a specialist Autism Inclusion Centre in the new school. The students who would be accommodated in the centre might otherwise fail in mainstream education and have to be educated elsewhere. The centre will provide a space which is in the heart of the school, but with their own support and facilities if required. The new school provides a marvellous opportunity to support students with autism to succeed in mainstream education.

Campaign to Protect Rural England: Raise objection. It is noted that the proposal represents inappropriate development in the Green Belt and very special circumstances have not been demonstrated. CPRE are not convinced that the proposed expansion of the school is justified and concerns are raised with regard to the impact of the proposal on traffic in the village and the character and appearance of Effingham. In addition, it is stated that the proposal would result in harm to Effingham and Little Bookham Conservation Areas and concerns are also raised with regard to flooding, nature conservation and the loss of income from the use of the existing playing fields by the school.
Campaign to Protect Rural England (Surrey Branch): Raise objection. The proposal would represent the over-development of the village and would harm its rural character. It is noted that there is no case for the enabling development and the need for a new school is also questioned. The proposal would result in considerable and permanent harm to the Green Belt and there are no very special circumstances to override this.

Amenity groups and neighbouring Parish and District Councils:

Effingham Residents Association: Raise objection. It is noted that the proposal would have a negative impact on the character and appearance of the village, resulting in its urbanisation. The proposal would also cause major traffic, pedestrian safety and infrastructure problems. Concerns raised over numerous inaccuracies and inconsistencies in the planning application documents.

Effingham Village Recreation Trust: Loss of parking on the existing Howard of Effingham site would lead to difficulty in organising normal village events for the community. Concerns raised regarding traffic congestion along Browns Lane and problems with access for emergency vehicles. Loss of safe access to the school for pupils. The additional housing would lead to heavier unfunded use of the KGV common facilities. Possible impact on KGV woodland and impact on car parking for users of the KGV facilities.

Friends of Effingham Responder Network: The First Responder unit is essential cover for the residents of Effingham because of the distance from the nearest hospitals in Guildford and Epsom and the time it can take for ambulances to arrive. The location of the school and housing on Lower Road is extremely worrying as additional traffic congestion could delay a quick response.

West Horsley Parish Council: Raise objection. The proposal represents inappropriate development in the Green Belt and no very special circumstances have been demonstrated. It is noted that the overall development is unsustainable, with roads, water, railway stations etc. already under great pressure. It is noted that the need for a new school is very questionable.

East Horsley Parish Council: Raise objection. It is noted that all three sites are located within the Green Belt and there are no exceptional circumstances to justify the proposed development. In addition, it is noted that the proposal would have a major adverse impact on Effingham village and the impact on local infrastructure would be severe.

Mole Valley District Council: The principal issues of concern relate to (i) the impact of the proposed development on the Green Belt; (ii) the amount of enabling development to fund the new school; (iii) the impact on the local transport network and (iv) the impact on land, surface and foul water drainage.

The Guildford Society: Raise objection. Object to any application for development on the Green Belt ahead of brownfield land, unless very special circumstances can be clearly demonstrated. The proposal is premature and should await the adoption of the new Local Plan, in which the need for new school places in the borough will be assessed in greater detail.

Bookham Residents Association: The proposal would put pressure on the Effingham community, the Green Belt and would overload local infrastructure. The proposal would also close the gap between Effingham and Little Bookham. The Association welcomes the increase in school places, however, concerns are raised regarding the evidence which has been submitted.
The Crossroads Residents Association: Raise objection. The proposal would significantly increase the size of the village and would put increased pressure on existing facilities and services. Concerns have been raised regarding traffic impacts, possible flooding and the harm to the character of the village. It is noted that the proposal would harm the Green Belt and the expansion of the school has not been justified.

Leatherhead and District Countryside Protection Society: Raise objection. The proposal would result in substantial harm to the Green Belt and no very special circumstances have been provided.

Bookham Vanguard: The application should be withdrawn. It is noted that the proposal would impact on the Green Belt and that the educational case is unclear. Concerns have been raised regarding the impact of the proposal on local infrastructure and flooding.

Third party comments

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

- the proposal would have an enormous and devastating impact on Effingham;
- alter the character of the village with bland modern architecture which is out of keeping with the area;
- destroy rural nature of village resulting in harm to its character and setting;
- harm to listed buildings and both Effingham and Little Bookham Conservation Areas;
- the development is disproportionate to the size of the current village;
- the school can be rebuilt/refurbished;
- the addition of 300 new homes would overfill an already enlarged school;
- the number and density of homes is excessive;
- the scale, character and scope of proposal represents substantial overdevelopment;
- the village settlement area would be nearly doubled;
- harm to the Green Belt by nearly doubling the settlement area within Effingham;
- Lodge Farm is agricultural Green Belt and most buildings are classified as temporary, therefore it does not meet the criteria of an exceptional requirement;
- Effingham will sprawl into Bookham and Fetcham;
- special circumstances of schools need to expand have not been met;
- result in a loss of agricultural land;
- alternative brownfield sites which could support this infrastructure;
- Green Belt should be sacrificed for school but not housing;
- Green Belt is being destroyed by suburbanisation;
- building works would exacerbate current flooding problems;
- water and sewage infrastructure would be inadequate to support a substantial increase in housing;
- excavation and piling could undermine the foundations of listed buildings and other surrounding properties as the ground is liable to flooding and subsidence;
- the site runs along a spring line which is prone to extensive ground water flooding;
- poor public transport in the area;
- the proposed new road would make movement in and out of village impossible;
- the area has significant traffic congestion and the development will cause more issues;
- the area has parking issues;
- health care services are full to capacity and local facilities are already overwhelmed;
• scheme to benefit developers not community as new schools should be funded by the taxpayer;
• there is a lack of affordable housing in the proposal;
• increase in population with few job opportunities in Effingham;
• families of the new homes would take most of the 'new' school places;
• loss of revenue from schools’ use of King George V playing fields and the school has sufficient playing fields;
• the school does not have a high ranking in priority of rebuilding by SCC (52 out of 53);
• SCC figures show a surplus of school places, therefore no need for the development;
• suggestion of school providing for special needs children – site is unsuitable for children on the autistic spectrum because it is too large;
• no forecast for increase in demand, in fact surplus places are forecast;
• school should be funded through tax budgets not short-term sale of the land;
• lack of parking, access/drop off points;
• there is no proven need for expansion;
• the volume/density of housing will destroy the nature of Effingham;
• any plans for new housing should await the conclusion of the Parish Council’s work on the Neighbourhood Plan;
• large number of housing being proposed;
• impact on migration of wildlife;
• the development might cause pollution of the aquifer beneath Effingham;
• the loss of natural open countryside would be of determent to this and future generations;
• there are existing covenants which would impact on the development;
• the existing glass houses are only temporary structures;
• soil at Lodge Farm is second highest grade of agricultural quality;
• additional light, water, noise and air pollution;
• impact of heavy machinery during construction and increase in refuse;
• the proposal is not sustainable;
• concerns over safety of cycling routes; and
• the proposal is totally inconsistent with current planning guidance.

596 letters of support have been received outlining the following positive comments:
• consistent with the current character of Effingham;
• with continual growth of population new/larger school on current site would not provide enough space for sports
• small area and will not affect the Green Belt
• remove constraints imposed by flooding on the school’s existing site
• reduction in congestion – larger number of parking spaces provided;
• new works needed to alleviate existing traffic congestion;
• new access in/out of Effingham Common Rd & Lower Road;
• Lower road will be made much safer;
• provision of a dedicated coach pull-in zone;
• improved site security;
• new access roads will remove cars blocking/hindering traffic on both sides of road
• there is a need to build a new school and is would meet current and future demand;
• current school is too small and buildings are not equipped for demands
• existing school is overcrowded;
• adds to Guildford Borough’s school capacity;
• provides educational opportunities for students with ASD;
- provides improved sports facilities for the school;
- invests in the education of current and future generations;
- great benefit to the local community;
- a new school is more appropriate to accommodate current and new students
- the proposal would not overburden the village or its infrastructure;
- provision of high quality educational facilities;
- improved site security;
- more housing is needed and this presents opportunities to buy a home;
- opportunity to address affordable housing needs and traffic management issues;
- homes have been designed to blend with character of village;
- new houses will help local businesses in the short and long term and will provide additional jobs;
- there would be no impact on public land;
- there would be minimal impact on the surrounding rural environment;
- the proposal is needed to fund the new school;
- there would be long term investment for the local community;
- the proposal provides improved roads and roundabout;
- proposal would bring a much needed boost to the area; and
- minimal impact on existing vistas and listed buildings.

Planning policies

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

**National Planning Practice Guidance (PPG)**

**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 6. Delivering a wide choice of high quality homes
- 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

**South East Plan 2009**


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

CF4 Expansion of Schools
G1 General Standards of Development
G13 Green Travel Plans
G5 Design Code
G6 Planning Benefits
H11 Affordable Housing
HE10 Dev Which Affects the Setting of a CA
HE7 New Development in Conservation Areas
The Council is preparing a new local plan in line with the timescales set out in the adopted local development scheme. It is noted that a draft of the new Local Plan was published in 2014 and this should be afforded very little weight in the assessment. A pre-submission (regulation 19) Local Plan is scheduled to be published for consultation in June 2016 and this will gain weight as it moves forward.

There are several local plan evidence base documents published, including a Green Belt and Countryside study. These are evidence documents informing the emerging local plan and carry very limited weight in terms of decision making.

Emerging Effingham Neighbourhood Plan
The Neighbourhood Plan is currently in the plan making stage, heading towards a first statutory consultation (reg. 14 of the Neighbourhood Planning (General) Regulations 2012). There is a draft plan which has been consulted upon informally, but as a full consultation exercise has not been undertaken or a consultation statement published, it is not clear what the level of unresolved objection is. As such, the emerging Neighbourhood Plan should be afforded very little weight in the assessment.

Planning considerations
The main planning considerations in this case are:

- the principle of development
- the impact on the Green Belt
- viability
- educational needs assessment
- the impact on the character of Effingham and Little Bookham conservation areas and neighbouring listed and locally listed buildings
- the impact on the character of the area
- the impact on neighbouring amenity
- highway/parking considerations
The principle of development

Provision of new housing

Paragraph 49 of the NPPF notes that ‘housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites’. The Framework provides that land is only to be released from the Green Belt in exceptional circumstances and through the Local Plan process. It is acknowledged that the Council cannot demonstrate a five year supply of deliverable housing land and therefore the relevant policies in the development plan for the supply of housing should not be considered up to date in accordance with paragraph 49 of the Framework.

It is fully acknowledged that there is a significant shortfall in the five year supply of deliverable housing land. The supply of housing to address an acknowledged need for market and affordable housing would have significant economic and social benefits and would contribute to the Framework’s aim to boost the supply of housing.

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. It is noted that for decision making this means:
- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

In this instance, as the site is located within the Green Belt and contains designated heritage assets and is affected by policies relating to sites protected under the Birds and Habitats Directives (Thames Basin Heath SPA), the presumption in favour of sustainable development does not apply.

Provision of new / replacement education facility

Saved policy CF1 of the Local Plan is considered to accord with the NPPF, however, it only relates to proposals with urban areas or identified settlement areas. As all three sites are within the Green Belt, policy CF1 does not apply to this proposal.

Saved policy CF4 of the Local Plan is considered to be generally in accordance with the aims of the NPPF and therefore carries significant weight. Policy CF4 states that ‘planning permission will be granted for the expansion of schools providing:
1. proposals are in compliance with policy R5 protection of open space;
2. the proposed development would not detract from the character and appearance of existing buildings and the surrounding area;
3. there is agreement to the introduction and implementation of a schools green travel plan where appropriate; and
4. the highway access, parking, turning and any increased traffic movements can be accommodated satisfactorily.

The supporting text to policy CF4 at paragraph 15.13 notes that 'as an exception to normal policy, the Borough Council may allow extensions to schools and colleges in the Green Belt'. However, as the proposal is for a replacement school, the weight to be afforded to policy CF4 is reduced.

Paragraph 72 of NPPF states that 'the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

The Council notes the DCLG policy statement issued in August 2011 titled 'Planning for school development'. This primarily relates to provision of state-funded schools, this policy statement is a material consideration and the Council notes that this statement advises local authorities to give full and thorough consideration to the importance of enabling the development of state-funded schools in planning decisions.

**The impact on the Green Belt**

**Inappropriate development?**

Paragraph 89 of the NPPF states that 'a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openess of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'.

Paragraph 90 goes on to state that 'Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order'.

As the proposal is set over three distinct and separate sites, the development proposed for each of them needs to be assessed against the exceptions set out above.

Browns Field -

The Browns Field site is currently an open paddock which is currently used as an occasional sports pitch for underage rugby games. The site is vacant and free from development and is grassed. While the site is outside of the identified settlement area of Effingham, it has a frontage onto The Street and is within walking distance of a small cluster of shops, public houses and the Parish Council office. As such, it could reasonably be argued that the site is within the village of Effingham. However, the proposed redevelopment of the site consists of a total of 37 dwellings, on a plot which is approximately 1.7 hectares in size. While there is residential development to the north and west of the site, the King George V playing fields occupy the land to the east and there is the A246 Guildford Road to the south. As such, even though the site may be located within the village of Effingham, its scale and the nature of surrounding development would mean that the proposal on the Brown's Lane site does not constitute a ‘limited infilling’. As such, this element of the proposal is considered to represent inappropriate development in the Green Belt.

Lodge Farm -

Lodge Farm is located outside the identified settlement boundary of Effingham and is beyond the main ‘village’ area of Effingham. Whilst there is some built development bordering the Lodge Farm site this is more loose knit in character and does not form part of the village of Effingham. This is emphasised by the current use of the land as a farm site with a considerable area undeveloped and providing a visual and physical ‘break’ to the built up village and settlement area. Therefore, for the purposes of paragraph 89 of the NPPF this site is not considered to fall within a village.

Notwithstanding this, the site is bordered by open land to the north, north-east and north-west and given its large scale, this element of the proposal could not be considered as a 'limited infilling'.

The Lodge Farm site consists mainly of open agricultural land. However, it also contains a number of derelict large glasshouse buildings (which are the remnants of a previous use of part of the site), a single storey brick building which is currently in use as a children's nursery, various single storey industrial and commercial buildings, which are currently vacant and areas of grassed amenity land and hardstanding. While it is acknowledged that a portion of the site could be classed as being previously developed, this is mainly limited to the commercial buildings, day nursery and a portion of the existing hardstanding. It is clear that the redevelopment of the wider site to include up to 159 dwellings, as well as a replacement secondary school, which would be three storeys in height would result in a greater impact on
the openness of the Green Belt. It would also conflict with the purpose of including land within the Green Belt. While these two issues (openness and purpose of the Green Belt) will be discussed in more detail below, it can be concluded here that the proposed development of the Lodge Farm site, would represent inappropriate development in the Green Belt.

In addition to the built form of the school building a significant level of school playing fields would be provided on part of this site. Whilst this would not necessarily result in built development on these areas it would constitute a material change of use of the land. The material change of use of land falls within the definition of development as set out in the Town and Country Planning Act 1990 (as amended). The material change of use of land is not included in paragraphs 89 or 90 as one of the appropriate forms of development in the Green Belt. Therefore this aspect of the proposal would be considered inappropriate development in the Green Belt.

Howard of Effingham -

As with Lodge Farm, the current site of the Howard of Effingham School is located beyond the identified settlement boundary. Its immediate surroundings do display a more loose knit and open character than one would expect from land within the village. It has a definite transitional feel moving away from the village centre. That being said it is acknowledged that the school itself could be described as a feature of the village and does provide visual break to the spread of development to the south of the road with the road itself providing a physical break to the village spread. Therefore, whilst there are arguments both ways it is considered that on balance the school site is within the physical village area for the purposes of paragraph 89 of the NPPF. However, the school is at the very edge of the village and is bordered by largely undeveloped land to the north, east and south. In addition, it should be noted that given the large scale of development proposed, this element of the proposal would go beyond what could reasonably be described as ‘limited infilling’.

The existing school site contains a variety of structures which range in height from single and two storey buildings, to larger structures such as the sports hall. The existing buildings vary in height from the largest being approximately 12.5 metres to the smallest (such as the pre-fab buildings) being just over three metres. The existing built form is densely gathered on the western half of the site, with the eastern section given over to a sports pitch and multi-use games area (MUGA). It is accepted that the existing site is previously developed.

The proposed development on the Howard of Effingham would include approximately 99 dwellings, which would vary in height from two to three storeys. These would be spread over the entire site, including on the existing open playing field and MUGA and would increase the spread of built form over the site, compared to the existing, by approximately 120 metres. The impact on the openness of the Green Belt and the purposes of including land within it than the existing development on the western section of the site would be limited due to the significant existing built form. However, developing the current open sports pitches and MUGA with two and three storey dwellings would cause significant harm to openness and cause encroachment. The reduction in hardstanding over the site does not mitigate against this. It must be concluded that the redevelopment of the Howard of Effingham site, as a whole, would be more harmful to the openness of the Green Belt than the existing situation and would conflict with the purpose of including land within the Green Belt. It therefore represents inappropriate development in the Green Belt.

Bringing the three elements of the proposal together, the development as a whole would constitute inappropriate development in the Green Belt and is therefore harmful by definition.
Other Green Belt harm?

The impact of the proposal on the openness of the Green Belt has been touched on above. For both the Brown's Field and Lodge Farm sites, it is clear that by virtue of the scale of the development proposed and its spread over mainly open, undeveloped land, the proposal would result in a material loss of openness to the Green Belt. While the Howard of Effingham site is complicated by the fact that a portion of it already contains built form, the additional buildings over the existing open playing field and MUGA would, overall, lead to a material loss of openness to the Green Belt.

In terms of the purposes of including land with the Green Belt, paragraph 80 of the NPPF states that 'the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Lodge Farm and Howard of Effingham sites are located at the very eastern edge of Guildford Borough and what is considered to be the eastern edge of Effingham village. The land adjoining the Howard of Effingham site (to the east) and the land beyond the nursery which neighbours Lodge Farm (to the east) is located within Mole Valley District Council. Even with the development of the Howard of Effingham site, a large rectangular strip of undeveloped land would act as a buffer, preventing the merging of Effingham and Bookham. As regards the Lodge Farm site, the open, undeveloped land on its eastern side, which is clearly visible from Lower Road, acts as a buffer between Effingham and Bookham. The development of this land, as proposed through this application would result in a continuous line of built form stretching from Effingham Common Road (west) to Little Bookham Street (east), which could be perceived as the merging of both settlements together. While it is acknowledged that neither Effingham or Bookham are 'towns', the proposal would conflict with the spirit of what the Green Belt seeks to achieve. An appropriate amount of weight will be attached to this matter in the balancing exercise below.

In addition, the proposal, and in particular the development of Lodge Farm, would result in a significant encroachment into the countryside. At present, the majority of the Lodge Farm site is open agricultural land. The proposal includes 159 dwellings, which would result in the spread of built form, access road, formalised recreation areas and the school and its sports facilities over almost the entire site, up to the boundary with Thornet Wood. This element of the proposal would result in a significant encroachment into the countryside, which would be contrary to the third purpose of including land within the Green Belt.

Very special circumstances

The applicant has put forward a number of matters as a case for potential very special circumstances. These can be summarised as:

- the need for replacement of existing school. This argument can be subdivided into two parts; (i) the need for the school to expand to cater for increased demand and (ii) the poor condition of the existing school and its inadequate facilities;
- the provision of a dedicated autism centre, known as the Cullum Autism Centre. This dedicated centre will cater for 20 pupils and is one of only four planned across Surrey to give essential provision for children with such needs who otherwise may have to attend
non-maintained/independent schools, usually outside Surrey;

- the need for housing to finance the construction of the replacement school (i.e. the case for an 'enabling development'). It is noted that the proposed residential development constitutes an 'enabling development' which is required to fund the development of the new school. The school have been unable to raise the revenue required to fund the development on its own. The case is that the proposed housing would pay for the replacement of the school, which otherwise would not be possible;

- the lack of alternative sites for the replacement school. The applicant contends that the Lodge Farm site is the only site within the catchment of the school which could be developed for the proposal;

- the provision of socially inclusive facilities. It is noted by the applicant that the proposed development gives further opportunity for social inclusion by providing enhanced facilities for the local community;

- the need for additional housing. It is acknowledged that the Council does not have a five year housing land supply and that there is an identified demand for housing across the borough. The proposal would meet some of this demand; and

- the identification of the site in the regulation 18 draft Local Plan 2014. It is argued by the applicant that this represents the Council's 'clear intention to remove the application site from the Green Belt'.

It is acknowledged that these issues are material considerations in the decision making process. However, the level of weight to be afforded each issue is a matter for the decision maker. Any identified benefits must then be balanced against the identified harm to the Green Belt (and any other harm) before making a decision. The balancing exercise will be carried out in the final section of this report.

Viability

For this application there are two aspects to the viability argument. The first is whether the proposal could meet the Council's affordable housing contribution of 35 percent and the second is whether 295 houses would be required to deliver the proposed replacement school. To assess this issue, the applicant has submitted a viability appraisal which has been seen by officers and has been assessed by the Council's viability consultant. The applicant's viability appraisal is not publicly available for reasons of commercial sensitivity.

Affordable housing

Policy H11 of the saved Local Plan states that an element of affordable housing will be sought by negotiation with developers of all housing developments of 10 or more dwellings, or residential sites of 0.4Ha or more irrespective of the number of dwellings...At least 30 percent will be sought on any unidentified sites in excess of the above thresholds which may come forward during the plan period. The Council's Planning Contributions SPD requires this site to provide 35 percent of the proposed units as affordable. Policy H11 indicates that, in applying this requirement, regard will be had to a range of factors including site suitability, the need for affordable housing and any other material planning or marketing considerations.

Paragraph 173 of the National Planning Policy Framework indicates that there should remain sufficient return to the land owner and developer to enable the project to be delivered. The Planning Practice Guidance provides additional guidance on viability and notes that 'in making decisions, the Local Planning Authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking
planning obligations. This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance'.

The supply of affordable housing is a key priority for the Council and at present, there is an acute need to such housing in the borough. The Council’s Housing Strategy 2015-2020 notes that despite an increase in population and in the number of people waiting for social housing, the number of affordable homes is at a similar level to 2002. This is because the supply of new build rented homes has barely kept up with the loss of social and affordable rented homes under the Right to Buy scheme.

There are a number of difficulties the Council faces in seeking to address housing need in the borough. It remains difficult to get on to the housing ladder, and demand for most types and tenures of housing continue to outstrip supply. Affordability is also an increasing problem, with rents and house prices rising faster than wages, and welfare reform is reducing the amount of help available from the benefits system. It is noted that the average house price in the borough is £407,943, with the averaged terraced house valued at £287,812 and an apartment at £232,828. The average rent for a two bedroom house in Guildford is £1,250 per month and the entry level household earning to rent privately without housing benefit is £39,800 per annum.

In terms of need, the latest Housing Advice Statistical Update notes that as of 1 April 2015, there were 3,078 households on the housing register in Guildford, of which 2,348 were in bands A-C (where applicants are likely to be allocated social housing). Given the acute need for new affordable housing in the borough, it is essential that planning applications, which meet the Council’s affordable housing threshold, are contributing to increasing the supply, as set out in both local and national policy.

The applicant has submitted an Affordable Housing Statement with the application which states: 'Berkeley Homes (Southern) Ltd has submitted a financial viability appraisal with the planning application which demonstrates why the proposals cannot deliver the affordable housing policy requirement of 35 percent. The viability appraisal demonstrates that the infrastructure costs associated with the development including the provision of the replacement Howard of Effingham School precludes achieving 35 percent on site provision'.

It is noted that at various points throughout the submission, affordable housing is mentioned. For instance, paragraph 8.2 of the applicant’s Transport Assessment states that 'the planning application seeks consent for development of up to 295 dwellings, of which approximately 20 percent (60 dwellings) will be classed as 'affordable'. In addition, plans for the Browns Field site indicate that some of the proposed apartments would be for affordable housing. However, it is emphasised that no formal offer of affordable housing on the site has been received from the applicant at this stage.

As noted above, the applicant has submitted a viability appraisal with the proposal. Following discussions with the Council’s viability consultant, significant differences exist between the parties on a number of issues. The result is that the Council’s viability consultant believes that a policy compliant scheme (35 percent affordable housing and other s.106 contributions that may be required) is feasible on this site, even taking into account the provision of the new school; all associated costs and a developer profit of 20 percent.
Based on the above, in this instance, there appear to be no grounds to support a reduced affordable housing contribution on this site. As such, without a commitment from the applicant, in the form of a s.106 agreement securing 35 percent affordable housing on the site, the proposal is deemed to be contrary to saved policy H11 of the Local Plan, the Council's Planning Contributions SPD and the NPPF. The requirement for a 35 percent affordable housing contribution would meet the tests set out in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and without a s.106 to secure it, the proposal is unacceptable in this regard.

Enabling development

The premise behind this application is that the proposed replacement Howard of Effingham school, cannot be brought forward by either the Howard of Effingham Trust or from public funding. The applicant's argument is that the 295 dwellings proposed through this application are needed to fund the construction costs and would therefore deliver a new school, which otherwise would not come forward.

As noted above, the applicant has submitted a viability appraisal with the proposal. Following discussions with the Council's viability consultant, significant concerns are raised that 295 dwellings would be required to deliver the replacement school, even when all other matters (i.e. construction costs, developer profit, other s.106 contributions etc.) are taken into consideration. Based on the above, it is possible that less than 295 dwellings could deliver the replacement school, even when other financial considerations are taken into account.

Educational need assessment

Although the balancing exercise to consider if very special circumstances exist will be carried out later in the report, the argument for the replacement of the existing school on the Lodge Farm site is central to the application.

The applicant submitted an Educational Needs Statement with the application in 2014 and formed the basis of the justification. A further statement was submitted to the Local Planning Authority in January 2016 to provide additional information around this issue. Both of these documents have been taken into consideration as part of the assessment.

The applicant contends that ‘the school has now reached the point where its site and current facilities cannot sustain the school’s excellent achievements and necessary growth. It is the need for modernised facilities, the requirement for a larger school and the aspiration to continuously improve the education of local children which drives the planning application. The Howard’s ethos of inclusivity and role in the community is the golden thread which runs through the plans’.

The need for the new school is effectively split into two primary parts; (i) the existing school and the need for its replacement and (ii) population change and the case for expansion. A secondary issue is why the identified problems cannot be solved on the existing school site.

The existing school and the need for its replacement

The existing school site is fragmented into two separate sites, the applicant argues that this does not represent the optimum safety and security for students. The following problems are identified, by the applicant, with the existing school and its layout:
poor quality of the building fabric;
- inadequate layout and size of circulation spaces and causing over-crowding and a lack of passive supervision;
- poor energy efficiency of existing stock;
- potential health and safety issues;
- inadequacy of existing buildings in terms of teaching value / meeting curriculum requirements;
- security issues that increase challenges for staff to ensure the safety of children;
- the buildings fail to comply with the DDA in a number of areas and buildings;
- inadequacies in terms of the management of vehicular access and parking facilities which also present safety risks to children and adults;
- the ‘suitability designation’ in the condition survey ranged from ‘good’ to being a ‘breach of legislation’. The assessment concluded that none of the existing accommodation is designated as ‘good’. For basic teaching spaces; large teaching spaces and learning resources the assessment ranged from ‘poor’ or ‘bad’;
- the comparison of the existing school accommodation against BB103 standards highlights that the school has insufficient classrooms, staff spaces, deficient technology labs, inadequate space in the sixth form centre, a deficit of special education need provision and a significant under supply of wc provision; and
- the school has insufficient playing field space according to Department for Education (DfE) standards.

The applicant’s view of the most serious of the above issues is expanded below.

Site security and safeguarding:
The statement notes that the whole site is open with numerous entry points. The haphazard layout of the buildings means that there are also numerous entry points into the buildings and a variety of unsuitable secluded areas. A key problem is noted as being the presence of a public right of way which runs along the eastern and southern boundaries of the site, which it is claimed makes the whole site easily accessible to people outside of the school population. The footpath is used extensively and this, along with the inability to totally secure the school boundary, has resulted in a number of incidents of intrusion. The school’s efforts to divert the footpath are noted as being unsuccessful, despite the involvement of the relevant authorities. It is also noted that the use of the King George V playing field is also not ideal in that it is a public facility, with no means of securing the boundary. A teacher currently escorts each class to the field for PE lessons, which can lead to safeguarding issues, as well as a loss of active learning time over the course of the year. Public access to the King George V playing fields also pose issues with litter on the fields, dog walkers etc.

Playing space:
The educational need statement notes that the space available within the school to play and engage in social activities is extremely limited and some playground areas can only be approached through car parks. The dining hall can only seat 328 students, which creates considerable difficulties in accommodating all students within break and lunch times. External play on hard surfaces is severely restricted as new buildings have been placed on former play areas. During wet weather, children have to be accommodated during break times within the cramped dining halls or corridors. In terms of playing field space, the applicant notes that the existing school has approximately 40 percent of the playing field space required to meet current standards. This includes Browns Field, which is detached from the main school. As a consequence, the school is reliant upon external facilities such as King George V playing fields to provide sporting and recreational facilities. The educational need statement notes that there is insufficient space on the existing site to meet current standards of sporting and recreational standards for 1,600 pupils and that providing
an appropriate amount of space on a single site would allow surveillance by the school and improve safety for pupils and staff.

Condition of the existing buildings:
As part of this assessment the applicant has submitted (January 2016) a Condition Survey and Suitability Report, prepared by Gleeds. This report illustrates problems with regard to a number of different issues including the structural condition of some of the buildings, poor circulation space throughout the school and the inadequacy of some teaching spaces. It is noted that there are 34 classrooms at the school against the 37 recommended, with some of the foreign language, English, geography, business, maths and humanities rooms being under sized. The food technology room is also undersized and is located within an old, temporary building which is in a very poor condition and similar problems exist with the drama facility. Poor accommodation also exists for textiles, sixth form, special educational needs and science labs. Further issues highlighted include windows and doors in a poor condition and draping wires across the site. It is noted that the failure of tackle the accommodation deficiencies is likely to detract from the educational attainment, wellbeing and life chances of the students.

Why the capacity of the school needs to be enlarged

The catchment for the Howard of Effingham extends to West Horsley in the west, Ranmore Common Road to the south, as far as Fetchham in the east and to the north it extends just to the south of Cobham. The statement notes that the existing school is consistently oversubscribed and has been operating at over capacity for some years. It is noted that for the 2014 intake, there were 285 first preferences for the Howard of Effingham, for only 240 places. This level of demand has continued in more recent years. The applicant notes that Surrey County Council's School Organisation Plan shows that there has been a significant increase in birth rates and there is a forecast of a shortage of secondary school places in 2019. However, it is noted that this demand appears to be more acute in the urban area of Guildford, although it is stated that 'in the villages and rural areas outside the town there are some pockets of high demand'. It is noted that the enabling development proposed through this application (i.e. the 295 dwellings) would also generate a significant additional pupil yield of approximately 55, which at secondary level would be accommodated at the Howard of Effingham. However, it is acknowledged that these would be spread over several years and across the year groups. Additionally, the applicant notes that future need may also arise from other potential residential site allocations within the catchment area identified in the draft Local Plan and from any future plans by Mole Valley District Council and Elmbridge Borough Council.

The statement notes that the Howard of Effingham catchment covers an extensive area which is not well served by other secondary schools. The nearest secondary schools to the area within Guildford borough are St Peters Catholic School and George Abbott. Both are within the urban area and are also oversubscribed on a year-on-year basis. The applicant notes that neither school are well placed to serve the need within the Howard of Effingham's catchment area. In Mole Valley, Therfield School lies beyond the north-east boundary of the catchment area, and at 2014, it had surplus secondary places available. The applicant notes that Therfield School is not easily accessible to pupils in the Howard of Effingham's catchment area.

The applicant concludes on this point by stating that when forecasts are compared to the existing pupil admission number of 240 places, 26 additional places are required. Added to the pupil yield of the residential element of the planning application, the need arising from the Cullum Centre and implementing the minimum uplift of 3.5 percent to account for surplus using Department for Education guidance, the number of additional places required in 51.
This is rounded up to 60 places as the School Organisation Plan encourages admissions in multiples of 30 and there are also a number of education and efficiency reasons as to why a two form of entry increase is acceptable.

The applicant goes on to note that there is also likely to be a significant impending increase in need from the new Local Plan and similar plan-making provisions in both Mole Valley and Elmbridge.

Why the above issues cannot be resolved on the existing site

The applicant notes that there are four overriding reasons as to why the expansion of the school cannot be accommodated on the existing site. These are:

- the need for the school to remain operational at the existing site whilst the new school accommodation is being constructed;
- the need to secure funding;
- the need to remain in Effingham; and
- the need to provide new school buildings and playing fields to current standards all on one secure, manageable site.

The revised educational needs assessment sets out five possible alternatives to the current application. These are no school improvements or enhancements; the refurbishment and extension of the existing buildings; a new build on the existing school site; a new build on the existing school playing fields and a new build on Browns Field. For various different reasons, all of these options have been discounted, with the only viable alternative being the construction of a replacement school on the Lodge Farm site.

In terms of funding, the applicant notes that the Educational Funding Agency (EFA) has confirmed that, in the current climate, there are no government funding sources available for this project. It is stated that the only significant capital funding that is available is prioritised towards addressing a shortfall of pupil places and addressing significant building condition issues. However, it is noted that even if the school was successful in securing such funding, it would result in further piecemeal development and the significant site and building issues would remain. The statement goes on to note that the only means that the Howard of Effingham has of raising funds for the new school, is to sell the existing land it owns at Lower Road and Browns Field for residential development. It is explained that this 'enabling residential development' will bring forward the new school.

Assessment

In terms of the need for additional places for the school, the Council's independent education consultant has reviewed the documents submitted by the applicant. He notes that the Surrey School Organisation Plan 2015/16 - 2024/25 says, for Guildford, 'up to an additional three forms of entry in Guildford Town in 2017' plus 'additional housing created by the Guildford Local Plan will increase the requirement for secondary places. The number of extra forms of entry due to new housing will depend upon the developments that are agreed. School Commissioning Officers are exploring options for expansion or new provision in the area, which involves co-ordination with local schools as well as planning officers and housing developers'. The Council's independent education consultant has previously commented that no evidence has been submitted which supports the case for the school enlargement from 1,600 to 2,000 places. It is noted that the Surrey County Council School Organisation Plan shows for Guildford 6,600 pupils in 2011 in 6,950 available places. For 2017, it shows 6,468 pupils, rising to 6,863 in 2021. On an age basis, the peak number for secondary transfer is shown as 2009 in the period to 2016. In 2019 secondary transfer is forecast to
exceed capacity by five places rising to a shortfall of 26 places in 2021’. The consultant then goes on to state that ‘births, net of housing as yet not consented, peaked in 2010 and fell back to 2006 levels in 2013. Thus, secondary transfer will be back in surplus in 2023'. Therefore, the Council's education consultant considers that the needs assessment does not prove the level of additional spaces claimed and states that 'the case for enlargement needs to be set out backed up by unambiguous data'.

In addition, a letter from the Assistant Director, Schools and Learning at Surrey County Council clearly states that 'there is no basic need funding available for this project'. The Government notes that basic need funding is 'the money we give local authorities each year to help them fulfil their duty to make sure there are enough school places for children in their local area. We allocate basic need funding three years ahead, giving local authorities enough time to plan and create the new places'. This raises concerns that while there does appear to be some demand for additional secondary school places in the borough, the need for the Howard of Effingham to expand to cater for this need is not of a level which would justify any basic need funding for Surrey County Council at this point. This reduces the level of weight that can be afforded the need to expand the school.

Additional school places proposed through this application are likely to be welcomed in the area, acknowledged by the two letters of support received from education departments within the County Council. However, it is firstly noted that the benefit of the additional places provided would be weakened by the fact that approximately 53 of the places would be occupied by children who will live in the 295 dwellings proposed through this application. In addition, the letters received from Surrey County Council do not state that the Howard of Effingham is required to expand to meet an urgent unmet need for additional secondary school places in the area. When considering and outweighing harm to the Green Belt, there is a difference in general support in principle, rather than an explicit and urgent requirement.

For longer term to cater for additional demand generated through the new Local Plan, it is noted that educational need would be accounted for and provided also through the Local Plan process and therefore this is not a point that carries any particular merit.

As regards the condition of the existing school, there is no dispute that the school suffers from a number of deficiencies in terms of its condition, cramped nature, lack of specialist classrooms, security and parking issues and an under supply of recreational and playing field space. This has been confirmed by several officer site visits.

The Council's education consultant has stated that ‘the condition of the existing premises is described in great detail, as is the backlog that any large estate of ad hoc buildings is likely to report, especially those buildings near the end of their planned life. The Government programme for dealing with such matters (Priority Schools Building Programme) is an ongoing programme addressing the needs of schools in the poorest condition’. The Council’s consultant sets out that the applicant has not demonstrated where the Howard of Effingham is on this programme or indeed whether it is on the program at all. However, whatever the case regarding the condition, it is clearly not adversely affecting the school and pupils performance as evidenced by outstanding Ofsted ratings. He further goes on to state that ‘Whilst it is obvious that the immediate impact of new premises is uplifting for staff and pupils, and some research confirms this, there is no research or evidence into how long that lasts. The existing campus has grown organically and its strengths and weaknesses are known’.

The Local Planning Authority agrees that these issues do have some impact on the delivery of education at the school and that the existing conditions are not ideal. However, as noted above, they have not hindered the school in achieving two 'Outstanding' Ofsted ratings in
both 2006 and 2009. The applicant has not demonstrated that the condition of the school is significantly worse than other secondary schools in the area or that its condition is so poor that its replacement is urgently required. In fact, the applicant's educational need statement concedes that the Howard's issues are predominantly related to undersized and impoverished building stock resulting in poor suitability issues rather than condition. In addition, the applicant has not put forward any information which would suggest that the replacement of the school is high on any local, regional or national agenda for school replacement.

The replacement of the school would be welcomed by staff and pupils of the Howard of Effingham and it is noted that in some areas the current facilities do not meet modern needs. However, this argument is significantly different to saying that the school urgently and overwhelmingly needs to be replaced to continue its function as a provider of secondary level education. No such confirmation has been provided by any local or national body with responsibility for such issues.

The provision of the Cullum Centre on the site would help local children with autism access specialist education, in an environment which would be designed to meet their needs. Placing the Cullum Centre within the new school, would also be consistent with the aims of both central government and Surrey County Council to improve on the social inclusivity of new developments. It is certainly a very positive aspect of the proposal.

In summary on this point, it is acknowledged that the proposal would meet some local need for additional secondary school places in the borough, albeit tempered by the fact that some of this need would be generated by the new housing proposed. However, the applicant has failed to demonstrate that there is an urgent need for expansion. As regards the condition of the school, it is also acknowledged that it does suffer from its layout, size, the mix of buildings and in some instances their condition. However, this has not so far impacted on the success of the school, which is currently rated as 'Outstanding' by Ofsted. Therefore, the applicant has not demonstrated that there is an urgent need to replace the existing school.

The impact on the character of Effingham and Little Bookham conservation areas and neighbouring listed and locally listed buildings

The three sites have the potential to impact on a number of designated (listed buildings and conservation areas) and non-designated (locally listed buildings) heritage assets within the boundaries of both Guildford borough and Mole Valley district. The impact of the proposal on these assets will be assessed below.

Statutory provisions:

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 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 paragraph 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'.

Paragraphs 131-135 set 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.

Paragraph 135 of the NPPF identifies that the effect on the significance of a non-designated heritage asset should be taken into account when determining an application. This includes applications that directly or indirectly affect non-designated heritage assets. A balanced judgement must be reached with regard to the scale of any harm or loss caused and the significance of the heritage asset.

Browns Field

The Browns Field site is within Effingham Conservation Area, it forms the entrance to The Street and helps to form the transition between the village and open countryside. There is a locally listed building on the site (the apple store) and a number of listed and locally listed buildings opposite the site on the other side of The Street and Guildford Road.

The significance of the conservation area lies primarily in its medieval origins which are visible in the street pattern and the domestic scale of the buildings from the 18 and 19 centuries which sit on ample sized plots. Towards the core of the village, there is a tighter development pattern, with more semi-detached and terraced properties on smaller sized plots, this concentration of development towards the centre of the village is typical for a rural settlement. In general, the village has a pleasing sylvan appearance, with an abundance of trees along main routes. Commenting on the planning application, Historic England state 'Effingham Conservation Area is significant as a good example of an attractive rural village with medieval origins. The character and appearance of the conservation area is very much defined by later mainly 18th and 19th century buildings and the sense that this was historically a modest village remains with glimpse views to surrounding countryside possible from within the conservation area. A number of trees lining historic routes through the village and the largely liner development of remaining historic buildings give the conservation area an attractive appearance. Some open green spaces remain in the heart of the conservation area including a relatively large open green space (Browns Field) which has historical value as it was once a field associated with a nearby farm'.

The existing site is open and undeveloped and appears as an agricultural paddock contributing to the rural character and appearance of the conservation area and acting as a buffer between the original village settlement and the modern housing to the south of the A246. Views through the site are possible from Guildford Road and Browns Lane and to a lesser extent The Street. The construction of 37 dwellings on the site would result in its urbanisation which would significantly impact on the rural appearance of this part of the conservation area. The proposed housing site is accessed from Browns Lane and appears to turn its back on the historic heart of the village. Glimpses of the site from The Street will be of car parking areas and the gable end of houses. It is noted that Historic England has concluded that the building on Browns Field would cause some harm to the sites historical
value as it would no longer be possible to appreciate that this was once open farmland in the heart of a small rural village. In addition, Historic England has identified limited harm to the loss of views to open fields from the core of the historic village.

In terms of the listed and locally listed buildings on the opposite side of The Street and Guildford Road, the proposal due to its screening and distance of separation, would not result in any harm to the setting of these properties. As regard the apple store, the plans show the retention of this building and its possible conversion into a bat roost. As the apple store is currently in a poor state of repair, the proposal would potentially result in the long-term protection of the building. This is certainly a positive aspect of the proposal.

It is noted that concerns also exist regarding the design of the dwellings and their scale and proportions, as well as the layout of the scheme. On this basis, the proposal would represent an incongruous addition to the conservation area, which would fail to be reflective of its existing character and appearance. These issues will be discussed in more detail in the next section of this report.

For the reasons identified above, it is concluded that this element of the proposal would result in some harm to the significance of Effingham Conservation Area. However, the harm is considered to be less than substantial.

**Howard of Effingham**

It is noted that this element of the proposal is for outline permission, where only access is being considered. This site is situated immediately adjacent to Effingham Conservation Area and Little Bookham Conservation Area in Mole Valley, the proposal has the potential to harm the setting of a number of listed buildings within both Guildford and Mole Valley, as well as the setting of the two conservation areas mentioned above.

The significance of Effingham Conservation Area has already been set out above. As regards Little Bookham Conservation Area, Historic England states that ‘the medieval centre of this equally modest settlement is located adjacent to site two (Howard of Effingham) Though the medieval manor house was rebuilt in the eighteenth century, the remaining high status medieval building, All Saints Church alludes to the importance of this manor in the medieval period. The Church and manor house along with other nearby historic buildings (including the tithe barn and Manor Farmhouse) have historical value as a record of the way in which the site evolved over a long period of time and the surrounding fields provide a verdant and attractive backdrop to the conservation area’.

It should be noted that the existing school site, at best, makes a neutral contribution to the conservation area. There is no in principle objection to the demolition of the existing buildings, with the exception of the existing lodge, which is being retained and incorporated into the scheme. It is noted that Historic England state that a ‘modest increase in the extent of development as proposed would not unduly harm the significance of Little Bookham or Effingham Conservation Areas provided that it was very well screened on all sides, so that the sense that the two settlements were historically distinct from one another remains intact’. While only in outline, it is clear that the proposed development will need a more or less continuous frontage of buildings along Lower Road, which would be approximately 280 metres in length and the separation between two distinct conservation areas would be eroded. Glimpses into the interior of the site could also be gained and it would be obvious that the site is much larger than just the dwellings which front onto Lower Road. While the comments of Historic England are noted, there is no way to guarantee that the proposal could be ‘very well screened on all sides’. Indeed, the indicative plans show that a significant portion of the Lower Road frontage would be open and not screened at all. In any case,
screening potentially harmful development from view is not considered to be an appropriate form of mitigation, as the retention of the screening cannot be ensured, as trees die or may be removed for numerous different reasons.

As the existing buffer of the playing pitches would be lost, the setting of both conservation areas would now be dominated by a large, modern housing development, more suited to an urban environment than a rural village. By virtue of the scale of the development, the quantum of units proposed and the urbanising impact, the development would be likely to harm the modest rural village feel and appearance of both Effingham and Little Bookham conservation areas. Therefore, the proposal would result in some harm to the significance of these conservation areas and their setting. It is considered that the harm would be less than substantial.

In terms of the neighbouring grade II and II* listed buildings, it is again noted that the existing playing field to the east of the school allows for these properties to be surrounded by open, undeveloped land. This contributes to their setting. While it is acknowledged that the proposal is in outline only, to have any prospect of achieving 99 dwellings on the site, the built form will need to extend close to the eastern boundary of the plot, as shown on the indicative layout plans. Due to the erosion of the open space around the listed buildings to the east and its replacement with a modern, urban housing development, their open, rural setting would be negatively impacted upon. It is considered that the harm would be less than substantial.

**Lodge Farm**

Again, this element of the proposal is for outline permission, with only access being considered. On this part of the site, the replacement school building and its parking, playing fields etc. would be located on the eastern side of the site, with the residential element to the west. Presently, the frontage of this site onto Lower Road consists of open agricultural fields and three residential dwellings. As such, the site contributes to the rural character of the village and maintains a rural buffer to the east of the conservation area and the next settlement of Little Bookham. The proposal would result in a continuous frontage of built form, consisting of dwellings, car parking and the new school. While it is acknowledged that an open green space is also proposed along Lower Road, due to its height, the school would still be readily apparent in the streetscene and it would have a commanding presence in the area. The scale of the residential development would also be apparent from Lower Road and the dwellings stretching well back into the site would be visible. The layout, formally laid out open space areas would have a distinctly urban appearance and would be at odds with the predominant open pattern of development in the area. The proposal would result in the urbanisation of the site and would remove the rural buffer to the east of the conservation area. The proposal would also result in the loss of the open gap separating Little Bookham and Effingham, which again helps to set the conservation area and its rural character. Historic England advises that ‘the proposed development on site three (Lodge Farm) would also cause some limited harm to its significance as views out to surrounding countryside from the conservation area would be lost, thus further harming the sense that Effingham was once a very modest rural village’.

By virtue of the scale of the development, including the likely size of the replacement school, its urban appearance and resulting urbanising impact, the development would be likely to harm the modest rural village feel and appearance of Effingham Conservation Area. Therefore, the proposal would result in some harm to the significance of Effingham Conservation Area and its setting. It is considered that the harm would be less than substantial.
In terms of the neighbouring grade II listed buildings and locally listed buildings, the site is sufficiently far enough away from these buildings to ensure there would be no harm to their setting.

Overall, it has been identified that the proposal would result in less than substantial harm to the significance of Effingham and Bookham Conservation Areas and their setting. In addition, less than substantial harm has been identified to the grade II and II* listed buildings to the east of the Howard of Effingham site (Church of All Saints and The Manor School House). The proposal is therefore deemed to be contrary to policies HE4, HE6, HE7 and HE10 of the saved Local Plan, as well as the advice contained with the NPPF.

In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage assets. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation. In line with paragraph 134 of the NPPF it is necessary to weigh this harm against any public benefit. The public benefit of the proposal and whether or not it is outweighed by the identified harm, will be discussed in the final section of this report.

**The impact on the character of the area**

**Browns Field**

Concerns have already been raised above regarding the impact on the significance of Effingham Conservation Area. While it is acknowledged that the site would appear relatively spacious, there are concerns regarding the layout of the development. The frontage of the site along The Street is important in that it is one of the principal routes through the conservation area. It is acknowledged that some effort has been made to provide an active frontage, with plots 17, 22 and 23 fronting onto The Street. However, the layout would also result in significant runs of garden boundaries and parking courts fronting onto The Street contrary to the existing grain of the village, which is predominantly one of a continuous building frontage onto the main road. This is far from ideal.

In terms of design, it is noted that some of the proposed dwellings would be relatively large, bulky structures, a number approaching and slightly over ten metres in height. The roofs of some of the proposed dwellings would be very steep, particularly the hipped roofs of plots 4, 26, 33 and the gable elements on plots 1-3, 7-10, 20-22 and 29-31, as the applicants are not proposing any attic rooms or dormer windows the extremely steeply pitched roofs are an anomaly. The pitch of the roofs and the overall height of some of the dwellings would not be in keeping with the character and appearance of the modest two storey dwellings in the village. As a result of these concerns, the proportions of some of the dwellings are rather odd, with the bulk of the roof appearing out of scale with the height of the elevations producing a top heavy appearance.

In addition, some of the blocks contain convoluted roof designs. Plots 17-19 contains a mix of hipped, half hipped and pitched roof elements, and as a result, the block would appear incongruous, both in the context of the proposed development and the surrounding area. Plot 6, which is the flat over garage unit is more modest in height and bulk. However, its elevation fronting onto Guildford Road would consist of a cat slide roof and a large dormer window, with Juliet balcony which would dominate this roof slope. Due to the different roof treatments at either end of the building, it would appear odd and unbalanced and the catslide and dormer window would be an incongruous addition to the streetscene. Finally, the apartment building (plots 17 to 19) would be a large, bulky building, with gable elements that would be 8.5 metres wide, with an overall height of 10.1 metres. Off the main element of
the building would project two lower gable and hipped roof elements. Again, these elements would be large and bulky. The proportions of the building and the design would be at odds with the character of the area, with the windows being poorly set within the elevations and a disproportionate amount of brickwork evident. Overall, entrances to the buildings must be obvious, elevations should be well proportioned and articulated appropriately (including visible gable ends).

Due to the concerns regarding the layout of the scheme, as well as the more serious issues regarding the design of some of the properties, in particular the roof formations, the proposal would represent an incongruous addition to the area, which would be out of keeping with the character and appearance of the area.

**Howard of Effingham**

As regards this site, the proposal is for up to 99 dwellings. Again it is emphasised that all matters are reserved apart from access.

The indicative parameter plans submitted with the application show six separate blocks on the site where development could potentially rise to 2.5/3 storeys in height (10.5 to 13.5 metres tall). The indicative layout shows detached two storey dwellings fronting onto Lower Road and King George V playing fields, as well as a number of other detached dwellings mainly on the western half of the site. In the middle of the site and towards the east, the indicative layout shows large rows of terraced properties, as well as what appears to be an apartment building.

In general, the layout of the proposed scheme is considered to be very urban in appearance and not in keeping with the more organic form of development in the immediate vicinity. The layout of the eastern part of the site is particularly poor, with a very regimented arrangement of blocks of four terrace properties. The layout would result in large areas of parking courts and long expanses of garden boundaries fronting onto the roads. It is considered that this part of the site would be dominated by surface level car parking and would have a very poor character and appearance. Such a layout would be out of keeping with the character and appearance of the immediate area, and would result in a harmful urbanisation of Effingham. As such, given the concerns noted above, the Local Planning Authority is not convinced that the provision of up to 99 dwellings on this site would be feasible, whilst still being in keeping with the rural character and appearance of the village.

In addition, whilst it is acknowledged that scale and design are matters which would be considered in detail at reserved matters stage, the Local Planning Authority raises significant concerns regarding the possible introduction of three storey properties across the site. The existing village is of a modest scale, with the vast majority of buildings not exceeding two storeys in height. Three storey elements on this site would exacerbate the harmful urbanising impacts identified above.

**Lodge Farm**

On the Lodge Farm site, the indicative layout plans show the provision of 159 dwellings, as well as the replacement school. Again, all matters are reserved, apart from access.

The indicative parameter plans for this site show that the blocks (apartments and terraced and semi-detached dwellings) around the central open space area could potentially rise to 2.5/3 storeys in height (10.5 to 13.5 metres tall). The rest of the site would mainly consist of semi-detached and detached dwellings, including two properties which would front onto Effingham Common Road. While there is less concern on this site regarding the theoretical
possibility of accommodating up to 159 units onto the site, concerns still exist regarding the layout of the site as well as the possible building heights. The layout is again distinctly urban in appearance, with a large formalised open space at the centre of the development. In addition, certain areas of the scheme would be heavily car dominated. The Local Planning Authority is not convinced that the proposed layout would be in keeping with the rural nature of the village.

A concern also exists regarding the possible height of buildings shown on the parameter plans. As with the Lodge Farm site, it is considered that three storey elements may not be appropriate for this site as they would not be in keeping with the character of the area and would add to the urbanising impacts already identified. However, it is acknowledged that these are matters which would primarily be for consideration as part of the reserved matters stage.

The replacement school would also be a very large structure, which is likely to be set over three floors. It would become the dominant building in the village, and its scale would be far greater than any other building in the area. Together with the parking areas, the school would significantly contribute to the urbanisation of the site and would result in some harm to the modest, domestic scale of the surrounding area.

Cumulative impacts

The core of the existing village from Guildford Road to Lower Road is modest in scale and size, and as noted above, this contributes significantly to its rural character. This rural character continues along Lower Road, where agricultural fields and open green spaces are clearly visible. It is acknowledged that new developments have been added over the years, such as the Middle Farm Place development off The Street and the Leewood Way development off Effingham Common Road, however, these are of a much smaller scale to the proposal.

It is noted that a number of concerns have been expressed by the public, that the proposed development, as a whole, would be disproportionate to the size of the existing village. It has been stated that the proposal would increase the number of households in the village by approximately 30 percent, which is considered to be a very high increase given the size of the village. The construction of up to 258 dwellings along Lower Road, which would be readily visible and apparent from the public domain, would fundamentally alter the character and appearance of the area. Due to the scale of the development, as well as the urban design and layout of the sites, it is considered that Effingham would lose its modest, rural character and would become far more urbanised. The proposal would therefore have a harmful and undesirable impact on the scale, character and appearance of the village.

Due to the concerns which have been set out above, the proposal is deemed to be contrary to saved policy G5 of the Local Plan and the advice set out in the NPPF in this regard.

The impact on neighbouring amenity

Browns Field

The development of the Browns Field site has the potential to impact on the amenity of a number of surrounding dwellings which are addressed to Browns Lane and The Street. In the northern corner of the site, a cluster of five dwellings are proposed. These would back onto the rear gardens of Wildacre, Old Hollies and to a lesser extent Orchard Cottage. Plots 35 to 37 would be 11 metres from the side boundary of Wildacre. It is considered that this distance is sufficient to ensure that there would be no material loss of amenity to the
residents of this property. Orchard Cottage is set well away from the closest proposed
dwelling.

Plots 23, 24, 34 and 35 would skirt the side and rear boundaries of Old Hollies. The side
elevation of plots 34 and 35 would face the rear garden of Old Hollies, however, they do not
contain any first floor windows in their side elevation and would be between 14 and eight
metres away from the common boundary. Plot 24 would be closer to the boundary of Old
Hollies, however, any impact would be restricted to the south-eastern corner of the rear
garden, which itself is large. Given this and the fact that plot 24 is orientated slightly away
from Old Hollies, there would be no material loss of amenity. Plot 23 would be a significant
distance from the boundary of Old Hollies and is effectively a continuation of the residential
frontage along The Street. As a result, there would be no harm to residential amenity.

As regards the dwellings on the opposite side of The Street, these are separated from the
proposed site by a distance of between 25 to 31 metres. There would be no material harm to
their amenity as a result.

Overall, the development of Browns Field would not result in any material harm to the
amenity of existing surrounding properties.

Howard of Effingham

Neighbouring the site to the west is Effingham Place which is a development of detached
two storey dwellings. What was once the gate lodge into Effingham Place is situated along
the western boundary of the school site and to the south-east of the site is a cluster of
buildings which seem to be associated with Manor House School. The rest of the
surrounding land is either agricultural land or playing / recreation facilities. Given that this
element of the application is for outline permission only, it is considered that the
redevelopment of the site for residential purposes could potentially be accommodated
without material harm to the amenity of neighbouring properties.

Lodge Farm

The residential element of the Lodge Farm site shares a boundary with a pair of semi-
detached dwellings which front onto Lower Road, as well as a cluster of six detached
dwellings which run along Effingham Common Road. Again, it must be noted that this
element of the application is for outline permission only. On this basis, with the careful siting
of windows and the proposed properties themselves, it is considered that the residential
element of the proposal could be accommodated without material harm to the amenity of
neighbouring properties.

The replacement school building would be set on the eastern half of the site and would
share a boundary with The Vineries Garden Centre, which also contains a residential
dwelling known as Vineries House and a cluster of dwellings to the rear of the garden centre,
which are within Mole Valley District Council. While the proposal could potentially result in
some harm to the amenity of the land which is closer to the school boundary, this is
occupied by what appear to be glass houses and poly tunnels and other outbuildings.
Vineries House is located 50 metres from the eastern boundary of Lodge Farm. This
distance of separation should be sufficient to ensure that a replacement school building
would not result in any material harm in terms of overbearing impact or loss of light. With the
careful positioning of windows, any harmful overlooking impacts could also potentially be
avoided.
The cluster of three dwellings in Mole Valley District Council are approximately ten metres from the boundary with the school site. Again, with the careful siting and design of the replacement school building, it is possible that any harmful overbearing, loss of light and privacy impacts could be satisfactorily avoided.

It is acknowledged that the proposal would result in increased noise and disturbance to Vineries House, as well as the three dwellings to the rear of the garden centre. In addition, the playing pitches to the rear of the school could result in light pollution. It is considered that these issues could be addressed through the siting of any parking and access roads, as well as the possible treatment of the common boundary with acoustic fencing etc. In addition, the location of pitches, their number and the careful placement of appropriate lighting would need to be carefully considered. If these issues are addressed satisfactorily, the replacement school could be accommodated on the site, without resulting in material harm to the amenity of surrounding properties.

**Amenity of proposed dwellings**

The dwellings on the Browns Field site all have adequate areas of private outdoor amenity space. While some of the gardens for the Howard of Effingham and Lodge Farm sites do appear a little cramped, this issue could be resolved at reserved matters stage.

It is noted that the proposed school has the potential to impact on the amenity of the proposed dwellings on Lodge Farm and to a lesser degree the Howard of Effingham site, in terms of noise, disruption and light pollution from the playing areas. Again, this is a matter which would be for consideration at reserved matters stage and it would be the applicant's responsibility to demonstrate that the proposal is acceptable in this regard.

**Highway/parking considerations**

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

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

As part of the proposal, the applicant has submitted a detailed Transport Assessment. This has been reviewed by the County Highway Authority and a number of amendments have been made to overcome concerns.

**Cumulative impact on highway network and proposed mitigation measures**

It is fully acknowledged that the 295 dwellings proposed through this application, as well as the expansion of the Howard of Effingham will lead to increased vehicle movements in and around Effingham. The applicant's Transport Assessment notes that the proposed development, along with future increases in traffic not connected to the proposal, would result in three junctions in the area operating at over capacity in 2026. This would be unacceptable in terms of the capacity and safety of the highway network.
To mitigate the identified impacts, the Transport Assessment outlines improvement works to all three junctions, which would help alleviate the expected capacity concerns. These improvement works consist of: (i) the introduction of a mini-roundabout at the Old Lane / Horsley Road / Effingham Common Road / Forest Road junction; (ii) the upgrading of the Guildford Road (A246) / The Street junction to MOVA control (a sophisticated processor for traffic signals which continually monitors traffic demand and optimises signal timings accordingly) in order to improve its operational efficiency and (iii) widen the existing entry width and increase the flair length of Rectory Lane / Lower Road which will increase its operational performance. These improvement works could be secured by condition and a s.278 agreement. The applicant notes that the above works will ensure that the three junctions identified as being at risk from over capacity from the proposed development will either continue to operate within capacity following the completion of the development or suffer nil detriment as a result.

The County Highway Authority has reviewed the proposed highway improvement works. It has been noted that the development will not result in severe impacts, for which the County Highway Authority might recommend the application be refused and that the applicant has, for all but the one matter which will be set out below, adequately limited the significant transport impacts the development is likely to create.

In addition to the above, it is also noted that the proposed dedicated drop-off and pick-up facilities, as well as some student car parking, is likely to improve the current congestion which Lower Road suffers from during the peak school travel periods. This is certainly a benefit of the proposed scheme.

Local pedestrian and cycleway improvements

In addition to the strategic highway improvement works noted above, a number of other measures are proposed by the applicant to improve highway safety and to ensure that future residents of the proposed developments have easy and safe access to the various village facilities. These include improvements to footpaths and cycle lanes along Lower Road and The Street. In addition, pedestrian access from The Street to Guildford Road will be improved through the provision of a footpath through the Browns Field site. It is noted that more significant works are proposed along The Street close to the small parade of shops. Here it is proposed to narrow the carriageway adjacent to Home Farm, such that southbound vehicles will have priority. This will enable a 1.6 metre wide footpath to be implemented along the western side of The Street. A dropped crossing will also be provided to allow safe crossing for new and existing residents and to promote walking to local facilities. It is acknowledged that these highway works will need to be undertaken in a manner which is in keeping with the rural character of the village and their exact design could be controlled by condition.

Finally with regard to the improvements of the pedestrian and cycle network it is noted that the existing uncontrolled crossing halfway between the school and Manorhouse Lane (which is within Mole Valley District Council) is proposed to be relocated some 15 metres to the west (within the Guildford borough boundary) and upgraded to a toucan crossing. This will allow safe crossing between the footpath on the northern and southern sides of Lower Road. While the County Highway Authority have not raised any objection to the principle of these changes, concerns have been raised regarding the design of the crossing (taking into account land levels) and its deliverability as some land required to facilitate the works appear to be in third party ownership. As such, the County Highway Authority has noted that it cannot be adequately demonstrated that the crossing facilities can be provided and they have recommended the refusal of the application on these grounds, until such time that the new crossing can be provided. However, the County Highway Authority has failed to set out
the actual harm that would result from the failure of the applicant to provide the additional crossing point, and on this basis, the Local Planning Authority could not substantiate a highways reason for refusal on these grounds alone. Instead, it is considered that the provision of the crossing could be secured through a Grampian style condition.

**Individual site assessments - Browns Field**

Access to the Browns Field site would be taken from Browns Lane, approximately 45 metres to the north of the A246 and would be by way of a priority 'T' junction. The applicant's Transport Assessment notes that given Browns Lane is subject to a 30mph speed limit, visibility splays upon egress of 2.4 x 43 metres are considered appropriate. No objections have been raised by the County Highway Authority in this regard.

In terms of parking, the proposed scheme includes a total of 75 on-site car parking spaces, which equates to just under two parking spaces per-dwelling. This is less than the Council's maximum standard and in the context of the site, is deemed to be acceptable.

**Individual site assessments - Howard of Effingham**

The existing site benefits from two accesses onto Lower Road. It is intended that the existing egress be upgraded to a two-way priority 'T' junction to serve the proposed redevelopment of the site. The existing ingress will be closed off or retained for emergency access only. The applicant's Transport Assessment notes that the reduction in 'conflict points' (i.e. functioning access points) along Lower Road is a 'clear highway safety benefit'. However, it is noted that this benefit must be considered in the context of the new access points to serve the Lodge Farm site. It is noted that Lower Road is subject to a 30mph speed limit and thus visibility splays of 2.4 x 50 metres can be achieved within land controlled by the applicant or the Highway Authority. The County Highway Authority have raised no concerns regarding the proposed access or visibility splays and this element of the proposal is deemed to be acceptable.

In terms of parking, it is considered that a sufficient number of parking spaces could potentially be accommodated on the site. However, the applicant would need to carefully consider the location of the proposed parking, to ensure that the site is not dominated by surface level parking and that it has a character which contributes to the village in a positive manner. This would need to be carefully assessed as part of a subsequent reserved matters application.

**Individual site assessments - Lodge Farm**

The replacement Howard of Effingham school and 159 residential units on the Lodge Farm site would be served by way of a new link road between Effingham Common Road and Lower Road. The link road would be six metres wide, flanked by footways along most of its length. It is not intended that the link road will form part of the principal highway network and to prevent this, it has been designed in a manner which will discourage any significant redistribution of traffic between Lower Road and Effingham Common Road, through the use of a 'sinuous alignment' and a possible 20mph speed limit.

The link road would join Effingham Common Road and Lower Road by way of new, purpose built, priority 'T' junctions. The former of these junctions would be constructed a short distance from the most northern property fronting onto Effingham Common Road and within the existing 40mph speed limit. Based on recorded speed surveys along Effingham Common Road, the applicant's Transport Assessment states that a visibility splay of 100 metres to the right upon egress and 83.5 metres to the left upon egress. It is noted that these splays can
be achieved within land controlled by the applicant or Highway Authority. The proposed junction with Lower Road would be sited in the middle of the site frontage and opposite the existing Howard of Effingham school. In this location, Lower Road is subject to a 30mph speed limit and ‘Y’ distance visibility splays of 50 metres can be achieved within land controlled by the applicant or Highway Authority.

A second access into the school site is proposed from Lower Road, immediately adjacent the eastern boundary of the site. This access would serve the teacher parking provision, refuse collection and deliveries only and will therefore be gated. Again, acceptable visibility splays can be achieved.

Off the new link road a number of accesses serving the school and residential development are proposed. The school would be served by separate ‘in’ and ‘out’ access points. The residential element would be served by three priority ‘T’ junctions, at either end of the development. Visibility splays for all junctions along the link road meet the required standards set out in Manual for Streets.

The County Highway Authority have raised no concerns regarding the proposed accesses or visibility splays required as part of the proposed Lodge Farm redevelopment and therefore, this element of the proposal is deemed to be acceptable.

In terms of parking for the residential element on Lodge Farm, it is considered that a sufficient number of parking spaces could potentially be accommodated on the site. However, the applicant would need to carefully consider the location of the proposed parking, to ensure that the site is not dominated by surface level parking and that it has a character which contributes to the village in a positive manner. This would need to be carefully assessed as part of a subsequent reserved matters application. As for parking for the replacement school a total of 300 on-site spaces are proposed. These can be broken down to 177 staff spaces (252 staff); 90 sixth form pupil spaces (500 sixth form pupils) and 33 short stay / drop-off / pick-up parking. The Transport Assessment notes that 33 short stay spaces, turning over every two to four minutes, would provide drop-off parking for between 124 and 247 vehicles in the AM peak. This exceeds the future ‘absolute peak’ demand which has been identified. The Transport Assessment concludes that the proposed spaces will adequately meet the parking needs of the new school.

The Council’s Vehicle Parking Standards SPD states that ‘only operational requirements should be provided, including allowance for staff parking, together with an overflow parking...pupil parking should not be provided as this encourages car usage...Drop-off/pick-up areas should not be provided as this encourages car usage’. It is acknowledged that while the level of on-site car parking proposed may meet projected parking demand, this conflicts with the Council’s SPD which has the clear aim of encouraging sustainable trips by pupils, staff and parents.

While the above is acknowledged, it is noted that the Ministerial Statement from March 2015, states that national policy is now that ‘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’.

While it is acknowledged that the applicant is seeking an over provision of car parking for the school, given the existing traffic and congestion problems which Effingham and Lower Road experiences during the morning drop-off and afternoon pick-up times, the level of parking proposed would be justified in managing the local road network. As such, the proposal is deemed to be acceptable in this regard. The applicant would also be agreeable to submitting an updated School Travel Plan.
Sustainability (travel)

Regarding the residential elements of the proposed scheme it is noted that all would be within walking distance of a range of shops and facilities both in Effingham and Bookham. Access to these facilities would be improved by the works already set out above. While public transport through the village is not ideal, the Transport Assessment notes that could use three bus services which run along Lower Road and The Street. Access to all existing bus stops will be available for all members of society. In terms of rail services, Bookham station is the closest to the village and is within realistic walking distance for the Lodge Farm and Howard of Effingham sites. However, Bookham station is within cycling distance of all three sites. It is noted that cycle parking will be provided in accordance with the Council’s standards. In addition, the applicant has submitted a draft Travel Plan for the residential element of the proposal which suggests a number of initiatives aimed at increasing the use of sustainable modes of transport by residents. The submission of a final Travel Plan could be secured by condition.

As such, taking into account the existing village context and the measures proposed to improve and promote pedestrian and cycle access, the proposed residential development does not pose any significant sustainability concerns.

Motion (Council’s independent highways consultants) comments

Motion have reviewed the planning application and note that overall, the original Transport Assessment submitted with the proposal addresses many of the highway impacts of the development sites. It is noted that the applicant has since submitted additional information, which may overcome some of the issues identified by Motion, however, notwithstanding this, if a new application was to be submitted, the following additional information and clarification should be considered:

i) a Stage 1 Road Safety Audit should be completed for each of the proposed junctions and crossings on the local highway network;

ii) visibility splays from the proposed accesses should be provided commensurate with the recorded ATC 85th percentile speeds. If the speeds are greater than 37mph then Manual for Streets should not be used;

iii) the affordable housing vehicle trip rate level is on the low side and the residential developments could generate up to 100 further vehicle movements during a daily period above the level forecast in the TA;

iv) the secondary school access on Lower Road has been omitted from the traffic flow diagrams and concern is raised regarding the correct distribution of vehicles associated with the school at this junction and across the whole network;

v) separate traffic flow diagrams should be provided for the development elements on the highway network i.e. residential and school traffic in the AM and PM peak periods to enable an understanding of which traffic has been distributed onto the local highway network;

vi) concern is raised regarding the operation of the student drop off car park in the AM peak period in particular given the parking accumulation information in the TA which could cause delays and drop offs to occur on the new link road which given the restrictive alignment should be avoided;

vii) swept path analysis should be provided for the Link Road and the northern school car park with large coaches to show how the interaction of vehicles would work;
viii) further assessment of approach speeds to the proposed mini roundabout should be provided to prove that the approach speeds are within the accepted parameters for this type of junction;

ix) further assessment of the parking provision on site based on level of additional vehicle drop off areas on the existing network i.e. the church car park and British Legion car park on Lower Road;

x) there is inconsistency between the TRICS assumptions and the observed surveys for the School;

xi) the assessments for visibility on Lower Road are incomplete as they should be based on recorded 85th percentile wet weather speeds which although collected have not been reported in the supporting documentation.

The above comments from Motion have been forwarded to the County Highway Authority for their comments. They note that a number of the points made by Motion have subsequently been resolved and the other issues identified do not change the County Highway Authority’s opinion regarding the acceptability of the proposal in terms of highway safety and capacity. On this basis, the Local Planning Authority is not in a position to substantiate a reason for refusal on highways grounds, although it is noted that the above comments would need to be resolved as part of any future application.

Highway/parking conclusions

It is noted that the County Highway Authority have raised no objections regarding the impact of the proposal on highway capacity, subject to the completion of the mitigation measures set out in the report. In addition, the various proposed access points into the three sites are deemed to be acceptable.

While the majority of the local highway improvements are deemed to be acceptable, concerns have been raised regarding the deliverability of the new controlled crossing point of Lower Road. The County Highway Authority have raised an objection to the proposal on these grounds.

Finally, while it is noted that on-site parking on the residential sites could be accommodated satisfactorily, concerns are raised with regard to the planned on-site parking provision for the new school. However, this will be a matter for the applicant's to resolve at reserved matters stage.

Thames Basin Heath Special Protection Area

On 9 March 2005, the Thames Basin Heaths Special Protection Area (TBHSPA) was designated, and specifically designed to protect breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The designated site is referred to as a European Site in The Conservation of Habitats and Species Regulations 2010 (known as The Habitat Regulations) and as a Special Protection Area (SPA) under European Birds Directive (The European Directive 79/409/EEC on the Conservation of Wild Birds is commonly referred to as the Birds Directive).

The Habitats Regulations (Regulation 61) place a particular responsibility on a decision maker. The Local Planning Authority must ascertain that the project will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting permission. All new residential development within 5km of the TBHSPA, as well as larger scale proposals within the 5 to 7 kilometre buffer is likely to have an adverse effect on the SPA. Local authorities are obliged to find ways of avoiding this impact before granting planning permission for additional dwellings. Both Brown's Field and
the Howard of Effingham sites are located within the 5 to 7 kilometre buffer of the Thames Basin Heath Special Protection Area (TBHSPA). As regards Lodge Farm, the majority of the proposed housing is also within the 5 to 7 kilometre buffer, however, seven dwellings in the north-west corner of the site are within the 400 metre to 5 kilometre buffer.

The Council adopted an interim Strategy in 2006, and the TBHSPA Avoidance Strategy came into effect on 1 April 2010. The Strategy identified SANG sites, which enabled residential development to take place where otherwise it would be restricted by the SPA requirements. In normal circumstances, where an on-site SANG is not being provided, the promoters of a scheme would be able to make an appropriate contribution towards acceptable avoidance and mitigation measures.

The only strategic SANG within 5 kilometres of the application site is Effingham Common SANG. However, as set out in the Council's TBHSPA Avoidance Strategy, the Effingham Common SANG currently only provides avoidance for development arising up to 400 metres from the SANG boundary. This is due to the fact that Effingham Common SANG does not have any car parking facilities, which reduces its catchment. As the proposed site is more than 400 metres away from the SANG, it is not possible for it to comply with either saved policy NRM6 of the South East Plan or the Council's TBHSPA Avoidance Strategy. Natural England, who have been consulted on the proposal have noted that ‘the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the SPA. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62. Natural England is also of the opinion that the proposal is not in accordance with the development plan, namely policy NRM6’. As a result, Natural England objects to the proposed development and recommends that the application be refused planning permission.

The Planning Statement accompanying the application makes reference to the above issue with Effingham Common SANG and notes that ‘in order to offset any significant effects arising from the proposed development, the applicants would be willing to make financial contributions towards maintenance, upgrade and accessibility to Effingham Common, which will include the provision of a small car park. These contributions can be secured via a s.106 agreement’. While these comments are noted, the applicant has failed to provide any information on where or how a car park could potentially be provided on or close to the SANG. Furthermore any likely location would be on Common Land and there is a complex procedure of gaining Secretary of State approval for works on Common Land, as such even if a specific location had been identified there could be no certainty or even a reasonable likelihood of the land coming forward. The applicant’s planning statement notes that a full appropriate assessment may be required, to date no such appropriate assessment has been carried out.

Given these issues the Local Planning Authority cannot be satisfied that a car park is reasonably likely to come forward during the lifetime of a planning permission. The satisfaction of the Habitat Regulations goes to the heart of this development proposal and therefore the use of a Grampian style condition or a legal agreement would not be appropriate in this instance.
Paragraph 9.4.6 of the ES states that a mitigation strategy is to be explored and a separate document entitled 'Information on Support of an Appropriate Assessment' will be submitted. This document has not been received by the Local Planning Authority and an Appropriate Assessment has not been undertaken by the applicant. The applicant has been made aware of this issue and noted that further information would be provided, pursuant to regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. However, at the time of writing this report, such additional information has not been provided.

In conclusion on this point, for the reasons noted above, the Local Planning Authority is not satisfied that the proposed development would not adversely affect the integrity of the SPA. Both on its own and in combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking. As such, the proposal is deemed to be contrary to saved policy NRM6 of the South East Plan and the Council's TBHSPA Avoidance Strategy.

**The impact on ecology**

**SPA**

As part of the Environmental Statement, the applicant has provided a detailed assessment of the likely impacts of the development on ecology. Firstly, the potential impact of the proposal on the Thames Basin Heath SPA has already been discussed above and fundamental concerns have been raised.

**SNCI and ancient woodland**

The Lodge Farm site is located in close proximity to Thornet Wood, which is a site of Nature Conservation Importance (SNCI) and ancient woodland. The proposed school playing fields would be constructed close to the southern boundary of the SNCI, while the housing element would be separated from it by a paddock and a distance of approximately 220 metres. The review of the ES prepared by Nicholas Pearsons Associates notes that the ES does not assess the potential effects on Thornet Wood ancient woodland from potential unauthorised recreational access or other effects of urbanisation that could arise from locating new recreational facilities adjacent to the woodland and residential development nearby. The ES also does not set out any mitigation measures that may be appropriate. A related concern is that the ancient woodland has not been subject to ecological survey for the ES, and as such, its flora and fauna have not been described, and any possible effects on the ancient woodland have not been assessed.

The applicant has been made aware of these issues and in a response to the Local Planning Authority stated that further information would be provided, pursuant to regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. However, at the time of writing this report, such additional information has not been provided.

Based on what has been submitted, the Local Planning Authority cannot to any certain degree, be sure that the proposed development would not result in harm to Thornet Wood SNCI and the ancient woodland. Given this and the sensitive nature of the site, it must be concluded that the scheme has the potential to cause harm to ecological features and protected species and is unacceptable in this regard. The proposal is therefore deemed to be contrary to policy NE3 of the Guildford Borough Local Plan 2003 (as saved by CLG
Direction dated (24/09/2007) and chapter 11 of the National Planning Policy Framework.

**Protected species**

The Environmental Statement and its appendices contain various reports on the ecology of the site. No evidence of badgers were found on any of the three sites, although it is possible that badgers may be present within Thornet Wood and use the grassland within Lodge Farm as an occasional foraging area. However, it has been concluded that the majority of the site represents low to moderate foraging habitat for badgers. The bat survey which has been carried out for all three sites notes the presence of a potential long-eared bat roost within the roof of the science building on the Howard of Effingham site. Bat activity surveys show a ‘relatively impoverished bat population’. Overall, the bat survey concludes that bat activity across the sites was of low value. In addition, two species of reptile were encountered at low densities, as well as a bird species assemblage that comprised common, widespread species.

The Environmental Statement notes that in the absence of mitigation, the proposal would represent an effect of up to local significance, on features and species of value for ecology and nature conservation. Mitigation measures are set out, which include (i) new tree planting of native species; (ii) the improvement and creation of new grassland; (iii) the transfer of reptiles to an area of improved habitat on the Lodge Farm site; (iv) the creation of a bat roost within the Old Apple store on the Browns Field site, supplemented by bat boxes in appropriate locations around the site; (v) provision of new ponds on the Lodge Farm site; and (vi) a carefully designed lighting scheme to ensure no impacts upon commuting bats. It is acknowledged that a number of these mitigation measures would need the submission of further details (such as conversion of the Old Apple Store into a bat roost, location of bat boxes and submission of a lighting scheme); however, it is considered that these could be secured by condition.

As regards Great Crested Newts Surrey Wildlife Trust notes that the applicant’s ecologist surveyed the pond on the Howard of Effingham site and found a small population of Smooth Newt and a single common frog. We would advise however that current Guidelines (Natural England’s Standing Advice Species Sheet - Great Crested Newts and Great Crested Newt Mitigation Guidelines) advise that ponds up to 500 meters of a development site should be investigated for the possible presence of the species as part of the consideration of the possible impact of a development on this legally protected species. Surrey Wildlife Trust notes that from reference to maps it appears that there are a number of water bodies within 500 metres of this site, which do not appear to have been surveyed by the applicant. The applicant has been advised of these concerns and has verbally indicated that water bodies which have not been surveyed are on land outside of their control, with no right of access.

 Responding to this, Surrey Wildlife Trust state that the applicant should make an effort to contact land owners for permission to access ponds to assess them for suitability and if necessary undertake appropriate surveys. If land owners refuse access the applicant should make an assessment of the possible risk of Great Crested Newts being present and make appropriate precautionary mitigation proposals for the Local Planning Authority to consider. On this basis, the Trust advises that the Local Planning Authority does not as yet have sufficient information to be able to consider the possible effect of this development on the material concern of possible adverse effect to a legally protected species. Based on what has been submitted, the Local Planning Authority cannot to any certain degree, be sure that the proposed development would not result in harm to Great Crested Newts which may be present in the area. Given this, it must be concluded that the scheme has the potential to cause harm to this protected species and is unacceptable in this regard, contrary to the Local Plan and NPPF.
Surrey Wildlife Trust finally suggest that a Landscape and Ecological Management Plan (LEMP) for the public spaces across the sites be required by condition. This would include information on how existing habitats are to be protected and enhanced, how new habitats will be created and what artificial ecological enhancements will be provided etc. However, such a plan would not overcome the concerns noted above.

**The impact on trees and vegetation**

All three sites contain large amount of trees, which in the most part are located around their perimeter. An arboricultural assessment has been submitted as part of the Environmental Statement, this notes that the proposal would result in the loss of only one category A (high quality) tree and a larger number of category B (moderate quality) and C (low quality) trees. The Council's arboricultural officer has reviewed the proposal and raises no objection to the loss of the specified trees.

In order to protect the remaining trees on site, the applicant has submitted an arboricultural method statement and tree protection plan. This includes the recommendation that a number of trees be protected through special precautions. Subject to the protection measures set out by the applicant, which could be secured by condition, the proposal is deemed to be acceptable in this regard.

**Flooding and drainage**

It is noted that all three sites are located within flood zone 1, which is land with a low probability (1 in 1,000 year) of river flooding. It is however noted that parts of the Howard of Effingham site are at risk from surface water flooding, being within the 1 in 30 year flood risk area.

The applicant has submitted a detailed assessment of flooding and drainage as part of the Environmental Statement, as well as a Flood Risk Assessment. The Environment Agency (EA) have been consulted on the planning application and have provided detailed comments. Regarding the Browns Field site, it is noted that the EA are satisfied that an appropriate surface water management system can be brought forward at the reserved matters stage and implemented to serve the site without any detriment to third parties.

Based on the surface water flooding issues noted above, as well as drainage records, the EA notes that they would have concerns if the surface water strategy for Lodge Farm and the Howard of Effingham sites was reliant purely upon infiltration based SuDS features. The EA recommends that the impact of ground water flows and the design of fin drains to intercept potential spring lines are carefully considered during the design process.

To mitigate any potential surface water flooding and drainage issues, and to ensure that there is no increased risk of flooding as a result of the development the applicant suggests a number of measures. These include the use of infiltration (where appropriate) and attenuating discharge into two attenuation ponds on Lodge Farm. These ponds will provide storage for water in periods of heavy rainfall events and discharge will be limited to greenfield run-off rates. Additional measures are also proposed for the Howard of Effingham and Lodge Farm sites, where the threat of flooding is greater. It is noted that the measures set out by the applicant would need to be compatible with creating a high quality environment, which is in keeping with the character of the area, and as such, the requirement for higher finished floor levels (in particular) will need to be carefully considered at reserved matters stage.
The EA have raised no objections to the proposal, subject to compliance with the details set out in the Flood Risk Assessment. In addition to this, the Council's drainage consultants, The Stilwell Partnership have reviewed the proposals and note that 'the proposals set out in the drainage strategy for surface and foul water are entirely appropriate and follow current standards and best practice'. The presence and location of the spring lines have been taken into account as part of their comments.

On this basis, and subject to conditions recommended by the EA and The Stilwell Partnership, the proposal is deemed to be acceptable in this regard.

**The impact on waste water infrastructure**

Comments have been received from Thames Water which note that following initial investigations, they have identified an inability of the existing waste water infrastructure to accommodate the needs of the proposed application. However, it is suggested that this issue could be dealt with through a Grampian style condition, which would require the applicant to submit a drainage strategy detailing any on and/or off site drainage works that may be required to rectify this issue. Such a condition is deemed to be reasonable in this instance.

**Sustainability**

It is noted that a number of respondents, including the Parish Council raise concerns about the sustainability of the proposal and whether or not the village has the facilities to accommodate an additional 295 dwellings.

It is noted that the village contains a small number of shops and facilities and with the improvement works to the pedestrian and cycle network, these would be accessible to the future residents of the proposed dwellings. The sites are also in close proximity to existing bus routes and within access of Bookham railway station. With a Travel Plan for the residential element to encourage more sustainable methods of travel, the proposal is deemed to be acceptable in this regard.

Concerns have also been raised regarding the lack of a doctors surgery in the village and the problems with call out times for ambulances to Effingham. The Local Planning Authority has received comments from the neighbouring NHS Clinical Commissioning Groups. The Guildford and Waverley Clinical Commissioning Group notes that there would be some capacity at the East Horsley practice which could accommodate some of the additional demand. No comments were received from the Surrey Downs Clinical Commissioning Group. As there is no evidence before the Local Planning Authority that the proposal would put unacceptable pressure on GP surgeries in the area, a reason for refusal on these grounds could not be substantiated.

**Loss of existing playing fields and new provision of playing and recreational space**

**Loss of existing playing fields**

The proposal would result in the loss of existing sports pitches over two sites. It is noted that Browns Field is used by Effingham and Leatherhead RFC for mini rugby for under six and under nine age groups. Sport England notes that this translates into approximately 120-140 children using the pitches every Sunday and when joint training days are held. It is noted that the club has nowhere else to accommodate these age groups.
Sport England notes that the development will provide new outdoor sport facilities and this has the potential to meet Exception 4 of Sport England’s planning policies which states: ‘the playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development’. This is because new grass playing field will be provided with the new school building.

However, Sport England is concerned that the existing playing field at Browns Field is heavily used by the local rugby club and that the new playing fields at the School will not provide an adequate replacement that meets their policy. Sport England policy requires replacement playing field land to be of an equivalent or better quality and of an equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. It is noted that the current playing field on Browns Field is located adjacent to the existing community playing fields which allows community users of the playing field to use the changing facilities at the King George V playing fields close to Browns Field. This benefit to community sport has been identified by the Rugby Football Union.

It is noted that the applicant has indicated that it ‘could’ allow community use of its playing fields and that details regarding changing rooms, pitch dimensions and finishes have not been provided. To meet Exception 4, these details would be required, as well as an agreement that the school playing fields will be offered for use to the community (including the rugby club), on terms that are deemed to be acceptable to Sport England. No additional information or clarification has been submitted by the applicant to address this issue. As such, the objection from Sport England remains, as the proposal is not considered to accord with any of the exceptions in Sport England’s playing fields policy and is also deemed to be contrary to paragraph 74 of the NPPF in this regard.

Provision of new playing space

The occupiers of any new development, especially residential, will generate demand for sporting provision (both outdoor and indoor facilities). The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new development should be required to contribute towards meeting the demand it generates through the provision of on-site facilities and/or providing additional capacity off-site.

Saved policy R2 of the Local Plan and the Planning Contributions SPD states that 1.6 hectares of formal playing field space shall be provided per 1,000 people. It is noted that these standards are based on an occupancy rate of 2.5 persons per dwelling.

Based on 295 proposed dwellings, the proposal would have a population of 738 persons, this therefore generates a requirement for 1.6 hectares of formal playing field space. The open space and playing fields assessment submitted with the application notes that the replacement school would include: (i) two grass rugby and football pitches; (ii) one grass cricket pitch; (iii) one running track; (iv) a javelin training area; (v) a combined triple long jump; (vi) a 19 square training grid, (vii) one all-weather pitch and five netball and tennis courts. The proposal will provide well over the requirement set out in policy R2 and overall, there would be a considerable increase in playing field space in the area as a result of the proposal. It is understood that it is the applicant’s intention to open up the school facilities for the community. However, again, no details of how this would be secured have been put forward by the applicant. In the absence of a commitment from the applicant to open the playing fields to the community or detailed information on how this arrangement would work...
in practice. As such, the Local Planning Authority cannot be certain that the proposal would meet the level of formal playing space set out in policy. Taken together with the objection from Sport England on this point, that the new residential development that may exacerbate existing pitch deficiencies in the local area, the proposal is deemed to be contrary to saved policy R2 of the Local Plan and the Planning Contributions SPD.

**Provision of new recreational space**

Saved policy R2 of the Local Plan states that for new residential developments of 25 or more dwellings, the following will be required (i) 0.8 hectares of children's play space per 1,000 people and 0.4 hectares of amenity space per 1,000 people.

In this regard, the applicant is proposing a Local Landscaped Area for Play (LLAP) on each of the three residential sites. LLAPs are intended to be used as an alternative to a LEAP and is intended for use by children and young people alike. They will be imaginatively landscaped to encourage play, providing a mix of areas for both physical activity and relative calm. The provision is split into 0.21 hectares on the Howard of Effingham site, 0.24 hectares on Browns Field and 1.39 hectares on Lodge Farm. The applicant's landscape proposals document sets out the indicative design of these areas in more detail.

Even if the Local Planning Authority were to insist on the provision of equipped play areas on the three sites, there would be adequate space to provide them on the sites identified in the landscape proposals document, whilst still having sufficient area for amenity space. The exact nature of the amenity and play spaces could be secured by condition and on this basis, the proposal is deemed to be acceptable in this regard.

**Planning contributions and legal tests**

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.

The proposed development triggers a number of measures which would need to be secured by way of a s.106 agreement. These will be discussed below.

**Affordable housing**

The need for affordable housing in the borough, as well as the policy context has already been set out in the viability section above.

It is noted that the applicant has not formally put an affordable housing contribution to the Local Planning Authority, however, in a number of documents it is suggested as being 20 percent. This is significantly less than the 35 percent required by the Local Planning Authority's adopted policies. It has already been noted that the applicant has submitted a viability appraisal with the proposal, which has been assessed by the Council's independent viability consultant.

It has already been explained above that there are considerable differences between the applicant and the Council's viability consultant. It has been concluded that a policy compliant scheme (35 percent affordable housing and other s.106 contributions that may be required) is achievable on this site. Therefore, in this instance, there appear to be no grounds to
support a reduced affordable housing contribution on this site. As such, without a commitment from the applicant, in the form of a s.106 agreement securing 35 percent affordable housing on the site, the proposal is deemed to be contrary to saved policy H11 of the Local Plan, the Council's Planning Contributions SPD and the NPPF. The requirement for a 35 percent affordable housing contribution would meet the tests set out in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and without a s.106 to secure it, the proposal is unacceptable in this regard.

Habitats Regulations screening procedure and conclusions

The issues regarding the SANG at Effingham Common have already been discussed in detail above and it has been concluded that without a SANG to mitigate to, the proposal is unacceptable in this regard. Notwithstanding this issue, the TBHSPA Avoidance Strategy sets out the level of contributions which would normally be required. Given the location of the site straddling the 400 metre to five kilometre buffer and five to seven kilometre buffer of the TBHSPA, the calculation of the financial contribution will be set out below:

As regards the 400 metres to five kilometre buffer, assuming the seven dwellings within this buffer contain at least four bedrooms, the SANG contribution would be £36,180.20 and the Access Management contribution would be £7,347.27.

According to the Thames Basin Heaths Delivery Framework, within the five to seven kilometre buffer, the South East Plan Assessor recommended that residential developments of over 50 houses should be assessed and may be required to provide appropriate mitigation. It was recommended that such cases be considered on a case by case basis. In the five to seven kilometre buffer, Natural England advise of a 'proportionate contribution' towards SANG and SAMM. Natural England, in a letter to the applicant Natural England state that SANG should be calculated at 38 percent of the 8ha standard and that SAMM contributions cover the monitoring element only, approximately £190 per dwelling. This is based on the expected number of visitors to the SPA from the site, calculated from visitor survey data. As the majority of the proposed dwellings are for outline permission only, the applicant has failed to provide a detailed breakdown of the composition of the dwellings in terms of bedroom numbers. However, information contained within the viability appraisals suggest a mix of 17 x one bedroom units; 66 x two bedroom units; 147 x three bedroom units and 65 x four+ bedroom units. The proportionate SANG contribution for the 288 dwellings within the five to seven kilometre buffer calculates as being £495,363.20 and the SAMM contribution would be £54,720.

Therefore, for the development as a whole, the TBHSPA Avoidance Strategy 2009-2014 requires a SANG contribution of approximately £531,543.40 and an Access Management contribution of £620,672.27 to avoid any adverse impact. It is however noted that these figures are based on an indicative housing mix as set out in the applicant's viability appraisal and are subject to change once the final mix has been put forward at reserved matters stage.

Due to the many outstanding issues noted above, the applicant has not been invited to enter into a s.106 agreement. As such, the proposal conflicts with the terms of the Thames Basin Heaths Avoidance Strategy and policy NRM6 of the South East Plan in this regard. The requirement for the above contributions would meet the tests set out in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and without a s.106 to secure them, the proposal is unacceptable in this regard.
Highways

The County Highway Authority has suggested that the applicant contribute towards the promotion of a number of transport improvements and works, to improve the accessibility of the development sites. These include increasing bus services in the area (479/489 services in particular); making improvements to both Effingham Junction and Bookham railway stations and improvements to cycle and pedestrian infrastructure in the area. In addition to this, a contribution of £12,300 is requested for the auditing of the two potential travel plans.

The contribution for the auditing of the travel plans would meet the three tests set out in the Community Infrastructure Levy Regulations 2010 (as amended) and are therefore appropriate. The applicant's TA has undertaken an assessment of existing bus services in the area. Based on the responses received and the surveys carried out, it has been concluded that only a small number of additional trips have been identified, which could be accommodated on existing services. As regards rail improvements, the County Highway Authority have not identified any firm improvements which are required, but instead suggest that the railway companies are contacted and asked for their 'wished for improvements'. The County Highway Authority has not clearly set out what improvements are required or if they relate to the proposal. As such, they cannot be carried forward.

It is noted that improvements to the cycle and pedestrian networks, beyond that already suggested by the applicant have been suggested by the County Highway Authority. These include

- the provision of or giving funding towards surface improvements to the existing cycle route, running between Orestan Lane in west Effingham to Lynx Hill in East Horsley, which would assist development occupiers travel sustainably to/from the adjoining village facilities;

- the provision of a dropped kerb at the Lower Road / Little Bookham Street roundabout, for cyclists to join the shared footway / cycleway at that point. This will particularly assist cycling school pupils;

- the provision of or giving funding towards surface improvements to existing public footpath 118 travelling east to west from Church Street, Effingham along the south side of the existing school buildings, which would assist development occupiers travel sustainably between site one and Effingham village; and

- the provision of or giving funding towards widening and surface improvements to existing public footpath 73 travelling east to west from site one through to Bookham, which would assist development occupiers and school pupils travel sustainably to/from the adjoining village.

It is considered that these issues would promote sustainable travel by future residents of the proposed development and are therefore deemed to be a reasonable request as part of the s.106 agreement.

Education

Surrey County Council have been consulted on the application and have confirmed that given the application, if approved, would deliver a replacement secondary school, with additional capacity, no secondary education contributions would be required in this instance. This is considered to be a reasonable approach to this issue.

In terms of primary and early years education it is acknowledged that the proposal 295 dwellings are likely to increase demand for these places within the local area. Surrey County Council have confirmed that a contribution is likely to be required for primary education to
cope with the additional demand which the proposal will bring. In terms of early years, it is noted that no information has been provided regarding the existing early years facility on the current site and whether it would be relocated. If this facility were to be lost, a contribution towards early years education would also be required. As the application is recommended for refusal, the level of contribution has not been agreed with Surrey County Council, however, in principle, it is something which could possibly be secured by way of a s.106 agreement.

Community facilities

The applicant’s viability appraisal has allocated a sum of money towards the refurbishment of the village hall (King George V Hall). It is noted that the hall and the playing fields host many local clubs and groups and are also available for private hire. It is understood that the hall is also used as a pre-school during the day. The building consists of the main hall and two smaller function rooms.

Effingham Parish Council have provided a ‘without prejudice’ comment on the applicant’s offer to make a contribution towards the refurbishment of the hall. The Parish Council note that with the proposed development, the hall would be under severe pressure. The Parish Council notes that the current hall building is in poor condition; it is increasingly expensive to maintain and is energy inefficient. It is also noted that the building needs to improve accessibility and upgrade the facilities so that it can better fulfil its role as the village’s community hub. In addition there is already an urgent need for an extra meeting room in the village.

In this regard, the Parish Council have requested that the applicant, through a s.106 contribution, either provides funding towards a rebuild of the hall, or for the hall to be rebuilt by the applicant.

While no conclusion has been reached on the level of contribution, it is considered that the proposed development would put additional pressure on the existing hall and as such, a s.106 agreement to secure this would be reasonable and would meet the tests.

Balancing exercise

Balances

The very special circumstances section lists the points made by the applicant which are in favour of the proposal, the weight to afford each of these points will be assessed here:

The need for replacement of existing school. This argument can be subdivided into two parts:

i) the need for the school to expand to cater for increased demand and
ii) the poor condition of the existing school and its inadequate facilities

The need for a new school is assessed in full earlier in this report and takes into account the initial information submitted with the planning application and the additional Education Needs Assessment received in January 2016. The issues put forward by the applicant are not themselves disputed and officers site inspections bear out issues regarding the current state of the school. However, the applicant has been unable to demonstrate a link between these deficiencies and a direct impact on the ability of the school to provide a good learning environment. Recent Ofsted inspections have judged the school as being Outstanding. Surrey County Council supports the principle of improving the capacity of the school,
however, little evidence has been provided to demonstrate that the school was identified by
education authorities as being in urgent need of replacement. Given the location of the
replacement school site in the Green Belt this is a key issue in the balance. As noted there
is no dispute that some increase in capacity would have a benefit to the local area. Yet the
applicant’s argument to link this to future local plan demand is not justified. The current draft
stage of the local plan means that the applicant cannot confidently state that this location is
supported or identified as a long term school expansion site by the local plan. Therefore
whilst some weight is afforded the benefits of a new school and additional capacity that
would be provided this is limited by the lack of any identified urgent need or targeted
capacity requirements. The Council does have regard to the national policy statement
‘planning for schools’ and the requirement for Council’s to support school replacement and
to paragraph 72 of the NPPF. Therefore, although the deficiencies in the applicant’s
argument mean that substantial weight cannot be afforded this matter the Council
nevertheless recognises that some benefit would result in the replacement of the existing
school facility and therefore **significant** weight is afforded to the benefit of the new school.

The need for housing to finance the construction of the replacement school (i.e. the case for
an 'enabling development'). This is directly linked to the point above, which the Council
acknowledges carries some weight. Whilst the benefits of the financing of a replacement
school must be acknowledged the weight must also be proportionately limited to the lack of
any urgent need to replace the school. Having regard to 'planning for schools' considerable
weight is afforded the principle of developing housing to finance the construction of a school.
The second strand to this is whether the level of development necessary has been
demonstrated. The viability assessment has raised serious questions over this matter and it
is considered that the applicant has not demonstrated that the level of proposed
development is limited to that required to finance the replacement school. This limits the
level of weight that can be afforded to the ability to finance the replacement school and
therefore overall in the balance the benefit of the housing in this respect only carries
**moderate** weight.

The provision of a dedicated autism centre, known as the Cullum Autism Centre. It is noted
that this dedicated centre will cater for 20 pupils and is one of only four planned across
Surrey to give essential provision for children with such needs who otherwise may have to
attend non-maintained/independent schools, usually outside Surrey. The provision of this
facility is a benefit but is limited to the benefit of this element of the proposal only and
therefore carries only **moderate** weight in the balance of the overall development.

The lack of alternative sites for the replacement school. It is noted that the Lodge Farm site
is the only site within the catchment of the school which could be developed for the proposal.
The Council does not dispute that in finding a replacement site for the Howard of Effingham
there would be limited alternatives. However, this point is directly related to the urgency of
the need to replace the school site. As such whilst this is a material consideration only
**limited** weight is afforded in terms of the balancing exercise.

The provision of socially inclusive facilities. It is noted by the applicant that the proposed
development gives further opportunity for social inclusion by providing enhanced facilities for
the local community. However, the lack of a truly assessed need of what facilities are
required locally and comparison with existing local facilities means the planning benefit to be
applied in the balance in this respect is **limited**.

The need for additional housing. It is acknowledged that the Council does not have a five
year housing land supply and that there is an identified demand for housing across the
borough. The Council acknowledges that the level of housing proposed is not insignificant,
however, only Browns Field is a full application therefore the level of residential development
that could come online within five years in limited. It is also noted that given that any
residential development could come forward only after securing mitigation of the impact on
the SPA this represents a further delay. Therefore whilst the lack of a five year housing land
supply does weigh significantly in the favour of the application there are concerns over the
speed of delivery.

Finally, the applicant notes that the application site was identified in the draft Local Plan for
possible redevelopment. It is argued by the applicant that this represents the Council's 'clear
intention to remove the application site from the Green Belt'. This is premature. The
applicant will be aware the a revised version of the draft local plan will be published in 2016.
Therefore the previous draft is likely to be superseded in the short term and cannot be relied
upon. Furthermore the revised draft plan will be subject to further consultation prior to
submission for examination. At this stage the draft local plan carries very little weight in
decision making.

As has been identified in the report given the location of the site within the Green Belt and
the requirement for an appropriate assessment in respect of the potential impact on the
Thames Basin Heaths Special Protection Area the presumption in favour of sustainable
development set out as paragraph 14 of the NPPF does not apply. Therefore no other
planning benefits of the development are identified

Harm

As identified the proposal is spread across three sites; Browns Field; existing Howard of
Effingham site; and Lodge Farm. The residential development on each of the three sites is
considered to represent inappropriate development in the Green Belt. In line with paragraph
87 of the NPPF these are each afforded substantial weight. In addition the new school
would be constructed on an undeveloped site and also represents inappropriate
development. Furthermore the material change of use of land to provide the school playing
fields on the Lodge Farm site also represents inappropriate development in the Green Belt.
Substantial weight is attached to harm which would result from these developments by
virtue of inappropriateness.

The proposal would also result in material harm to the openness of the Green Belt. Given
the extent of this development in providing approximately 295 houses, a new school building
and increased school site comprising new playing fields etc. substantial weight is also
afforded to this harm. In addition, it has not been demonstrated that 295 houses are required
to deliver the new school and that it could not be achieved with a lesser number, with
reduced harm to the Green Belt.

It is also necessary to judge the weight afforded to the conflict with two of the five purposes
of the Green Belt, namely, to prevent neighbouring towns merging into one another and to
assist in safeguarding the countryside from encroachment. Whilst the effect on the Browns
Field site is limited given its location within the Effingham Village and surrounding
development, both the Howard of Effingham site and the Lodge Farm site act as 'edges'
of the village. Development of these sites would cause significant encroachment into the
countryside and would have some harmful effect allowing the merging of neighbouring
towns. The conflict with the purposes of including land within the Green Belt is afforded
substantial weight in the balance.

The development has the potential to cause harm to the Special Protection Area (SPA). It
has not been possible to mitigate the potential impact on the SPA and the Habitat
Regulations have not been satisfied. Substantial weight is afforded this issue.
Concerns have also been raised in the report that inadequate information has been submitted by the applicant to enable the Local Planning Authority to fully assess the impact of the proposal on protected species and the neighbouring SNrCI and ancient woodland. **Significant** weight is afforded to this issue.

This report has identified that the development would result in harm to designated and non-designated heritage assets. It is concluded that for the purposes of paragraphs 131-135 of the NPPF less than substantial harm is identified for the impact of the development on the conservation area (including its setting) and the setting of nearby listed and locally listed buildings. The NPPF requires that where less than substantial harm is identified the harm should be weighed against the public benefit of the proposal. This assessment will be carried out in this section along with the overall planning balance. Overall and having regard to the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the harm to the heritage assets carries **considerable** weight in the planning balance.

The report has identified concerns over the impact of the development on the character of the area with respect to layout, scale and design. It is acknowledged that the current application is a hybrid application with matters reserved on the Howard of Effingham and Lodge Farm sites. Therefore assessments on these sites must be weighed accordingly. Whilst appearance, scale and layout have all been reserved the general concept of accommodating up to 258 dwellings on across these two sites along with a new school has raised concern over the impact on the character of the area. Given the outline nature of this part of the application, **moderate** weight is attached. However, the detail of the reserved matters could see this weight shift up or down.

The Browns Field site is considered as a full application, given the location within the village and the sensitive location, the design, scale and layout concerns addressed carry **considerable** weight in the balance.

The proposed development offers no affordable housing as part of the submission. The viability assessment has failed to justify this and therefore the development conflicts with local policy requirements for affordable housing. In order for the development to demonstrate a natural policy effect the application would need to provide affordable housing at the level policy requires. Any shortfall equates to planning harm, in this instance with the absence of any affordable housing provision the application would cause **substantial** harm in the failure to meet the Council’s affordable housing requirements.

It is noted that Sport England retain an objection over the loss of the playing fields used by the local rugby club. The replacement fields do not comply with Sport England policy as the applicant had not demonstrated how they would offer the same level of community usage. Therefore, an objection remains and considerable weight is afforded at this time. It is noted that additional work on behalf of the applicant could overcome this concern.

It is noted throughout report that several minor issues remain which could be addressed in due course. These include the concerns noted in the Environmental Statement over the failure to fully address the socio-economic issues surrounding the development including the impact on local health facilities. Additional some minor highway concerns remain including the need to satisfactorily carry out improvements to local cycle and pedestrian routes along with relocating a crossing at Lower Road. These matters do not individually result in reasons for refusal, however, cumulatively they do cause some limited harm which is taken into account in the balance but is not in itself determinative in this matter.
Weighing

The Council acknowledges the benefits of the scheme, however, there are substantial levels of harm to the Green Belt; substantial harm to the SPA; substantial harm by virtue of the lack of affordable housing; significant weight to the potential effect on protected species and SNCI; considerable harm to the heritage assets; considerable weight given to the loss of the community playing fields; considerable and moderate levels of harm to the character of the area in respect of full application and outline application elements respectively. Given the balancing exercise carried out it is concluded that the application should be refused on this basis.

Conclusion

In conclusion, the proposal represents inappropriate development in the Green Belt and is harmful in this respect. In addition, there are several other fundamental issues including the Natural England objection and lack of affordable housing together with other areas of planning harm set out in the report.

The applicant has failed to demonstrate that very special circumstances exist to outweigh the Green Belt and any other harm as required by the NPPF. Essentially the overriding and demonstrable need for a new academy secondary school has not been made. Further, the quantum of development to support the new school has not been demonstrated. Given the rural village location the addition of such a significant level of development would have an unavoidable effect on the established character and pattern of Effingham village.

Whilst it may have been possible to overcome the objections to some issues such as scale around the three storey elements these have not been taken forward given the fundamental issues which remain.

In policy terms there can be no reliance on the emerging local plan. This is likely to go out to consultation in June 2016 but and as it stands, the draft Local Plan is at such an early stage in its development that it carries very little weight in the assessment. Section 38 of the Town & Country Planning Act 1990 requires that the proposal be determined in accordance with the development plan (unless material considerations dictate otherwise). As it stands, it fails in many areas as set out throughout this detailed and thorough officer report and cannot be supported for the following detailed reasons for refusal.

RECOMMENDATION:

Refuse for the following reason(s) :-

1. The proposed development, involving the construction of up to 295 dwellings; new school buildings/facilities and the material change of use of land to school playing fields, represents inappropriate development within the Green Belt and is harmful by this definition. In addition the level of development proposed would have a clear and substantially detrimental impact on the openness of the Green Belt and conflict with the purposes of including land with the Green Belt. Very special circumstances to outweigh the harm to the Green Belt (and any other harm) have not been demonstrated. The development therefore fails to comply with policy RE2 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and chapter 9 of the National Planning Policy Framework.
2. The application site is located within seven kilometres of the Thames Basin Heaths Special Protection Area (TBHSPA). The scale of the development constitutes a large scale development proposal as set out within the Adopted TBHSPA Avoidance Strategy. Whilst there is a strategic site for Suitable Alternative Green Space (SANG) at Effingham Common within 5km of the site the lack of appropriate parking facilities serving the SANG means this cannot be taken to mitigate any potential impact. The Local Planning Authority is therefore not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat and disturbance to the protected species within the protected areas. As such the development is contrary to the objectives of policies NE1 and NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07) and conflicts with saved policy NRM6 of the South East Plan 2009. For the same reasons the development would fail to meet the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.

3. The application site is located in close proximity to the Thornet Wood site of Nature Conservation Importance (SNCI) and ancient woodland. The Environmental Statement and planning application submission does not assess the potential effects on the SNCI from either potential recreational access of the effects of urbanisation. Furthermore no mitigation measures are identified to protect the SNCI / ancient woodland or surveying the existing flora and fauna. The local planning authority cannot therefore be satisfied that the proposed development would not have a detrimental impact on the SNCI and therefore fails to accord with policy NE3 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and chapter 11 of the National Planning Policy Framework.

4. The applicant’s ecological study fails to investigate all ponds within 500 metres of the application site as recommended by Natural England’s Standing Advice Species Sheet. In the absence of full investigations the Local Planning Authority cannot be satisfied that the development would not have a harmful impact on Great Crested Newt habitats. The application therefore fails to accord with policy NE3 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and chapter 11 of the National Planning Policy Framework.

5. The proposed development of Browns Field would erode the rural nature of the existing land which sits at the heart of the village within the Effingham Conservation Area and provides a positive feature enhancing the significance of the heritage asset. The resulting urbanisation would erode the significance of the heritage asset. Furthermore, the development of the existing playing fields on the Howard of Effingham site would encroach onto the existing rural character which abuts the Effingham and Little Bookham Conservation Areas and neighbouring Grade II and II* Listed Buildings. The urbanising effect would have a harmful impact on the setting of these heritage assets to the detriment of their significance. Additionally the scale of the development proposed on the Lodge Farm site, including the likely size of the replacement school, would transform the currently open land to a distinctly urban feature. This would affect views into and out of the
adjacent Effingham Conservation Area adversely affecting its significance which is derived from its form as a historic village with a tight development pattern towards the core and a more loose knit feel towards the edge of the village and Conservation Area. As set out in paragraph 134 of the National Planning Policy Framework (NPPF) the proposed development would therefore result in less than substantial, but nevertheless considerable, harm to the Effingham Conservation Area and it’s setting, the setting of the Little Bookham Conservation Area and to the setting of Grade II and II* Listed Buildings to the east of the Howard of Effingham site. Furthermore the development would fail to comply with policies HE4, HE7 and HE10 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007). Special regard is given to the need to preserve heritage assets as required by Section 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990. Whilst some public benefit would result from the development, including the provision of a new school and new housing, this does not outweigh the harm to the significance of the heritage assets.

6. The proposed development at Browns Field would fail to respect the existing grain of the village by introducing a feature of garden boundaries and parking courts on to The Street. The scale of the residential development would introduce large and bulky buildings, some up to 10 metres in height, together with steep roof forms on numerous plots, taken together, this is excessive in this rural village location. In design terms there are several convoluted roof forms notably plot 6 and plots 17-19 (which also would present a large bulky building with excessive gable elements), these would appear incongruous within the existing village and within the proposed development setting. The development would therefore fail to accord with policies G5, CF4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and the core principles and chapter 7 of the National Planning Policy Framework.

7. Notwithstanding the outline nature of the application for the Howard of Effingham site and Lodge Farm the applicant has indicated the quantum of development on both sites together with some likely building sizes. The provision of up to 99 dwellings with associated parking on the Howard of Effingham site would present an urban development form on this edge of village site which would jar with the general loose knit feel of the immediate surroundings. Furthermore the applicant has indicated that several properties would be three stories in height which would be at odds with the modest scale of the existing village which is predominantly two storeys in height. Turning to the Lodge Farm site, this site currently forms a significant gap between the villages of Effingham and Little Bookham. The introduction of up to 159 residential units on to this site would unavoidably erode the open character of this site having a detrimental impact on the context of Effingham village. The likely provision of 2.5 – 3 storey dwellings along with the new school building, which is also likely to be set over three floors, would add to the concerns over the scale of the development introducing a building which would dominate the village in terms of its likely size and scale. The proposal would therefore harm the character of the existing Effingham village and would jar with the context of the immediate surroundings of the three individual sites. The development would therefore fail to accord with policies G5, CF4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and the core principles and chapter 7 of the National Planning Policy Framework.
8. The application fails to make provision for affordable housing as part of the development proposals. The applicant has failed to demonstrate that the provision of appropriate affordable housing would detrimentally affect the viability and deliverability of the development. The proposal therefore fails to accord with policy H11 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and the Planning Contributions SPD and Chapter 6 of the National Planning Policy Framework.

9. The proposed development would result in the loss of community playing fields on the Browns Field site, which is heavily used by the local rugby club. The proposed playing field facilities at the school would not provide an adequate replacement of this community facility. Sport England therefore retains an objection. The applicant has failed to demonstrate how the new facilities would be managed to meet Sport England requirements. Therefore at this time the development fails to accord with policy R1 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), Sport England’s playing fields policy and Chapter 8 of the National Planning Policy Framework.

10. The applicant has failed to submit a completed legal agreement securing the following:

- contributions towards primary and early years education provision;
- contributions towards travel plan auditing;
- contributions towards / or a commitment to provide improvements to the cycle and pedestrian networks, beyond that already suggested by the applicant, as suggested by Surrey County Council and
- contributions towards the refurbishment of the King George V Hall.

Without such an agreement in place, the proposal would fail to provide for the educational need associated with the new development. The necessary improvements to the pedestrian and cycle network, beyond those already suggested by the applicant, would encourage sustainable travel in the area. In addition, the proposed additional dwellings would put increased pressure on existing community facilities such as the King George V hall, which is already in need of refurbishment. A contribution towards the refurbishment of the building is required to ensure that this facility can continue to operate, particularly with increased numbers of patrons. The proposal therefore fails to comply with policies G6 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), the National Planning Policy Framework and the Planning Contributions SPD.

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 discussions before submitting a formal planning application. At pre-application stage, Officers clearly stated that the onus was on the applicant to demonstrate a case for the proposal, in particular regard to outweighing the identified harm to the Green Belt. Concerns were also raised with regard to the current situation with Effingham Common SANG, as well as the scale of the development and the layout and design of the individual schemes. During the formal assessment of the application, the applicant was made aware, at a very early stage of objections received from the County Highway Authority, Sport England and Natural England. In addition, concerns were also raised with regard to the design, scale and layout of the residential elements of the proposal. While some of the highways issues have been resolved, the other issues remain outstanding, despite the applicant knowing of the Council’s concerns for many months. In addition, concerns regarding the applicant’s case for very special circumstances were also raised.

It is noted that the applicant has submitted a revised statement of educational needs in January 2016. This has been accepted by the Local Planning Authority and has been taken into consideration as part of the assessment. Amended plans for Browns Field were received in February 2016. However as these were submitted very late in the process and would not have enabled the Council to fully consult with either consultees or the public, these plans were not accepted and were returned to the applicant.