

DOC 1
PLANNING POLICY STATEMENT



PLANNING APPLICATION
TO RETAIN THE LEVELLING OF THE LAND

AT
THE ORCHARD AT NORNEY WOOD
ELSTEAD ROAD
NORNEY
SHACKLEFORD
GODALMING
SURREY
GU8 6AY

27th November 2023 Reference: PP23035

CONTENTS

1. Introduction
2. Documents and Plans
3. Site Description
4. Planning History
5. The Planning Application
6. The Development Plan
7. Consideration of the Issues
8. Conclusions



The orchard

© Paradigm Planning Ltd

No part of this report is to be copied in any way without prior written consent.

Every effort is made to provide detailed and accurate information, however, Paradigm Planning Limited cannot be held responsible for errors or inaccuracies within this report.

1.00 INTRODUCTION

- 1.01 We are instructed to submit the enclosed planning application to retain the levelling of the land at the orchard at Norney Wood, Elstead Road, Norney, Shackleford, Godalming, Surrey GU8 6AY.
- 1.02 The site is outside any settlement boundary and in the Green Belt. The site is also in the AONB and the AGLV. The development is an engineering operation within the meaning of the NPPF paragraph 150 (b) and the Local Plan Part 1 (LPSS) policy P2 (2)(3). The principle of development is therefore acceptable.
- 1.03 The submitted drawings show the changes to the land are minor and not injurious to either the Green Belt, the AONB or the AGLV. The appearance of the land in the landscape is not materially different to prior to the development taking place. The existing ground has been levelled and has been reseeded. No soil has been added or removed. Additional planting is proposed.
- 1.04 The proposal accords with the policies of the Development Plan and the NPPF so planning permission ought therefore to be granted.

2.00 DOCUMENTS AND PLANS

2.01 The submission is comprised of the following: -

Application Form – Certificate A

Documents

1. This Planning Policy Statement – November 2023
2. Climate Change Questionnaire
3. Plans as set out below:

| Drawing No. | Details | Print Scale |
|--------------------|--|---|
| NW01-P5-01 | Existing Site Plan and Location Plan | 1:500@A1/1:1000@A3 & 1:1250@A1/1:2500@A3 |
| NW01-P5-02 | Proposed Site Plan and Location Plan | 1:500@A1/1:1000@A3 & 1:1250@A1/1:2500@A3 |
| NW01-P5-03 | Existing Topographical Survey of Orchard | 1:100@A1/1:200@A3 |
| NW01-P5-04 | Proposed Topographical Survey of Orchard | 1:100@A1/1:200@A3 |
| NW01-P5-05 | Cross Sections 01 and 02 | 1:100@A1/1:200@A3 |

* Plans labelled 'existing' are taken from survey data prior to the engineering operations being carried out

2.02 The following Appendices: -

1. Photographs, pre- and post-development.

3.00 SITE DESCRIPTION

3.01 Norney Wood is in the Green Belt outside any settlement and is in the AONB and AGLV. The dwelling is a large, detached extended dwelling that faces Elstead Road and is set well back from it. It sits in large residential curtilage and extensive landscaped grounds. There is a tennis court in the rear garden and to the very south is the land known as the orchard. This is the land to which the application relates. Photographs are attached at **Appendix 1** and two are shown below.



3.02 The orchard extends to 0.319ha. It is grassed with mixed hedging along the boundaries. The gardens to Norney Wood are to the north and there is woodland (The Rough) to the west and south. To the east is Norney Farm Bungalow. Footpath 295 runs along part of the eastern boundary of the site, on the other side of the boundary hedge.

4.00 PLANNING HISTORY

4.01 The following table sets out the planning history of Norney Wood. There is no history for the orchard the subject of this application.

| Ref | Description | Decision |
|------------|--|--|
| 09/P/00464 | Replacement porch and external cladding and rendering | Granted 22/05/2009 |
| 09/P/00850 | Replacement porch and external cladding and rendering, together with replacement and repositioning of windows and doors | Granted 07/07/2009 Implemented |
| 09/P/1178 | Proposed extension incorporating attached triple garage with ancillary accommodation over, replacement plant room, new games room and lobby and re-siting of swimming pool | Granted 11/08/2010 Implemented |
| 09/P/01598 | Insertion of two dormer windows in rear roof slope and roof lights in the side elevations | Granted 17/09/2009 Implemented |
| 12/P/00294 | Erection of extension to games room and alterations to approved scheme 09/P/01178 to change enclosed lobby to an open covered walkway. | Granted 16/04/2012 Implemented |
| 20/P/02427 | Certificate of Lawfulness for a proposed development to establish whether an ancillary covered swimming pool would be lawful. | Granted 24/01/2022 Under construction |

5.00 THE PLANNING APPLICATION

Use

5.01 The application site comprises the orchard at Norney Wood.

Amount

5.02 The site area is 0.319ha.

Layout, Scale and Appearance

5.03 The plans and cross sections show there has been some minor levelling of the land at the orchard. No soil/materials were imported to or exported from the land to make this change. The bank that previously existed at the southern and south eastern boundaries has been reduced and smoothed out to create a more gentle profile. 4 minor fruit trees were removed.

Landscaping

5.04 There is existing soft landscaping around the edges of the site, comprising mixed species native hedging with interspersed trees. The surface of the orchard is grass. New trees are proposed to be planted along the southern and south eastern boundaries to augment the existing boundary hedge/tree screening.

6.00 THE DEVELOPMENT PLAN

Overview

6.01 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan includes the Regional Spatial Strategy and any other Development Plan documents (Section 38(3)).

6.02 The approved Development Plan for the purposes of this application comprises:

Guildford Local Plan Part 1: Strategy and Sites 2019 (LPSS)

Guildford Local Plan Part 2: Development Management Policies June 2022 (LPDMP) adopted 22nd March 2023.

NPPF (July 2021) and the Planning Practice Guidance (March 2014)

6.03 Paragraph 7 notes *“The purpose of the planning system is to contribute to the achievement of sustainable development.”* There is a presumption in favour of sustainable development.

6.04 Section 13 deals with protecting Green Belt land and restates the advice formerly contained within PPG2 – Green Belts. It notes, at paragraph 143 that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

6.05 Paragraph 150 also says that certain other forms of development are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it and this includes at b). *“engineering operations.”*

6.06 Chapter 15 deals with conserving and enhancing the natural environment. Paragraph 176 says *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.”*

Guildford Local Plan Part 1: Strategy and Sites 2019 (LPSS)

6.07 The Council adopted the Local Plan on 25th April 2019. The following policies apply: -

- P1 Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value
- P2 Green Belt
- ID4 Green and blue Infrastructure

Guildford Local Plan Part 2: Development Management Policies March 2023 (LPDMP)

6.08 This was adopted at Full Council on 22nd March 2023.

P7 Biodiversity in New Development

6.09 **Other Guidance**

Surrey Hills AONB Management Plan

Draft Green Belt SPD 2023 (limited weight – to be considered at committee on 23/11/2023)

7.00 CONSIDERATION OF THE ISSUES

7.01 The following issues need to be considered:

1. Principle of development
2. Impact on the openness of the Green Belt and the visual amenity of the AONB/AGLV
3. Impact on neighbour amenity
4. Trees and Biodiversity

1. Principle of Development

7.02 The site is in the Green Belt where section 13 of the NPPF applies. Paragraph 147 says Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 150 of the NPPF says that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include “*b) engineering operations*”.

7.03 LPSS P2(1) says the Green Belt will continue to be protected against inappropriate development in accordance with the NPPF. LPSS P2 (3) re-iterates the advice of paragraph 150 of the NPPF.

7.04 The draft Green Belt SPD is designed to supplement policy LPSS P2. It is not adopted and should therefore be accorded only very limited weight. In any event it is silent on engineering operations and gives no guidance.

7.05 The principle of development is acceptable and accords with the NPPF Chapter 13 and LPSS P2.

2. Impact on the openness of the Green Belt and the visual amenity of the AONB/AGLV

7.06 The proposed development is acceptable in principle. The actual impact of the proposed development on the openness of the Green Belt requires consideration.

7.07 The site is also in the AONB and AGLV so LPSS P1 applies and paragraph 176 of the NPPF. Accordingly, any development must protect and enhance the character of the nationally important landscape. The Surrey Hills AONB Management Plan is current and up-to date, taking into account the provisions of the NPPF and is a material consideration. Management Plan policies P1-P6 apply.

- 7.08 The photographs at **Appendix 1** show the orchard before the development took place. The land was open and grassed with some weeds growing. There were a number of trees around the boundaries and some old fruit trees. The southern/south-eastern boundary with the public footpath is fenced with a 1.8m close boarded fence. The plans 'as existing' show there was a bank within the site along the line of these boundaries. The land was in this condition when our clients purchased Norney Wood in 2022.
- 7.09 The later photographs in **Appendix 1** show the land following the engineering works to level it and which reduced the height and smoothed out the bank. No materials were brought on to or taken from the land to facilitate the levelling. The result is a slightly more levelled surface which has been grassed over. Four old fruit trees were removed and a new planting scheme for the southern/south-eastern boundary is proposed. This will provide screening to the site when viewed from the footpath, as show in the photographs.
- 7.10 The appearance of the land today is not materially different to that which previously existed. It remains open, undeveloped and grassed with some trees planted. The works have no impact on the openness of the Green Belt nor on the intrinsic beauty of the AONB and AGLV. The development accords with the NPPF; LPSS P1; and The Surrey Hills AONB Management Plan.

3. Impact on neighbouring amenity

- 7.11 The NPPF requires that planning should secure a good standard of amenity for all existing and future occupants of buildings. Similar aims and objectives are achieved locally through LPDMP D5. D5(1) says "*Development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties*" which contains considerations about privacy.

Norney Farm Bungalow

- 7.12 On the south east side of the footpath to the south-east of the orchard is Norney Farm Bungalow - see photographs below. It sits in the middle of its curtilage and is in a well set-back position from Shackleford Road. Access is via the track that is also part of the footpath. The curtilage boundary of the bungalow with the footpath is marked partly by an evergreen laurel hedge and partly by a 1.8m close boarded fence. The orchard boundary is also marked with a similar fence.



L - Norney Farm Bungalow, evergreen laurel hedge, footpath and R - fenced boundary to the orchard



L – the footpath with the orchard behind the fence and the bungalow behind the hedge



L – the footpath with the orchard behind the fence and the bungalow behind the hedge

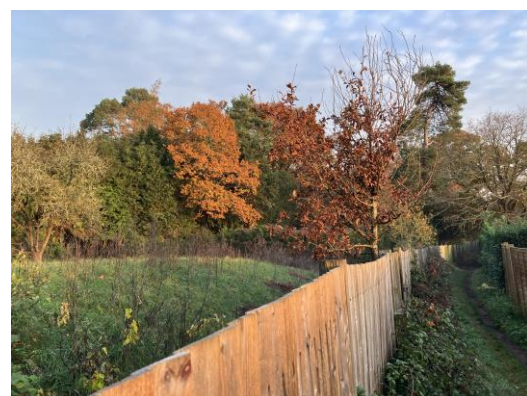
- 7.13 The level of the orchard at Norney Wood is higher than the level of the footpath – see photographs below. There is a slope in the land down towards the fence. The site section plans show that the levelling works have resulted in the previous bank being reduced in height and smoothed out which means the level of the land nearest to the boundary fence with the footpath and the highest point of the land is further back into the site than previously. The relationship of the land to the neighbour does not therefore result in any loss of amenity and is an improvement on the previous arrangement. It is also proposed to add landscaping along this boundary with the planting of native trees. These will also provide further screening between the two properties.



Pictures of the orchard taken with camera on top of the fence, looking north

Swanbourne Cottage

- 7.14 Approximately 55m to the north-east is Swanbourne Cottage, a 2-storey dwelling also set back from Shackleford Road and on the right-hand side of the footpath – see photograph below.



1. looking west –L- Norney Farm Bungalow and R- Swanbourne Cottage
2. R – looking north-east from the footpath. Swanbourne Cottage is beyond the trees

7.15 The photographs show that there is no intervisibility between the orchard and this dwelling given the distance and the intervening tree screen.

7.16 The development to be retained is not harmful to residential amenity of neighbours. The new contours are a minor change that improve upon the land configuration that previously existed. In addition, the proposed new planting will provide additional screening for the privacy of both properties. The development therefore complies with LPDMP D5.

4. Trees and Biodiversity

7.17 The NPPF states that planning should contribute to and enhance biodiversity (Chapter 15). LPSS ID4 deals with Green and Blue Infrastructure and ID4 (1) says the Council will maintain, conserve and enhance biodiversity. LPDMP P7 deals with biodiversity in new developments and says development proposals should seek biodiversity net gain.

7.18 There are existing trees within the site, primarily around the northern, western and south-western sides. Four small fruit trees were removed from the orchard as part of the works. The remaining trees were unaffected and are retained. It is proposed to plant additional trees along the southern and south-eastern boundaries. Not only will this provide screening of the site from the footpath, but it will also enhance the biodiversity value of Norney Wood in accordance with national objectives and local policies. The planting scheme details can be controlled by condition. The development will provide a positive enhancement and complies with LPSS ID4 and LPDMP P7.

8.00 SUMMARY

- 8.01 The site is inside the Green Belt, the AONB and AGLV. The development to be retained is an engineering operation which is appropriate development in principle in the Green Belt. The minor levelling of the land does not adversely impact on the openness of the Green Belt nor detract from character of the AONB/AGLV landscape.
- 8.02 The development does not cause harm to neighbouring dwellings through overlooking. The levelled land is an improvement compared to the bank that previously existed as it is lower and further back into the site.
- 8.03 No trees were affected by the development and just 4 small fruit trees were removed. New tree planting is proposed which can be controlled by condition.
- 8.04 The proposal accords with the policies of the Development Plan and the NPPF so planning permission ought therefore to be granted.

Paradigm Planning Ltd.
Chartered Town Planning Consultants.