



Mr. J. Busher,
Senior Planning Officer,
Guildford Borough Council,
Millmead House, Millmead,
Guildford, Surrey,
GU2 4BB

11th October 2019

Dear Mr. Busher

Re: Reserved matters application 19/P/01451 pursuant to hybrid application 14/P/02109 for the replacement of Howard of Effingham School to consider the detailed design, associated playing fields, MUGA, parking and landscaping works.

Effingham Residents Association (EFFRA) objects strongly to the reserved matters application 19/P/01451. This letter provides details of its objections following its preliminary objection submitted on 3rd October 2019.

EFFRA objected strongly to the original hybrid planning application 14/P/02109 for outline permission (only access to be considered) for the erection of a replacement secondary school for Howard of Effingham and the associated enabling development on three sites. EFFRA's objections represented the overwhelming majority of Effingham residents' views which it had sought and obtained from questionnaires. Nevertheless, when the Appeal was allowed by the Secretary of State following the Planning Inspector's report, EFFRA accepted the decision with all the attached conditions.

However, we submit that this reserved matters application is materially different from the outline application agreed by the Secretary of State following the Planning Inquiry and the Planning Inspector's report and for that reason EFFRA believes it should be refused. The major material change to the application is the redrawing of the boundaries to the site for the school from that agreed by the Secretary of State, taking out two areas of land which we will refer to as Sites A & B (see below). No reason has been given in the reserved matters application for removing these areas of land, although Berkeley Homes' Chairman has said publicly that they are intending to apply to build 55 further homes on them. That would be for future consideration if such a planning application were submitted, but EFFRA submits that taking these two areas out of the school site is a material change to the application regardless of Berkeley Homes' intentions for them as doing so will decrease the openness of the Green Belt, remove the "Green Gap" between Effingham and Little Bookham and remove designated "school grounds" and "sport pitches." These are important designations agreed at Appeal that we submit cannot be changed by a decision of the developer.

The Appeal was granted by the Secretary of State on strict conditions and the first of these was that:

“The development hereby permitted in outline shall accord generally with the following approved parameter plans.”

Land at Lower Road Land Use Parameter Plan	2176-A-1500-H
Land at Lower Road Building Heights Parameter Plan	2176-A-1501-H
Land at Lower Road Density Parameter Plan	2176-A-1502-F
Land at Lower Road Landscape and Ecology Parameter Plan	2176-A-1503-H
Land at Lower Road Movement and Access Parameter Plan	2176-A-1504-J

The Appeal was allowed as it was considered that there were very special circumstances which were considered to outweigh the harm to the Green Belt. However, it was also considered that the application would cause substantial harm to the Green Belt from the inappropriate development and harm to its openness. The Secretary of State and Inspector both commented that certain aspects of the intended plans in the outline application would mitigate some of this harm and the first condition set by them ruled that the development should accord generally with these plans. However, it is these mitigating aspects identified by the Secretary of State and Inspector that the applicant is seeking to remove in the reserved matters application. EFFRA considers that a reserved matters application should not cause more harm to the Green Belt than the outline application; however, the applicant has submitted a reserved matters application that we believe causes even more substantial harm than the outline application and for that reason it should be refused.

Specifically, EFFRA believes the proposed removal of the two pieces of land from the school’s site would cause the following material harm:

Site A on the southern boundary of the site with Lower Road, adjoining the Link Road through the site, is designated in both the Land Use and Landscape and Ecology Parameter Plans as ‘School Grounds’.

Removing it would reduce not only the amount of “school grounds” but importantly the amount of open space, seen as important by the Inspector in paragraph 371 of his report. The area of land was seen as visually retaining part of the green space between the villages of Effingham and Little Bookham, a major concern of residents opposing the application. This was one of the factors seen as mitigating by the Inspector in paragraph 406 where he states:

“the area of open land proposed to the north of Lower Road (though partly covered by car parking to the east) would still serve as a strong visual break to the development as it is perceived along the road, with the school complex a recessive feature seen behind from this perspective...”

In paragraph 407 he refers to this mitigating effect saying that because of it:

“the harm to this part of the rural context of the settlement” ...“is limited in extent.”

In fact, in the reserved matters application the redesigned school complex appears to intrude further into the open space remaining and hence is no longer recessive.

Therefore to remove this piece of land (Site A) would lose this mitigating effect and had it not been included the Inspector’s recommendation might have been different. The applicant has not stated in the application its intentions for this area of land but it has included a 1.8m high boundary. On drawing LP2140-FIRA-MP-P-0007 this is described as Type A: 1.8m low level brick wall with vertical bar on top, but in the Planning, Design and Access Statement it appears to be a 1800mm Metal Bar Fence sitting on a brick base. Clarity is required around whether the wall or fence is 1.8m but the diagram suggests it is the fence. This Type A boundary appears to have closely planted trees along its length (drawing number LP2140-FIRA-MP-P-0011 Planting Strategy). The fencing and trees would divide it from the remainder of the original area of school grounds and open space referred to by the Inspector. The effect of this boundary fencing backed by trees would be to remove any conception of this area as open space between the two villages of Effingham and Little Bookham – one of the five purposes of the National

Policy Planning Framework (NPPF) (paragraph 134). EFFRA believes it will also remove any views through from Lower Road to Thornet Woods, thus severely affecting the openness of the Green Belt and contrary to the outline planning application.

Site B on the western perimeter of the proposed school site to the north and east of the Link Road is designated as 'sports pitches' within a larger area of 'school grounds'.

Site B in the outline planning application formed part of the school playing fields and contained sports pitches. This part of the site was referred to by the Planning Inspector as being *"entirely free of built development"* which was important in the final weightings of harm and benefits. Even without considering whether it is the intention of Berkeley Homes to build on this piece of land which would go entirely against the Appeal decision, the removal of this piece of land would cause material harm as it removes playing field land contrary to paragraph 97 of the NPPF. In practical terms, whilst the number of sports pitches may have remained the same they are more closely packed together and the run off areas between them and around them is much reduced. EFFRA is concerned whether these are safe and meet set guidelines. There seems to be inadequate information in the application details and EFFRA appreciates Sports England's concerns on this matter.

EFFRA has other serious objections to the application areas as detailed below.

Design of the school buildings.

EFFRA is very concerned by the proposed design of the school buildings which residents regard as ugly, urban in appearance, detrimental to the street scene and insensitive to the historic and semi-rural character of the village. The applicant's architect promised (paragraph 284) that the new school:

"will, unlike the existing one, be a fine design, properly acknowledging the importance of the Howard to the local community."

This design patently is not a fine design and will not properly acknowledge the importance of the Howard to the local community. The scheme was presented to Design South East as part of a peer review process requested by Guildford Borough Council, which made a number of recommendations. The changed school design appears to answer few of those recommendations. The result is a design which may be more suitable for the school's teaching purposes (EFFRA does not feel qualified to comment on this), but we believe is very much worse for the community. The school buildings have been moved forward to intrude into the open space specifically left by the Inspector, a space which would also be significantly reduced by the proposed boundary changes referred to above (Site A). The Review Panel suggested that the:

"building should enhance the street scene and become a major source of local and civic pride."

Instead, an ugly frontage of characterless municipal looking boxes will face onto Lower Road giving the street an urban appearance in what is characterised as a semi-rural area. A token attempt to reflect local materials has been made by use of dark Trespa®, supposedly to reflect the timber cladded local buildings. The Little Bookham Tithe Barn is used as a reference, but token use of a minimal amount of dark cladding used vertically (whereas the cladding on the Tithe Barn is horizontal and covers the whole building) does not reference this important historic building which also has a large sloped roof. In our view, the new building's appearance on the street scene is worse than that of the existing Howard School, contrary to the Inspector's hopes and we submit it should not be accepted by Guildford Borough Council.

The extension of the front parking area further west into the "school grounds" area designated as open space between the two villages also worsens the view from Lower Road.

Parking provision

The outline application claimed that both traffic and car parking would be improved as a result of the scheme. 300 parking spaces are proposed instead of the current 129. But besides an increase in staff of 41 there will be an increase in sixth form students of 150 (350 current and 500 proposed). Sixth form student parking is a major problem at present in the village's narrow roads. The application is short on detail as it does not explain the reasoning for the number of spaces, how they will be allocated and what the parking policy will be. The Inspector was clear that a Car Park Management Plan should be produced (condition 15) and agreed and that if more parking was required it could be provided (paragraph 324). This work needs to be carried out before the car parking provision is finalised in the reserved matters.

Wildlife Corridor.

The updated ecological impact statement has failed to take into account Effingham's Neighbourhood Plan policy ENP-ENV2, and the Policies Map defined in section 8 to provide a wildlife corridor and is therefore contrary to the Neighbourhood Plan. The Planning, Design and Access Statement makes one mention of such a corridor in paragraph 3.4 Emerging Design on page 33 where it states the design has been flipped so that the teaching units face the wildlife corridor rather than the carpark. However, there is actually no wildlife corridor as a green area behind the teaching blocks has a barrier to its southern boundary by means of a Type D 1m high hedge with tensioned wire fence to middle of the fence making it impenetrable to most wildlife. Beyond this is car parking with the existing boundary of trees and scrub included in the outline application removed and parking up to the boundary instead so that there is no safe passage for wildlife through the carpark.

The provision of a simple wildlife corridor would have been quite simple to achieve in the design. The Inspector said as much in para 412 and 413 on page 86 of his report where he said that these:

"legitimate concerns ...can in good measure be addressed."

"The plans though indicative demonstrate there is still scope for some green infrastructure here and this could be supplemented through reserve matters to augment the remaining strip along the eastern boundary through the Vineries Garden complex. On these terms despite the proposals for the school, there is scope for the development to facilitate eco-movement along the limited section affected."

The Secretary of State also appeared to believe the wildlife corridor was important as he specifically mentioned it (paragraph 22) and agreed:

"that the legitimate concerns over the efficacy of the wildlife corridor can in good measure be addressed."

It is therefore surprising and concerning that the applicant has ignored the Secretary of State's and Inspector's recommendations and the provisions of policy ENP-ENV2 in Effingham's Neighbourhood Plan and the applicant should be instructed to take account of it.

Playing Fields, Sports Hall and Multi-Use Games Area

EFFRA is also concerned about the lack of detail regarding the Playing Fields, Sports Hall and Multi-Use Games Area contained in the application. The Secretary of State's letter and Inspector's report laid out detailed conditions requiring the submission of the design and layout of these facilities but the information submitted is sketchy which is reflected in the comments of Sports England.

EFFRA would like to point out that artificial lighting of the pitches as mentioned by Sports England was seen as inappropriate by the Inspector as the playing fields are close to ancient woodland where the wildlife would be adversely affected by the intrusion of artificial light. Pitches with artificial lighting are available in a more appropriate part of the village where the ecology is less sensitive.

Surface Water Drainage.

Serious concerns were expressed during the outline application and at the Appeal about surface water drainage and the increased likelihood of flooding as a result of the development. Effingham Lodge Farm is known as a wet area with an aquifer underlying part of it and being known locally as Rainbow Field because of its water retention. During high rainfall in recent years Lower Road, Water Lane and Little Bookham Street have suffered flooding partly as a result of run-off from Effingham Lodge Farm when the soil has become saturated. As a result the Secretary of State and Inspector made a full and serious condition (condition 32) regarding the provision of a Sustainable Urban Drainage System. No details on this have been provided and there is no evidence that serious work has been carried out on it. It is noted that Surrey County Council has expressed reservations on this issue.

Foul Water Drainage.

A similar situation as on Surface Water drainage applies to Foul water drainage where no documentation appears to have been given despite condition 34 and there is no evidence that any work has been carried out on what upgrading is needed. The sewage system in the area is known to be inadequate and Water Lane has suffered repeated sewage overflow events in recent years. There is a real public health danger as a result. The current sewage system is under pressure and needs the pipes replacing and upgrading to minimise the risk of sewage spills, which have occurred in the recent past. Thames Water needs to provide written assurances that there is adequate capacity in the whole system from the site to the sewage treatment works, whichever route is eventually chosen.

EFFRA regrets that many of the key issues raised as objections to the outline application are covered by conditions which will be approved separately by GBC and will not be subject to the public scrutiny afforded to the reserved matters application. Many of these are of key local interest and, with respect to foul drainage in particular, there is considerable local knowledge that is pertinent. We would request that some public consultation is carried out on these matters by GBC.

EFFRA is also concerned that many of the details included in the Planning, Design and Access Statement and plans submitted are still sketchy and little more detailed than the outline application even though strict conditions were laid down on what was required before work on the development could commence.

EFFRA would also like to point out that whilst the Planning, Design and Access Statement covering Local & Community Consultation in section 3.5 says that the *“design team met regularly with members of the Parish Council steering group...”* this is incorrect. An informal Liaison Group for the village was formed which included some representatives from the Parish Council, EFFRA and latterly the Effingham Village Recreation Trust, co-ordinated by the borough councillor. There were only three meetings with representatives from Berkeley Homes and the Howard School and their advisers. Whilst the matters mentioned in section 3.5 were discussed, EFFRA submits that contrary to its statements in section 3.5 the applicant has not followed up on the undertakings it made at the meetings. In particular, we submit that contrary to the statement on Community Benefits the *“amendments made in plan layout, demonstrated in this report”* were not considered to be positive improvements – indeed we did not see these final plans. EFFRA is also particularly disappointed that the key views through the site discussed and shown to the Group diagrammatically have been discarded (especially the important south to north view through the site), the wildlife corridor has been truncated and therefore rendered ineffective and the design of the building has not been made sympathetic to the local context as discussed.

In conclusion, EFFRA believes that the reserved matters application submitted by the applicant is materially changed from the outline application and that those changes result in the application being substantially worse for the openness of the Green Belt and contrary to the NPPF, than the original outline application. Additionally, the changes remove most of the mitigating factors identified by the Inspector and agreed by the Secretary of State which made the scheme acceptable to them. As a result not only will the Green Belt be less open with no views from Lower Road to Thornet Woods , but playing fields will be removed contrary to the NPPF and the open land or “Green Gap” between Effingham and Little Bookham recommended to be protected by the Inspector will be extinguished. Such a result is highly inappropriate and EFFRA therefore submits that the reserved matters application should be refused and the applicant advised to resubmit an application in line with what was agreed by the Secretary of State and Inspector.

Yours sincerely

Vivien White
Chairman