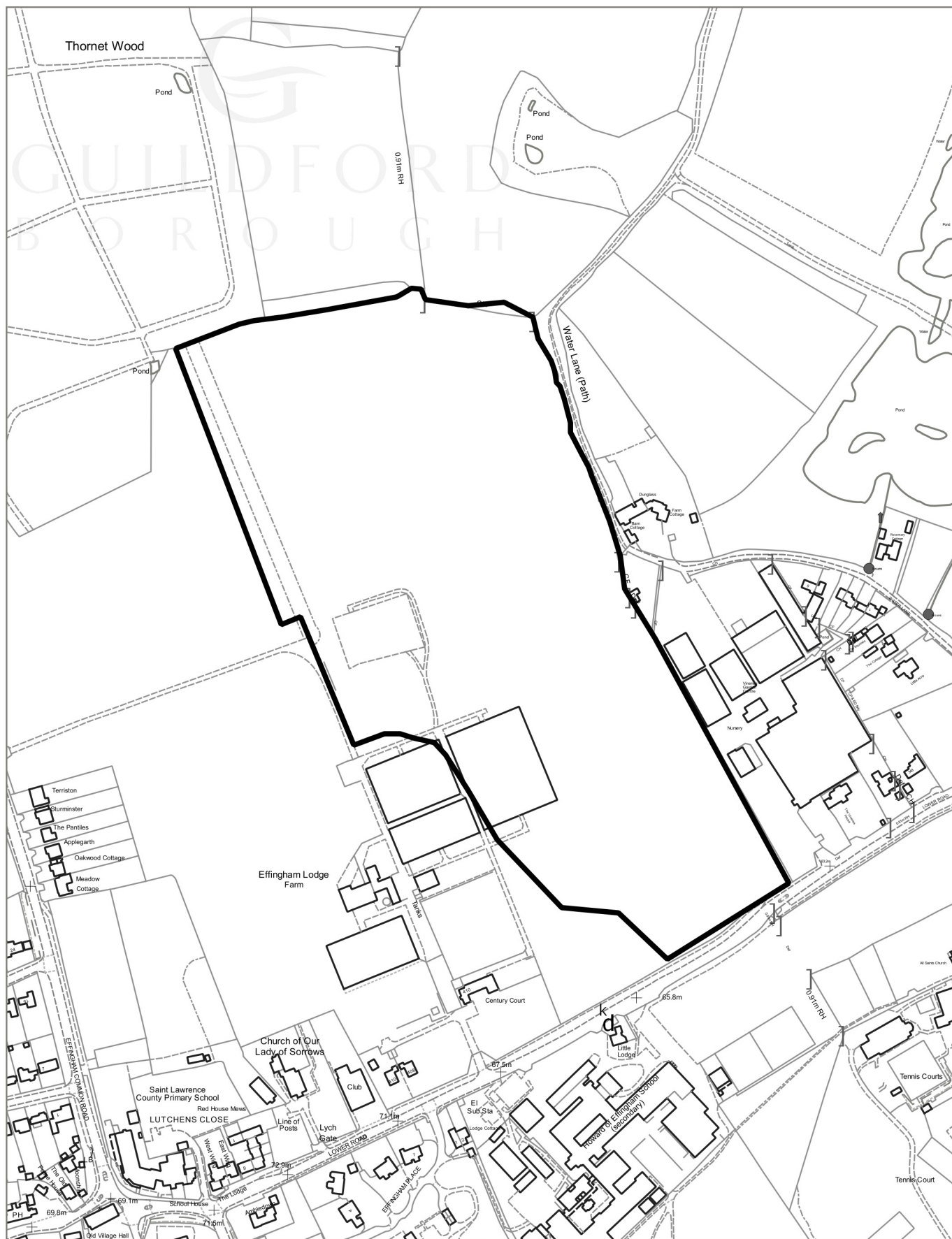


# 19/P/01451 - Effingham Lodge Farm, Lower Road, Effingham, Leatherhead



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Print Date: 10/12/2019



Not to Scale



GUILDFORD  
BOROUGH

**19/P/01451 – Effingham Lodge Farm, Lower Road, Effingham**



**Not to scale**

**App No:** 19/P/01451  
**Appn Type:** Full Application  
**Case Officer:** John Busher  
**Parish:** Effingham  
**Agent :**

**8 Wk Deadline:** 13/01/2020

**Ward:** Effingham  
**Applicant:** Mrs O Forsyth  
Berkeley Homes (Southern)  
Ltd  
Berkeley House  
Bay Tree Avenue  
Leatherhead  
Surrey  
KT22 7UE

**Location:** Effingham Lodge Farm, Lower Road, Effingham, Leatherhead, KT24 5JP  
**Proposal:** Reserved matters application 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 (amended plans received which alter the size of the sports hall from 33m x 27m to 34.5m x 25.87m).

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee because more than 20 letters of objection have been received, contrary to the Officer's recommendation.

#### **Key information**

This reserved matters application is for the replacement Howard of Effingham secondary school. The proposal is broadly similar to the approved outline application. The new school building would be located along the eastern side of the Lodge Farm site, with its associated playing fields to the north and north-west. Two parking areas are proposed, 225 spaces in the area to the front of the school off the new link road and 75 spaces which will be to the south of the school building with access from Lower Road.

The school will provide 2,000 student places, which is an increase of 400 over the existing situation. The proposed school would be split into four separate but linked buildings. These are the main school building which provides the main administration and teaching space, a dedicated sixth form, a sports hall and a two storey building fronting onto Lower Road which would accommodate the specialist teaching centre known as the Cullum Centre and the offices of The Howard Partnership Trust.

The sporting facilities would be located to the rear of the site between Thornet Wood and the new school buildings. A three bedroom, two storey caretakers dwelling is proposed to the north-west of the school.

## **Summary of considerations and constraints**

This reserved matters application relates to the proposed replacement Howard of Effingham secondary school. The detailed proposal does vary slightly from the indicative scheme presented at outline stage, however, that is to be expected and is allowed as part of the process. However, it is noted that the size, scale and location of the school is still broadly similar. The detailed scheme has brought with it numerous positive changes. These include a better layout for the school buildings which sees the provision of four separate structures on the site. This breaks down the bulk and mass of the outline scheme and provides space for landscaping and open spaces between the buildings. The built form has also been pulled away from the eastern boundary of the site and a buffer of landscaping is proposed along this side of the site.

While it is acknowledged that the proposal would result in a very large set of buildings, this is inevitable given the 2,000 pupils it will serve. The Secretary of State (SoS) and Planning Inspectorate have already acknowledged that the proposal will result in some harm to the rural context of the surroundings. However, this matter was outweighed due to the positive benefits that a new school brings (amongst other things). The architecture and form of the school is modern, however, the materials are reflective of the red brick which is dominant in the area. While the building will be a prominent addition to the village and will change the character of the surroundings, it is being undertaken in the most sensitive way possible, whilst still delivering a modern day secondary school with the best teaching facilities.

Other matters such as highways capacity and safety, drainage and the impact on the Green Belt have all been considered as part of the appeal and are not for consideration again as part of this proposal.

## **RECOMMENDATION:**

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: S857/SB/01; S857/LF/CL; 80100 Rev 3; 80101 Rev 6; 83100 Rev 6; 83200 Rev 1; 83101 Rev 5; 83102 Rev 5; 83103 Rev 4; 84102 Rev 7; 84103 Rev 7; 84104 Rev 6; 84105 Rev 7; 84106 Rev 5; 84107 Rev 5 and 84108 Rev 3.

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

2. No above ground works shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the buildings are satisfactory.

3. Before the development hereby approved is first occupied, a fully detailed scheme for protecting the existing noise sensitive premises from noise from the sports pitches and MUGA shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such works as are necessary to ensure compliance with regard to desirable noise levels detailed in the WHO 2000 Guidelines for Community Noise and BS8233:2014 on Sound Insulation and Noise Reduction for Buildings as well as the noise mitigation measures already set out in section 6.4 of the submitted Noise Impact Assessment (dated August 2019, prepared by Ramboll). The agreed scheme shall be fully constructed and in place prior to the first occupation of the development and shall thereafter be maintained in perpetuity.

Reason: In the interests of protecting the local residents from unreasonable noise levels.

4. No above ground works shall take place (with the exception of site clearance, demolition, ground works and formation of the access) until detailed drawings (including elevations and sections at a suitable scale) of the eaves, bays, windows (including head, sill and window reveal details), doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the buildings are satisfactory.

5. No above ground works shall take place (with the exception of site clearance, demolition and ground works) until details of all above ground level plant and equipment, including arials, flues etc proposed on site shall be submitted to and approved in writing by the Local Planning Authority. These shall be installed in accordance with the approved plans, prior to the first occupation of the buildings and there shall be no additional plant, arials, flues or other items fixed to the buildings.

Reason: To ensure that the external appearance of the building is satisfactory.

6. All planting, seeding or turfing approved as part of the submitted Landscape Strategy (drawing numbers LP2140-FIRA-MP-P-0011 A and LP2140-FIRA-MP-P-001 J) shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

7. Before the development hereby approved is first occupied, a planting and landscaping scheme for the two areas of the site which have been removed from the curtilage of the school (i.e. the land fronting Lower Road to the south-west of the site and the land to the north-west of the large car park) shall be submitted to and agreed in writing by the Local Planning Authority. The approved schemes shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

8. Before the development hereby approved is first occupied, a planting and landscaping scheme for the western boundary of the playing fields, which is in general accordance with drawing number LP2140-FIRA-SK-002 A, shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

9. A landscape management plan covering a period of no less than 10 years, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any completed phase of the development, whichever is the sooner.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

10. The development hereby approved shall not be occupied until details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.

Reason: To safeguard the visual amenities of neighbouring residents and the locality.

11. Before the development hereby approved is first occupied, a Lighting Scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Scheme shall set out how lighting on the site has been designed to minimise any potential impacts on ecology (including bat foraging and commuting) and the character of Effingham as a dark village. The approved scheme shall be implemented in full before the first occupation of the development and retained in perpetuity.

Reason: In order to protect the existing and potential ecological value of the site and the character of the village.

12. No part of the development shall be first occupied unless and until the proposed vehicular accesses to the school and to Lower Road have been constructed and provided with visibility zones in accordance with the approved drawing number 619425-MLM-ZZ-XX-DR-C 9009, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

13. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved drawing number LP2140-FIRA-MP-P-0001, for vehicles / cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas shall be retained and maintained for their designated purposes.

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

14. The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage the use of electric cars in order to reduce carbon emissions.

15. Prior to the occupation of the approved development, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy

usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on-site low and zero carbon energy and improvements to the energy performance of the buildings shall be achieved. Prior to the occupation of the development, a summary showing the emissions rate, as set out in the final SAP assessment, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce carbon emissions and incorporate sustainable energy into the development.

16. Before the development hereby approved is first occupied, a scheme for the demolition of the existing school shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the demolition of the existing school and the clearance of the site. The development shall only be carried out in full accordance with the agreed details.

Reason: To ensure that premature demolition does not take place before development works start in order that the visual amenities of the area are safeguarded.

#### **Informatives:**

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or [buildingcontrol@guildford.gov.uk](mailto:buildingcontrol@guildford.gov.uk).
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
  - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.



## **Officer's Report**

### **Site description**

The application site forms part of Lodge Farm which is located opposite the existing Howard of Effingham school on the northern 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, which are currently vacant and boarded up, a Church, the former Royal British Legion club house and St Lawrence Primary School which are all addressed to Lower Road. To the north of the site is Thornet Wood (which is a Site of Nature Conservation Importance (SNCI) and ancient woodland).

Since the approval of the outline application, the application site has been cleared of all buildings, including the former children's 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. It is noted that none of the listed buildings abut the application site.

### **Proposal**

Reserved matters application 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.

This reserved matters application is for the replacement Howard of Effingham secondary school. The proposal is broadly similar to the approved outline application. The new school building would be located along the eastern side of the Lodge Farm site, with its associated playing fields to the north and north-west. Two parking areas are proposed, 225 spaces in the area to the front of the school off the new link road and 75 spaces which will be to the south of the school building with access from Lower Road.

The school will provide 2,000 student places, which is an increase of 400 over the existing situation. The proposed school would be split into four separate but linked buildings. These are the main school building which provides the main administration and teaching space, a dedicated sixth form, a sports hall and a two storey building fronting onto Lower Road which would accommodate the specialist teaching centre known as the Cullum Centre and the offices of The Howard Partnership Trust.

The sporting facilities would be located to the rear of the site between Thornet Wood and the new school buildings. A three bedroom, two storey caretakers dwelling is proposed to the north-west of the school.

## Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
19/P/01760	Reserved matters application pursuant to outline application 14/P/02109 for the development of 159 dwellings with associated access, parking and landscape works.	Pending	N/A
14/P/02109	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.	Refused	Appeal Allowed

## Consultations

### Statutory consultees

County Highway Authority, Surrey County Council: The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds raise no objection to the proposal, subject to a number of conditions.

Lead Local Flood Authority (LLFA), Surrey County Council: This is a reserved matters application which follows on from the approval of outline planning application 14/P/02109 by the Secretary of State. The outline application included a full Flood Risk Assessment and drainage details. The appeal was approved with conditions that control SuDS and the drainage of the site (conditions 32 and 34). These conditions will need to be discharged prior to the commencement of the development. Therefore the LLFA have no comments to make on this reserved matters application.

County Archaeologist, Surrey County Council: The outline planning application which included this site was supported by a desk based archaeological assessment produced by Archaeology South East. A condition has been recommended to secure the implementation of a programme of archaeological works. [Officer Note: Such a condition has already been secured as part of the outline planning application];

Sport England: No objections raised. It is noted that the proposal is broadly considered capable of meeting Sport England's requirements.

### Internal consultees

Operational Services, Waste and Recycling: No objections raised.

Head of Environmental Health and Licensing: No objections subject to standard conditions and informatives.

### Non-statutory consultees

Surrey Wildlife Trust: No objections raised. Little likely change to the ecology of the site from the previous survey work. Consequently, the originally proposed mitigation is still appropriate. There should be no net loss to biodiversity value when compared to the outline application.

Mole Valley District Council (MVDC): The following comments have been received:

- MVDC note that residents have raised concerns that the site layout does not reflect that which was considered by the Inspector and that the size of the school site has been reduced. It is also noted that additional housing is required to improve the viability of the scheme [Officer Note: This concern will be addressed in the background and the principle of development section below];
- MVDC urge the Planning Authority to take all reasonable steps to ensure that the required drainage improvements will be implemented in a timely manner, meeting the requirements of the conditions imposed on the outline permission [Officer Note: The drainage details of the scheme are controlled by conditions secured as part of the outline planning application. An application has already been received to discharge the relevant drainage conditions and these are currently being considered by both the Lead Local Flood Authority and Thames Water]; and
- MVDC also wish GBC to take biodiversity, the concerns of Sport England and the protection of the Green Belt into account.

### Parish Council

Effingham Parish Council: Raise objection. The main concerns can be summarised as follows:

- question the validity of the reserved matters submission on the grounds that the site area for the proposed school has been reduced from the outline submission. While there is some scope to change schemes from that indicated at outline stage, it is noted that the essence of the proposal must remain the same. No justification has been provided within the application for the departure from the approved parameter plans [Officer Note: This concern will be addressed in the 'background and the principle of development' section below];
- the proposed development will have a detrimental impact upon the Green Belt, in particular, by virtue of the impact upon its openness, which will be further undermined by the reduction in the site area for the school [Officer Note: The removal of some land from the school site will be addressed in the 'background and the principle of development' section below. The applicant has provided no plans for the parcels of land which have been removed and in the absence of any approved reserved matters they will remain as they are at present. Any proposal to include this land within the school site, or for a change to other uses would require the benefit of either a separate reserved matters permission or new full planning permission. If submitted, this application(s) would be considered on its own merits. As the land in question would remain open and undeveloped, there would be no additional harm caused to the Green Belt];
- the buildings would now be spread over a wider site area and with a greater resultant visual impact as a result of the more linear siting. The proposal would have a significant and detrimental impact upon the Green Belt;

- it appears that the area tested through the original Environmental Impact Assessment (EIA) has increased. This potentially makes the original EIA invalid [Officer Note: The area associated with the original application has not increased];
- the design of the scheme is considered to fall short of that expected for a gateway site into the village and one of such prominence and local importance in terms of the use that it serves. The current scheme pays only token regard to local design themes and little regard to the character of the wider village or the conservation area;
- Sport England have submitted a comprehensive holding objection and it is considered that the proposals have fundamental shortcomings in terms of the level of sports provision [Officer Note: It is noted that Sport England have removed their holding objection and they now have no objections to the proposal];
- concerns that the outdoor sports facilities will require flood lighting [Officer Note: No flood lighting is proposed];
- the Inspector noted that there was scope for the development to facilitate eco-movement along the limited section affected. This has not been achieved in the current proposal [Officer Note: It is noted that the applicant has submitted amended plans to address this point which sees a redesign of the eastern car park to provide additional planting and landscaping. This would ensure that there will be landscaping along the eastern boundary of the site up to Lower Road. In addition, it is noted that the indicative layout proposed as part of the outline application showed parking along the eastern boundary, so it could be argued that the current proposal represents a positive change in this regard]; and
- a detailed lighting strategy has not been received [Officer Note: An external lighting scheme was submitted with this proposal. It will be discussed below].

#### Amenity groups / Residents associations

Effingham Residents Association: Raise objection. The main concerns can be summarised as follows:

- lighting plan does not comply with Effingham's status as a dark skies village. Concern that the proposed lighting would harm wildlife and cause light pollution;
- the reserved matters application is materially different to the outline application which was agreed by the Secretary of State. Namely, the boundaries of the proposed school have been redrawn. The current proposal would not comply with the parameter plans set out in the conditions for the outline application [Officer Note: This concern will be addressed in the 'background and the principle of development' section below];
- the applicant are intending to build 55 further homes on the land which has been removed from the school site [Officer Note: There are no formal plans before the Local Planning Authority to increase the number of dwellings on the site. Speculation about future proposals is not a material planning consideration and the current application needs to be considered on its own merits and against the information that has been submitted, which does not question the viability of the outline proposal. This concern will be further addressed in the 'background and the principle of development' section below];
- 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;
- in relation to on-site car parking it is noted that 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 [Officer Note: The management of the car park is controlled by condition 15 of the outline permission. Surrey County Council have assessed the on-site parking provision and following the receipt of further information, they raise no concerns in this regard];
- the proposal does not comply with the Neighbourhood Plan policy of establishing a wildlife corridor along the eastern boundary of the site [Officer Note: This issue has been addressed in the Officer Notes above];

- lack of detail regarding the playing fields, sports hall and multi-use games area [Officer Note: While this is noted, the concerns originally raised by Sport England have now been addressed and they raise no objections to the proposal. The use and exact design of the sporting facilities is also controlled by conditions attached to the outline consent]; and
- regarding details of surface water and foul water drainage [Officer Note: This concern has already been addressed above];

Bookham Residents Association: Raise objection. The main concerns can be summarised as follows:

- the proposal will have a detrimental impact on the Green Belt [Officer Note: The principle of constructing this proposal on Green Belt land was found to be acceptable by the Secretary of State];
- safe walking and cycling routes between the surrounding area and the school should be provided; and
- impact on surface and foul water drainage [Officer Note: This concern has already been addressed above].

### **Third party comments**

50 letters of representation have been received raising the following objections and concerns. The main issues will be summarised below:

- highway safety and capacity;
- unsafe access onto Lower Road and Effingham Common Road;
- the reserved matters have the effect of substantially and materially reducing the size of the site for the school from the outline permission by 1.34 hectares. This re-jigging of the site, albeit within the red line of the original application, alters the land use, openness, and density of built development, and compromises the ecological mitigation [Officer Note: This concern will be addressed in the 'background and the principle of development' section below];
- if the viability of the scheme is now in question then a new application should be submitted in order that the harm to the Green Belt and any other harm can be re-evaluated against the benefits of the revised and substantially altered scheme. The Council is not in a position to make an informed decision without knowing how these changes will impact on the environment and local community in the future [Officer Note: This concern will be addressed in the 'background and the principle of development' section below];
- this major development in a small village to provide new premises for the esteemed Howard of Effingham school, together with housing that will substantially increase its population [Officer Note: The principle of this proposal has already been agreed by the Secretary of State through the appeal decision];
- impact of lighting on ecology and the dark village status of Effingham;
- the design of the building is urban in appearance and does not relate to the semi-rural character of Effingham or its conservation area;
- on-site parking provision is unsatisfactory and will lead to highway safety issues;
- the proposal results in the loss of the wildlife corridor proposed through the Neighbourhood Plan [Officer Note: This concern has been addressed above];
- insufficient information on surface and foul water drainage. The proposal may exacerbate existing drainage problems in the area [Officer Note: This concern has been addressed above];
- do not feel the village can sustain such a large development [Officer Note: The principle of constructing this proposal on Green Belt land was found to be acceptable by the Secretary of State];
- the proposal is denser, has less green space and is more urban in appearance than the agreed outline permission [Officer Note: The layout provided for the outline application was indicative only and it would be expected to change upon submission of the reserved matters application];

- the size of the playing fields have been reduced;
- road infrastructure is not capable of supporting this development;
- proposal is contrary to the Neighbourhood Plan;
- loss of the demarcation between Bookham and Effingham;
- adverse impact on the ecological value of the site;
- adverse impact on the health of school children; and
- proposal is not compliant with the plans approved by the Secretary of State [Officer Note: This matter has been addressed above].

Three letter of support has been received outlining the following positive comments:

- huge improvement for the community, especially the future generations who need to have a school that is current with the rapidly evolving world we live in;
- proposal will be an asset to the community;
- proposal will create a modern and asbestos free school to educate our children in;
- proposal has been amended to include wildlife buffers and habitat zones;
- school design is of a high standard;
- the plans are well thought out and take into account the needs of the education of our children as well as the impacts that the school would have on the area;
- the proposal will ease congestion at pick-up and drop-off times; and
- the build should commence to reduce the school's carbon footprint.

## **Planning policies**

### National Planning Policy Framework (NPPF) 2019:

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Making effective use of land

Chapter 12. Achieving well-designed places

Chapter 13. Protecting Green Belt land

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

### Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034:

Policy S1 Presumption in favour of sustainable development

Policy S2 Planning for the borough - our spatial strategy

Policy H1 Homes for all

Policy P2 Green Belt

Policy P4 Flooding, flood risk and groundwater protection zones

Policy P5 Thames Basin Heaths Special Protection Area

Policy D1 Place shaping

Policy D2 Sustainable design, construction and energy

Policy D3 Historic environment

Policy ID3 Sustainable transport for new developments

Policy ID4 Green and blue infrastructure

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

Although the Council has now adopted the Guildford Borough Local Plan: Strategy and Sites 2015-2034, some policies of the saved Local Plan 2003 continue to be relevant to the assessment of planning applications and carry full weight. The extant policies which are relevant to this proposal are set out below.

Policy G1 General standards of development

Policy G5 Design code

Policy HE10 Development which affects the setting of a conservation area

### Effingham Neighbourhood Plan:

Policy G1 A spatial plan for Effingham

Policy G2 Landscape, heritage, character and design

Policy G3 Archaeology and the historic environment

Policy G5 Assessing suitability of sites for residential development

Policy H1 New homes in Effingham

Policy H2 Mix of housing

Policy ENV2 Wildlife corridors and stepping stones

Policy ENV4 Dark skies

Policy ENV5 Air quality

Policy R1 Car parking

Policy R2 Sustainable movement: cycle routes, footways and pedestrian routes

Policy SA2 Previously developed land at Effingham Lodge Farm

### Supplementary planning documents:

Sustainable Design and Construction SPD

Planning Contributions SPD

Vehicle Parking Standards SPD

Thames Basin Heaths SPA Avoidance Strategy SPD

### **Planning considerations**

The main planning considerations in this case are:

- background and the principle of development
- the impact on the setting of Effingham Conservation Area
- the design and appearance of the proposal
- the impact on residential amenity
- highway/parking considerations
- other matters

### **Background and the principle of development**

In 2014 a planning application for a replacement secondary school and 295 dwellings was submitted to the Local Planning Authority. Apart from 37 dwellings on a site along Brown's Field, the proposal was for outline planning permission. All matters apart from the access were reserved. In 2015, the Local Planning Authority refused planning permission for the development on various grounds including harm to the Green Belt, impact on ecology, harm to the conservation area and the character and appearance of the surroundings. The applicant appealed the decision and a Public Inquiry took place in May 2017. The appeal was subsequently recovered by the Secretary of State for determination and it was allowed in March 2018.

As such, the principle of the replacement secondary school on the Lodge Farm site and the details relating to access from both Lower Road and Effingham Common Road have already been agreed. The current reserved matters application has been submitted to provide the remaining details relating to the appearance, landscaping, layout and scale of the replacement school development. While the principle of the development cannot now be reconsidered, the appearance, landscaping, layout and scale of the school will need to comply with all relevant local and national policies. This assessment will be carried out below.

It is noted that a number of objections have been received relating to the fact that the application for the school has been submitted omitting two parcels of land that were included within its curtilage as part of the outline proposal. One is located to the south-west of the proposed school fronting onto Lower Road and the other is to the west of the proposed playing fields. The result is that the school site would be reduced in size and objectors note that the applicant has not provided any information on the potential future use of the parcels of land that have been omitted.

It is noted however that there is no prescribed manner in which reserved matters applications need to be submitted. Applicants are free to 'split-up' larger outline applications into as many reserved matters applications as they see fit. There is also nothing to prevent applicant's from 'splitting-up' what may be considered to be discreet elements of an outline application. As such, there is no planning objection to the way this application has been submitted.

Residents have also speculated that the omitted pieces of land could potentially be used to develop a further 55 dwellings. It is noted that this is only speculation and the Local Planning Authority has not received an application to increase the number of dwellings on the site. What may or may not happen on the omitted pieces of land is not a material planning consideration. If the applicant intended to develop these sites for housing, a new full application would be required. Any such application would be assessed on its own individual merits and against relevant local and national policies.

As a result, the concerns relating to the omission of the two pieces of land and the speculation about the potential for more housing to come forward on these sites should be given no weight in the assessment of this application.

### **The impact on the setting of Effingham Conservation Area**

The application site is located to the north-east of Effingham Conservation Area. Paragraphs 193 and 194 of the NPPF state 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 (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Policy D3 of the LPSS states that 'the historic environment will be conserved and enhanced in a manner appropriate to its significance. Development of the highest design quality that will sustain and, where appropriate, enhance the special interest, character and significance of the borough's heritage assets and their settings and make a positive contribution to local character and distinctiveness will be supported'. Policy HE10 of the saved Local Plan states that the Council 'will not grant permission for development which would harm the setting of a conservation area, or views into or out of that area'. Policy G2 of the Neighbourhood Plan is also relevant.

The impact of the development as a whole on the setting of Effingham Conservation Area was assessed in detail by both the Planning Inspectorate and the SoS. It was concluded that the proposed development 'would not have a materially harmful effect on the setting of Effingham



Conservation Area taken as a whole'. As such, unless the reserved matters scheme represents a material and significant departure from the indicative outline proposal, the Inspector's and SoS decision that the setting of Effingham Conservation would not be harmed by the proposal must be given substantial weight and represents the starting position in the assessment.

It is acknowledged that the scheme has evolved since the outline consent was approved. The layout of the proposed building has been amended, and overall, it is considered that the footprint of the main school has been consolidated. While separate buildings are now proposed for the Cullum Centre and the sixth form, these are modest scaled two storey structures. Green spaces around the buildings have also been increased with the introduction of a green corridor along the eastern boundary of the site and open space provided to the south-west. In terms of size and scale, the proposed school complex is broadly similar to the outline proposal. It would still be set over three storeys and finished with a flat roof. It is noted that the external escape stairs used around the elevations would provide additional height which was not shown on the indicative plans, however, these are of modest size and do not significantly increase the bulk of the structure. They also have the benefit of helping to break up the flat roof, providing added interest and articulation to the elevations.

When compared to the indicative outline scheme, it is noted that the specialist Cullum Centre has been moved closer to Lower Road. However, as noted above, this is a relatively modest sized two storey building which would still be set back from Lower Road by between 40 and 45 metres. It would also be screened from views from Lower Road by new landscaping and tree planting.

Although the design of the school has evolved, the proposal is still broadly similar to the outline proposal in terms of its scale, size and form. As such, there is no valid reason to depart from the conclusion reached by the SoS that the proposal 'would not have a materially harmful effect on the setting of Effingham Conservation Area taken as a whole'. The Council's Design and Conservation Officer has also assessed the proposal and it is noted that no harm to the conservation area has been alleged.

On this basis, the proposal is deemed to be acceptable in this regard.

### **The design and appearance of the proposal**

Paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF notes that decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy D1 of the LPSS makes clear that new development will be required to achieve a high quality design that responds to the distinctive local character of the area in which it is set. The design criterion set out in policy G5 of the saved Local Plan are also relevant. The design requirements of the Neighbourhood Plan have already set out above.

Firstly, it is acknowledged that the SoS states that the 'diminution of the wider rural perspective and the striking contrast of the proposed modern institutional architecture would cause harm to this part of the wider rural context of the settlement'. Although harm was identified, this was outweighed by other matters. It is therefore acknowledged that a 2,000 place secondary school, which also includes offices (for the Trust) and a specialist teaching area (the Cullum Centre) will inevitably result in a large and bulky building which will have a very different appearance to the established surrounding context. It is also inevitable that the structure will be widely visible from Lower Road and the new link road which will be constructed through the site. This is the Council's starting point when considering the detailed design of the school and its impact on the surroundings.

The proposed design for the school is a variation of the drawings provided as part of the outline scheme. As noted above, the main school building would consist of a central hub, with three teaching wings radiating to the east. Two small projections / wings are also proposed off the western face of the hub and in between these will be the main entrance into the school. As such, it is considered that the footprint of the main building has also been rationalised so that it is now appears more consolidated on the site. In between the teaching wings will be landscaped spaces for outside teaching and recreation. These will front onto the landscaped corridor which will run down the eastern boundary of the site. This helps to integrate the school with its rural, green surroundings, as was suggested by Design South East. The main entrance has also been designed to reflect the layout of the new housing scheme which has been proposed through application 19/P/01760 (which is still under consideration). The entrance and landscaping will mirror a similar landscaped 'boulevard' on the housing site, which will ensure a high standard of design between these two sites.

The three ancillary buildings of the sports hall, the Cullum Centre and the sixth form are now separated from the main school, however, they will be linked either by their roofs, landscaping or first floor connections. The outline proposal showed all of these facilities in one mass, and separating them up results in the bulk and mass of the built form being reduced considerably. As noted above, the Cullum Centre and the sixth form are both modest sized buildings, set over two floors. They would front onto Lower Road and the new link road respectively and provide a more human scale of building to the streetscene. While the built form may be slightly more spread out, it has been done for the correct reasons and overall it results in a better scheme. The separation of the buildings also allows for additional landscaping to be provided between the built form. This helps to tie the structures together and it will also help to relieve the built form and help it to integrate it more acceptably into the rural surroundings.

In terms of the architecture, the buildings would still be modern in their appearance. They would be well articulated, with interest and variation provided to the elevations through the materials, the use of the teaching wings and the variation in height created by the external staircases. Although a modern architectural style has been chosen, the primary material for the external elevations would be red brick.

This would help to assimilate the building into its surroundings. Notwithstanding the fact the built form would be out of keeping with the existing rural context, in its own right, the architecture is deemed to be of high quality. The Council's Design and Conservation Officer has raised no objections to the proposal, subject to agreeing external materials.

With conditions to secure the exact external materials, boundary treatments etc, the proposed design of the school buildings generally follows the scheme which was approved by the SoS. Although it is acknowledged that the size and scale of the school would jar with its surrounding rural context, this matter has already been considered by the SoS and was deemed to be outweighed by other matters. Considering the parameters approved at appeal, the proposal is deemed to be acceptable in this regard.

### **The impact on residential amenity**

The submission of detailed plans for the design and layout of the school now allows for an assessment of the impact of the proposal on neighbouring amenity.

It is noted that the existing properties which could be most affected by the proposal are located on Water Lane, along the eastern boundary of the site (which are in Mole Valley District Council). At this point it should be acknowledged that the existing school is located a short distance from the proposed site on the other side of Lower Road. The existing school already results in some noise and general disturbance that one would expect from such a use. While the new school will change the nature of the impact and where it is felt, it must be borne in mind that some impacts already exist.

In relation to the Water Lane properties it is noted that adjacent to their boundaries would be a large landscaped area. This area includes a swale and would be utilised as an ecological habitat zone. Beyond the landscaped area would be a five court multi-use games area (MUGA) and the rest of the sporting facilities. It is noted that the landscaped area would provide a 35-44 metre wide buffer between the Water Lane properties and the sports facilities. It is acknowledged that the properties located in Water Lane currently have the unoccupied Lodge Farm as their neighbour to the west and that the introduction of the school will be a significant change to this. However, the outline application approved by the SoS had a very similar arrangement with the sports facilities to the west of these properties. As such, the principle of locating the sports facilities here has already been established. It is inevitable that the neighbouring residents will experience at least some increased noise and disturbance from the new school. A Noise Assessment has been submitted with the application which notes that with a 2.4 metre high solid barrier along the edge of the MUGA, the internal and external noise levels at the Mole Valley dwellings will be within acceptable limits. The noise attenuation barrier and the recommendations of the Noise Assessment will be secured by condition.

The Council's Environmental Health Officer notes that the Noise Assessment only assesses the noise impact from the MUGA and not the noise from the other pitches (or their cumulative impact). It is also noted that the Noise Assessment only takes into account daytime school use and that evening and weekend uses have not been considered. While this is the case, it is noted that even if the other pitches were assessed, given the scale of the facilities, it would be very difficult to avoid further noise impacts to these properties. Notwithstanding this, the most intensive sporting pitches (i.e. the MUGA) have been assessed and with the mitigation measures they are deemed to be acceptable. Furthermore, none of the pitches include flood lighting which will limit their evening and winter use.

It is also noted that evening and weekend use of the sporting facilities have not been assessed by the applicant. This is acknowledged in their Noise Assessment.

The hours for the community use of the sporting facilities is controlled by Sport England and need to be agreed through condition eight of the outline planning application which states that the new school 'shall not be occupied until a community use agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall include details of pricing policy, hours of use, access by non-education establishment users/non-members, management responsibilities and a mechanism for review'. The applicant has not yet applied to discharge this condition, so the nature of the weekend and evening community uses are not yet known. The impact on the amenity of neighbouring residents will be considered at this time, when the hours and use proposals are known.

As regards the garden centre and nursery it is noted that the main school building and gym would be positioned adjacent to its western boundary. Compared to the indicative layout plan submitted with the outline application, the built form and on-site parking has been moved away from this boundary, with an area of landscaping and open space being provided as a buffer. It is noted that the built form would be situated approximately 39 metres from the boundary with the nursery and this is sufficient to avoid any materially harmful overbearing or overshadowing impacts. It is noted that each of the blocks which project towards the boundary with the nursery will include windows at first and second floor level. These will be set 39 metres in from the boundary and would serve teaching areas. It is fully acknowledged that these windows would result in some overlooking of the nursery site. However, given the significant distance of separation, the fact that the rooms will mainly only be occupied during school hours and in term time and bearing in mind that the impacted property is a commercial nursery / garden centre, there would be no material harm caused.

It is noted that there are a number of residential properties fronting onto Lower Road also to the east of the site. However, the closest residential property is approximately 55 metres from the boundary of the site and 100 metres away from the nearest school building. As such, there would be no material harm caused to the amenity of these residents.

The school would also have an impact on the new residential properties on the Lodge Farm site which were also approved as part of the appeal. An application for reserved matters for the residential development has now been received (application 19/P/01760 refers) and is currently under consideration. It is inevitable that the residents of these new properties will experience some disruption as a result of living next to a large secondary school. However, this is the same for all such institutions which are located in residential areas. The layout of the school has been designed to minimise the impacts by siting the school buildings 70 metres away from the closest properties, with car parking areas and open spaces acting as a buffer. Therefore, the amenity of these properties would not be compromised by this proposal. Furthermore, prospective purchasers of the new properties should be aware of the presence of a school and can make informed decisions about the potential impacts accordingly.

With the mitigation measures set out in the Noise Assessment, the proposal is deemed to be acceptable in this regard.

### **Highway/parking considerations**

Access and the effect of the proposed development on the local highway network and the safety of highway users, were matters that were considered as part of the outline planning application. Although the Inspector acknowledged the concerns raised by the public and the Parish Council about highway safety and capacity, it was noted that 'there was very little to challenge the conclusions of both other main parties' [i.e. the appellant and Local Planning Authority who raised no objection to the outline application on highways grounds]. The mitigation measures secured as part of the appeal will continue to apply.

In terms of parking the outline consent indicated that the development should provide for a demand of 300 spaces for the school and community use. The detailed proposal accords with the provision set out in the outline, by providing a total of 300 spaces, 225 spaces in the larger car park off the link road and 75 spaces in the smaller car park off Lower Road. This includes a total of 21 drop-off spaces in the main car park for parents and five coach / bus drop off spaces. This is a vast improvement over the parking arrangements for the existing school and will help to lessen the current on-street parking issues along Lower Road.

The proposal would accord with paragraph 109 of the NPPF which advises that development should only be prevented or refused on traffic grounds where the residual cumulative impacts of development are severe.

### **Other matters**

In terms of ecology it is noted that Surrey Wildlife Trust have reviewed the Ecological Update submitted by the applicant which indicates little likely change to the ecology of the site from previous survey work. As a result, the previously proposed mitigation for the protection of the biodiversity value of the site remain valid. It is noted that policy ENV2 includes a desire to create and protect wildlife corridors around the village. One of these runs from Thornet Wood, down the eastern boundary of the site and is described in the Neighbourhood Plan as the 'eastern corridor'. To overcome concerns expressed by residents it is noted that the applicant has amended the scheme to provide more landscaping and planting along the eastern edge of the small car park. This ensures that a green corridor is provided from Thornet Wood to the north of the site, down the eastern boundary to Lower Road. While it is acknowledged that the additional landscaping within the small car park is small in size, it cannot be increased further due to the position of the proposed access into the site. The landscaping allows for the creation of the wildlife corridor in accordance with policy ENV2 of the Neighbourhood Plan.

The outline application included a separate self-contained dwelling which would be used as caretakers accommodation. The dwelling has now been moved to the north-west of the large car park. It would be a three bedroom property which would have its own private garden area and two car parking spaces. The design of the dwelling is similar to those for the residential phase of the Lodge Farm development (see application 19/P/01760) and it would meet with the National Space Standards. It is noted that this dwelling is located within the 400 metre to five kilometre buffer of the Thames Basin Heaths SPA. The mitigation for this has already been secured through the legal agreement for the outline permission.

It is noted that a number of concerns have been raised by members of the public about the drainage of the site and the capacity of the sewer network in the area. As confirmed by the Lead Local Flood Authority (LLFA), the drainage of the site is controlled by conditions secured under the outline consent. The applicant has already applied to discharge some of these drainage conditions, and they are currently being considered by the Local Planning Authority, the LLFA and Thames Water. As such, this matter is not for consideration as part of this application.

In terms of trees, it is noted that there are conditions attached to the outline application which protect all trees which are worthy of retention. In addition to this it is noted that it is the applicant's intention to fell the row of Poplar and Goat Willows which exist along the western boundary of the playing field. The Council's Tree Officer has visited the site and assessed the trees in question. Due to their condition and health, they have limited long term potential and there are no objections to their removal. It is acknowledged that the existing trees provide a useful screen along this boundary of the site. To ensure that a screen is retained, the applicant has submitted an indicative plan to show how the boundary will be replanted with trees. The exact planting schedule and the type of trees will be controlled by condition.

An external lighting scheme has been submitted with the application. This shows a variety of four and eight metre high lighting columns around the site including along the eastern boundary. It is noted that Effingham is a dark village and that policy ENV4 of the Neighbourhood Plan seeks to prohibit excessive lighting. It is also noted that the site is sensitively located to the south of Thornet Wood and as discussed above, will incorporate a wildlife corridor along its eastern boundary. As such, the external lighting scheme submitted by the applicant is not approved and a revised scheme will be secured by condition.

## **Conclusion**

This reserved matters application relates to the proposed replacement Howard of Effingham secondary school. The detailed proposal does vary slightly from the indicative scheme presented at outline stage, however, that is to be expected and is allowed as part of the process. However, it is noted that the size, scale and location of the school is still broadly similar. The detailed scheme has brought with it numerous positive changes. These include a better layout for the school buildings which sees the provision of four separate structures on the site. This breaks down the bulk and mass of the outline scheme and provides space for landscaping and open spaces between the buildings. The built form has also been pulled away from the eastern boundary of the site and a buffer of landscaping is proposed along this side of the site.

While it is acknowledged that the proposal would result in a very large set of buildings, this is inevitable given the 2,000 pupils it will serve. The SoS and Planning Inspectorate have already acknowledged that the proposal will result in some harm to the rural context of the surroundings. However, this matter was outweighed due to the positive benefits that a new school brings (amongst other things). The architecture and form of the school is modern, however, the materials are reflective of the red brick which is dominant in the area. While the building will be a prominent addition to the village and will change the character of the surroundings, it is being undertaken in the most sensitive way possible, whilst still delivering a modern day secondary school with the best teaching facilities.

Other matters such as highways capacity and safety, drainage and the impact on the Green Belt have all been considered as part of the appeal and are not for consideration again as part of this proposal.

Given the appeal decision on the outline application, this proposed reserved matters application is deemed to be acceptable and is recommended for approval.