



For the attention of Mr Busher
Planning Enquiries
Planning Department
Guildford Borough Council
Millmead House
Millmead
GUILDFORD
GU2 4BB

27th February 2026

Dear Mr Busher

**Planning Application 25/P/01716 Development of land to the north of Orestan Lane comprising delivery of up to 37 residential dwellings, open space, resident amenities, parking and associated development, including the erection of two accesses from Orestan Lane.
Land on the north side of Orestan Lane, Effingham, KT24**

Effingham Residents Association (EFFRA) objects strongly to this planning application.

The land in question is 1.88ha of open, undeveloped pasture which is a remnant of an ancient farm and is rich ecologically, with its old boundaries, hedgerows and trees remaining. It is in the Green Belt. Effingham village was recently inset in the Green Belt following a Local Plan Green Belt boundary review which concluded that this land continued to have important Green Belt functions and should stay in the Green Belt. It is also in the Effingham Conservation Area and thus is a designated heritage asset.

Despite these attributes, the applicant claims it can be built on under national planning guidelines citing several different policies. The applicant argues that if the Local Planning Authority does not accept one policy another policy applies. In this letter of objection EFFRA demonstrates that none of these policies apply to this piece of land and sets out that its development would cause substantial harm to the Green Belt and the Effingham Conservation Area, a designated heritage asset. Any development would exacerbate existing flooding and traffic congestion issues as well as destroy a valuable ecological site.

Green Belt designation and Grey Belt Policy

This land was retained in the Green Belt as it fulfils the main purpose of the Green Belt of keeping it open. Its openness is acknowledged by the applicant itself in the Landscape and Visual Impact Assessment. The land also fulfils other purposes of safeguarding the countryside from encroachment

and protecting the historic core of the village. Building on it would cause substantial harm to the Green Belt and would therefore be inappropriate development.

We believe the land does not fulfil the requirements of the “limited infilling in village” exception in para 154 e of the NPPF as the applicant claims. Not only is the area of land too large to meet this requirement, but its depth precludes it from being infilled. It is also outside the inset village and would join it with housing that is not continuous and is not inset.

The applicant claims that the land can be considered as Grey Belt. But because it is a designated heritage asset (being part of the Conservation Area) it is excluded under Footnote 7 if this “*would provide a strong reason for refusing or restricting development*”. The section below on the Conservation Area explains why the land’s designated heritage asset status should preclude development. We believe the applicant is fully aware that the land does not qualify as Grey Belt; after thirty pages of trying to establish that the land is Grey Belt in the Grey Belt Statement, it is state on page 27: “*In the eventuality that the authority is minded to consider that the site does not comprise a Grey Belt site...*” . In our view this shows the applicant is aware its claim is weak.

The applicant asserts at 1.10 that the site ‘does not strongly contribute to the purposes set out in criteria (a), (b), or (d) in paragraph 143 of the NPPF. EFFRA disputes this. We believe the site contributes to criteria (a) and (d), because it has a significant effect in breaking up the ribbon development in Orestan Lane. Effingham is surrounded by ribbon development- along Lower Road, Effingham Common Road, Guildford Road, Beech Avenue and also Orestan Lane. The site forms a clear boundary between the old part of the village, and the newer development beyond it. The buildings to the east, namely the village pub, the three houses opposite it, the garage and Mayfield’s garage (a former cowshed) are 18th century or earlier. The substation is modern, but effectively replaces the farm buildings which were demolished when the road was widened.

The character of the village can be defined as ribbon development interspersed with substantial areas of agricultural or recreational land. If one excludes the Lodge Farm site on Lower Road, for which development has been granted, the development would fill the last gap in a ribbon of development running from the western end of Orestan Lane to the eastern end of Craddocks Avenue, Ashted, some 7 miles to the east. The development therefore falls within criteria (a) and (d) of paragraph 143.

Protection of Designated Heritage Assets including the Effingham Conservation Area

Designated heritage assets are protected, not only under Footnote 7 of the NPPF, but in national legislation. The 1 Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protections including a statutory duty to preserve or enhance the character or appearance of Conservation Areas. Chapter 16 “*Conserving and enhancing the historic environment*” of the National Planning Policy Framework gives further guidance on their conservation and enhancement.

Following the national policy, Guildford’s Local Plan, which includes the adopted Effingham Neighbourhood Plan, contain very strong heritage policies. These include (D1 and D3) in the 2019 Plan and policies, G5, HE4, HE6, HE7 and HE10 of the saved Guildford Borough Local Plan 2003 (GLP2003). GLP ENP-G2 in the Effingham Neighbourhood Plan adapts this specifically to Effingham. The applicant claims that the Guildford Local Plan is out of date and that therefore the NPPF mainly applies. However, GLP policies continue to apply even though there is an incomplete land housing supply.

The Effingham Conservation Area was established in 1971 and this land has been part of it since that date. Conservation Areas are regularly assessed in line with national policy, which includes assessing

whether land in the CA should remain in them. Reviews were carried out in 1992 and 2018/20. In both reviews this piece of land was assessed and recommended to remain in the CA with its importance confirmed to the CA. Unfortunately, because of lack of heritage resources at Guildford Borough Council, the 2020 assessment has not yet been formally adopted. It does however carry weight as it went out to consultation in draft form and the results of the consultation were very positive.

Level of Harm to the Designated Heritage Asset of The Effingham Conservation Area from the Proposed Development

The role and importance of the piece of land is important in assessing the level of harm the proposed development would cause to the Effingham Conservation Area.

Guildford Borough Council stated in a pre-app enquiry from Thakeham Partnerships Ltd in 2023 about this site:

“The site serves significant importance within the Effingham Conservation Area and provides the visual separation between the village core and the later linear development which extends westwards along Orestan Lane.” (para 1.3 page 6) (underlining added)

The significant importance of the land set out in both the 1992 and 2020 appraisals is that it provides an important rural context to the built and historic part of the Conservation Area. Effingham’s history is as a small rural village and the Conservation Area conserves the medieval linear pattern and rural character of the built village with the surviving rural dwellings within its rural landscape. Without the rural landscape being preserved, the built village would lack any context and this land is therefore of great importance in retaining the surviving rural landscape. A further role of this land in the Conservation Area is as a visual separation between the village core and later linear development. The 2020 appraisal assessed the view across the land westward to Thornet Wood as important to conserving the character of the Conservation Area.

The applicant’s Planning Statement states that the land has been included as a “book end” to the Conservation Area (Para 1.6 page 2); also the applicant’s Heritage Statement says it “performs as a break between the historic and modern ribbon development on Orestan Road” (5.8 page 36) note correct name is Orestan Lane. These misrepresent the importance of the land to the Conservation Area and demonstrate a concerning lack of knowledge as these roles would be insufficient in themselves to justify its inclusion.

Building on this site would substantially damage the importance of the land in conserving the rural context to the Conservation Area. This could clearly not be mitigated by any design. The applicant helpfully points out the Court of Appeal decision in relation to South Oxfordshire DC v SSE & J Donaldson (March 1991, CO/1440/89) where the Court found that section 72 requires attention to be directed to the effect on the conservation area as a whole rather than on particular parts of it. As demonstrated above and commented in the 2020 Appraisal, building on this field would substantially harm the rural character of the Conservation Area as a whole.

Proposal is contrary to Effingham Neighbourhood Plan Policies

Planning applications in Effingham need to be compliant with the policies of the Effingham Neighbourhood Plan, which was adopted in April 2018, as it forms part of the Local Plan. Although the Guildford Local Plan was adopted subsequent to the ENP, the policies of the ENP remain applicable unless there is conflict between the two, where the newest will normally be preferred. This was confirmed in a legal opinion in February 2021 obtained by Effingham Parish Council and accepted by Guildford Borough Council.

This proposal is contrary to ENP policy ENP-G2. The policy is not in conflict with later Local Plan policies and therefore applies. ENP-G2 is intended to conserve “the essential landscape, heritage and rural character of the Plan Area” with “design principles required to sustain the open character and feel of the village”. As part of this policy, some nineteen views and vistas are identified and protected. View W3 Orestan Lane, North Easterly, protects the view the “View across fields within the Effingham Conservation Area from Orestan Lane towards Thornet Wood (SNCI)”. This links with View W4 Orestan Lane looking South with “A view from Orestan Lane towards the A246 and North Downs”. This policy requires that:

“... all development proposals must:

1. Respect the rural and landscape character and the setting of Effingham identified within the Guildford Borough Council Landscape Character Assessment; in particular by conserving the open countryside in and around the village area and the key strategic views and vistas described in schedule (A). Development proposals should have regard to key views and vistas and should be designed to minimise the effect on the existing landscape character and long distance views across the Plan Area, or on attractive outlooks from within the built area.”
(ENP, page 27)

The applicant is aware of this policy and is proposing to leave a narrow view through the land. This is insufficient to comply with the policy.

This proposal also does not comply with policy ENPG2 3 which requires that the “scale and height of new buildings are proportionate to their surroundings” because of the scale and bulk of the proposed houses.

Other Harm the Development Would Cause

Ecological Harm

The applicant’s own documents show that this land is ecologically very rich. This has been amplified by comments from wildlife groups and by a report by qualified local resident Dr Honor Gay which is attached to the letter of objection from Effingham Parish Council and which was also supplied to EFFRA. The report which includes other experts’ opinions shows that this site would qualify as a Site of Nature Conservation Importance or a Local Nature Reserve and as such should be given full protection from development. It also concludes that “the consultants’ reports and the Planning Statement considerably underestimate the ecological destruction necessarily entailed in this development, and overestimate the impact of the weak and vague mitigation proposed. The applicant has not been able to demonstrate clearly which protected species are present on site - this being an essential precursor to sufficient mitigation”.

EFFRA believes that full mitigation of the ecological harm that would be caused by this development is not possible. Full mitigation would likely be very expensive. We recommend that additional surveys should be carried out as recommended and that mitigation measures should be fully costed to determine the financial viability of the development before any decision is reached. With the experience of the Effingham Lodge Farm/Howard School scheme, EFFRA is concerned that approval should not be given with incomplete costing which would probably lead to additional development being requested to meet the funding shortfall.

Flooding Risk

This site has a history of flooding and part of it is on the national flood map. The surface water drainage plans are inadequate as confirmed by the SUDS team at Surrey County Council. An acceptable drainage solution needs to be agreed and fully costed as part of assessing the financial viability of this site. The situation has been stable with less flooding for some years since some extra

measures were put in place. But the balance is fragile and residents are concerned these extra houses would cause the pattern of severe flooding incidents to return. Further information and pictorial evidence of past flooding episodes is attached as an appendix.

Harm to Local Amenity and Traffic Congestion

This development will harm local amenity and increase traffic congestion. Orestan Lane is a narrow road and this site is close to the junction into the historic village centre. This junction is already subject to traffic congestion and will be worsened by this development.

Claim of Very Special Circumstances and Planning Balance

The applicant claims that should the other claims for building on this site fail that there are “very special circumstances” under the NPPF to justify it. The reasoning includes a claim that the site is sustainable with good access to local facilities and public transport as well as the contribution the development makes to the GBC land housing supply.

Contrary to the applicant’s statement, the site is not sustainable. Effingham has poor access to public transport. Buses are infrequent with limited destinations available. While there is a half-hour bus service at peak times to Guildford and Epsom, journey times are long. For example Tesco Leatherhead is 49 minutes away by bus while for pedestrians, the local railway station is 45 minutes away, or 1 hour 7 minutes in the case of Horsley station, all on unlit roads. Cycling is not a viable alternative because of the dangerous narrow roads where accidents are common. Similarly walking to the station and other destinations is hampered by lack of pavements and lighting. This is because Effingham remains a rural village. There are local shops- a premium butcher, a premium bakery, and a small convenience store- but these are expensive and have a limited range of goods. The village is car dependent as would the residents be of this development. Most current residents drive to the nearest railway station at Effingham Junction where trains provide access to Cobham, Woking and Dorking, which are not easily accessible by bus. The station carpark is usually full from about 9am from Tuesday to Thursday as confirmed by Network Rail.

The applicant claims that the extra 37 dwellings in the development should be allowed because GBC does not currently have a 5 year land housing supply. Savills also state that the development will include over 50% affordable housing. Whilst this is correct on one level - there are 37 dwellings of which 18 are affordable - it fails to note that 8 of the affordable units are one-bedroom maisonettes, whereas the private housing are all 2- or 3-bedroom houses, meaning that on a per-bedroom basis they are actually offering less than 45%.

Effingham has 405 new homes agreed currently (with 20% being affordable housing) as part of the Effingham Lodge Farm/Howard School scheme, although that may change. When the applicant was asked at the public consultation why the developer did not simply offer to buy the affordable homes site from Berkeley Homes, Aster Group’s representative candidly admitted that they could not afford it. This is not a reason for applying for more affordable housing in the Surrey Green Belt. The village currently has under 1,500 homes and limited services and a small, congested road system. The village will struggle to absorb these new 405 homes without adding more. Just over four miles away, 1,730 homes (with 40% affordable homes) are being built at the former Wisley airfield. Residents of these new homes are likely to use Effingham Junction Station where the carpark is already at full capacity and will also use local services. EFFRA considers that allowing 37 homes on a piece of land that fully serves the purposes of the Green Belt and is a valuable designated heritage asset and ecologically very rich would be an incorrect decision based on the planning balance.

The applicant has not submitted enough information on both ecology and drainage/flooding risk for proper determination of this application and we believe it has under estimated the cost of mitigation. Accordingly, EFFRA believes that the applicant should submit full information on an acceptable drainage scheme and how the high level of ecological harm would be mitigated with further appropriate surveys undertaken. A Financial Viability Report needs to be submitted to assess whether this proposal is financially viable, given the high cost of these measures and the tight margins of housing associations. EFFRA is concerned that without these the applicant may later request further housing on the site to meet any short fall in its costs.

EFFRA considers this proposal is not compliant with national planning policies. It would cause harm to the Green Belt and designated heritage assets of the Effingham Conservation Area and be contrary to Local Plan heritage policies and two policies in the Effingham Neighbourhood Plan. For these reasons EFFRA asks that this planning application be refused.

Yours faithfully for EFFRA

Vivien White, Chairman

APPENDIX: The Flood Risk of the site

Flood risk-background

Historically, Effingham, along with Fetcham, Bookham and the Horsleys – is one of the ‘Spring Line Villages’, which occur where rainfall permeating through the chalky downland to the south runs down and meets the impermeable clay soils underneath, causing springs which arise roughly along the line of Lower Road and Orestan Lane. As a result, surface water flooding is a common problem in the area.

An 1873 OS map shows that the substation next to the applicant’s site lies on the site of a former pond.

Flooding in Orestan Lane

The section of Orestan Lane by the south-eastern corner of the site, by the electricity substation, lies in a dip which is particularly susceptible to flooding with water coming off the site. We have photographs of flooding taken by residents from 1998, 1999, 2010, and 2012-2014. Below are a representative sample:

Spring 1988 looking from outside the site on Orestan Lane east to The Plough



July 1999 showing on Orestan Lane the flooding outside the Substation – second photo looks east



July 2007 First photo is road outside the substation looking west, second photo is gate to the site in the application





March 2010 from outside site looking east towards The Plough and through gate to site towards the Substation





December 2013/January 2014 road outside site looking east to Substation and





A resident of Orestan Lane observed the clean-up operation following the 2014 flooding, which involved jetting some 60m of culvert to the north of the substation.

It seems likely that this culvert discharges into the highway drains in Leewood Way; certainly there are no surface water or combined drains in the area.

Orestan Lane is effectively a cul-de-sac. While it is possible to exit the road via Calvert Road to the west, this road is privately owned by Guildford Borough Council, is single-track and has 12 road humps which can ground low vehicles. Furthermore, Calvert Road leads into Dirtham Lane whose only exit is onto the busy A246, which has very limited visibility to the west. It is essential therefore for the 80-odd residences in Orestan Lane, to say nothing of the proposed development, that this access be retained.

Leewood Way



Leewood Way lies behind the applicant's site. Gardens backing on to the site receive flooding from it with the end of the culvert near their back boundaries. The photo above is of one of the affected gardens and is typical of what happens in heavy rain. The residents are very concerned that development on this site would exacerbate the flooding from it.

The Drainage Strategy Plan

The developer's plan shows that most surface water from the site is to flow into a new sewer to be dug along Leewood Way, and into the foul sewer in Effingham Common Road. They do indicate some outflow down the new access roads only Orestan Lane (marked by blue arrows). At present the writer (who is a Orestan Lane Resident) notes that there is little flow from this site, even when water is pouring down the road into the dip- it comes from the south side, and the verge to the site, which is about 1m high, protects the road from flooding from the site. However, the Plan does indicate (by a blue arrow) that there will be some water egress from the site down the road accesses onto Orestan Lane, in other words directly into the dip.

Water shortage

The GBC SuDS Report notes that the site is in an area of "serious water stress", meaning that demand for water threatens to outstrip supply. Following the 2014 floods, GBC conducted an investigation leading to Guildford Surface Water Management Plan 2014. The Final Technical_Report was noted that flooding in Orestan Lane was in fact less than expected due to infiltration of water through the subsoil. Our research shows that a substantial part of this may occur in Leewood Way, directed there by the culvert. Instead of allowing this infiltration, the developers propose to remove it all to the public sewer, away from the aquifer beneath the area, literally pouring it down the drain. This creates two problems:

1. It increases the pressure on SES Water's water filtration plant, by converting clean water, filtered through the chalk into the underwater aquifer, into foul water, poured into the public sewer; and
2. By reducing the water flow into Leewood Way, it may cause the land there to dry out- an effect which may be exacerbated by climate change. This is likely to give rise to subsidence issues in the properties in the area, as well as affecting trees and other plants.