

Town and Country Planning Act 1990

Proof of Evidence By Phil Rowe (Planning Consultant)

On behalf of Mr Mark and Allana Doherty (APP/R3650/W/23/3322400)

and Mr Matthew Doherty (APP/R3650/W/22/3323108)

relating to:

LAND NORTH OF LYDIA PARK, off Stovolds Hill, GU6 8LE

CHANGE OF USE TO TRAVELLER PITCHES, SITING OF MOBILE HOMES, CARAVANS, ERECTION OF DAYROOMS AND FORMATION OF HARDSTANDING

Experience / qualifications.

My name is Phil Rowe of PROwe Planning Solutions Ltd.

I hold a BA (Hons) degree in Town and Country Planning obtained in 1993 and a further Bachelor of Town Planning obtained in 1994.

From 1994 to date I have been continually employed in relation to Town planning positions having worked in a variety of urban and rural Councils (including Waverley Council) in Planning Enforcement positions until c.2007 and subsequently as a self-employed planning consultant.



Above – Site context

The 4 reasons for refusal, reproduced at APPENDIX 1, in each appeal are the same.

My proof concentrates on the following topics.

- **The characteristics of the countryside and whether the proposal would be materially visually harmful (or could be made acceptable with landscaping conditions)**
- **The gypsy status of the appellants**
- **Other matters**

Characteristics of the countryside

The site is located within a mixed, semi-rural area situated to the west of Stovolds Hill, to the north of Lydia Park and to the east of THATCHED HOUSE FARM DUNSFOLD ROAD LOXHILL GODALMING GU8 4BW.

The annotated aerial photo above confirms the extent of built form and development in the vicinity that forms the context.

Planning permission was granted under **WA/2022/2144** - Erection of 3 light industrial units and associated works at THATCHED HOUSE FARM DUNSFOLD ROAD LOXHILL GODALMING GU8 4BW. The officer report (*italicised extracts below – [comments added with respect to consistency and comparative approach](#)*) location plan and approved site plan are included with this appeal.

Impact on Countryside beyond the Green Belt and Landscape

As indicated above, the site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy RE1 of the Local Plan: Part 1 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

The site is located within an Area of Great Landscape Value wherein Policy RE3 of the Local Plan: Part 1 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The application site is located away from any established rural settlement in an area where new buildings would be strictly controlled in accordance with Policy RE3 of the Local Plan: Part 1.

COMMENTS - Policies RE1 and RE3 were similarly applicable to the appeal proposals.

Policy TD1 of the Local Plan: Part 1 states “the Council will ensure that the character and amenity of the Borough are protected by requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.”

*The proposed new storage/bottling and canning buildings **would be of a simplistic design with green profile metal sheeting** to the walls and roofs so as to match the design and appearance of the existing brewery buildings at Thatched House Farm. The proposed buildings would **each measure 10.8m wide, by 14.4m deep, with an eaves height of 3.5m and a ridge height of 4.7m, which would be in keeping with the dimensions of the existing brewery buildings. Officers are satisfied that the design, appearance and size of the proposed buildings would not cause material harm to the wider countryside and would not appear materially different to agricultural buildings.***

COMMENTS – policy TD1 did not feature as a reason for refusal, as such it is common ground that the proposed development is of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.

The proposed mobile homes formed of metal sheeting and in keeping with the dimensions of mobile homes at Lydia Park *would not cause material harm to the wider countryside.*

The green coloured metal sheeting would help to blend the three buildings in with the rural area. Furthermore, the buildings would have a design that is commonly seen on agricultural units in rural areas.

*The area of development is in a field adjacent to a hedge that runs parallel to the driveway to the farmhouse as a spur off the shaw (part of the connectivity to Dunsfold Common) that defines the edge of the Dunsfold Road. Whilst the landscape character is Wooded Low Weald, **the trees in the field that comprise the application site were planted relatively recently by the landowner.** Bramley Parish Council has requested conditions be imposed ensuring that the 3 buildings should be screened from view from the Surrey Hills Area of Outstanding Natural Beauty (AONB) by tree planting; **and that any lighting installed on the 3 buildings and the associated car parks is sufficient merely to light and navigate the site, and the lighting will not be visible from the AONB.** Tree planting and lighting conditions are considered to be reasonable and necessary due to the proximity of the AONB. **Overall, officers are satisfied that the proposed development would not result in a harmful impact on the landscape. The impact on the intrinsic character and beauty of the countryside is considered to be acceptable due to the design, scale and position on site of the proposed buildings.** As such, subject to conditions regarding tree planting and lighting levels, the proposal complies with Policies TD1, RE1 and*

RE3 of the Local Plan: Part 1, Policy BNP-E3 of the Bramley Neighbourhood Plan and the NPPF.

COMMENTS – the extent of site area and projection into an otherwise undeveloped field is less than was allowed with the 3 light industrial units and associated works at THATCHED HOUSE FARM DUNSFOLD ROAD LOXHILL GODALMING GU8 4BW.

AS confirmed by the street view below the light industrial units and associated works at THATCHED HOUSE FARM DUNSFOLD ROAD LOXHILL GODALMING GU8 4BW are visible from the road. The proposed gypsy pitches are not.



In common with WA/2022/2144 condition 8 below the appellants would be agreeable to a landscaping / tree planting condition.

8. Condition

Prior to first use of any building hereby permitted, a scheme for new tree planting shall be submitted to and be approved in writing by the Local Planning Authority. The agreed tree planting scheme shall be carried out within the first planting season after the commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The planting shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting; such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of the same species and size as those originally planted.

Reason

In the interests of the visual amenity of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework.



Above – View of appeal sites looking north east from the Lydia Park access road
Below – Images within the appeal sites confirming adequate space for boundary landscaping screening.





The gypsy status of the appellants

Whilst gypsy status was not challenged either within the officer report or cited as a reason for refusal the following is confirmed for clarification.

On the basis that the appellants do not read or write well a separate proof of evidence has not been prepared.

The appellants will attend the appeal to provide any further clarifications required.

	Mark and Allana Doherty	Matthew Doherty
Gypsy status	Yes	Yes
Brought up in gypsy traditions	Yes	Yes
Partner spouse / children. Education – best interests of child	Married – kids with another on the way. [Redacted]	Partner Becky Stephens and Matthew's children. [Redacted]

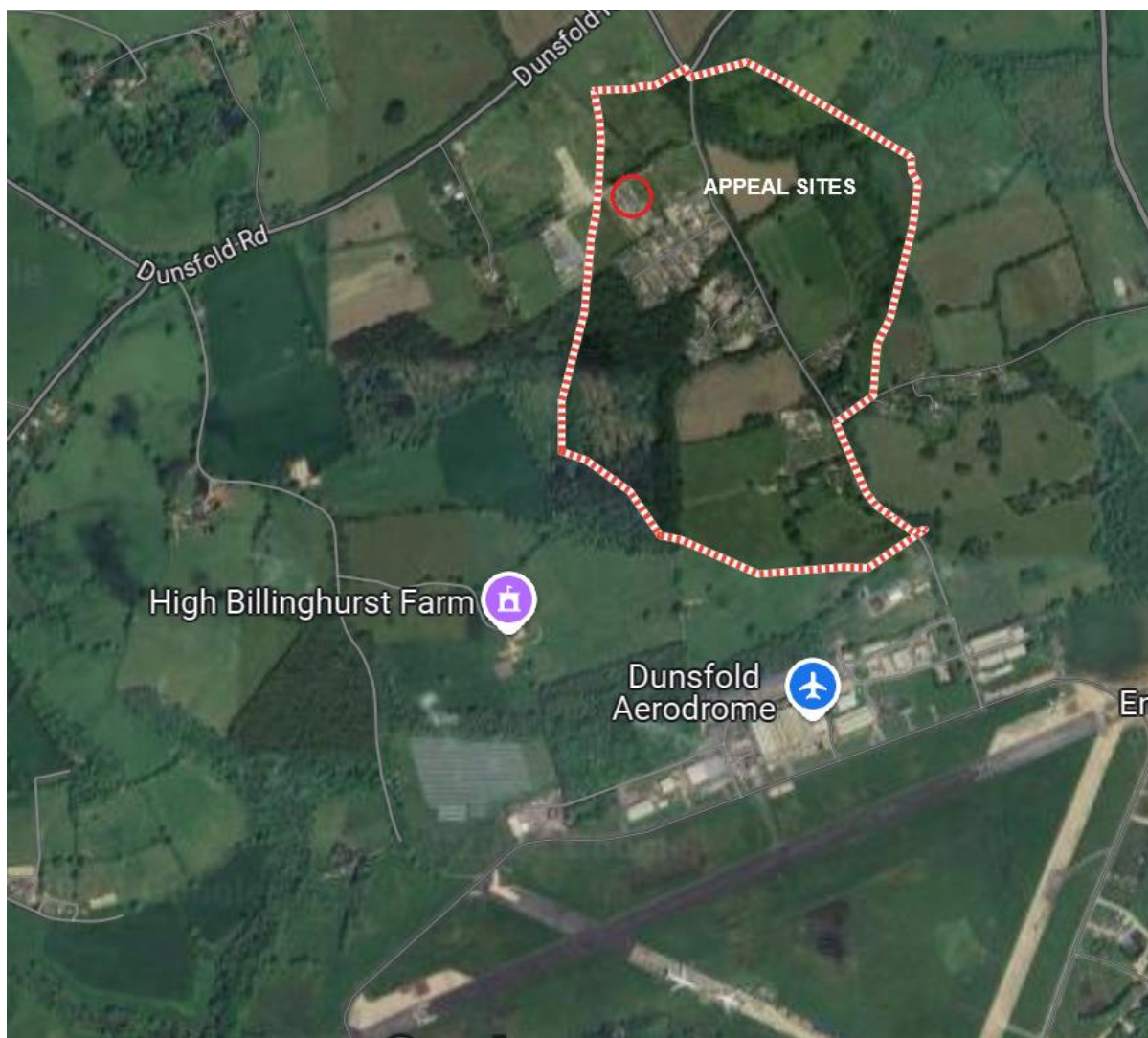
Medical needs		
Maintaining a nomadic way of life	<p>Yes. Mark travels for work dealing in horses, tack, carts at horse fairs including Kent Horse Fair in April, Wickham Horse Fair in May, Appleby Horse Fair in June, Horsmonden in September and Stow-on-the-Wold in October.</p> <p>In addition to being a general dealer, Mark's business MD Home Improvements leaflet</p>	<p>Yes. Matthew travels for work dealing in horses, tack, carts at horse fairs including Kent Horse Fair in April, Wickham Horse Fair in May, Appleby Horse Fair in June, Horsmonden in September and Stow-on-the-Wold in October.</p> <p>In addition to being a general dealer, Matthew undertakes roofing,</p>

	<p>drops properties in connection with the roofing, driveways, hard and soft landscaping when travelling for work.</p> <p>He leaflet drops properties in connection with the above when travelling for work.</p>	<p>groundwork, driveways and landscaping work.</p> <p>He leaflet drops properties in connection with the above when travelling for work.</p>
Intentions to continue to travel	Yes.	Yes.
Family connections in the area	Yes. Family cousins within Cranleigh site.	Yes. Family - cousins within Cranleigh site.
Ever lived in bricks and mortar?	No	No
Ownership of any other sites?	No	No
Where were you living/staying immediately prior to taking up occupation of this site?	Roadside living whilst travelling / unauthorised doubling up on other plots where possible whilst travelling.	Roadside living whilst travelling / unauthorised doubling up on other plots where possible whilst travelling.
If you are required to vacate this site, where will you relocate your caravans/family?	Back to roadside living whilst travelling or unauthorised doubling up on other sites where possible.	Back to roadside living whilst travelling or unauthorised doubling up on other sites where possible.

Other matters

As confirmed by the aerial photo below the appeal site is sustainably located a short distance to the north of Dunsfold Aerodrome. As confirmed by the italicised approval extracts below the site will become increasingly more sustainable as the development moves forward. It is highlighted that no gypsy pitches were included as part of the proposal.

In terms of dominance such matters clearly need to be put in this perspective. It would seem prejudicial that there are no equivalent policies of the settled community dominating the gypsy community.



Masterplan
Status of the plans

In March 2018 the Secretary of State for Housing Communities and Local Government granted outline planning permission for a new Surrey village of 1,800 homes to be created at Dunsfold Park. This permission is based on an illustrative masterplan with scope for further design development.

In the previous month, Waverley Borough Council's Local Plan was approved, including an allocation of 2,600 homes at Dunsfold Park.

In June 2019 central government awarded Waverley Garden Village status for Dunsfold Park.

These decisions follow 15 years of planning and advocacy by the applicants, and extensive engagement with Waverley, the local community and other stakeholders.

The principle of developing 1,800 homes, and related community and technical infrastructure, is therefore established. Potential expansion to 2,600 homes is also identified in local planning policy, albeit this will require a future planning application and related consultation.

Consented Masterplan Outline - A Summary

Dunsfold Park will be a new Surrey village, offering a new concept in sustainable rural living. Development at Dunsfold Park provides an opportunity to deliver a truly mixed-use community, not just a 'dormitory suburb'.

The existing planning permission is supported by an illustrative masterplan, which identifies the general arrangement of the new settlement, including location of the access points and roads, open spaces and built areas for housing and other uses. Here are some of the main features:

- ***1,800 new homes.***
- ***Market Square with shops and services, including a wellness centre.***
- ***Education hub with two schools, nursery and community centre.***
- ***Waverley's largest business park further upgraded and expanded to provide over 2,000 jobs.***
- ***Runway Park celebrating Dunsfold Park's aviation history.***
- ***Village centre with an intricate network of pedestrian streets and lanes.***
- ***The Brook, a tree-lined avenue and stream curving around the village centre.***
- ***Outlying residential neighbourhoods shaped like petals, with larger houses and gardens.***
- ***Variety of distinctive places, each with its own character.***
- ***Country park with space for nature, play, sport and general recreation.***

Ecology / Flood Risk

Updated consultancy information has been prepared by specialist ecology and flood consultants to cover all 4 appeal sites who will attend the appeal. I don't purport to be a specialist in these regards and as such would confirm as follows:

The site is covered solely in permeable hardstanding and appears ecologically barren. The appellants are agreeable to ecology enhancements including bat and bird boxes, bee bricks and log piles etc... together with native hedge planting that would create a biodiversity gain.

The granting of consent would facilitate consideration as to the improvement of landscaping and addition of native planting which will enhance biodiversity and ecology.

If required additional proposed native hedging and understorey planting around the site boundaries could comprise a double staggered row mix of:

Hawthorn - *Crataegus monogyna* (25%) / Field maple - *Acer campestre* (25%) /
Blackthorn - *Prunus spinosa*(25%) / Common hazel - *Corylus avellana* (25%)

Planting density will be 5 per linear metre (understorey planting 1/sq.m). Hedging will be planted as bare root plants at 60-80cm planting height sp as to achieve the effect in the images below.



No trenching is required within 5m of any trees. Ground levels will not be required to be raised within 5m of any trees.

Surface water drainage

The site preparation and finished development would not present any increased risk from flooding or water pollution. Water butts would be proposed to down pipes to facilitate rain water recycling for landscaping.

The surface water drainage utilises the existing properties of rainfall infiltration through the moderate permeability ground. The proposed development would not significantly change the existing infiltration mechanism. The proposal will not increase flood risk in the 1% climate change event, either through uncontrolled increase in surface run-off or by increasing the risk of groundwater flooding.

The existing drainage ditches in the vicinity of the site and there is limited overland surface flow of surface water from the site with the great majority of surface water soaking into the ground. There are no nearby water features that would be contaminated by runoff.

Surface water from proposed development can be reduced by the use of water butts attached to the drainage down pipes. Should it be found to be necessary a sustainable drainage system, designed by experts, will be incorporated.

Planning conditions

Sufficient space exists within each appeal site for the proposed development. The appellants are agreeable to the following standard planning condition.

No development shall take place until a scheme, hereafter referred to as the Site Development Scheme, shall have been submitted to and approved in writing by the local planning authority. The Site Development Scheme shall include a timetable for its implementation and details of:

- (a) The means of foul and surface water drainage of the site.
- (b) The facilities for, and the location of, the storage and collection of refuse and recycling.
- (c) External lighting on the boundary of and within the site.
- (d) The internal layout of the site, including: the siting of caravans and pitches; hardstanding; access road; parking; amenity areas; gates; fencing and boundary treatments; vehicle turning space of sufficient size to accommodate a waste/recycling vehicle and that of emergency/fire services.
- (e) Tree, hedge and shrub planting and where appropriate earth mounding including details of species, plant sizes and proposed numbers and densities.
- (f) Ecological enhancements.

Conclusion

In addressing the reasons for refusal it is germane to highlight and acknowledge that there is much common ground with the Council in respect of what is proposed. As can be seen in terms of a planning balance there is very little between the parties.

Respectfully the way other traveller site applications have been determined and approved give us little confidence or understanding as to why the Council has refused permission. As such there are no planning benefits arising, there remains little to be gained through the refusal and it is not considered that the matters are insurmountable.

The Council accept that the proposal represents sustainable development; there are no references in the reasons for refusal to the contrary. The four appeals (two of which this proof relates to) is advanced on the basis that the Council, post Lisa Smith judgement, still have an unmet need for gypsy pitches. Being a non-Green Belt site, whilst personable circumstances exist and the standard gypsy occupancy condition would suffice, if necessary the appellants would be agreeable to a personal named occupancy condition.

There is a need to look at the proposal realistically and proportionately in respect of the context of the site.

The relationship of the proposed development, to its neighbours and to the character and appearance of the area will be not be materially different to the status quo and as such cannot therefore be said to have a materially or significant detrimental effect on the area.

It is forcefully advanced and readily acknowledged that the application sufficiently complies with the effect and spirit of the Council's own policies. Given the subordinate in-keeping design of the proposal, and the nature of development in the surrounding area, the proposal will not have a materially adverse impact on the character.

The proposed development has been given consideration so as to be sympathetic to and harmonious with local characteristics and to demonstrate that it contributes to and does not materially harm the character of such areas.

The analysis of the local context confirms that the design of the proposed development has considered and responded to positively to the prevailing characteristics.

The proposed development is set back from the general *street* scene and filtered by existing landscaping and mature boundary planting. The proposed development will remain screened and filtered by the landscaping around the boundary. The applicants are happy to accept conditions to maintain and improve this effect.

The proposed development is designed to simple and sound architectural principles - this can be further controlled by conditions including materials etc.

The relationship of the proposed development to its neighbours and to the character and appearance of its setting will not be materially different to the current established character. There is no particular rhythm or consistency with respect to the format of buildings in the area.

The location, scale and design of the proposed development is appropriate to the character and appearance of the surrounding area and reflects the pattern of

development. The analysis of the local context confirms that the proposed development is considered and has responded to both the local and wider context.

Notwithstanding, even if marginal harm is created there is no significant impact. It is further advanced in this instance *that any marginal impacts of permitting the development would not significantly and demonstrably outweigh the benefits*. The appellant's primary case is that by the imposition of suitable conditions, the proposal can be made acceptable.

A correct, considered and proportionate planning balance exercise in relation to the material considerations relating to the proposal, the need for the development and its context weigh in favour of approval. The basis for refusing the application is limited and cannot be substantiated.

- The Inspector is respectfully requested to grant the appeal subject to conditions.

APPENDIX 1 - Reasons for refusal.

1. The proposed development would encroach into the countryside and would be harmful to its intrinsic character and beauty. Moreover, the substantial projection into an otherwise undeveloped field would be harmful to the visual amenity of the Area of Great Landscape Value and the setting of the nearby Area of Outstanding Natural Beauty. Other considerations do not outweigh these harms, which would be contrary to policies RE1 and RE3 of the Local Plan (Part 1) 2018, and to paragraphs 174 and 176 of the NPPF 2021.

2. The proposed development would sit outside the established Lydia Park site boundary and would constitute an extension of this site. The scale of the resulting enlarged site, when taken together with the adjacent New Acres site to the south, would **dominate the nearby settled community** contrary to Policy C of the PPTS 2015.

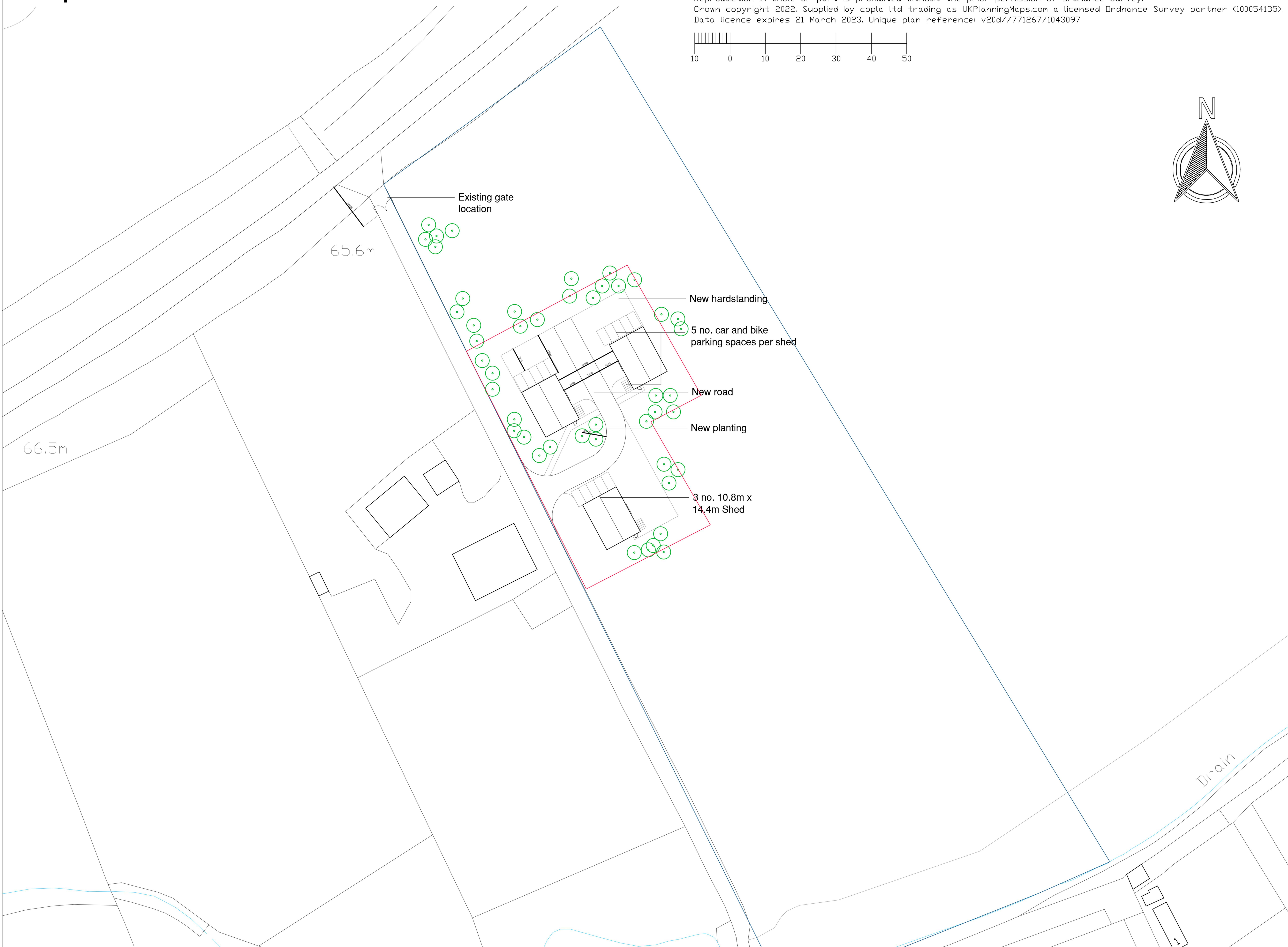
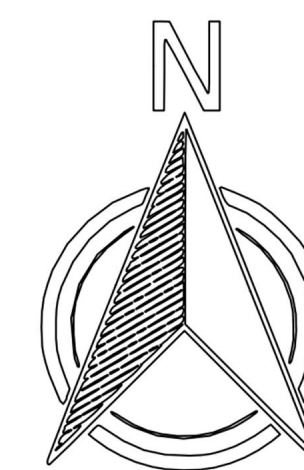
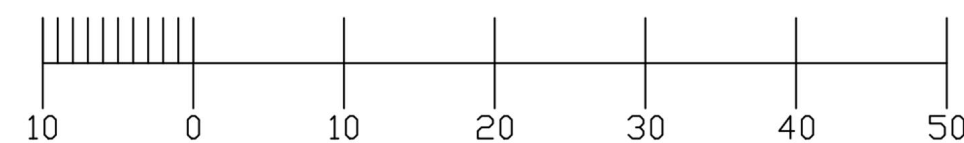
3. In the absence of a site-specific ecological survey it is not possible to conclude that the impact of the proposed development to protected species would be acceptable. The proposed development would therefore conflict with policy NE1 of the Local Plan (Part 1) 2018, and paragraph 180 of the NPPF 2021.

4. In the absence of a site-specific flood risk assessment it is not possible to conclude that the proposed development would be safe for future occupiers, nor that there would be no increased flood risk elsewhere. The proposed development would therefore conflict with policy CC4 of the Local Plan (Part 1) 2018, and paragraph 167 of the NPPF 2021.

Proposed Block Plan

SCALE 1:500 @ A1 + 1:1000 @ A3

Produced on 21 March 2022 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. This map shows the area bounded by 501755 137612,502203 137612,502203 138060,501755 138060,501755 137612. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. Crown copyright 2022. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (100054135). Data licence expires 21 March 2023. Unique plan reference: v20d//771267/1043097



Rev: A 05/04/22 Amended layout

PLANNING DRAFT

**Abigail Stevenson
Architectural Design**

Architect (Plan) Prof Dip AES ARB as.architect@mailbox.org
58 Scott Road, Norwich, NR1 1YR 07872030132

CLIENT:

PROJECT:

TITLE: Proposed Block Plan

DRAWING NUMBER: 200.a

DATE: 21/03/2022

SCALE: 1:1000@A3 + 1:500@A1

WA/2022/2144 - Erection of 3 light industrial units and associated works at
THATCHED HOUSE FARM DUNSFOLD ROAD LOXHILL GODALMING GU8 4BW

Applicant: Mr Ashley Herman
Parish: Bramley
Ward: Bramley, Busbridge and Hascombe
Grid Reference: E: 501983
N: 137622
Case Officer: Michael Eastham
Neighbour Notification Expiry Date: 14/09/2022
Expiry Date/Extended Expiry Date: 17/10/2022; 25/11/2022; 20/01/2023

RECOMMENDATION That subject to conditions, permission be
GRANTED

Site Description

The application site measures 0.3 hectares and is located within an open field on the southern side of the Dunsfold Road (the B2130), to the north-east of the residential property: Thatched House Farm. Vehicular access to the site and to the existing brewery buildings (Crafty Brewing Company Ltd) is taken from the access driveway to Thatched House Farm. Open fields lie to the north, south and east of the site.

Proposal

The erection of three light industrial units, comprising 465 square metres gross internal area, and associated works for brewery purposes. The proposal seeks permission for the development of ancillary buildings and the employment of 15 members of staff to support the existing Craft Brewery operating from the adjacent buildings.

Relevant Planning History

WA/2017/1740 – Erection of 2 detached barns, change of use of existing stable building to office and store in association with the existing brewery business, removal of storage containers and extension to former stable building and associated works. Granted on 12/01/2018.

Relevant Planning Constraints

- Countryside beyond the Green Belt
- Area of Great Landscape Value (AGLV)

Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002: C7, D1, D4, D6, D7, D9, HE3.

Local Plan: Part 1 - Strategic Policies and Sites 2018 Policies: SP1, ST1, TD1, NE1, EE1, RE1, RE3, HA1.

Bramley Neighbourhood Plan 2022 Policies: BNP-G1, BNP-L3, BNP-E3.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Local Plan (2002) and the Local Plan: Part 1 (2018) therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. Paragraph 219 states that where a local authority does not have a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to the degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The Council is in the process of replacing the 2002 Local Plan with a two-part document. Part 1 (Strategic Policies and Sites), 2018 has replaced the Core Strategy that was withdrawn in October 2013. The proposed modification to the Part 2 (Development Management and Site Allocations) are currently out for consultation. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy approach is not likely to change significantly.

Other Guidance

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (2014)
- Waverley Council's Parking Guidelines (2013)

- Surrey County Council Vehicular and Cycle Parking Guidance (2018)
- Residential Extensions Supplementary Planning Document (2010)

Consultations and Parish Council Comments

County Highway Authority	No objection
Bramley Parish Council	No objection subject to conditions
Surrey Wildlife Trust	Recommended mitigation measures
Environmental Health Officer	Not provided comment
Council's Historic Buildings Officer	No objection

Representations

None received.

Determining Issues

Principle of development

Location of development

Lawful use of the site

Impact on Countryside Beyond the Green Belt and Landscape

Impact on designated Heritage Assets

Impact on residential amenity

Highways, Access and Parking

Impact on Trees

Flood Risk, Surface Water Drainage and Foul Drainage

Crime and Disorder

Climate change and sustainability

Biodiversity and compliance with Habitats and Species Regulations 2017

Water Framework Regulations 2011

Accessibility and Equalities Act 2010 Implications

Human Rights Implications

Working in a positive / proactive manner

Planning Considerations

Principle of development

This site lies within the Countryside beyond the Green Belt outside of any defined rural settlement area. The NPPF states that as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. The site is located within an Area of Great Landscape Value wherein saved Policy RE3 of the Local Plan: Part 1 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The site also lies adjacent to a designated heritage asset and the Local Planning Authority should identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.

The principle of developing a craft brewery at Thatched House Farm was established with the granting of planning permission (WA/2017/1740) on 12th January 2018 for the erection of 2 detached barns, change of use of existing stable building to office and store in association with the existing brewery business, removal of storage containers and extension to former stable building and associated works. This permission has been implemented; and the current proposal is to develop an on-site bottling and canning line in 3 new buildings on the adjacent field within the Farm, thereby ensuring the craft brewery is self-sufficient in bottling and canning the beer and reducing HGV movements on the highway.

Location of development

The site's location is somewhat rural and isolated from existing built form and settlements. The type of uses proposed for the new buildings would require vehicle movements to and from the site.

The site lies within a rural area wherein opportunities for travel by public transport are very limited. The NPPF outlines that there are three dimensions to sustainable development, notably economic, social and environmental. Officers agree with this and that sustainable development is not just about transport and location.

Paragraph 84 of the NPPF, 2021 outlines that planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) The development and diversification of agricultural and other land-based rural businesses;

Policy EE1 of the Local Plan: Part 1 states; “the provision of development for economic growth to meet the needs of the economy will be delivered through promoting well designed buildings for economic development and promoting the development and diversification of agricultural and other land based rural businesses.”

Policy BNP-G1 of the Bramley Neighbourhood Plan directs commercial development to four sites, of which this is not one; the policy also supports development relevant to Bramley’s rural economy and the Parish Council is sympathetic to the argument that the brewery is such a business. Policy BNP-L3 of the Neighbourhood Plan states: “this plan supports appropriate schemes that enable the growth of Bramley’s rural economy.”

The proposal would involve the construction of three new buildings in a rural area. The type of uses proposed would result in visitors to the rural area, namely employees and operations deliveries. The proposal seeks to enhance the site with new buildings following the success of the existing craft brewery business on the site.

It is acknowledged that the proposed uses would be car reliant and result in use of cars to visit the site. This, in itself, is not considered to result in the proposal being unsustainable, due to the wider likely benefits that the proposal brings, namely the provision and retention of small-scale employment and enterprise. The brewery itself would further benefit local surrounding businesses (such as public houses) who use and purchase the product produced on the site.

Overall, taking into consideration the details of the proposal, and the benefits to the rural economy, officers raise no objection to the site’s rural location with regard to the proposal. It is considered that the proposed development complies with Policy EE1 of the Local Plan: Part 1, Policy BNP-L3 of the Bramley Neighbourhood Plan and the NPPF.

Lawful use of the site

The lawful use of the application site that is subject to the current planning application is agricultural as it is used for the grazing of pigs. However, officers consider that the existing craft brewery business which operates at Thatched House Farm has the benefit of planning permission since 2018.

Impact on Countryside beyond the Green Belt and Landscape

As indicated above, the site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy RE1 of the Local Plan: Part 1 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

The site is located within an Area of Great Landscape Value wherein Policy RE3 of the Local Plan: Part 1 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The application site is located away from any established rural settlement in an area where new buildings would be strictly controlled in accordance with Policy RE3 of the Local Plan: Part 1.

Policy TD1 of the Local Plan: Part 1 states “the Council will ensure that the character and amenity of the Borough are protected by requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.”

The proposed new storage/bottling and canning buildings would be of a simplistic design with green profile metal sheeting to the walls and roofs so as to match the design and appearance of the existing brewery buildings at Thatched House Farm. The proposed buildings would each measure 10.8m wide, by 14.4m deep, with an eaves height of 3.5m and a ridge height of 4.7m, which would be in keeping with the dimensions of the existing brewery buildings. Officers are satisfied that the design, appearance and size of the proposed buildings would not cause material harm to the wider countryside and would not appear materially different to agricultural buildings. The green coloured metal sheeting would help to blend the three buildings in with the rural area. Furthermore, the buildings would have a design that is commonly seen on agricultural units in rural areas.

The area of development is in a field adjacent to a hedge that runs parallel to the driveway to the farmhouse as a spur off the shaw (part of the connectivity to Dunsfold Common) that defines the edge of the Dunsfold Road. Whilst the

landscape character is Wooded Low Weald, the trees in the field that comprise the application site were planted relatively recently by the landowner. Bramley Parish Council has requested conditions be imposed ensuring that the 3 buildings should be screened from view from the Surrey Hills Area of Outstanding Natural Beauty (AONB) by tree planting; and that any lighting installed on the 3 buildings and the associated car parks is sufficient merely to light and navigate the site, and the lighting will not be visible from the AONB. Tree planting and lighting conditions are considered to be reasonable and necessary due to the proximity of the AONB.

Overall, officers are satisfied that the proposed development would not result in a harmful impact on the landscape. The impact on the intrinsic character and beauty of the countryside is considered to be acceptable due to the design, scale and position on site of the proposed buildings. As such, subject to conditions regarding tree planting and lighting levels, the proposal complies with Policies TD1, RE1 and RE3 of the Local Plan: Part 1, Policy BNP-E3 of the Bramley Neighbourhood Plan and the NPPF.

Impact on Designated Heritage Assets

Policy HA1 of the Local Plan: Part 1 states “the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment by safeguarding all heritage assets.”

Paragraph 194 of the NPPF, 2021 states that “Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Paragraph 195 of the NPPF states that “Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

The NPPF defines “significance” as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

Paragraph 197 of the NPPF states that “In determining planning applications, Local Planning Authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.”

Paragraph 199 of the NPPF states “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 201 of the NPPF states: “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site; and
- b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.”

Paragraph 202 of the NPPF states: “Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” The National Planning Practice Guidance (NPPG) provides guidance under the Section titled “Conserving and Enhancing the Historic Environment”. Whilst not a policy document, it does provide further general advice to policies in the NPPF.

Following on from the decision of the High Court in Barnwell Manor Wind Energy, the Decision Maker should give considerable importance and weight to the setting of the Listed Building. If the harm is found to be less than substantial, it does not follow that the Section 66 duty can be ignored, although this would lessen the strength of the presumption against the grant of planning permission.

Pursuant to the decision of the Court of Appeal in Forge Field Society, the finding of harm to the setting of a Listed Building or a Conservation Area gives rise to a strong presumption against planning permission being granted. If harm is identified then the decision maker should acknowledge that there is a presumption against permission.

In this instance, the designated heritage asset relates to the Grade II Listed Buildings at Thatched House Farm, comprising a late 16th century Farmhouse, an 18th century barn and a 19th century Granary/barn, which is located to the south-west of the application site. The significance is it is an example of a 16th century timber farmhouse and associated farm buildings which illustrate the social and economic history of the area.

The Council's Historic Buildings Officer raised no objection. The proposed industrial units are single storey and they are grouped together with existing buildings a considerable distance to the north of Thatched House Farm. Due to distance and intervening trees and shrubbery, there is no visual relationship between the new development and the designated heritage assets to the south. The proposal causes no harm to the significance of the cluster of Grade II listed buildings through change on the periphery of their setting. As such, it is considered that the proposed buildings would not cause harm to the setting of the listed building.

As such, the proposed buildings are considered to be acceptable having regard to saved Policy HE3 of the Local Plan 2002, Policy HA1 of the Local Plan: Part 1 and the NPPF.

Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by saved Policies D1 and D4 of the Local Plan 2002 and guidance contained in the Council's SPD for Residential Extensions.

The site is not immediately adjoined by neighbouring residential dwellings. The access drive to the site and to the existing brewery buildings are shared driveway with a residential dwelling known as Thatched House Farm (to the south). The position of this dwelling is far south of the application site and the proposal would not cause any material harm to this neighbouring occupier. There may be at times some interaction between residential vehicles and vehicles associated with the proposed brewery bottling buildings, however, this would be for a short time on the access drive and it is not considered to be a material conflict.

The East Lodge is located west of the application site off the main road (Dunsfold Road). The proposed development would not cause any material harm to the residents of East Lodge. Environmental Health have not wished to provide comment on the application.

Overall, it is considered that the proposed development would not cause material harm to neighbouring amenity and would comply with saved Policies D1 and D4 of the Local Plan 2002, Policy TD1 of the Local Plan: Part 1 and the NPPF.

Highways, Access and Parking

The NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements, Local Authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limits the significant impact of the development. The NPPF states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians.

Vehicular access to the site and to the existing brewery buildings (Crafty Brewing Company Ltd) is taken from the access driveway to Thatched House Farm. The County Highway Authority commented that the existing access is acceptable and can safely accommodate the vehicular movements proposed to be generated as a result of the consolidation of uses on the site.

The supporting statement includes a business case for a bottling and canning line to be developed on site. At present, no canning or bottling takes place at the brewery premises adjoining the application site. The applicant currently sends 5-8 pallets a week, on heavy goods vehicles (HGVs) for bottling and canning elsewhere in the

Country. If a bottling and canning line is developed on site, traffic movements would be reduced by moving production on-site.

The Transport Technical Note includes trip data for the proposed development. The proposal is likely to generate 3 vehicle movements in the morning peak (AM) and 2 vehicle movements in the evening (PM) peak. Across the entire day, the proposed development would generate 28 vehicle movements, 2 of which would be heavy goods vehicles (HGVs). The proposed vehicle movements in the AM and PM peak are considered to be relatively low.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document. Development proposals should comply with the appropriate guidance as set out within these documents. The proposal includes the provision of 15 car parking spaces in total (i.e. 5 spaces serving each building). The number of employees anticipated for the proposed use would be 15 employees. The Council's adopted Car Parking Guidelines (2013) set out that for industrial uses a parking ratio of 1:30 is required. Therefore, the scheme would be policy compliant in terms of car parking provision. The minimum number of cycle parking spaces required by the Council's adopted Car Parking Guidelines (2013) for a scheme of this size is 2 spaces, however the scheme includes the provision of 15 secure cycle parking spaces, which is in excess of the minimum standard. The County Highway Authority has not raised an objection to the proposal and overall, officers consider that the level of parking on site would be acceptable.

Overall, the proposal would provide safe access to the site and would not cause harm to highway safety; and the proposed parking provision complies with the Council's parking guidelines. As such, the proposed development is considered to comply with Policy ST1 of the Local Plan: Part 1, the Council's Parking Guidelines (2013) and the NPPF.

Impact on Trees

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Saved Policies D6 and D7 of the Local Plan 2002 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

An Arboricultural Report, prepared by GRS Ltd and dated 14th July 2022 has been submitted with the application which includes the removal of an English Oak (T1)

and a Common Oak (T2) from the site to accommodate the proposed development. These trees are relatively young and they are not subject to a Tree Preservation Order.

Overall, the proposal would not result in the loss of trees that make a significant contribution to the landscape. However, it is considered necessary that some replacement tree planting is implemented to help mitigate the visual impact of the new buildings in the site's rural location. A condition seeking this requirement is therefore considered necessary and applicable in this case. As such, subject to a replacement tree planting condition, the proposed development complies with saved Policies D6 and D7 of the Local Plan 2002 and the NPPF.

Flood Risk, Surface Water Drainage and Foul Drainage

A Flood Risk Assessment and a Drainage Strategy have been submitted with the application. The site lies within Flood Zone 1 and the area is at low risk from flooding.

The Drainage Strategy includes the provision of an attenuation basin to accommodate any additional surface water; the attenuation basin would be 1.5m deep and flows would be restricted into the ditch that runs along the southern boundary of the site.

There are no foul water sewers in the vicinity of the site and the proposed development will include a packaged sewage treatment works with reed beds, which is considered to be acceptable.

As such, the proposed development complies with the NPPF in terms of flood Risk, surface water drainage and foul drainage.

Crime and Disorder

Section 17(1) of the Crime and Disorder Act, 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on and the need to do all that it can to prevent crime and disorder in its area. This requirement is reflected in the NPPF, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Given the scale and nature of the proposal, together with its location in relation to the existing brewery operations on the adjacent site at the Farm, it is considered that the

proposal would not lead to crime and disorder in the local community and it would accord with the requirements of the NPPF.

Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. The lack of any policy backing in this regard, however, prevents conditions being added to require this.

Biodiversity and compliance with Habitats and Species Regulations 2017

The NPPF requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused. In addition, Circular 06/2005 states “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.”

Policy NE1 of the Local Plan: Part 1 states: “the Council will seek to conserve and enhance biodiversity within Waverley. Development will be permitted provided that it retains, protects and enhances features of biodiversity and ensures appropriate management of those features; and ensures any adverse impacts are avoided, or if unavoidable, are appropriately mitigated.”

The application site does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland or water, and it does not include an agricultural barn or building. The site is however set adjacent to hedgerows and tree cover and in a rural area. The proposal has been accompanied with an Extended Phase 1 Habitat Survey, May 2022 prepared by AEW Ltd.

The Extended Phase 1 Habitat Survey outlines the following recommendations:

- A ground level tree assessment is required prior to any trees being removed. If trees to be removed are found to have evidence of, or potential for, roosting bats then further surveys may be required.
- Vegetation or tree removal should be undertaken outside the breeding bird period from March to August. Should any vegetation clearance be scheduled to take place between the beginning of March and end of August, this must be immediately preceded by a survey to check for nesting birds.

- A precautionary method statement should be produced prior to starting any works. Should any Great Crested Newts be found at any time, all works must stop, and a suitably qualified ecologist be contacted immediately.
- A reptile presence survey will need to be undertaken to assess whether reptiles are using suitable areas within the site. Surveys can be conducted between March and September / October and will ascertain reptile presence and population size and inform the level of mitigation required.
- The pond and woodland habitats within the survey area must be retained.
- Any vegetation, such as scrub and hedgerow, should be cleared sensitively by destructive search with a qualified ecologist present on site.

The Surrey Wildlife Trust (SWT) has commented on the proposed development and recommended a number of measures. SWT is requesting a Ground Level Tree Assessment for bats and clarification of need for the submission of a reptile presence/absence survey prior to the determination of the application; and consideration of badger, breeding birds, deciduous woodland habitat of principal importance and a precautionary method statement for great crested newts prior to commencement. SWT recommended conditions be imposed requesting the submission of a sensitive lighting plan, a Construction Environment Management Plan (CEMP), and ensuring that the biodiversity enhancements are delivered prior to occupation and use of the buildings.

Further to the comments made by SWT, the Habitat Survey in Figure 4 Page 18 identified the trees that had bat roosting potential in Field 10 that is some distance from where the proposed works were to be undertaken and only two oaks are identified as being removed in the Tree Survey. It is considered reasonable to impose condition as outlined in the Habitats Survey to undertake a ground level survey of the trees for potential bat roosting prior to the removal of the trees. The Habitats Survey did not identify any reptiles present in field 1 and in paragraph 6.9 recommended: A reptile presence survey will need to be undertaken to assess whether reptiles are using suitable areas within the site. This will involve placing several refugia mats (usually roofing felt or corrugated tin) in suitable locations on the site and checking them for basking reptiles on seven occasions in suitable weather conditions. It is considered that a suitable pre-commencement condition should be applied to accommodate this additional survey.

Overall, it has been demonstrated that the proposal would not cause harm to protected species. Suitable conditions are recommended to ensure the development is undertaken in accordance with the recommendations set out in the Habitats Survey; to protect bats and great crested newts; and to ensure the provision of biodiversity enhancements. Furthermore, an informative should be added to remind

the applicant that protected species may present and that works should stop should they be found during the course of the works. As such, subject to conditions, it is considered that the proposed development complies with Policy NE1 of the Local Plan: Part 1 and the NPPF, in terms of habitat protection and biodiversity enhancement.

Water Framework Regulations 2010

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focussing on ecology. It is designed to:

- Enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems.
- Promote the sustainable use of water.
- Reduce pollution of water, especially by 'priority' and 'priority hazardous' substances.
- Ensure progressive reduction of groundwater pollution.

The proposed development would not conflict with these regulations.

Accessibility and Equalities Act 2010 Implications

Saved Policy D9 of the Local Plan 2002 encourages and seeks provision for everyone including people with disabilities to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DD). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposed development.

Human Rights Implications.

The proposal would have no material impact on human rights.

Development Management Procedure Order 2015 – Working in a positive / proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraph 38 of the NPPF. This included:

Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

Having proactively communicated with the applicant through the process to advise on progress, timescales or recommendation.

Conclusion

Overall, the proposal would provide additional buildings for the brewery business to operate a bottling and canning facility from the site. The officers have not identified harm to the countryside with the proposed buildings and therefore the proposal would not be harmful to the intrinsic character and beauty of the countryside. It is acknowledged that employees travelling to and from the site would be car reliant, however, the number of employees would not be at a significant number and although this is a negative aspect with the proposal, it is not considered in itself to warrant objection to the overall scheme. The proposal would provide a source of employment and would make a contribution toward the rural economy, which the NPPF seeks to encourage. Other businesses would benefit from the product produced from the site, such as public houses. Officers consider that there are no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The planning balance assessment concludes that the proposal is in accordance with the Development Plan, as such, planning permission is recommended for approval.

Recommendation

That permission be GRANTED subject to the following conditions:

1. Condition

The plan numbers to which this permission relates are 201 – Proposed Location Plan, 200.a – Proposed Block Plan, 202 – Proposed Site Plan, (G)-100 – Unit 1 Elevations & Floor Plan, (G)-101 – Unit 2 Elevations & Floor Plan and (G)-102 – Unit 3 Elevations & Floor Plan. The development shall be carried out in accordance with the approved plans. No material variation from

these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Local Plan: Part 1, 2018.

2. Condition

No variation of the type and colour of the external materials to be used in the construction of the development as shown on the approved deposited plans shall be made without the prior written consent of the Local Planning Authority.

Reason

In the interests of the visual amenities of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Local Plan: Part 1, 2018.

3. Condition

Prior to the commencement of development, a ground level tree assessment is required prior to any trees being removed. If trees to be removed are found to have evidence of, or potential for, roosting bats then further surveys may be required. Details of the ground level tree assessment should be submitted for approval in writing by Local Planning Authority in consultation with the Surrey Wildlife Trust.

Reason

In the interests of protecting protected species, in accordance with Policy NE1 of the Local Plan: Part 1 and the National Planning Policy Framework. This condition is a pre-commencement condition as it goes to the heart of the permission.

4. Condition

Prior to the commencement of development, a reptile presence survey is required to be undertaken to assess whether reptiles are using suitable areas within the site. This will involve placing several refugia mats (usually roofing

felt or corrugated tin) in suitable locations on the site and checking them for basking reptiles on seven occasions in suitable weather conditions. Details of the reptile presence survey should be submitted for approval in writing by Local Planning Authority in consultation with the Surrey Wildlife Trust.

Reason

In the interests of protecting protected species, in accordance with Policy NE1 of the Local Plan: Part 1 and the National Planning Policy Framework. This condition is a pre-commencement condition as it goes to the heart of the permission.

5. Condition

The permission hereby granted shall be undertaken in accordance with the Recommendations set out under Section 6 of the Extended Phase 1 Habitat Survey dated May 2022 and should include the following additional ecological enhancements:

- a) Providing bird and bat boxes erected on or integral within the new buildings or on mature trees.
- b) Enhancements for hedgehogs.
- c) Using native species or species of known biodiversity benefit when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife.

Reason

In the interests of enhancing biodiversity on the site and protecting protected species, in accordance with Policy NE1 of the Local Plan: Part 1 and the National Planning Policy Framework.

6. Prior to the first use of any building hereby permitted, a Sensitive Lighting Management Plan should be submitted for approval in writing by the Local Planning Authority. Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trust's document titled: "Bats and Lighting in the UK – Bats and the Built Environment Series."

Reason

In the interests of protecting protected species, in accordance with Policy NE1 of the Local Plan: Part 1 and the National Planning Policy Framework.

7. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) should be submitted for approval in writing by the Local Planning Authority. The CEMP should include, but not be limited to:
 - a) Map showing the location of all of the ecological features.
 - b) Risk assessment of the potentially damaging construction activities.
 - c) Practical measures to avoid and reduce impacts during construction.
 - d) Location and timing of works to avoid harm to biodiversity features.
 - e) Responsible persons and lines of communication.
 - f) Use of protected fences, exclusion barriers and warning signs
 - g) Details of how the deciduous woodland will be adequately protected from development.
 - h) A precautionary method statement for great crested newts.

Reason

In the interests of enhancing biodiversity on the site and protecting protected species, in accordance with Policy NE1 of the Local Plan: Part 1 and the National Planning Policy Framework. This condition is a pre-commencement condition as it goes to the heart of the permission.

8. Condition

Prior to first use of any building hereby permitted, a scheme for new tree planting shall be submitted to and be approved in writing by the Local Planning Authority. The agreed tree planting scheme shall be carried out within the first planting season after the commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The planting shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting; such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of the same species and size as those originally planted.

Reason

In the interests of the visual amenity of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework.

9. Condition

At no time shall any tours be conducted or brewery retail shop be operated on the site.

Reason

In the interest of the rural amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

10. Condition

The number of employees employed on the site shall not exceed 15 at any one time, unless otherwise first agreed in writing by the Local Planning Authority.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

11. Condition

The use hereby permitted shall not operate outside the hours of 07:30am to 22:00pm Mondays to Fridays and 08:00am to 18:00pm on Saturdays. The use shall not operate on Sundays, Bank Holidays or recognised Public Holidays.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

12. Condition

The number and type of traffic movements shall not exceed those stated in Section 4 of the Transport Technical Note dated July 2022, prepared by Motion.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Informatives

1. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development actively taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our website.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

3. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be

found during the course of the works, the applicant should stop work and contact Natural England for further advice on Tel. 0845 600 3078.

4. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
5. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework, 2021.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2021.

Case Officer Michael Eastham Signed: Date: 18 January 2023

Agreed by Team or DC Manager Kimberly Corps Date: 20 January 2023

Time extension agreement in writing seen by signing off officer:

Yes No N/A

~~Agreed by Development Manager or Head of Planning Services~~

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This report has been agreed under the delegated authority by the Head of Planning Services.

Decision falls within 1a.(*number reference*) of the Scheme of Delegation
KC (initialled by Authorising officer)