



Effingham Parish Council

**PROOF OF EVIDENCE OF
KEITH CORNWELL CEng, FBCS, Member of IOD**

In respect of

**APPEAL BY BERKELEY HOMES (SOUTHERN) LTD AND
THE HOWARD TRUST PARTNERSHIP**

**SITE AT LOWER ROAD AND BROWNS FIELD, BROWNS LANE,
EFFINGHAM, SURREY, KT24 5JR**

Planning Inspectorate Ref: APP/Y3615/W/16/3151098

Local Authority Ref: 14/P/02109

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Effingham Parish Council

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QUALIFICATIONS AND EXPERIENCE

Keith Cornwell CEng, FBCS, Member of IOD

I am a local business man and an Effingham resident who has lived in Effingham since 1972. Like many people who live in Effingham I commuted to London for many years working for a range of organisations culminating as a partner of Ernst and Young, which I left in 1991. In that year I founded a business based in Effingham which I built up to float on the London Stock Exchange in 2004.

Professionally I am a Chartered Engineer, FBCS, and I am also a Freeman of the City of London and a Member of the Institute of Directors.

I am currently a member of Effingham Parish Council, and I have been involved throughout the years in many village organisation such as the forerunner of Effingham Residents Association, Effingham Housing Association and Effingham Parish Council, and I have had a spell as Chairman of each. I have also served on the management committee of the KGV playing fields and I am a Vice President of Effingham and Leatherhead Rugby Football Club.

Over thirty years ago I became Guildford Borough Council's representative on the Howard of Effingham governing body until the local authority nomination right ceased. Eighteen months later I was approached by Surrey County Council to be their representative on the Howard governing body, which I was for over twenty five years. As a governor I also had a spell as Chairman. I stepped down as a governor in 2009.

For many years the Governors were responsible for the oversight of the Howard buildings for maintenance and risk issues. In this role, over a period of time, I became familiar with all the school buildings. In my period of Chairman I worked with the school head on getting sponsorship funds from local businesses to achieve Science Specialist status (a forerunner of Academy status). As there are not too many businesses locally, occasionally the local business had to be mine. For many years I was the link Parish Councillor with the Howard school.

As the owner of 'Home Farm House' in Effingham, a Grade II Listed building, I have experience of the heritage issues of Effingham's Conservation Area and know first-hand how much the community values our historic heritage, both buildings and the village character.

1. INTRODUCTION AND SCOPE OF EVIDENCE

1.1 This appeal relates to an appeal against Guildford Borough Council's refusal of planning permission (ref 14/P/02109) for:

Hybrid planning application for outline permission (only access to be considered) for the erection of a replacement secondary school for Howard of Effingham and up to 258 residential dwellings with means of access at Howard of Effingham School and Lodge Farm, Lower Road following demolition of all existing buildings; and full permission for the erection of 37 dwellings, with access, parking and landscaping works on land at Brown's Field, Brown's Lane, Effingham.

Guildford Borough Council is hereafter referred to as 'GBC'.

1.2 Effingham Parish Council (EPC) objected to the planning application 14/P/02109 on the basis of the 2003 Guildford Local Plan and the National Planning Policy Framework (NPPF). Effingham was designated as a Neighbourhood Planning Area in April 2014 and the draft Neighbourhood Plan was subject to a Regulation 14 consultation from 23 May 2016 to 18 July 2016 and submitted to GBC on 3 March 2017. GBC are carrying out a Regulation 16 consultation on the Submission Neighbourhood Plan from 20 March to 30 April 2017. The Submission Effingham Neighbourhood Plan now carries modest weight in planning decisions, and its policies are therefore cited here in support of the case for refusal.

1.3 This proof presents evidence in support of reasons 1 and 9 in GBC's reasons for refusal of the application.

1.4 Reason 1 for refusal stated

1. *The proposed development represents inappropriate development within the Green Belt and is harmful by this definition. In addition the level of development proposed would have a clear and substantially detrimental impact on the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. Very special circumstances to outweigh the harm to the Green Belt (and any other harm) have not been demonstrated.*

This proof presents evidence about the claimed very special circumstances relating to

- Quality of Existing School Buildings
- Improvements possible on the existing Howard School site

1.5 Reason 9 for refusal stated

9. *The proposed development would result in the loss of community playing fields on the Browns Field site, which is heavily used by the local rugby club. The proposed playing field facilities at the school would not provide an adequate replacement of this community facility. Sport England therefore retains an objection. The applicant has failed to demonstrate how the new facilities would be managed to meet Sport England requirements.*

This proof presents evidence about:

- the community use of Browns Field
- the designation of Browns Field as a Local Green Space

1.6 Section 4 'Summary and conclusions' serves as my Summary Proof of Evidence.

2. PLANNING POLICY AND GUIDANCE

The following planning policy and related documents will be referred to in this proof.

a) Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007)

CF4 EXPANSION OF SCHOOLS

R1 LOSS OF LAND AND FACILITIES FOR SPORT AND RECREATION

b) Guildford Borough Proposed Submission Local Plan 2017 (PSLP)

ID4 GREEN AND BLUE INFRASTRUCTURE

The 'Guildford Open Space, Sport & Recreation Assessment 2016 – 2033' in the Local Plan evidence base is particularly relevant to this proof.

c) Effingham Emerging Neighbourhood Plan (SENP)

The relevant policies in the Submission Effingham Neighbourhood Plan (SENP) are:

ENP-ENV1 Local Green Spaces

ENP-C6 Schools

The Neighbourhood Plan received significant support from the Effingham community during the Regulation 14 consultation stage. 574 households responded to the parish-wide consultation survey representing a participation rate of 54% of all Effingham households. All policies within the plan were highly supported. Those most relevant to this appeal and the corresponding level of support are listed below:

- 80% supported the spatial development policy G1
- 93% supported policy G2 to sustain the open character and heritage of the village.
- 73% supported the proposed housing target H1 for Effingham.
- 78% supported the proposed mix of new homes H2 favouring smaller and more affordable units.
- 95% supported the Local Green Spaces designated in ENV1
- 96% supported the proposed wildlife corridors in ENV2 linking SSSIs via stepping stones including Thornet Wood
- Over 60% of respondents supported the sites allocated for housing development, with 66% supporting the site allocation policy SA3 for Effingham Lodge Farm.

d) National Planning Policy Framework (NPPF)

The most relevant paragraphs of the National Planning Policy Framework (NPPF) are set out below.

72. *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.*

73. *Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.*
74. *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

3. AMPLIFICATION OF CASE

Quality of Existing School Buildings

- 3.1 The appellants state the school needs redeveloping as it dates from 1940's for 340 pupils (Quod Statement of Case para 3.2), however from a small school start it was substantially enlarged to provide for 1050 places in 1973 and further enlarged later to provide 1500 places when the middle schools were closed and the pupils were divided between primary and secondary schools.
- 3.2 The Property Data Survey (see Appendix 2 of the EPC Statement of Case), commissioned by the Education Funding Agency to report on the state of the Howard of Effingham School buildings and issued in July 2013, divided the buildings into 'blocks'. 72% of the building blocks post-date 1945, and 32% post-date 1976, including the sports hall and IT facilities.
- 3.3 For each block, the Survey considered a range of 'building elements' including structural elements such as external walls and roofs, internal walls, ceilings, doors and partitions, electrical and heating services and the state of decoration of various elements. The survey showed that:
- 66% of the building elements at the Howard School were in 'good' condition, defined as 'performing as intended and operating efficiently'
 - 23% of the buildings elements were in 'satisfactory' condition, defined as 'performing as intended but exhibiting minor deterioration'
 - 11% of the building elements were in 'poor' condition, defined as 'exhibiting major defects and / or not operating as intended'
 - 0.03% (4) building elements were in 'bad' condition, defined as 'Life-expired and / or at serious risk of imminent failure.'
- 3.4 The 11% of building elements in 'poor' condition included services such as water supply, heating, and power systems, some flat roof elements which needed attention, carpeting and flooring needing replacement, and windows and doors which needed repainting or replacing. Three of the four building elements in bad condition were the windows, doors and flat roof of a single temporary building, and the fourth in bad condition was the slabs/blocks used in external paths and paved areas.
- 3.5 Certainly any school has continuous maintenance and enhancement needs but the Property Data Survey shows that the Howard buildings are not substandard. On the contrary it shows that it is close to the bottom of Surrey's list of schools needing replacement.
- 3.6 The Department of Education's Priority School Building Programme addresses the needs of the schools most in need of urgent repair. Through the programme, it was announced in 2012 that 261 schools will be rebuilt or have their condition needs met by the Education Funding Agency. In February 2015 a further 277 schools were added in Phase 2. The Howard of Effingham School is not included within the Programme and therefore cannot be considered to be in urgent need of replacement.
- 3.7 The Howard school has always been able to meet the student needs otherwise how could it reach *and* maintain its *Outstanding* Ofsted rating, and consequently have the pride in the school that they have today? In fact in the Ofsted's most recent report in 2009 (*Appendix 2*) the only mention of the Howards facilities is on page 4: "*Though the school site is crowded,*

very careful supervision by staff, and excellent student behaviour, ensure that transitions between lessons are well managed and orderly”, nothing else.

- 3.8 We have no dispute regarding the Planning Applications over the years as listed in the Planning Statement produced by Alliance Planning in support of this planning application. These only go to show how the school has been continuously improved and brought to modern day needs and standards. The planning applications include the following approved enhancements which to the best of my knowledge and belief, all have been implemented:
- 11/P/00740 Construction of 2-storey extension to the **science building to provide an enlarged science facility**, offices and ground floor level and 3 offices at 1st floor.
 - 06/P/01229 **Construction of single storey extensions and design technology lab to provide storage, science building to create foyer and display space and sports hall** to provide equipment store.
 - 03/P/00981 Consultation from SCC for extension to existing building **comprising new pitched roof single storey school dining hall and cyber café with flat roofed link**.
 - 03/P/00151 First floor **extension on north east elevation over existing laboratories to provide an additional Maths & IT suite**.
 - 02/P/01786 Erection of a **purpose built day** nursery.
 - 02/P/00394 Alterations to and extension of **school main entrance and reception area**.
 - 95/P/01149 Proposed **new sixth form block, sports hall, two laboratories** and car parking provision.
- 3.9 The large sports hall of 95/P/01149 was partly Good Causes Lottery funded and built to Sport England standards to include a fitness suite as well as two sports halls, all of which had to be made available to the community; this facility was named the ‘Effingham Community Sports Centre’. Currently the Fetcham Netball Club is based here and train indoors on Tuesday evenings from 7.30 to 9 pm. They have four senior teams and a junior section called Fetcham Hawks. The senior teams play on Saturdays in the Kingston and Surrey leagues. The sports hall has also been used by local sports clubs for fitness training.
- 3.10 Over the years the fitness suite has been extensively used by local residents in the evening. This is featured in the current Howard prospectus, which states that “the Effingham Community Sports Centre [was] built for dual use by the school and the local community”. Although not well advertised, the Centre is listed under the sports-facilities.co.uk website (*Appendix 3*), providing a Health and Fitness Suite as well as two sports halls, and it continues to be available to the community. We would expect that any new Howard facilities would be able to offer to the community all the current uses of this facility, including the Fitness Suite as well as sports hall provision. It is of concern that there is no indication of this in the proposal plans.
- 3.11 Outside of the improvements to the Howard that have required planning permission, there has always been a continuous cycle of replacement and improvements including updated insulated windows throughout much of the school, modern kilns in the art facilities, and additional extensive car parking.
- 3.12 Given the substantial improvements to buildings and facilities at the Howard in recent years, there is no evidence that the school needs completely redeveloping. Indeed, it would be environmentally unsound and verging on financially irresponsible to destroy these sustainable assets, only to have to replace them on a new site across the road.

Improvements possible on the existing Howard School site

- 3.13 It is obviously difficult to specify what opportunities there are to develop the Howard on the existing site without trespassing on their premises. However as a former Governor of the Howard for many years, I know the site and buildings well. There are reasonable opportunities to develop or redevelop some existing facilities on the present Howard site. Yes, they use a few temporary classrooms, and other smaller buildings, but with a little imagination these could be the sites for permanent larger buildings. For instance, there are a number of low use single storey buildings in the south west corner of the Howard site as illustrated in Appendix 4.
- 3.14 Development on the existing site would be supported by policy ENP-C6 of the Submission Effingham Neighbourhood Plan, which received a majority of supporting comments in the Regulation 14 consultation survey. Of the 153 written comments that mentioned this policy, 78% gave it unqualified support. It seems clear that improvements and refurbishment of the Howard School on its existing site would be supported by the majority of Effingham residents. Chessington Community College provides a nearby example of complete redevelopment of a school on its existing site (*Appendix 5*).
- 3.15 The majority of representations to the original planning application in support of a new school on Effingham Lodge Farm came from the part of the school catchment area which does not neighbour the school, including Bookham and the Horsleys. However it is notable that many objections were also received from the Bookham and Horsley areas, including neighbouring Parish Councils, mostly concerned about increased traffic and the impact on the Green Belt.
- 3.16 It is clear that it is not necessary to cause irreparable harm to the village and harm the Green Belt in order to achieve enhancements and expansion of the Howard School, since improvements on the existing site would receive the support of the local community. The existing school facilities continue to uphold the achievements that Ofsted say are consistently above the national standard and support the outstanding nature of the school. There is no need for the alternative proposed by the appellants, which would do irreparable harm to our village and our community. It is quite clear from what was achieved by Chessington Community College as evidenced at Appendix 5, where the whole school was redeveloped on site, that such improvements are possible on site without destruction of valuable existing facilities.

Community Use of Browns Field

- 3.17 Effingham & Leatherhead Rugby Football Club (ELRFC) use both Browns Field and the neighbouring King George V Fields (KGV) for mini and junior rugby training and matches throughout the playing season. ELRFC have their club room, medical facilities and changing facilities at the King George V Hall. ELRFC have stated (*see Appendix 1*) that it would not be possible for the mini teams training on Browns Field to relocate to the Howard School's new playing fields on the proposal site at Effingham Lodge Farm due to safeguarding concerns, the need to accord with RFU rules and practical issues with children's teams playing across a split site.
- 3.18 Browns Field is used by the ELRFC Mini's age groups U6 to U9 on Sunday mornings throughout the season, from September through to early April. U10 and U11 Minis and Junior age groups (12 to 18) use the pitches on KGV. Each of these age groups have over 30 boys and girls, so in total there are over 120 children training and playing each week on Browns Field, together with their coaches and referees, and supported by their parents and siblings. Similarly, there are over 60 children in the U10 – U11's age groups training and playing on the KGV. From age 11, an additional 150/170 juniors can be training or playing into the afternoon.
- 3.19 Once a year ELRFC host a Festival, where they invite 15-20 other clubs to play, this can involve 6-800 children playing in all Mini's age groups, these teams come along with their coaches, first aiders and parents, probably over 1,500 people in total attending the day. The Festival lasts for most of the day.
- 3.20 All the parents and children use the KGV Hall for their clubhouse facilities (food, drinks, kit, coffees and teas), toilets, parking and changing rooms. We encourage them all to interact with other age groups within the Juniors, Mini's and Seniors as we look to embrace a "One Club" philosophy. Most children have siblings in the club and to split them further away from the KGV than Browns Field would mean an additional parent being involved, especially if the child is a girl.
- 3.21 Ideally ELRFC would look to have all age groups training and playing on one area of ground; the simultaneous use of Browns Field and KGV provides the next best thing. Any potential change, especially if it involved moving the minis groups much further away to make use of pitches on the proposed new Howard School site, would result in damaging the current club culture, creating severe difficulties for the players and parents in terms of the lack of supporting facilities at the new site and serious safe-guarding problems. Given the number of children involved, this would have a drastic effect on the club and on rugby in the area.

Designation of Browns Field as a Local Green Space

- 3.22 Browns Field is designated a Local Green Space to be protected from development in the Submission Effingham Neighbourhood Plan, policy ENP-ENV1, due to its recreational value and historic significance. Browns Field is also proposed to be designated as 'Open Space' under Proposed Submission Local Plan policy ID4, based on the Guildford Open Space, Sport & Recreation Assessment in the evidence base.
- 3.23 The supporting text of policy ENP-ENV1 explains the heritage significance of Browns Field to the local community. It lies within Effingham Conservation Area and a portion of the site is within an area of high archaeological potential. Being open and undeveloped, Browns Field appears as an agricultural paddock contributing to the rural character and appearance of Effingham Conservation Area and acting as a buffer between the original village settlement area and the modern housing to the south of the A246. It has historic significance, being a remnant of the open fields associated with Manor Farm (now Browns). English Heritage commented in response to the planning application for the appeal proposal that 'building on this field would cause some harm to the site's historical value as it would no longer be possible to appreciate that this was once open farmland in the heart of a small rural village.'

4. SUMMARY AND CONCLUSIONS

- 4.1 As a result of the analysis of the state of the school buildings set out above, it is clear that the existing school buildings are not of generally poor quality, indeed they are in generally good condition, with many improvements and new buildings provided in recent years.
- 4.2 Consideration of the buildings on the current school site has shown there is scope for significant enhancement, improvement and extension of the existing buildings, which would be consistent with local and national planning policy and supported by the Submission Effingham Neighbourhood Plan.
- 4.3 There is therefore no urgent need for a replacement school as would be required to justify a case for very special circumstances outweighing the harm to the Green Belt.
- 4.4 The development proposed for Browns Field would destroy a community playing field used by the local rugby club, and the alternative use of pitches at the proposed new school would not provide an adequate safe replacement.
- 4.5 Development of Browns Field would be contrary to the Submission Effingham Neighbourhood Plan which designates it as a Local Green Space based on its recreation value and historic significance.
- 4.6 In conclusion, for the reasons set out in this proof, in my opinion the appellants have not demonstrated that there is an urgent need for a replacement school as would be required to justify a case for very special circumstances outweighing the harm to the Green Belt. The development proposed for Browns Field would destroy a community playing field and be contrary to its designation as a Local Green Space.
- 4.7 To redevelop the Howard School on Effingham Lodge Farm replicating what it currently has with similar facilities opposite, would:
 - Be a bad and irresponsible business decision;
 - Damage or destroy the local rugby club;
 - Do irreparable harm to the neighbouring wildlife corridor;
 - Severely damage the village's heritage, and
 - Exacerbate the already congested roads within the village.