



Mr H. Perrin
Berkley Homes (Southern) Ltd
Berkley House
Bay Tree Avenue
Leatherhead
KT22 7UE

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Refusal of planning permission: 21/P/00428

Date of Decision: 23/03/2022

Proposal: Reserved matters application pursuant to outline permission 14/P/02109 approved on 21/03/2018, to consider appearance, landscaping, layout and scale in respect of the erection of 99 dwellings

Location: Howard Of Effingham School, Lower Road, Effingham, Leatherhead, KT24 5JR

For: Mr H. Perrin
Berkley Homes (Southern) Ltd

The above application is hereby refused for the following reason(s):

1. By virtue of the location and arrangement of built form along the eastern boundary of the site, the scale of the built form in this area of the site, and the lack of planting to screen the built form along the southern section of this boundary, the proposal would harm the tranquillity, setting and significance of the Little Bookham Conservation Area, and the listed building (and its curtilage) known as All Saints Church. Their setting is an important contributor to the heritage significance of these designated heritage assets and the tranquillity of the Church yard and the rural character of its setting adds specifically to the significance of All Saints Church. The proposal would result in less than substantial harm (toward the higher end of this scale) to their significance. This harm is considered to be greater than the harm identified by the Inspector in the appeal decision giving outline consent. The proposal is therefore contrary to policy D3 of the Local Plan: Strategy and Sites, saved policies HE4 and HE10 of the Local Plan 2003, and policy ENP-G3 of the Effingham Neighbourhood Plan, as well as Chapter 16 of the National Planning Policy Framework 2021

Informatives:

1. This decision relates expressly to the following drawings:

Drawing Title	Drawing number
Site Layout	S857/HE/01 Rev O
Plots 1-5 Elevations 1	S857/HoE/P1-5/04 REV A
Plot 1-5 Elevations 2	S857/HoE/P1-5/05 REV A
Plot 1-5 Elevations 3	S857/HoE/P1-5/06
Plot 1-5 FF Plans	S857/HoE/P1-5/02 REV A
Plot 1-5 GF Plans	S857/HoE/P1-5/01 REV A
Plot 1-5 SF Plans	S857/HoE/P1-5/03 REV A
Plots 6-8 Elevations	S857/HoE/P6-8/02 REV B
Plot 6-8 Plans	S857/HoE/P6-8/01 REV B
Plot 9-10 Elevations	S857/HoE/P9-10/02 REV B
Plot 9-10 Plans	S857/HoE/P9-10/01 REV A
Plot 11-12 Elevations	S857/HoE/P11-12/02 REV B
Plot 11-12 Plans	S857/HoE/P11-12/01 REV B
Plot 13-14 Elevations	S857/HoE/P13-14/02 REV B
Plot 13-14 Plans	S857/HoE/P13-14/01 REV B
Plot 15 Elevations	S857/HoE/P15/02 REV B
Plot 15 Plans	S857/HoE/P15/01 REV A
Plot 16 Plans	S857/HoE/P16/01 REV A
Plot 16 Elevations	S857/HoE/P16/02 REV A
Plot 17-18 Elevations	S857/HoE/P17-18/02 REV B
Plot 17-18 Plans	S857/HoE/P17-18/01 REV B
Plot 19-20 Elevations	S857/HoE/P19-20/02 REV A
Plot 19-20 Plans	S857/HoE/P19-20/01 REV A
Plot 21-22 Elevations	S857/HoE/P21-22/02 REV A
Plot 21-22 Plans	S857/HoE/P21-22/01 REV A
Plot 23-24 GF&FF Plans	S857/HoE/P23-24/01 REV A
Plot 23-24 SF Plans	S857/HoE/P23-24/02 REV A
Plot 23-24 Elevations	S857/HoE/P23-24/03
Plot 25 Plans	S857/HoE/P25/01 Rev A
Plot 25 Elevations	S857/HoE/P25/02 REV B
Plot 26-27 Elevations 1	S857/HoE/P26-27/03 REV C
Plot 26-27 Elevations 2	S857/HoE/P26-27/04 REV C
Plot 26-27 GF&FF Plans	S857/HoE/P26-27/01 REV C
Plot 26-27 SF Plans	S857/HoE/P26-27/02 REV C
Plot 28 Elevations	S857/HoE/P28/02 REV B
Plot 28 Plans	S857/HoE/P28/01 REV A
Plot 29 Plans	S857/HoE/P29/01
Plot 29 Elevations	S857/HoE/P29/02 REV B
Plot 30 Elevations 1	S857/HoE/P30/03 REV B
Plot 30 Elevations 2	S857/HoE/P30/04 REV A
Plot 30 FF Plans	S857/HoE/P30/02 REV A
Plot 30 GF Plans	S857/HoE/P30/01 REV A

Plot 31 Elevations	S857/HoE/P31/02 REV B
Plot 31 Plans	S857/HoE/P31/01 REV A
Plot 32 Elevations	S857/HoE/P32/02 REV A
Plot 32 Plans	S857/HoE/P32/01 REV A
Plot 33 Elevations	S857/HoE/P33/02 REV A
Plot 33 Plans	S857/HoE/P33/01
Plot 34 Elevations	S857/HoE/P34/02 REV A
Plot 34 Plans	S857/HoE/P34/01
Plot 35 Elevations	S857/HoE/P35/02 REV A
Plot 35 Plans	S857/HoE/P35/01
Plot 36 Elevations	S857/HoE/P36/02 REV A
Plot 36 Plans	S857/HoE/P36/01
Plot 37 Elevations	S857/HoE/P37/02 REV B
Plot 37 Plans	S857/HoE/P37/01 REV A
Plot 38-41 FF Plans	S857/HoE/P38-41/02 REV C
Plot 38-41 GF Plans	S857/HoE/P38-41/01 REV C
Plot 38-41 Elevations 1	S857/HoE/P38-41/03 REV D
Plot 38-41 Elevations 2	S857/HoE/P38-41/04 REV D
Plot 42-43 GF Plans	S857/HoE/P42-43/02 REV A
Plot 42-43 FF Plans	S857/HoE/P38-41/04 REV D
plot 42-43 Elevations	S857/HoE/P42-43/03 REV B
Plot 44-45 Elevations 1	S857/HoE/P44-45/04 REV A
Plot 44-45 Elevations 2	S857/HoE/P44-45/05 REV A
Plot 44-45 FF Plans	S857/HoE/P44-45/02 REV A
Plot 44-45 GF Plans	S857/HoE/P44-45/01 REV A
Plot 44-45 SF Plans	S857/HoE/P44-45/03 REV A
Plot 46 Plans	S857/HoE/P46/01 REV B
Plot 46 Elevations	S857/HoE/P46/02 REV C
Plot 47-50 Elevations 1	S857/HoE/P47-50/04 REV A
Plot 47-50 Elevations 2	S857/HoE/P47-50/05 REV A
Plot 47-50 Elevations 3	S857/HoE/P47-50/06 REV A
Plot 47-50 FF Plans	S857/HoE/P47-50/02 REV A
Plot 47-50 GF Plans	S857/HoE/P47-50/01 REV A
Plot 47-50 SF Plans	S857/HoE/P47-50/03 REV A
Plot 51 Elevations	S857/HoE/P51/02
Plot 51 Plans	S857/HoE/P51/01
Plot 52-55 Elevations 1	S857/HoE/P52-55/03 REV A
Plot 52-55 Elevations 2	S857/HoE/P52-55/04 REV A
Plot 52-55 FF Plans	S857/HoE/P52-55/02 REV A
Plot 52-55 GF Plans	S857/HoE/P52-55/01 REV A
Plot 56-57 Elevations 1	S857/HoE/P56-57/03
Plot 56-57 Elevations 2	S857/HoE/P56-57/04
Plot 56-57 FF Plans	S857/HoE/P56-57/02
Plot 56-57 GF Plans	S857/HoE/P56-57/01
Plot 58-59 Elevations	S857/HoE/P58-59/02
Plot 58-59 Plans	S857/HoE/P58-59/01

Plot 60-62 Elevations	S857/HoE/P60-62/03
Plot 60-62 FF Plans	S857/HoE/P60-62/02
Plot 60-62 GF Plans	S857/HoE/P60-62/01
Plot 63-66 Elevations 1	S857/HoE/P63-66/03
Plot 63-66 Elevations 2	S857/HoE/P63-66/04
Plot 63-66 FF Plans	S857/HoE/P63-66/02
Plot 63-66 GF Plans	S857/HoE/P63-66/01
Plot 67-78 Elevations 1	S857/HoE/P67-78/04 REV C
Plot 67-78 Elevations 2	S857/HoE/P67-78/05 REV C
Plot 67-78 FF Plans	S857/HoE/P67-78/02 REV B
Plot 67-78 GF Plans	S857/HoE/P67-78/01 REV B
Plot 79 Plans	S857/HoE/P79/01 REV C
Plot 79 Elevations	S857/HoE/P79/02 REV C
Plot 80 Plans	S857/HoE/P80/01 REV A
Plot 80 Elevations	S857/HoE/P80/02 REV C
Pot 81-82 Elevations	S857/HoE/P81-82/02 REV C
Plot 81-82 Plans	S857/HoE/P81-82/01 REV C
Plot 83-84 Elevations	S857/HoE/P83-84/02 REV C
Plot 83-84 Plans	S857/HoE/P83-84/01 REV C
Plot 85-86 Plans	S857/HoE/P85-86/01 REV B
Plot 85-86 Elevations	S857/HoE/P85-86/02 REV C
Plot 87 Elevations	S857/HoE/P87/02 REV B
Plot 87 Plans	S857/HoE/P87/01 REV A
Plot 88-89 Plans	S857/HoE/P88-89/01 REV B
Plot 88-89 Elevations	S857/HoE/P88-89/02 REV C
Plot 90-91 Elevations	S857/HoE/P90-91/02 REV B
Plot 90-91 Plans	S857/HoE/P90-91/01 REV B
Plot 92-93 FF Plans	S857/HoE/P92-93/02 REV B
Pot 92-93 GF Plans	S857/HoE/P92-93/01 Rev B
Plot 92-93 Elevations 1	S857/HoE/P92-93/03 REV C
Plot 92-93 Elevations 2	S857/HoE/P92-93/04 REV C
Plot 94-95 Elevations 1	S857/HoE/P94-95/03 REV C
Plot 94-95 FF Plans	S857/HoE/P94-95/02 REV B
Plot 94-95 GF Plans	S857/HoE/P94-95/01 REV B
Plot 96-99 Elevations 1	S857/HoE/P96-99/04 REV D
Plot 96-99 Elevations 2	S857/HoE/P96-99/05 REV D
Plot 96-99 FF Plans	S857/HoE/P96-99/02 REV C
Plot 96-99 GF Plans	S857/HoE/P96-99/01 REV C
Plot 96-99 SF Plans	S857/HoE/P96-99/03 REV C
Bin and cycle store plots 67-78	S857/HoE/P67-78/BCS
Car barn plots 1-3	S857/HoE/P1-3/GD
Car barn plots 4-7	S857/HoE/P4-7/GD REV A
Car barn plots 48&54	S857/HoE/P48-54/GD
Garage plots 32-37	S857/HoE/P32+37/GD REV B
Garage plots 8-11	S857/HoE/P8+11/GD REV B

Garage plots 15-79-81	S857/HoE/P15-79&81/GD REV B
Garage plots 16-99 20-21	S857/HoE/P16-99 +20-21/GD REV A
Garage plots 79-81	S857/HoE/P79&81/GD REV A
Garage plots 82-87	S857/HoE/P82-87/GD REV A

2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

In this case pre-application advice was not sought before submission. Officers secured amendments to the scheme during the formal assessment. However, the Local Planning Authority found that the amended scheme was still not acceptable and permission was therefore refused.

Please read the Important Notes attached.



Daniel Ledger
Interim Head of Place

Important Notes

The applicant is recommended to retain this decision notice in a safe place or with the title deed of the property.

Appeals to the Secretary of State

General

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).

You, or an agent acting on your behalf, can appeal if you were the person who made the application. Appeals are dealt with by the Planning Inspectorate, an executive agency of the Department for Communities and Local Government. Its primary function is to determine appeals on behalf of the Secretary of State.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Planning Permission

If you want to appeal against the refusal of this application or against condition(s) attached to this approval, then you must do so within 6 months of the date of this decision notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

If either the Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).