

WEST HORSLEY PARISH COUNCIL PLANNING COMMITTEE

Minutes of the meeting held on Monday 17 August at 7.30pm in the Rubin Room, West Horsley Village Hall

Present Cllr Murray, Cllr King, Cllr Rogers, Cllr Walker, Deputy Clerk K Young,

26.PE.110 **Apologies for Absence:** Cllr Mattock

26.PE.111 **Declarations of Interest:** None

26.PE.112 **Minutes of the last Planning Committee Meeting** held 30 July 2026 were approved and signed.
Public Forum: None

26.PE.113 **Significant Correspondence** (not covered by other Agenda items):
Fireworks Consultation: The government is running a consultation (closing date 7 October 2026) seeking views on: restricting the availability of noisier fireworks to the general public, with louder products only available to professional users, adding products deemed to be carrying unacceptable risks to the list of existing banned pyrotechnic products and reviewing the regulations for fireworks and pyrotechnic products currently classified as lower risk to better reflect the different levels of risk they pose. [Fireworks and pyrotechnics in the UK - GOV.UK](https://www.gov.uk/government/consultations/fireworks-and-pyrotechnics-in-the-uk)
National Association of Local Councils are running a survey of the 2,850 parish and town councils which have recently developed neighbourhood plans. This will help inform NALC's evidence when lobbying the Ministry of Housing, Communities and Local Government ahead of its upcoming update to neighbourhood planning guidance. This will be an Agenda item at the next meeting.

26.PE.114 **Consideration of applications received since the planning committee meeting** held on 30 July:

- a) **Planning Application: 26/P/00991 Layston, Edwin Road**
WHPC Response: No objection
- b) **Certificate of Lawfulness: 26/P/01028: Waterloo Farm, Ockham Road North**
WHPC Response: No objection
- c) **Listed Building consent: 26/P/00723: 3 West Horsley Place Cottages, Epsom Road**
WHPC Response: No objection
- d) **Planning Application: 26/P/010138: Shepherds Cottage, Ockham Road North**
WHPC Response: No objection but comment relating to drainage
- e) **Planning Application: 26/P/01064: Land at Green Lane, Green Lane, Ockham**
WHPC Response: Objection
- f) **Application for permission in principle: 26/P/01055: Land to the south of Paddocks Ryse, Shere Road**
WHPC Response: No objection but comments submitted.
(Please note this item was incorrectly listed as 26.PE.114 e on the agenda)

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- 26.PE.115 **To agree any requirement for external advice in relation to applications considered:** None
- 26.PE.116 **Parish Council's response to the Greenbelt Assessment**
Members of the Planning Committee approved the letter and agreed that it should be sent to:
C Upton-Brown Assistant Director of Planning at Guildford and Waverley Borough Council,
MP Zoe Franklin. Bor Cllrs C Young, D Bennett, R Brothwell, P Oven, M Rehorst-Smith and F White,
and Cllr D Evans (West Surrey Shadow).
- 26.PE.117* **Members agreed to a public meeting for SCC to provide information to residents on road projects across West Horsley, East Horsley and Ockham.** This will be on Thursday 24 September at 2.30pm.
Venue to be confirmed.
- 26.PE.118 **Proposed new 4G communications mast at Green Dene for emergency services**
A prior approval application has now been submitted to GBC Planning (26/W/00055). It was agreed
that no response is required at this time.
- 26.PE.119 **Date of the Next Meeting Agreed:** Thursday 3 September at 7.30pm in the Rubin Room, West
Horsley Village Hall.
Meeting Closed: 8.10pm

Appendices and objection responses are available on the WHPC website: www.westhorsley-pc.gov.uk
Electronic or hard copies can be requested from the Deputy Clerk at: deputyclerk@westhorsley-pc.gov.uk

*26.PE.117 – please note the roads meeting (focusing on the Wisley Cycle Routes) has now been postponed. Further details to follow.

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Objections and/or Comments submitted by the Parish Council in response to the following applications. Please note that there may be a delay in these responses being uploaded to the GBC Planning Portal.

26.PE.114 d) Planning Application: 26/P/010138: Shepherds Cottage, Ockham Road North

West Horsley Parish Council has considered this application and raises no objection at this stage.

However, with reference to the public comment submitted on 11 August, the Parish Council requests that the drainage is investigated and that any necessary repairs or alterations are carried out to prevent the risk of flooding.

26.PE.114 e) Planning Application: 26/P/01064: Land at Green Lane, Green Lane, Ockham

West Horsley Parish Council OBJECTS to application 26/P/01041 and requests that it be REFUSED.

The Parish Council further **requests that the application be referred to the Planning Committee** rather than determined under delegated powers. The application asks the Council to convert a temporary, personal, five-year consent, granted only because personal circumstances amounted to very special circumstances, into a permanent, transferable permission for any qualifying household. That is a materially different and substantially more harmful proposal than the one the Council approved in June 2025, it is advertised in terms that understate what is actually sought and it falls to be determined under a National Planning Policy Framework published seven days before this representation was written. It should not be resolved by an officer under delegated powers.

The Parish Council objected to the parent application 23/P/01064 and maintains that position. Its objection is not to the applicant family, nor to the provision of traveller accommodation in the borough. It is to the permanent removal of the safeguards that were the express basis on which permission was granted.

1. The application is determined under the National Planning Policy Framework published 17 August 2026

A revised National Planning Policy Framework was published on **17 August 2026**, replacing the December 2024 version (Ministry of Housing, Communities and Local Government). Annex A, paragraph 1 provides that "The policies in this Framework are material considerations which must be taken into account in decision-making **from the day of its publication.**" The Government's accompanying statement confirms that the new decision-making policies "will come into effect from today" (Creating a clear, rules-based planning system).

This application was validated on 6 August 2026 with a target decision date of 1 October 2026. It therefore falls to be determined under the **August 2026 Framework**, not the December 2024 Framework on which the applicant's statement of 29 July 2026 is entirely founded.

The consequences are significant, and the Parish Council sets them out fairly, including where they do not assist its case:

- Former paragraphs 142 to 160 are replaced by policies **GB1 to GB8**. There is no longer a "paragraph 155". The applicant's statement is structured around "Para 155 Assessment" and "PASSES CRITERIA 155a)", and around the paragraph 143 purposes. Those paragraph numbers no longer exist. The substance of the grey belt route now sits at **GB7(1)(g)**, and the Green Belt purposes at **GB2(1)**.
- **The former footnote 7 carve-out from the grey belt definition has been deleted.** The glossary at Annex B now defines grey belt simply as "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2." The Parish

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Council accepts, candidly, that the footnote 7 matters recorded in the Council's own assessment of this locality no longer bear on whether the land meets the grey belt definition. Those constraints instead fall to be weighed in the ordinary development management balance.

- **Planning Policy for Traveller Sites is superseded.** Annex A, paragraph 10 lists "Planning policy for traveller sites (12 December 2024)" among documents whose content "has either been fully or partially incorporated within the National Planning Policy Framework **or no longer represents up-to-date government policy.**" National policy for traveller sites is now **policy HO12.**
- Where development in the Green Belt is **not** inappropriate, policy **S5(5)** provides that proposals "should be approved unless the benefits of doing so would be **substantially outweighed** by any adverse effects." The Parish Council recognises this raises the bar it must meet. It also notes S5(2): the circumstances in which benefits are likely to be substantially outweighed "include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances."

The Parish Council's objection therefore rests on the proposition that **GB7(1)(g) is not satisfied on this site**, with the result that the development remains inappropriate development in the Green Belt under **GB6**, to which substantial weight must be given, and for which very special circumstances must be demonstrated afresh for a permanent, non-personal permission.

The Parish Council requests that, if officers consider the application acceptable, the report expressly records its assessment against GB6, GB7 and HO12 of the August 2026 Framework rather than the superseded paragraphs relied on by the applicant.

2. The application description understates what is sought, and the publicity is inadequate

The application is advertised as seeking to "vary condition 1 (occupancy restriction)". Condition 1 of 23/P/01064 is not merely an occupancy restriction. It reads in full:

"The site shall only be occupied by the following persons:

· Mr Thomas Ball and Mrs Jodie Ball and their resident dependents

and shall be for a limited period of time expiring five years from the date of the decision. On or before the expiry date, the use of the site hereby approved shall discontinue. Upon the cessation of the use, all caravans, buildings, hardsurfacing and materials shall be removed from the site and the land restored in accordance with a scheme submitted to and approved in writing by the local planning authority in pursuance of condition 3.

Reason: In granting this permission the local planning authority has had regard to the personal circumstances of the occupants and the lack of availability of pitches within the Borough."

The wording proposed by the applicant (Planning Statement, page 1) is:

"The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites; this being: 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'"

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The proposed condition therefore does four separate things, only the first of which is disclosed in the advertised description:

1. widens occupation from two named individuals and their resident dependents to any qualifying gypsy or traveller household;
2. **deletes the five-year time limit** and makes the permission permanent;
3. **deletes the obligation to discontinue the use and remove all caravans, buildings, hardsurfacing and materials;**
4. **deletes the obligation to restore the land** pursuant to condition 3.

Items 2 to 4 are not "occupancy restrictions" on any ordinary reading, and residents notified of a variation to an "occupancy restriction" would not understand that permanent retention of the development and the loss of all restoration obligations was in issue. The Parish Council also notes that the confirmed public record shows **zero public comments received** on this application, which is consistent with the description having failed to convey what is at stake.

The proposed condition additionally makes **no consequential provision for condition 3**, which requires a restoration scheme to be submitted and "carried out in accordance with the timescale laid out in condition 1". If condition 1 is replaced with wording containing no timescale, condition 3 is rendered incapable of operation. That is a further reason why the application as drafted cannot lawfully be granted in the form proposed.

The Parish Council requests that the application be re-advertised with a description that accurately states that permanent permission and the removal of the cessation and restoration obligations are sought, with a fresh consultation period. If the Council is not minded to re-advertise, the Parish Council asks that this request and the Council's reasons for refusing it be recorded in the officer report.

3. The proposed condition is defective because it relies on superseded policy

The proposed replacement condition defines the class of permitted occupier by reference to "Annex 1 of the Planning Policy for Traveller Sites". As set out above, PPTS is listed at Annex A, paragraph 10 of the August 2026 Framework as a document which no longer represents up-to-date government policy.

A condition which defines the scope of a permanent planning permission by reference to an annex of a document that the Government has withdrawn from currency is not sufficiently precise and would be difficult to enforce. The Parish Council notes that the definition of "Gypsies and travellers" now appears in the glossary at **Annex B** of the Framework and, on the face of it, is in materially the same terms. The correct course, however, is for any condition to be drafted against extant policy, not against a superseded document. A permanent condition drafted on a withdrawn source is an unsound basis for a permanent permission.

4. GB7(1)(g) is not satisfied: the site is not in a sustainable location, assessed against HO12

GB7(1)(g) is a **cumulative** test. All four limbs must be met. Limb (iii) requires that:

"The development would be in a sustainable location, with particular reference to policy TR3 of this Framework"

with **footnote 42** providing that "In the case of development proposals involving the provision of traveller sites, particular reference should instead be made to policy **HO12**."

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The Parish Council notes at the outset that the applicant's own statement addresses only "the criteria at 155 being a), b) & c)". It does not engage with limb (d)/(iv) at all, and it was written before HO12 existed. **No assessment against HO12 has been submitted.**

4.1 HO12(1)(b) is not met

HO12(1) requires that traveller sites "should be located so that they":

"b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis."

The site does not enable that access other than by private car. This is not the Parish Council's assertion; it is the Council's own recorded finding and that of the highway authority on the parent application.

Surrey County Council as County Highway Authority objected to 23/P/01064 in these terms, as recorded verbatim in the delegated officer report of 27 May 2025:

"Object, as the site is in an unsustainable location, within limited active travel opportunities and access to transport services, and where the only realistic means of transport to access the site would be the private car."

The officer report further records:

"The site is located approximately 1.5 miles by road from the shops and facilities located within the identified settlement of East Horsley... **As there is no safe pavement to link the development to these services it is likely that the occupants would be required to access these via the use of private vehicle.**"

and, in its formal conclusion:

"the site is considered to be in an unsustainable location and as such would not fall within the definition of Grey Belt land and is considered to be inappropriate development"

and in the planning balance:

"The site is located in an unsustainable location to which moderate weight is afforded."

Third party representations on the parent application recorded the nearest bus stop as 1.1 km away. The identified settlement boundary of East Horsley is approximately 490 m to the east. Green Lane has no pedestrian footway and the national speed limit applies.

Nothing in the physical circumstances of the site has changed since 27 May 2025. **No transport assessment, speed survey, footway feasibility study, or personal injury collision data has been submitted with this application.** The applicant's case on this point is the following assertion at page 21 of the Planning Statement:

"The road is a country lane style without dedicated footpaths, however it is perfectly safe to walk along the lane as vehicles are travelling at slower speeds and each road user has sufficient warning time to see each other and to make arrangements to move out of each others way."

That is an unevidenced assertion of opinion on a national speed limit rural lane with no footway. It is directly contrary to the professional judgement of the highway authority. It cannot displace a formal statutory consultee objection, and it certainly cannot do so without any supporting survey evidence at all.

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The Parish Council requests that Surrey County Council as County Highway Authority be re-consulted on this application, given that a permanent permission for an unrestricted class of occupier raises materially different highway and active travel considerations from a five-year personal consent.

4.2 HO12(1)(a) does not rescue the proposal

The Parish Council acknowledges that HO12(1)(a) requires proposals to:

"Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and **may also mean that locations not well-related to existing settlements may be appropriate**"

This is a real consideration and the Parish Council does not seek to diminish it. But three points follow.

First, HO12(1)(a) and (b) are cumulative: the policy says sites "should be located so that they: a... **and** b...". A site which satisfies (a) but fails (b) does not satisfy HO12.

Second, the weight properly given to (a) turns on the "extent to which" traditional lifestyles on this particular site actually reduce travel demand. **No evidence has been submitted as to any live-work pattern on this site.** The site is a residential mobile home with a stable used as a utility room and storage. There is no submitted evidence that any occupier works from the site and, critically, under the proposed condition **there could be no such evidence, because the permission would run to any qualifying household in perpetuity, whose travel patterns are by definition unknown.** HO12(1)(a) is a locational policy addressed to actual lifestyle; it is not a general dispensation from HO12(1)(b) for any site occupied by a traveller household.

Third, HO12(1)(a) is concerned with sites "not well-related to existing settlements". The Council's own analysis is that this site *is* physically related to a small enclave of residential development, but that the connection to services is unsafe on foot. That is a footway and safety problem, not a settlement-relationship problem, and (a) does not speak to it.

GB7(1)(g)(iii) is therefore not satisfied, and the development remains inappropriate development in the Green Belt under GB6.

5. GB7(1)(g)(i) is not satisfied on the evidence before the Council

GB7(1)(g)(i) requires that the development:

"would utilise grey belt land **and** would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan"

Both limbs must be satisfied. The evidence relied on by the applicant addresses the first and expressly declines to address the second.

5.1 The applicant misrepresents the Council's own evidence

The applicant relies on an extract from the Guildford Green Belt Assessment 2026 for Assessment Area **EH-030** (East Horsley Village), submitted as document PD6a. That extract is reproduced in full at pages 5 and 6 of the Planning Statement. Its final row reads:

Grey belt conclusion (purposes A, B and D + Footnote 7)	Provisionally Grey Belt
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On the very same page as that table, the applicant states:

"For the purposes of Para 143 of the National Planning Policy Framework for the assessment of Grey Belt, it is clear based upon the Council's own evidence that the site is indeed Grey Belt."

and then, in 20-point type:

"THE SITE IS GREY BELT & PASSES CRITERIA 155a)"

The Council's own evidence says "Provisionally Grey Belt". The applicant's statement says "GREY BELT". Earlier in the same document the applicant states flatly: "The site is assessed as Grey Belt by the Council." That is not what the assessment says, and the assessment the applicant himself submitted contradicts him on the same page. The Parish Council invites officers to place no weight on the applicant's characterisation of the Council's evidence and to read PD6a for themselves.

5.2 The Green Belt Assessment expressly does not address the second limb

The AECOM *Guildford Green Belt Assessment 2026* (Final Report, V2, July 2026), published by the Council, states (Guildford Borough Council; main report at Guildford Society):

"This initial phase of work does not therefore consider the fundamental undermining of the five Green Belt purposes (taken together) of the remaining Green Belt when considered across the area of the plan. Instead, this will be undertaken as part of the next phase once there is greater certainty on the proposed spatial strategy and site allocations."

"It is important to emphasise that identification as grey belt or provisional grey belt **does not necessarily mean that the land is also suitable for development.**"

"definition of land as grey belt does not also mean it is suitable for development... these findings can be used as evidence to inform a review of Green Belt boundaries and to inform development management decision making, **but do not in themselves indicate an AA is suitable for Green Belt release.**"

"It is important to note that whilst conclusions have been drawn here for AAs as a whole, based on the below assumptions, **analysis of specific parts of assessment areas may obviously lead to different conclusions.**"

The assessment covers 575 assessment areas, of which 120 are grey belt, 307 provisionally grey belt and 148 not grey belt. It is a strategic, plan-making evidence base. It is not, and does not purport to be, a site-specific development management assessment of this plot.

The second limb of GB7(1)(g)(i) is therefore **unassessed** on the evidence before the Council. It cannot be treated as satisfied by default. The Parish Council notes that Annex E of the August 2026 Framework requires the "fundamentally undermine" question to be identified **separately** from the grey belt question, precisely the exercise AECOM says it has not yet done.

5.3 The Council should confirm the site actually lies within EH-030

Assessment Area EH-030 is a substantial area encompassing land around Green Lane, Bens Wood Lane and Long Reach. Given AECOM's express caveat that analysis of specific parts of assessment areas may lead to different conclusions, and given that the applicant has selected and submitted the extract on which his entire case on limb (i) depends, **the Parish Council requests that officers independently confirm from the Council's own GIS that the application site falls within EH-030 and not within a neighbouring assessment area**, and that the officer report record that confirmation.

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6. Unmet need is not in dispute, but it does not carry a permanent, transferable permission

The Parish Council does **not** dispute limb (ii) of GB7(1)(g). Footnote 41 of the August 2026 Framework provides that, "in the case of traveller sites", evidenced unmet need "means the relevant local planning authority cannot demonstrate a five year supply of deliverable traveller sites". Annex D, paragraph 10 requires a minimum of five years' worth of pitches and plots assessed against the development plan pitch and plot requirement.

The Council's own published evidence establishes that it cannot. **Land Availability Assessment 2025, Appendix 6: Traveller and Travelling Showpeople Accommodation** records, for the five-year period 1 April 2025 to 31 March 2030:

- Gypsy and Traveller pitches: **2.45 years supply**
- Travelling Showpeople plots: **4.90 years supply**

(Guildford Borough Council, LAA 2025 Appendix 6)

The Parish Council raises this deliberately and constructively: **the shortfall is a failure of plan-making, and it should be remedied through the Local Plan review by allocating deliverable, sustainably located sites, not by converting temporary consents on unsustainable sites into permanent ones through Section 73.** The Parish Council would support the timely allocation of suitable traveller sites in the borough and asks the Council to accelerate that work.

Limb (ii) being satisfied does not carry the application. GB7(1)(g) is cumulative, and limbs (i) and (iii) are not met.

7. There is no presumption that a temporary permission becomes permanent

National Planning Practice Guidance on the use of planning conditions states, at **Paragraph: 014 Reference ID: 21a-014-20140306**:

"It will rarely be justifiable to grant a second temporary permission... Further permissions can normally be granted permanently or refused if there is clear justification for doing so. **There is no presumption that a temporary grant of planning permission will then be granted permanently.**"

(Planning Practice Guidance, Use of planning conditions, last updated 23 July 2019 and current at the date of this representation.)

The temporary permission was granted on 20 June 2025 and does not expire until **20 June 2030**. Nearly four years of the five-year period remain unexpired. The stated purpose of the temporary consent, in the officer report of 27 May 2025, was:

"a temporary and personal permission should be granted in order for sufficient time to pass for the provision of authorised sites"

That period has barely begun. There is no proper basis for concluding, four years early, that the purpose of the temporary consent has been exhausted. The Council should allow the mechanism it deliberately chose to run.

8. Removing the personal restriction removes the very special circumstances that justified the grant

Permission was granted on the express footing of personal circumstances. The reason for condition 1 states that the Council "has had regard to the personal circumstances of the occupants and the lack of availability of pitches within the Borough."

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The officer report's planning balance turned on those personal circumstances. The matters recorded as weighing in favour were:

"should the application be refused the occupants would need to leave the site and as such the family on site may end up homeless and forced to live on a roadside encampment or doubling up on another pitch. **This is not considered to be in the best interests of the children on site.** Therefore, this matter carries significant weight."

"Approval of the application would provide a settled base for the whole family and enable **the children on site** to continue to access education and the whole family to access health services. This carries significant weight in the planning balance."

"The personal circumstances of the occupants, in particular those pertaining to **the children and their continuing need to attend educational settings** would weigh in favour of granting temporary permission."

And the report expressly addressed the significance of the personal restriction, under the heading "**Personal permission**":

"If permission were granted with a personal restriction this would affect the balancing exercise. However, it would not reduce the weight afforded to the harm identified."

The harm was found to be unchanged; only the personal benefits tipped the balance. Those benefits are, by their nature, personal to this family and these children. **A permission open to any qualifying household in perpetuity carries none of them.** The applicant's Planning Statement contains no updated personal circumstances evidence, no evidence as to the children's current schooling, and no explanation of why the family's needs cannot be met by the existing consent which runs to 2030.

Under HO12(2), the Council "should take into account the existing level of local provision and need for additional sites **and other personal circumstances which may be relevant**". Personal circumstances remain material. But they cannot justify a non-personal permission. If the family's circumstances warrant continued occupation, that is an argument for a further personal and time-limited consent, not for the permanent, transferable permission actually sought.

9. The Green Belt harm found in 2025 was accepted to be permanent-in-effect only because it was temporary

The officer report found, and the Parish Council relies on, the following:

"The site is not located on previously developed land. The development of built form, the stationing of a static home and the laying of hardsurfacing has resulted in **moderate harm to the openness of the Green Belt** and the purposes of including land within the Green Belt to which **significant weight must be attributed.**"

That harm was tolerated on an explicitly temporary footing:

"given that any harm to the openness of the Green Belt would be **temporary, with the reinstatement of the land to grassland readily achieved**, then the level of harm in this respect can be reduced slightly"

"the ability to reinstate the land to grassland with relative ease following the cessation of a temporary permission"

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The mitigation that reduced the weight of the openness harm was the certainty of reinstatement. The present application would delete that certainty. **The openness harm therefore becomes permanent and, on the Council's own reasoning, must attract greater weight than in 2025.** Under GB6(2), substantial weight must be given to harm to the Green Belt, including harm to its openness.

The Parish Council also notes that condition 4 limits the site to no more than two caravans of which no more than one may be static. A permanent permission for an unrestricted class of occupier creates a materially greater risk of pressure to intensify, and the Parish Council would object to any subsequent application to relax condition 4.

10. Habitats Regulations: the mitigation offered is inadequate and the draft deed is unenforceable on its own terms

The site lies within the 400 m to 5 km zone of influence of the **Thames Basin Heaths Special Protection Area**. The officer report of 27 May 2025 records the tariffs applicable under the Council's Special Protection Area Tariffs SPD 2024:

- **Permanent permission:** "£7,594.04 for SANG and £890.99 for SAMM"
- **Temporary permission:** "£389.81 for SANG and £94.61 for SAMM", calculated as "1/125 of the relevant tariff for SANG and 1/80 of the SAMM tariff... for each year of the temporary consent" and taking "into account the initial occupation of the site dating back to June 2023"

The Parish Council understands the mitigation secured for the existing permission to be of the order of **£484 in total**, against a permanent-permission requirement of approximately **£8,485**. A permanent permission cannot lawfully be granted without securing the full permanent tariff.

The only mitigation document submitted is **PD10, a draft deed of planning obligation**. On examination it is defective in several respects:

- it is headed "**DRAFT DEED OF PLANNING OBLIGATION**" and is undated and unexecuted;
- the application reference is left blank;
- the **Contribution figure is left blank:** "£_____";
- no plan is attached, although clause 1 defines "Plan" as "the plan attached to this Deed";
- it is drafted as a **bilateral deed requiring Guildford Borough Council to be a party and to execute it**, not as a unilateral undertaking, and there is no indication that the Council has agreed its terms;
- most importantly, the covenants at clauses 3.1 and 3.2 are "**Not to Commence the Development** until the Contribution has been paid" and "**Not to Occupy the Development** unless and until the Contribution has been paid in full". This development was, on the Council's own record, "occupied by the family in June 2023 without the benefit of planning permission". Both triggers have already been passed. **As drafted, the deed would impose no enforceable obligation to pay anything.**

The Council cannot grant permission unless it has first concluded, under the Conservation of Habitats and Species Regulations 2017, that the development will not adversely affect the integrity of the SPA. An appropriate assessment cannot be founded on an undated, unexecuted, blank-sum draft deed whose payment triggers are already spent.

The Parish Council requests that Natural England be consulted, and that no permission issue unless and until a completed and executed agreement securing the full permanent SANG and SAMM tariffs is in place.

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11. Ecology and biodiversity

The officer report on the parent application records that **"No ecological information has been submitted with the application"** and found:

"There will have been some loss of biodiversity on the site due to the laying of hardsurfacing and moderate weight is attributed to this harm."

That harm was addressed by condition 7, requiring a nature conservation enhancement scheme within three months of the decision, and mitigated in the balance only by the applicant "indicating that the applicant plans to significantly plant native hedging on all four boundaries".

The Council's Green Belt Assessment for this locality records "Presence of some irreplaceable habitats (**ancient tree(s)**)" and "Presence of some Local Green Space (over 1% coverage)". There is protected woodland subject to a tree preservation order immediately to the north of the site. No ecological survey has been submitted with the present application either.

A permanent permission has permanently different ecological implications from a five-year consent followed by reinstatement to grassland. **The Parish Council requests that no permanent permission be granted without a current ecological appraisal and an arboricultural assessment addressing the ancient tree(s) and the adjacent protected woodland.**

12. Outstanding conditions on the parent permission

Permission 23/P/01064 imposed a number of conditions requiring submissions within short, fixed periods from the 20 June 2025 decision:

Condition	Requirement	Deadline
3	Restoration scheme	within 3 months (20 September 2025)
6	Sustainability measures	within 3 months (20 September 2025)
7	Nature conservation enhancement scheme	within 3 months (20 September 2025)
8	Cycle parking and e-bike charging	within 6 months (20 December 2025)
9	Electric vehicle charging point	within 6 months (20 December 2025)
10	Surface water drainage scheme	within 6 months (20 December 2025)

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All six deadlines have now passed. The Parish Council has reviewed the Council's public register and observes that **the Related Cases tab for 23/P/01064 records Planning Applications (0) and Planning Appeals (0)**, and that no condition-discharge applications appear against the site on the public register. The Parish Council does not assert non-compliance as a fact and invites the Council to confirm the position from its own records.

This matters directly. Conditions 8 and 9 were the measures the officer report relied on to reduce the sustainability harm:

"A condition to provide an electric charging point for a vehicle and bicycles would improve the sustainability of the site and modestly reduces the harm identified in this regard."

If those conditions have not been discharged, that mitigation has not been delivered, and the sustainability harm stands undiminished. Condition 7 was the mitigation for the biodiversity harm. Condition 3, the restoration scheme, is the very safeguard this application seeks to render inoperable.

The Parish Council requests that the officer report state expressly whether conditions 3, 6, 7, 8, 9 and 10 have been discharged, and asks that a Section 73 permission not be granted while the conditions of the parent permission remain outstanding.

13. Development plan conflict

The application conflicts with the development plan. Under Annex A, paragraph 2 of the August 2026 Framework, development plan policies not materially inconsistent with national decision-making policies "should not be given reduced weight simply because they were adopted prior to the publication of this Framework", and footnote 67 confirms this includes "policies in made neighbourhood plans".

Guildford borough Local Plan: strategy and sites 2015 to 2034: the officer report on the parent application found conflict with **Policy ID3** (infrastructure and transport) arising from the site's unsustainable location. That conflict is unchanged and, on a permanent permission, becomes permanent. The Parish Council also relies on **Policy P2** (Green Belt) and **Policy S2** (spatial development strategy).

Local Plan: Development Management Policies (adopted 22 March 2023): including the Green Belt and design policies.

West Horsley Neighbourhood Plan, made by Guildford Borough Council on **4 December 2018** (GBC Decision Statement) and forming part of the statutory development plan. The Parish Council relies in particular on **WH3** (development in rural areas, having full regard to the West Horsley Character Appraisal Report, locally important roadside and rural views, and specified woodland areas and trees). The site lies within Area 7 of the Character Appraisal Report. The Parish Council objected to the parent application on WH3 and P2 grounds and maintains that objection. The Parish Council recognises that, the Plan having been made more than five years ago, policy S6 of the August 2026 Framework does not apply, but WH3 remains a development plan policy to which full weight attaches under Annex A, paragraph 2.

By section 38(6) of the Planning and Compulsory Purchase Act 2004, the application must be determined in accordance with the development plan unless material considerations indicate otherwise. They do not.

Signed by the Chairman as a true and accurate record: _____
Date: _____

14. Human rights, equalities and precedent

The Parish Council acknowledges that the Council must have regard to Article 8 of the European Convention on Human Rights, to the best interests of any children on the site, and to the Public Sector Equality Duty under section 149 of the Equality Act 2010. It notes that the officer report of 27 May 2025 addressed those matters directly and concluded:

"the interference is necessary to control the use of the site in the general public interest, the objectives of Green Belt policy and in the interests of sustainability. It would not be disproportionate."

Refusing this application does not interfere with the family's occupation of the site. **They hold a valid, subsisting planning permission until 20 June 2030.** Refusal preserves the status quo. It is therefore a proportionate response, and materially less intrusive than the refusal the Council contemplated and rejected in 2025.

The Parish Council also draws attention to the precedent effect. If a temporary personal consent granted on Green Belt land found to be in an unsustainable location can be converted into a permanent, transferable permission four years before it expires, on the basis of a strategic plan-making evidence base that expressly disclaims site-specific application, the same argument becomes available across the borough's 307 provisionally grey belt and 120 grey belt assessment areas. That would undermine the integrity of the Green Belt and of the plan-led system.

Conclusion and requests

West Horsley Parish Council **objects** and requests **refusal**, on the following grounds:

1. The proposal remains **inappropriate development in the Green Belt** under policy GB6 of the National Planning Policy Framework (August 2026), because GB7(1)(g) is not satisfied: the site is not in a sustainable location when assessed against HO12(1)(b), as the County Highway Authority has formally advised and as the Council itself has found.
2. GB7(1)(g)(i) is not satisfied on the evidence, because the Council's own Green Belt Assessment concludes only "Provisionally Grey Belt" for the relevant assessment area, and **expressly declines to assess** whether release would fundamentally undermine the Green Belt purposes taken together.
3. Very special circumstances have **not** been demonstrated for a permanent, non-personal permission. The very special circumstances accepted in 2025 were the personal circumstances of a named family and their children, and the proposed condition removes them.
4. **Permanent harm to the openness of the Green Belt**, which the Council previously accepted only on the express basis that it was temporary and readily reversible.
5. Conflict with **Local Plan policies S2, P2 and ID3**, the Local Plan: Development Management Policies, and **Policy WH3 of the West Horsley Neighbourhood Plan**, with no material considerations indicating otherwise.
6. **Inadequate mitigation** of effects on the Thames Basin Heaths SPA, the only submitted instrument being an undated, unexecuted draft deed with a blank contribution figure and payment triggers that have already been passed.
7. **No ecological or arboricultural assessment**, on a site adjoining protected woodland and recorded as containing ancient tree(s).

Signed by the Chairman as a true and accurate record: _____

Date: _____

8. The proposed condition is **defective**, relying on an annex of Planning Policy for Traveller Sites, a document which Annex A paragraph 10 of the August 2026 Framework confirms no longer represents up-to-date government policy, and leaving condition 3 inoperable.
9. **No presumption** exists that a temporary permission becomes permanent (Planning Practice Guidance, Paragraph 014, Reference ID 21a-014-20140306), and nearly four years of the existing consent remain unexpired.

The Parish Council specifically requests that Guildford Borough Council:

1. **Refer this application to the Planning Committee** rather than determine it under delegated powers.
2. **Re-advertise the application** with a description accurately stating that permanent permission and the deletion of the cessation and restoration obligations are sought, with a fresh consultation period.
3. **Re-consult Surrey County Council as County Highway Authority**, and **consult Natural England**.
4. **Confirm from the Council's own records** whether conditions 3, 6, 7, 8, 9 and 10 of 23/P/01064 have been discharged, and state that position in the officer report.
5. **Independently verify** that the application site lies within Assessment Area EH-030.
6. Assess the application expressly against **GB6, GB7, GB8, HO12 and S5 of the August 2026 Framework**, and not against the superseded paragraphs on which the applicant's statement relies.

In the alternative, if the Council is minded to grant permission notwithstanding this objection, the Parish Council asks that any permission:

- **retains a personal restriction** to the named occupiers and their resident dependents;
- **remains time-limited**, with a full cessation and restoration requirement;
- **retains condition 3** with an operative timescale, and conditions 4 to 10 unaltered;
- is granted only after a **completed and executed agreement** securing the full permanent SANG and SAMM contributions under the Special Protection Area Tariffs SPD 2024;
- is granted only after **ecological and arboricultural assessment**; and
- is accompanied by conditions requiring the **outstanding submissions under conditions 3, 6, 7, 8, 9 and 10 to be made within a defined short period**.

The Parish Council would welcome the opportunity to address the Planning Committee on this application and asks to be notified of the decision.

Signed by the Chairman as a true and accurate record: _____

Date: _____

26.PE.114 f) Application for permission in principle: 26/P/01055: Land to the south of Paddocks Ryse, Shere Road

West Horsley Parish Council has considered the application for Permission in Principle for the erection of two dwellings.

The Parish Council raises no objection in principle to a maximum of two dwellings, subject to the following important observations being recorded and carried forward to any subsequent Technical Details Consent application:

The Parish Council notes that the indicative proposal comprises two dwellings in two frontage buildings. Its response is expressly based upon the development remaining as frontage development, with both dwellings having a direct relationship with Shere Road and being served from Shere Road through the existing access arrangement. The frontage and access relationship is a key consideration in the Parish Council's assessment of the location and amount of development.

Any subsequent detailed proposal should respect the established building line, plot rhythm, spacing and generally spacious character of development along Shere Road. The siting should respond appropriately to Paddocks Ryse and Pine Tree Cottage and should not project unacceptably forward of, or extend built development materially behind, the established pattern of neighbouring properties. This should be considered against Policy D8 of the Guildford Local Plan Part 2 and the design provisions of the West Horsley Neighbourhood Plan, including Policy WH3.

The Parish Council would not support tandem development, backland development or any further residential intensification to the rear of the two frontage plots. The access, plot boundaries and internal layout should not be designed in a manner that could facilitate future development of the rear paddock. The rear of the site should remain open, reflecting its Green Belt and Area of Great Landscape Value setting and its sensitive relationship with the adjoining edge of the Surrey Hills National Landscape.

The case officer's attention is also drawn specifically to the dark-sky provisions and objectives of the West Horsley Neighbourhood Plan. Any Technical Details Consent application should include full details of all proposed external lighting. Lighting should be limited to that which is demonstrably necessary, directed downwards, appropriately controlled and designed to prevent upward light or light spill into the rear paddock, adjoining countryside, hedgerows, trees and neighbouring properties.

Appropriate protection and enhancement of the existing boundary hedgerows, trees, rural landscaping and biodiversity should also be secured at the detailed stage.

Accordingly, the Parish Council's position is one of no objection in principle to two frontage dwellings only. The Parish Council reserves its position on the Technical Details Consent application and would object to any later proposal that fails to respect the Shere Road building line and frontage character, introduces development or an enabling access into the rear of the site, or fails to protect the area's dark-sky and sensitive landscape setting.

Signed by the Chairman as a true and accurate record: _____

Date: _____