

17 November 2016		
Planning Applications Committee <u>Update</u>		
Item No.	App no. and site address	Report Recommendation
4 Page 15	16/0447– 15-17 Obelisk Way, Camberley	Grant, subject to completion of a legal agreement
<p><b><u>UPDATE</u></b></p> <p>The legal agreement to secure SAMM has been completed.</p> <p>The agent wishes to draw the Committee’s attention to the fact the original building was rebuilt following a fire in the 1950’s. Officers note this submission; however it is not clear the extent of the damage or the rebuild works. It is however clear from photographs of the existing building that other than the interest and quality of the façade of the building, the existing building has little architectural merit. There is also no objection being raised to the demolition of the existing building.</p> <p>Deletion of the following text from the final sentence of paragraph 7.8.1:</p> <p>As detailed above this contribution includes the SANG payment but is in addition to the SAMM payment.</p>		
5 Page 33	16/0669 – Longacres Nursery, London Road, Bagshot	Grant
<p><b><u>UPDATE</u></b></p> <p>Correction to report – At Paragraph 9.7.1, it is confirmed that the proposal would not increase internal retail accommodation.</p> <p>With further advice from the Council’s Drainage Engineer, Condition 4 is to be replaced to be more proscriptive and more certainty of the requirements prior to implementation.</p> <p><b><u>REPLACEMENT CONDITION 4:</u></b></p> <p>The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Those details shall include:</p> <ul style="list-style-type: none"> <li>a) A design that satisfies the Sustainable Drainage Systems (SuDS) Hierarchy and is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS;</li> <li>b) Evidence that the proposed solution will effectively manage the 1 in 30 &amp; 1 in 100 (+30% Climate Change allowance for climate change storm events), during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided. This shall include evidence if applicable showing that no further storage is viable for this site to provide for restriction to closer to Greenfield runoff rates;</li> <li>c) A finalised drainage layout plan that details impervious areas and the location of</li> </ul>		

- each SuDS element, pipe diameters and their respective levels;
- d) Long and cross sections of each SuDS element; and
- e) Details of how the site drainage will be protected and maintained during the construction of the development.

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site and to comply with Policies CP2 and Dm10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6 Page 49	16/0678 – Bovingdon Cottage and Cattery, Bracknell Road	Grant
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## **UPDATE**

**Change to recommendation – it is now REFUSE for the following reason:**

*The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority the presence or otherwise of protected species (in particular bats and reptiles), and the extent that they may be affected by the proposed development, contrary to paragraph 99 of ODPM Circular 06/2005, Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.*

### Paragraphs 7.10.3 and 7.11.4

The SAMM payment has been received. The applicant has confirmed that the development will be CIL liable as the cattery part of the site has not been in use for the required amount of time for it to be exempt from CIL. As such no SANG contribution is payable at this stage and CIL would be payable on commencement if the application is granted.

### Paragraph 7.12.1

Further to paragraph 7.12.1 of the report, the applicant submitted an ecology survey which was considered by Surrey Wildlife Trust. The ecology survey identified that the site was suitable habitat for bats and reptiles. The Wildlife Trust have advised that further surveys to establish the presence or otherwise of bats and reptiles will be required before the application is determined, as the planning authority has insufficient information at this stage to be able to fully assess the impact on protected species. These surveys are not likely to be able to be carried out until spring when the animals are more active. As such the application is recommended for refusal for the above reason.

### Paragraph 7.12.2 & paragraph 5.3

The Environmental Health Officer has responded in respect of the potentially contaminated land, with no objection to the proposal subject to a number of conditions requiring further ground work to assess if there is any contamination present and remediation schemes if necessary. If the application is granted then it is recommended that these conditions are included.

There has been no response from the Environment Agency on this, however it is noted in this regard that given the size of the site they are unlikely to comment as have not done so on similar, larger applications where there is potential contaminated land, and other applications have been approved with conditions to address this from the Environmental Health Officer.

### Plans – Condition 2

If the Committee resolves to grant permission, three of the plans in the list under Condition 2 should be amended as further plans were needed to resolve very minor corrections to the

size of the garage of plot 1 as it was shown incorrectly. The size of the garage in the

Officer's report is correct. The plans to be changed are as follows:

- Amended Ground Floor Plan Type 1 Proposed BC-03-020 P5 received 27.10.16
- Amended Proposed Elevations Type 1 BC-05-010 P5 received 27.10.16
- Amended Ground Floor Site Plan BC-030-010 P5 received 27.10.16

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16/0836 – Cadet Training Centre, Frimley  
Park, Frimley

Grant

**UPDATE**

The Garden History Society has now considered the proposal and in their consultation response raise no objection

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16/0837 - Cadet Training Centre, Frimley  
Park, Frimley

Grant

**UPDATE**

The Garden History Society has now considered the proposal and in their consultation response raise no objection

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16/0693 - Cadet Training Centre, Frimley  
Park, Frimley

Grant

**UPDATE**

The Garden History Society has now considered the proposal and in their consultation response raise no objection

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14/1000 – Hawk Farm, Church Lane, Bisley

Grant

**UPDATE**

Paragraph 6.1

Following consultation on the latest marketing undertaken a further 4 letters of objection have been received. The main points raised are summarised below:

- Insufficient period for marketing with it only being marketed for 3 months at its lowered price. Hamptons assertion that 6-12 months is a long time is incorrect as the size, price or unusual nature of the property may mean it takes longer.
- Other factors apart from this restriction also affect its saleability, for example Brexit.
- Marketing is not extensive enough. Should have relied on one than more estate agent to market the property. No estate agent board outside the site and property currently not on UK Land & Farms website.
- The property seems overpriced in relation to other dwellings in the vicinity, particularly when it was first marketed in 2014 (other examples in the area have been provided – 4 bed houses sell for £700 -800k)
- The pricing reduction is insufficient as the industry norm for reduction in pricing on houses with agricultural restrictions with less than 20-30 acres is 35%

- No mention of NHBC guarantee on house being sold which is unusual and thus reduces its saleability
- Other independent valuations ought to have been carried out by the Council and its Agricultural Advisor
- An inability to sell because the applicant built and further extended the property over and above the size and price that an agricultural worker could reasonably afford should not be a reason to remove the condition

*[Officer comment: Even if the dwelling had been completed in the 1970s it may have been subsequently extended by the occupier (s) and so the same scenario may still exist i.e. seeking to sell a larger property than originally approved]*

- Downgrading the restriction to equestrian or somewhat similar may be a workable compromise

*[Officer comment: The applicant has not sought to amend the condition but to remove it. Equestrian use for the grazing of horses, working horses on the land or horses for slaughter is agriculture. A downgraded condition would not be justifiable unless an exceptional need could be proven, see paragraph 7.3.1. This is unlikely to be the case]*

- Uncertainty over the applicant's land parcels and whether the applicant is also seeking the removal of the agricultural classification for the adjoining land. If the condition is removed then the adjoining land could be sold off separately leaving it for further future development and harming wildlife.

*[Officer comment: The original parcel of land that this restriction related to covered a significant larger area of land, see paragraph 2.1 of report. However, this restriction also applies to, for example, retired farmers Nb. the condition refers to people employed in agriculture in the vicinity. The applicant has also now marketed the adjoining land with the dwelling, see second bullet point paragraph 7.3.6 on page 113. Any future use of the adjoining land would require planning permission and inappropriate development would be resisted given its Green Belt location]*

#### Further comments from the applicant/Hamptons (paragraph 7.3.6)

In response to the concerns raised the applicant explains the following:

- The property has now been marketed for over 7 months
- It is unsaleable primarily because the location of the property is not known for agricultural properties and therefore the number of buyers looking in this area who can meet the tie is limited
- It is the restriction and not the cost that is making the property unsaleable
- Most of the dwellings sold by Hamptons offers are received within the first 2 months of marketing
- A 'for sale sign' is not a pre-requisite of selling a property. The majority of dwellings sold do not have one. 90% of prospective purchasers search on-line
- Fails to accept that 59 potential purchasers is not extensive marketing
- The property is receiving 14 viewings per day on Right-move and a further 22 on Zoopla.
- Our marketing is extensive proven by in the area Hamptons Sunningdale covers between £1 - £5m we have sold the most houses in 2016 (source Rightmove).
- The reference made to the property being worth less than £1m does not take into account that this is a new build and such properties are receiving between 5-10% over second hand properties. This combined with its specification, generous proportions and its locational advantages i.e. being close to the village yet benefiting

from an attractive rural location with its garden backing onto fields

Paragraph 7.6.1

The applicant has now reinstated the historical curtilage by erection of a low picket fence.

Recommendation

Amended condition 1:

The residential curtilage is as shown outlined in red on drawing no. 574-P-16-4B and there shall be no enlargement to this curtilage. The existing picket fence, or an equivalent replacement, delineating the northern rear boundary of this residential curtilage shall be retained in perpetuity, unless otherwise agreed in writing by the Planning Authority.

Reason: To retain control in the interests of the Green Belt and to comply with the National Planning Policy Framework.

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