

20 July 2017

**Planning Applications Committee
Update**

Item No.	App no. and site address	Report Recommendation
4 Page 9	17/0399 42 and land to rear of 40-46 Kings Road, West End	GRANT subject to conditions

UPDATE

The LLFA has confirmed that they raise no objections to the proposal, subject to additional conditions (see below).

The Surrey Wildlife Trust has raised no objections subject to the provision of ecological compensatory measures to ensure that there is no net loss in the ecological value of the site.

The Council's Drainage Engineer has raised no objections to the proposal indicating:

"Any surface water flows generated within the site, or passing through, are directed towards the main-river (southern) [wider] site boundary. The drainage proposal has allowed for surface water attenuation within the development and for any failure or overload of systems to follow various exceedance routes through additional storage areas within the development before discharging into main-river at the [wider] site boundary.

To conclude, the drainage system design that has been approved by SCC LLFA should limit flows to a value that does not exceed the original green field run-off rate. Any exceedance or failure of surface water drainage systems will follow overland flood routes through the development and will be contained before discharge. The flows within main-river downstream of the development should therefore not exceed the current flows."

Further to their previous comments, raising no objections to the proposal, the County Highway Authority has advised:

"The proposed development of 23 dwellings served from Kings Road is likely to generate approximately 12 two way traffic movements in the morning and afternoon peak hours. The 2014 application [SU/14/0532] for residential development off Rose Meadow included a full assessment of the suitability and capacity of the junction of Kings Road and Beldam Bridge Road and this was found to be adequate to serve the additional vehicular movements generated by that development. Taking into consideration the small number of additional peak hour movements generated by this proposed development and the 2016 development [SU/16/0679] for 35 dwellings, it is not considered they would materially affect the capacity or operation of this junction. It is likely that the majority of traffic from the proposed development would be likely to use the Kings Road/Beldam Bridge Road junction due to the very poor condition of the section of Kings Road between the proposed site access and the junction of Kings Road with Guildford Road. The junction of Guildford Road is considered adequate to serve the minimal peak hour traffic movements generated by the proposed development. An assessment of this junction was carried out for planning application 16/0679 and an extension to the high friction surfacing on the southbound A322 Guildford Road approach to the Kings Road junction was requested to help maintain safety. There are no records of any personal injury accidents at either junction within at least the last 5 years."

One further objection received making these further objections:

- Density appears excessively high in this semi-rural location and existing residential development in Kings Road and Rose Meadow [See Paragraph 7.5 of the officer

report];

- Proposed parking appears inadequate and not reflective of real-world scenarios due to high levels of car ownership in the village and lack of local industry [See *Paragraph 7.7 of the officer report*];
- There is no legal right for access for this development from Rose Meadow (and the management company (for this road) has no intention of allowing such legal right of way) [*Officer comment: this matter relates to property law and would not be a reason to refuse this application. However, no such access is proposed with the sole access for the development to come from Kings Road*]; and
- Further destruction of wildlife habitats [See *Paragraph 7.8 of the officer report*].

CORRECTIONS

The title of the development has been amended to delete “*and 1 four bedroom house*”

For clarification, the proposal relates to 23 dwellings, as indicated in the officer report Paragraph 2.2 should confirm that the application site “*wholly falls within an area of low flood risk (Zone 1 as defined by the Environment Agency).*”

Paragraph 6.1: Additional text for Second bullet point officer comment as italicised below: “The proposal would be *compliant with the SPA avoidance strategy* and under such circumstances an appropriate assessment is not required”

Paragraph 7.7.3 – 44 car spaces to be provided (not 75)

Paragraph 7.8.4 - The SAMM contribution is £13,120

Paragraph 7.10.4 - The last part of the last sentence should indicate:

“...it has been concluded that this proposal does accord with the development plan as it would not give rise to significant harm.”

Paragraph 7.11.1 – The first line of the paragraph should confirm the requirement for 9 affordable housing units (not 14)

ADDITIONAL CONDITIONS:

9. No development shall take place until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors*
- (b) loading and unloading of plant and materials*
- (c) storage of plant and materials*
- (d) programme of works (including measures for traffic management)*
- (e) provision of boundary hoarding*
- (f) hours of construction*
- (g) confirmation of no on-site burning of material during the site clearance, demolition and construction phases*

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety or residential amenity, nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. No development shall take place until details of all of the SuDS/drainage elements and layouts, construction phasing (i.e. how drainage will be dealt with during construction works including pollution prevention), and full drainage calculations indicating all storm events up to 1 in 30 year storm event are contained within the drainage system and that the 1 in 100 year (+climate change) storm event is suitably managed on site and details of the proposed maintenance regimes for each of the SuDS elements shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the drainage system does not result in increasing the risk of flood risk on or off the site, to ensure that the drainage system is maintained throughout its lifetime and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the occupation of the approved development, a verification report carried out by a suitably qualified engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the sustainable drainage system has been constructed in accordance with the approved scheme.

Reason: To ensure that the sustainable drainage system has been constructed in accordance with Condition 10 above and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

AMENDED CONDITION:

6. In addition to the requirements set in the Section 106 legal agreement attached to this decision, the development hereby approved shall be implemented in accordance with the Arboricultural Impact Assessment & Method Statement by ACD Environmental dated 24/04/2017 (Ref: SH20983ala-ams) and the Ecological Impact Assessment by ACD Environmental dated July 2017 (Ref: SH20983) unless the prior written approval has been obtained from the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

AMENDMENT TO RECOMMENDATION:

GRANT subject to a receipt of a satisfactory legal agreement to secure agreement for the proposed ecological compensatory measures and for the affordable housing provision and SAMM by 4 August 2017, unless otherwise agreed in writing by the Executive Head of Regulatory, and subject to the following conditions:

With a further reason for refusal if the legal agreement, as amended, is not secured under the above terms:

In the absence of the a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to ecological compensatory measures, the applicant has failed to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

5 Page 31	16/0752 325 Guildford Road, Bisley	GRANT subject to conditions
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UPDATE

Surrey Wildlife Trust has raised no objections.

CORRECTIONS

The title of the development has been amended to add the italicised text:

“Erection of 12 no. three bedroom dwellings in the form of 3 no. *terraces in the form of two storey houses with accommodation in the roof with parking, landscaping and access from Foxleigh Grange following the demolition of existing building*”

Paragraph 7.7.3 - The last part of the last sentence should indicate:

“...it has been concluded that this proposal does accord with the development plan as it would not give rise to significant harm.”

6 Page 51	17/0286 Land east of Bellew Road, Deepcut	REFUSE
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UPDATE

Representations and petition

Since the Committee report was written, a petition has been received with 60 signatures from the Deepcut Neighbourhood Forum. In summary, the reasons for objection listed on the petition are as follows:

- Application undermines and conflicts with Deepcut SPD which seeks to maintain gaps between Deepcut and Frimley Green, and Deepcut and Heatherside
- Will destroy many trees which adds to rural aspect of Deepcut and is home to wildlife, and has amenity value
- Proposed access on a bend is not appropriate
- Contradicts the traffic proposals for Bellew Road being closed, but applicant's plans are at odds with this and throw future configuration of the road into confusion
- Development would result in a loss of privacy and amenity for residents of neighbouring properties

Officers consider that these issues have been addressed within the Committee report.

Note from applicant

Officers are aware that the applicant has circulated a note to Members. This note does not change the recommendation and with regard to the 'substantial deficit' in housing land supply mentioned, the current supply is around 3.9 years as stated in paragraph 7.3.1 of the Officer's Report. It is also noted that the applicant states that two of the dwellings are proposed to be affordable. This is different from their planning statement which suggests up to four would be affordable. Two affordable dwellings would not comply with policy, which requires 35% of dwellings in Deepcut to be affordable.

Ecology

Since the Committee report was written, the applicant has provided further information in respect of ecology, which has included amending their Phase 1 Ecology Report, a response from the applicant to the points raised by Surrey Wildlife Trust, a badger survey and a bat emergence survey. West Surrey Badger Group have been to the site and have now removed their objection, provided that the methodology for works as set out in the badger survey is followed should permission be granted. Surrey Wildlife Trust have also removed their objection, and recommended a condition for a detailed Landscape and Ecology Management Plan, should permission be granted. As such it is considered that the ecology refusal reason should be removed.

Trees

Officers wish to point out that the visibility splays on the proposed access seem to conflict with the applicant's tree retention plan and as such it seems that more trees will have to be removed along the front than is currently proposed. The Tree Officer has commented that he

expects more would be removed than is currently proposed, and has not objected, however does state that a significant increase in the numbers to be removed would not be appropriate. Landscaping is a reserved matter however and would be considered further at that stage.

Recommendation

The recommendation is still to REFUSE, but the second (ecological) reason for refusal should be removed, as discussed above.

7 Page 77	16/0877 Garages, Greenlands Road, Camberley	GRANT subject to conditions
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UPDATE

Report correction

The site contains 19 and not 20 garages. The proposal requires these to be demolished to facilitate the development.

Point of clarification

The submitted block plan retains a footpath / access to the side of No.36 Greenlands Road such that access to the side of this property and to the rear of its neighbour's is retained.

8 Page 97	17/0167 41 Bosman Drive, Windlesham	GRANT subject to conditions and SAMM/SANG
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UPDATE

None.

9 Page 115	17/0293 Magnolia House, Westwood Road, Windlesham	REFUSE
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UPDATE

Three additional letters of support have been received, commenting that the proposal would be in keeping with the surroundings, would enhance the site and would be more compact than the existing dwelling.

An additional letter with photos and indicative streetscene plan was sent from the applicant to the case officer and committee members.

An additional email has been sent from the applicant to the case officer advising that should the committee decided to grant planning permission, the applicant would accept a planning condition that would withdraw any unimplemented permitted development rights i.e not applicable to the part-implemented lawful garage or leisure buildings and rear and side dwelling extensions.

The officer response is as follows:

The quoted figures for the lawful part-implemented extensions 13/0520 and 0555 have been double checked and there is indeed an error in the given figure in Section 7.2.4 of the Committee Report, which has been corrected as highlighted overleaf:

Floorspace

Existing	16/1046 approved dwelling	Lawful extensions (13/0520 + 0555)	Current proposed dwelling
333 sq. m	527 sq. m (+ 58.3%)	527 sq. m (+ 58.3%)	685 sq. m (+ 105.7%)

Footprint

Existing	16/1046 approved dwelling	Lawful extensions (13/0520 + 0555)	Current proposed dwelling
237 sq. m	293 sq. m (+ 23.6%)	400 sq. m (+ 68.8%)	407 sq. m (+71.7%)

Although the footprint of the current proposed dwelling would only be 7 sq m greater than the permitted development fallback afforded by the part-implemented 13/0520 + 0555 extensions to the existing dwelling, as outlined in Para 7.2.5 the proposed dwelling would have an approx. 47% greater floorspace than the existing dwelling and part-implemented extensions and would also involve an approx. 0.5m maximum height increase. The proposed dwelling by reason of its additional bulk arising from the floorspace, volume and height increase would remain significantly larger than the existing dwelling and these part-implemented extensions. Furthermore, the proposal would nullify the consolidated built form benefits which contributed to very special circumstances to allow approval of the 16/1046 replacement dwelling.

This overall additional bulk and spread of development would constitute inappropriate development in the Green Belt that has a significantly greater impact upon the openness of the Green Belt than the existing buildings. The restricted view from Westwood Road does not remove this unacceptable harm upon Green Belt openness as there will still be a significant additional presence of buildings.

As outlined in Section 7.8 any design or other merits of the proposal would not outweigh the inappropriateness and harm of the development in the Green Belt. The removal of permitted development rights for the proposed dwelling, if approved, is not considered to outweigh the harm to the Green Belt arising from its increased bulk. Additionally, it is noted that the 16/1046 replacement dwelling was approved on the basis that permitted development rights would be removed and therefore, future control of further development in the Green Belt would still be achieved should this be implemented.

The Ecology Appraisal was exhibited on the Council's website upon receipt under the 'General Correspondence' tab.

10 Page 133	16/0942 Land adjacent to 1 Whitmoor Road, Bagshot	REFUSE
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UPDATE

Further comment from the Council's Viability Consultant has been received indicating that there appears to be sufficient surplus to allow the provision of some affordable housing on site or a contribution towards off-site provision.

The applicant has requested that the application is withdrawn from determination at this meeting (i.e. deferred), particularly with the late submission of the Viability Consultant's comments. However, it is clear that there is a disagreement between the Viability Consultant concerning whether the provision of affordable housing (or a payment in lieu of on-site provision) can be provided on viability grounds and it is not considered that deferring this application is going to resolve this matter, it is also noted that the application is recommended for refusal on other grounds. As such, it is considered that the recommendation should not be changed and that an additional reason for refusal (as below)

should be added.

ADDITIONAL REASON FOR REFUSAL:

In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure affordable housing provision, the applicant has failed to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

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