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To: All Members of the **PLANNING APPLICATIONS COMMITTEE**

The following papers have been added to the agenda for the above meeting.

They were not available for publication with the rest of the agenda.

Yours sincerely

Karen Whelan

Chief Executive

SUPPLEMENTARY PAPERS

		Pages
a	Officer Report for Permission SU/14/0325	3 - 16
b	Approved Site Plan for Permission SU/14/1033	17 - 18

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01 **2014/0325** **Reg Date 07/04/2014** **Chobham**

LOCATION: HORTICULTURAL NURSERY, BAGSHOT ROAD,
CHOBHAM, WOKING, GU24 8BY

PROPOSAL: Erection of 2 replacement buildings to provide new reception
and animal buildings ancillary to a wider use of the site as a farm
park.

TYPE: Full Planning Application

APPLICANT: Mr A Chapman
T Hilling & Co Limited

OFFICER: Duncan Carty

1.0 SUMMARY

- 1.1 The current proposal relates to land most recently used for agricultural/horticultural purposes in the Green Belt. The application site is on the south side of Bagshot Road, including land which forms the southern part of The Horticultural Nursery.
- 1.2 The current proposal is to erect 2 no. replacement buildings to provide facilities to enable the change of use of the site to a farm park (sui generis) use (the use being previously approved under planning permission SU/12/0385). The proposal is the re-submission of previously refused proposal SU/13/0468.
- 1.3 The current proposal represents inappropriate and harmful development in the Green Belt and the applicant has provided very special circumstances to support this proposal. It is considered that these very special circumstances are sufficient to outweigh the inappropriateness and harm the proposal would give rise to and the proposal is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The current proposal relates to a 0.28 hectare site, including access and the siting of the proposed buildings only. The site forms part of a wider site on land most recently used for agricultural/horticultural purposes in the Green Belt, but has permission for use as a farm park. The farm park site was previously part of Wyevale Nursery (also previously known as Hilling Nursery) and some adjoining land owned/controlled by the applicant is retained in agricultural/horticultural use. The application site is on the south side of Bagshot Road, with the wider site predominantly open to the west, east and south of the site. The nearest residential properties are located on the Bagshot Road frontage (Prestons to the west and Chobham Vicarage to the east).
- 2.2 The application site is relatively flat, with a slight gradient from north to south. The wider farm park site includes two greenhouses to be demolished, as well as other structures including a small wood clad building which is to be used as toilets to serve the development. The frames, and part of the polythene, for two polytunnels also exist on this wider site.

3.0 RELEVANT HISTORY

The application site has an extensive planning history of which the following is most relevant:

- 3.1 SU/12/0385 Change of use from horticultural nursery to farm park (sui generis).
Approved in February 2013 but not implemented to date.
- 3.2 SU/13/0468 Erection of two replacement buildings to provide reception and animal

buildings ancillary to wider use of the site as a farm park. This was reported to committee on 13th January 2014 and refused due to the harm to the Green Belt with no very special circumstances sufficient to outweigh the harm.

Following refusal 13/0468, the applicant sought assistance from the Council's Economic Development Department and subsequently a meeting was arranged with a planning officer. At this meeting the applicant was advised to reduce the size of the development to overcome Green Belt concerns. This was the planning officer's preferred way forward. However, if the applicant was unwilling to do this then the applicant was advised that further very special circumstances would need to be presented. Whatever option chosen the applicant was advised to use the pre-application service prior to submission (Despite this the applicant did not enter into the pre-application route and prior to the registration of this current application the applicant was again given the option of entering into pre-application discussions, but this was declined).

4.0 THE PROPOSAL

- 4.1 The current proposal is to erect 2 no. replacement buildings to facilitate the change of use granted for SU/12/0385, to provide a farm park. The current proposal is a re-submission of planning refusal SU/13/0468. The proposal is identical to that development. However, the proposal provides further "very special circumstances" to support the proposal relating to the need for the elements of the application proposal (and therefore the building floorspace) for viability reasons, and justification for the height of the proposed buildings and the economic and education benefits of the proposal. The applicant has also indicated why they consider the development to be appropriate development the Green Belt and that very special circumstances are not required to support the proposal.
- 4.2 The two buildings would provide a reception building (to include reception/administration, café, shop, agricultural display area, children's play area with childrens' party rooms and viewing gallery over) and animal building (to provide pens for larger animals (goats, pigs, goats, cows, sheep, horses and donkeys), small animal pens, hand washing facilities, with an education room and viewing gallery over).
- 4.3 The proposed reception building would measure 32.3 by 31.2 metres with an asymmetrical gable roof over to a maximum height of 8.5 metres, reducing to 6.4 and 4.2 metres at the eaves, and a floorspace of 1,232.5 square metres. The proposed building would have the appearance of a large, modern agricultural barn. This would replace the glasshouse (which was to provide the reception/small animals building for the approved scheme) which measures 32.3 by 31.2 metres, with a multi-gable roof over to a maximum height of 3.2 metres, reducing to 2.6 metres at the eaves, and a floorspace of 1,011 square metres.
- 4.4 The proposed animals building would measure 36.8 by 14.2 metres with a gable roof over, (partly overhanging) to a maximum height of 7 metres, reducing to 4 metres at the eaves, and a floorspace of 617 square metres. The proposed building would have the appearance of a large, modern agricultural barn. This would replace the glasshouse (which was to provide the large animals building for the approved scheme) which is "H-shaped" and measures a maximum of 26.5 by 29.6 metres, with a maximum height of 4.4 metres, reducing to 2.4 metres at the eaves, and a floorspace of 587 square metres.
- 4.5 There are other buildings on the site and across the (proposed) farm park site. Other facilities including external animal paddocks, toilet block and visitor parking area (for 20 cars), as approved under the earlier permission, remain unaffected by the current proposal. However, whilst not implicitly indicated on the application form, it is clear that the applicant intends to remove the remainder of the two polytunnels, indicated in Paragraph 2.2 above, on this site. An assessment of the changes in floorspace and volume are set out in Paragraph 7.4.5 below.

4.6 However, the following increases in floorspace for components of the proposed accommodation, against that previously approved under SU/12/0385, include:

- Reception, shop and entrance [from 88 to 224 square metres]
- Café/seating area [from 176 to 200 square metres]
- Childrens' play area [not defined under the approved scheme but would provide, under the current proposal, 150 square metres]
- Agricultural display area [from 161 to 180 square metres]

The current proposal introduced a number of other additional accommodation (all at first floor level) when compared with the approved scheme SU/12/0385 including:

- 2 no. childrens' party rooms
- Viewing area for reception building
- Viewing area and education room for animal building

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------|---|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Chobham Parish Council | No objection is raised subject to ensuring that the conditions attached to the change of use permission (SU/12/0385) apply to this development. |
| 5.3 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. No objections were raised to the earlier application SU/13/0468. |

6.0 REPRESENTATION

At the time of preparation of this report, no representations of objection and four representations of support have been received. These raise the following matters:

- 6.1 Great local resource for families
- 6.2 Educational benefits
- 6.3 Good opportunity for local employment
- 6.4 Worthwhile attraction bringing new experiences and entertainment (indoors and out) for children of all ages

7.0 PLANNING CONSIDERATION

- 7.1 The application site relates to a former horticultural site falling within the Green Belt. The change of use application SU/12/0385 did not require a contribution for its impact on local infrastructure. It was considered, as an update, for application SU/13/0468 that the limited increase in employment generated by that proposal (when compared with approved scheme SU/12/0385) would also not require a contribution for its impact on local infrastructure under the scheme set out in the Developer Contributions Supplementary Planning Document 2011. Similarly, no such contribution is required for the current proposal.

7.2 As such, Policies CP1, CP2, CP8, CP11, CP14, DM1, DM7, DM9, DM10, DM11 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework (NPPF) and advice within the Planning Practice Guidance (PPG) are relevant to the consideration of this application.

7.3 The main issue in the consideration of this application is:

- Impact on the Green Belt and whether there are sufficient very special circumstances to support an approval of this development;

Other issues to be considered are:

- Impact on residential amenity;
- Impact on highway safety;
- Impact on ecology; and
- Impact on flood risk.

7.4 Impact on the Green Belt

7.4.1 Paragraph 89 of the NPPF indicates that the construction of new buildings is inappropriate in the Green Belt with exceptions including:

- *“provision of appropriate facilities for...outdoor recreation..., as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;...*
- *the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces;...*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use..., which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.”*

7.4.2 Policy DM1 of the Surrey Heath Core Strategy and Development Management Policies 2012 indicates that replacement buildings to support farm diversification or economic purposes will be supported where the building to be replaced is of a permanent construction, the replacement building would not be materially larger than the existing building and priority is given to siting the building on previously developed land.

7.4.3 The applicant considers that the proposal would support outdoor recreation on this site and would encourage outdoor activity. As indicated in Paragraph 7.4.1 above, the provision of appropriate facilities for outdoor recreation is appropriate development in the Green Belt as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The appropriateness of the proposal, the increase in built form (and the resulting impact on openness) and its impact on the purposes of including land within the Green Belt is addressed below but the Council contends that whilst the current proposal would provide some outdoor pens for animals and animal petting area, the main uses of the site would be concentrated in the proposed buildings and as such it would have more limited benefits to outdoor recreation and this use would only have limited weight to support the proposal.

7.4.4 The applicant also considers that the site is “previously developed land” because planning permission SU/12/0385 would allow a non-agricultural/horticultural use of the site. However, the current proposal relates to the replacement of existing buildings which would be put to a use that has been approved (under planning permission SU/12/0385), this use has not commenced and as such, the proposal would provide new buildings which would not be in the same use as the most recent use. In addition, with the application site having a former horticultural use, this site would not be defined as previously developed land as defined in Annex 2 of the NPPF and would not benefit from limited infilling or site

redevelopment as appropriate development (as set out in Paragraph 89 of the NPPF). The Council considers that no weight can be given to support the proposal on this issue.

- 7.4.5 The current proposal, in the same manner as the earlier application scheme SU/13/0485 provides a number of volumetric/floorspace increases above the existing glasshouse accommodation, as below:

	Existing	Proposed	% Increase
Floorspace (in square metres)	1598	1849	15.7
Volume (in cubic metres)	4950	10301	108

However, the applicant has provided different figures for existing and proposed floorspace and volume and these are assessed in Paragraph 7.5.9(vi) below.

- 7.4.6 The current proposal would result in an increase of 251 square metres of floorspace (15.7% increase over the existing provision). The proposal would also result in an increase in the height of structures on the site by up to 5 metres and the volume of development by 108% which is a significant increase. As such, the current proposal would provide development which would result in larger buildings (than existing) being provided on the site, even with the reduction in floorspace (and footprint) than existing buildings which would provide a material larger built form on this site.
- 7.4.7 This increase in floorspace, height and mass would provide a materially larger built form which would be harmful to the openness of the Green Belt and conflict with its purposes (as defined in Paragraph 80 of the NPPF) of safeguarding the countryside from encroachment and preventing the merging of settlements, in this case West End and Chobham. It is therefore considered that the proposal is inappropriate and harmful development in the Green Belt.

7.5 Very special circumstances

- 7.5.1 Paragraphs 87 and 88 of the NPPF indicate:

“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to the harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

For the previous scheme, the applicant provided very special circumstances to justify the merits of the current proposal including:

- The screening around the application site which would limit views of the proposed development and reduce any impact on the site’s openness;
- The existing glasshouses are an alien feature with the proposed buildings having a more appropriate character for such a rural location offsetting any harm;
- The proposed use could not be accommodated within the existing buildings (in effect planning permission SU/12/0385 does not serve the requirements for such developments) for health and safety reasons and would also make the scheme unviable;
- The commercial benefits of the scheme on the local economy, as well as the tourism and community benefits;

- Sustainability of the proposal (in terms of use of measures to provide improved energy efficiency, etc. and location, i.e. its proximity to Chobham village and reducing need to use the car);
- Other examples of similar proposals approved elsewhere in the country.

It was considered that the very special circumstances put forward by the applicant for the earlier application SU/13/0385 were not sufficient to warrant a grant of permission. The assessment of these very special circumstances put forward for the earlier application is set out in the Committee report for that application and this is appended to this report.

7.5.2 In addition to the points made in paragraph 9.3.9 of the previous report the applicant was advised by officers to address the following in any re-submission:

- Explain why all alternatives have been discounted (for example duplication of space to reduce the overall built form);
- Precisely why the reception building needs to be the size it is and why this level of accommodation is required on viability grounds;
- Fully justify why all the uses and size of the reception building are an essential adjunct to the farm park use and explain why the children's play facilities are not simply desirable or the intended principal reason why visitors will visit the size, when such a use could be otherwise located in a urban or town centre location;
- Explain why there are no alternative/preferable sites for the proposal.

7.5.3 For the current application, the applicant has therefore provided further very special circumstances to justify the merits of the current proposal listed below:

- (i) The primary very special circumstance is an explanation as why a building of this size is needed, this includes:
 - The need for the height of the animal building to meet health and safety requirements;
 - The need for the height of the reception building to accommodate the required indoor play equipment needed to allow better use of the site out of season and for viability reasons;
 - Consideration of duplication of space and the need for the party rooms and café/seating areas for viability reasons.

Other very special circumstances include:

- (ii) Benefits of securing right reception building now;
- (iii) The employment, tourism and economic benefits of the proposal;
- (iv) Support from the local business community;
- (v) Educational benefits (including support from local schools);
- (vi) Comparative size of development taking into account other polytunnels;

An assessment of these further very special circumstances is undertaken immediately below.

7.5.4 (i) *Consideration of the need for buildings of these sizes:*

The applicant has indicated that the height of the animal building to a maximum height of 7 metres is required "to provide adequate accommodation for the animals and to allow the public to safely enter and view, taking into account the [Industry] Code of Practice on Preventing or Controlling Ill Health from Animal Contact at Visitor Attractions 2012. This is

a standard size of building that is used for this purpose to enable it to include animals of all sizes which is important as the viewing of animals and the educational aspects of this is a primary purpose of a farm park.” The Code of Practice seeks to ensure visitor health and safety by providing guidance on preventing ill health at visitor attractions, and the Code of Practice was supported by both the Health and Safety Executive and the Chartered Institute of Environmental Health.

The Code of Practice seeks to protect against a range of micro-organisms some of which can be transferred to humans in whom they may cause ill health which in some cases may be severe or life threatening, including E coli. Infection can occur when people come into contact with animal faeces or saliva by direct touch or in-direct touch (such as picking up contaminated feed, touching gates or fencing divisions between pens, etc.). The provision of washing facilities and separation of animal areas and other public spaces (play area/café/etc.) has been incorporated within the proposal to meet the Code of Practice. However, there appears to be no justification for the 7 metre height of this building to meet the requirements of this Code of Practice. It is therefore considered that the proposed animal building does not need to be at the proposed height to meet the requirements of this Code of Practice and this must therefore weigh against the applicant's submission.

The applicant has confirmed that the proposed reception building height is predicated by the required height of the indoor play area, indicating that such equipment is modular and the inclusion of a slide requires a minimum 8.5 metre building height. David Taylor Design, a company which designs indoor play areas, has indicated:

“The main and most popular items found in indoor play frames within farm parks are undoubtedly the big slides. These slides [along with the remainder of these play facilities] make for a safe, challenging play area guaranteed to engage with the public...In regard to the site at Chobham, I have considered the needs of the indoor frame and I have kept the height to an absolute minimum. Any lessening of the interior clearance would seriously compromise the play area and I would not be confident that it would have the appeal needed to make the site a success. In fact going on the recent builds at other farm parks in the Green Belt and beyond, this would be a small play barn and if it were any smaller then I believe it would fail to attract the number of people in the winter months to make it financially viable.”

In addition, the Soft Brick Company Ltd., a soft play provider, has indicated:

“All of the indoor play structures have one thing in common in that they make the maximum use of the height of a building or space in which they are...allowed. Good height in a play area building means that there is the ability to include a large open slide which of all the features in an outdoor adventure play area is by far the most popular. By utilising the height of a building we are able to maximise the playing capacity so as to maximise the commercial opportunity from the building. Height also means that we are able to design safe but exciting play areas including rope and webbing features and more advanced polycarbonate panels which enable children to walk across solid clear floor panels. Without this good height we could be limited in size of the slide we could incorporate into the design and in our experience this is unlikely to be as popular with paying customers and they may choose to visit an alternative centre...which offers a larger slide and greater excitement for children. We have assessed the proposed indoor play facility and using our experience we have suggested the proposed design should be three modules high. This would offer an attractive all year, all weather indoor play facility and would ensure that the Farm Park is commercially viable all year round.”

The need for a play facility, and some all-weather facilities, for viability reasons is noted along with supporting letters from other Farm Park operators including Godstone Farm (Surrey), Hatton Country World (Warwickshire) and Hobbledown (formerly Horton Childrens' Farm, Surrey), expressing the need for play barns as a part of a viable Farm Park. These supporting letters also confirm that play barns are normal and an essential part of a farm park operation and, more than just desirable, can be essential to the viability of such developments. The viability of the proposal is assessed below, but the need for

the (maximum) height of the reception building is accepted on this basis.

It is accepted that the party rooms and café are required for viability reasons and need to be located in the reception building for health and safety reasons. This provision is accepted as a requirement to be provided for the farm park to be economically viable. In addition, the benefits of providing an education room and the agricultural display area to support the educational benefits of the proposal are also noted. It is also noted that the education room needs to be within the animal building to gain the most benefit. It is therefore considered that the proposal would not result in a duplication of floorspace.

The applicant has indicated that some first floor accommodation is provided in both proposed buildings to reduce the building footprint and spread of development across the site. As indicated in Paragraph 7.4.7 above, the floorspace, height and volume of development remains a concern but this benefit is noted.

7.5.5 (ii) *Benefits of securing right reception building now:*

The applicant has indicated in their statement that there would be a need to provide a fit-for-purpose reception building with this proposal to avoid having to provide a retro-fit barn at a later date, as has occurred at other farm parks which have developed over time. The applicant has confirmed that funding for the proposal would not be forthcoming if the farm park was not commercially viable. The provision of these facilities within the reception building has been deemed by the applicant to be necessary for the viability of the project. With the support of a prosperous rural economy set out in Paragraph 28 of the NPPF, it is considered that this should be given some weight.

7.5.6 (iii) *The employment, tourism and economic benefits of the proposal:*

Paragraph 28 of the NPPF indicates that leisure development that benefit local businesses in rural areas should be supported. The applicant has confirmed that 15 full-time equivalent jobs would be provided and also indicated:

"In additional to the direct benefits of jobs and spending by the business on supplies and contracts, there will be benefits created by visitors to the farm park. The business plan estimates 50,000 visitors per annum. These visitors will spend in local businesses and services. Benefiting the local economy. The Economic Development Officer estimates that each visitor will spend an average of £10, either at the farm park or in the village. This will generate an additional £500,000 to the local economy of Chobham and its immediate surrounding area."

It is clear that there would be some employment and economic benefits but a robust assessment of these benefits has not been provided and this remains a concern for officers. The expected number of visitors may appear ambitious but when the size of visiting groups (school classes, family groups, etc.) is taken into consideration, this figure may be more realistic, particularly when compared with other larger farm parks (250,000 visitors to Hobbledown, Horton, Surrey and 200,000 visitors to Hatton Adventure World, Warwickshire, per annum). Paragraph 28 of the NPPF indicates that the provision of tourist facilities should be supported in appropriate locations, because of the benefits this would bring to the rural economy. The proposal would provide a visitor attraction which is not currently available in, or close to, the Borough. This would provide a tourism benefit, having a benefit to the economy. Overall, it is considered that the employment, tourism and economic benefits of the proposal would have greater weight.

7.5.7 (iv) *Support from the local business community:*

The applicant has envisaged that the proposal would provide economic benefits to the local area, including to other businesses in the village of Chobham, noting its location about 250 metres west of the village of Chobham. The applicant has confirmed that businesses in the local area strongly support the proposal and the applicant has also confirmed that the Economic Development Officer has confirmed support has been received from businesses on Chobham High Street and other Chobham locations indicating their support of the proposal and its wider economic implications, including the

additional visitors it could attract and the local employment opportunities it offers. The limited response received does indicate some anticipated knock-on benefits to local businesses, but without a robust assessment, it is difficult to confirm the extent of these likely benefits which should therefore be given limited weight only.

7.5.8 (v) Educational benefits:

The applicant has confirmed that:

“the proposed buildings, as a part of the wider farm park attraction, will play an important educational role for the local community – particularly local school children. Farm parks provide a variety of hands-on education opportunities for children of all ages and abilities, where groups can learn sustainable farm practices, food production, animal husbandry and animal welfare. The animal building will enable people to come into close, touching, distance of farm animals in a safe and controlled environment, with further opportunities to learning classes within the rooms provided at mezzanine level. The reception building will also provide dedicated space for agricultural displays and the indoor adventure play is an important learning environment.”

It is clear that the proposal can provide an educational facility to the benefit of local schools. Support has been provided by local head teachers in relation to the education benefits of the proposal. The headmistress of Chobham St Lawrence C of E Primary School the local has indicated that *“she fully supports [the] planning application and feels that it would be a great benefit for the pupils [of the school] to support the curriculum by being able to engage with animals in a controlled and supervised environment. The added benefit of being so local would mean that [the school] could reduce [their carbon] footprint by being able to walk from school to the Farm without using transport.”* The school would be linked to the application site directly by a public footpath. The headmaster of Holy Trinity School in West End has indicated that *“I’m sure [the proposal] would benefit our children educationally and we could work together to plan the facility onto the curriculum...As it is on our doorstep I think that we could use it...”* It is acknowledged that this facility could provide local schools with educational support and the provision of an indoor education area within the proposal would support this. In addition, it is also acknowledged that the agricultural display area would also provide a further educational facility and these benefits should be given greater weight in support of the proposal.

7.5.9 (vi) Comparative size of development:

As indicated in Paragraph 7.4.5 above, a comparison of the size of the proposal against the existing structures on the site (to be replaced) would result in an increase in floorspace and volume. The applicant has calculated the floorspace and volume of the existing/permitted structures to be 3,065 square and 9,922 cubic metres, respectively, and the proposal to be 1,354 square and 9,499 cubic metres, respectively, (therefore concluding that the proposal would result in a percentage decrease in floorspace of 55.8% and volume of 4.3%). The basis of these calculations is not clear but the applicant considers that recently removed structures on the wider site should be taken into consideration, and has provided an aerial photograph to indicate further sizeable structures, including two polytunnels for which only the frame remains (and have been discounted due to their current condition), and other polytunnel and glasshouse structures which have already been lost. Elevation and floor plan details have not been provided for these demolished buildings. However, it is the officer’s view that any structure, that has now been removed, cannot be taken into consideration in the above assessment. The applicant also considers that if the agricultural/horticultural use of the site were to remain, buildings could be erected which would have a greater volume than currently proposed using permitted development powers. These powers do not exist in this case (due to the size of the holding). This could only be tested by applications for planning permission and therefore has no weight.

7.5.10 The applicant has also indicated that they consider the proposal would have the appearance of rural barns, which would reflect its rural location and would improve visual appearance of the site. It is considered that this benefit to the visual appearance of the

site should be given limited weight because the test set out in Paragraph 89 of the NPPF relates to material size.

7.5.11 Paragraphs 7.5.4 – 7.5.10 above shows that individually none of the arguments put forward by the applicant can be said to amount to representing very special circumstances. Of all the very special circumstances listed it would appear that (iii) employment/economic/tourism and (v) educational benefits carry most weight. Officers remain concerned that the applicant has not fully provided robust evidence to quantify the assertions made over benefits to the local economy, or fully justified the need for the size of the animal building. In addition, the applicant has failed to explain why there are no alternative sites elsewhere. However, despite these concerns, if all of the very special circumstances are considered in combination, then, on balance, officers consider that there is sufficient weight to justify the development and that these very special circumstances do outweigh the identified harm to the Green Belt.

7.5.12 In coming to this conclusion it is considered that robust planning conditions need to be added to ensure that the use of the site remains principally as a farm park, most akin to its rural location. Officers remain concerned if the use of the premises was actually more of a children's play centre, which could otherwise be located in any urban location, and so it is necessary to control the floor areas of the buildings to ensure this does not occur. The future intensification of the site is also a concern and so conditions are required to control the visitor numbers and to ensure that the buildings are not sub-divided to be used by separate businesses.

7.6 Other issues

7.6.1 The proposed development would be the same as refused under SU/13/0468. The Committee report is appended to this report and confirms that no objections were raised to the proposal in terms of its impact on residential amenity, highway safety, ecology and flood risk. With no change in circumstance since the determination of that earlier application, the impact of the proposal on these issues is considered to be acceptable as set out in the earlier report.

8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

9.0 CONCLUSION

9.1 The current proposal is considered to be acceptable in relation to its impact on residential amenity, ecology, flood risk and highways safety.

9.2 The current proposal is considered to be acceptable on the grounds of its impact on the Green Belt with very special circumstances sufficient to outweigh the identified inappropriateness and harm. The application is recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

Annex 1

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and Green Belt and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

3.
 1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936 Part 1: Nursery stock specification for trees and shrubs**. The planting shall be carried out after completion of the building programme and prior to first occupation. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation and written agreement with the Local Planning Authority, unless written consent to any variation is given.
 3. A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of 5 years.

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.

4. Prior to any works (including those of site clearance, repairs, alterations or demolition to the existing buildings) details of an ecological management plan shall be submitted to and approved by the Local Planning Authority in writing. The details to be submitted shall make provision for:
- a) The provision of a 1m rough grassland ecological buffer around the perimeter of the application site
 - b) The permanent retention of the aforementioned ecological buffer and the prohibiting of the use of weedkiller in this area
 - c) The ditch and hedgerows on site to be permanently retained and maintained to maximise wildlife benefit
 - d) The use of a diverse and wildlife friendly seed mix on those areas to be re-seeded as pasture.

Reason: To preserve the ecological value of the site and to accord with the NPPF and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

5. The development hereby approved and wider use of the site shall be only be open to the public between the hours of 10:00 and 19:00 hours from Mondays to Sundays.

Reason: To preserve the amenities of the occupiers of nearby occupiers and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall take place until full details of surface water drainage systems and foul water drainage system are submitted and approved in writing by the LPA. The surface water drainage system details to include attenuation of 1:100 year event at 30% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. No further floorspace, including mezzanine floorspace, than shown on the approved drawings, shall be provided without planning permission.

Reason: To prevent an overdevelopment of the site to the detriment of the residential amenities of the area and to ensure that the development does not prejudice policies for the preservation of the Green Belt and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. The proposed development shall be used principally as a farm park and for no other purpose and no expansion of the floorspace provided on drawing nos. 322/06 and 322/09 hereby approved for the ancillary cafe, childrens' play area and childrens' party rooms shall be undertaken without the prior planning permission. None of these elements shall be provided as separate businesses to the predominant farm park use of the site.

Reason: To prevent an overdevelopment of the site to the detriment of the residential amenities of the area and to ensure that the development does not prejudice policies for the preservation of the Green Belt and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. There shall be a maximum of 50,000 customer visitors to the farm park hereby approved in any calender year. A record of the number of visitors shall be kept and these details shall be submitted to the Local Planning Authority on an annual basis from the first use of the approved development within one month of the end of the calender year to which those details relate.

Reason: To prevent an overdevelopment of the site to the detriment of the residential amenities of the area and to ensure that the development does not prejudice policies for the preservation of the Green Belt and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. The proposed development shall be built in accordance with the following approved plans: 322/02, 322/05,322/06, 322/07, 322/09, 322/10, 322/11 and 322/12, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the PPG.

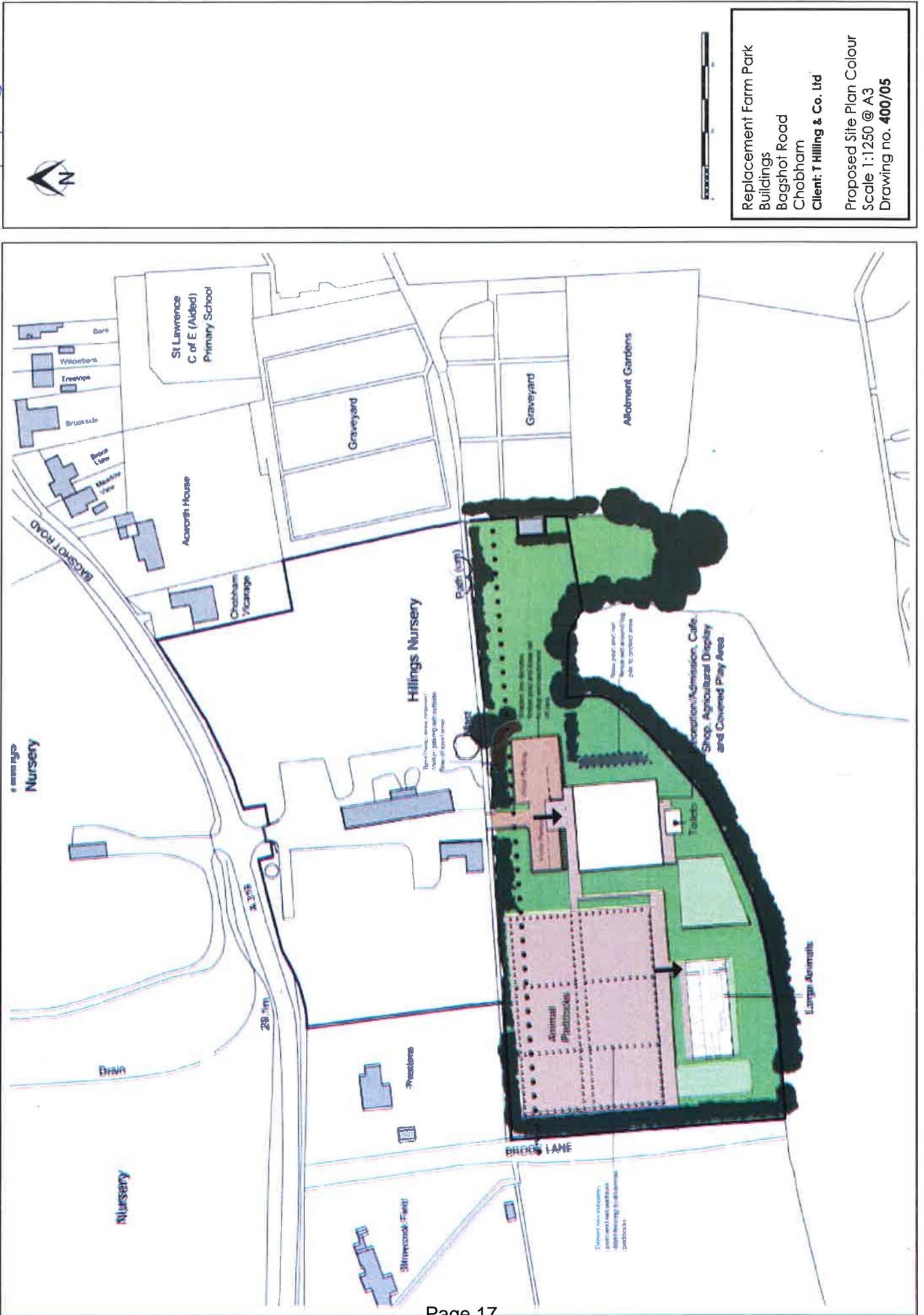
Informative(s)

1. Decision Notice to be kept DS1
 2. Building Regs consent req'd DF5
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MINUTE LIST OF COMMITTEE
02 July 2014

APP. NO	WARD	LOCATION & PROPOSAL	TYPE	DECISION
2014/0325	CHO	HORTICULTURAL NURSERY, BAGSHOT ROAD, CHOBHAM, WOKING, GU24 8BY Erection of 2 replacement buildings to provide new reception and animal buildings ancillary to a wider use of the site as a farm park.	<u>FFU</u>	AF
DC				
ACTION				
APPROVED (SUBJECT TO ADDITIONAL/AMENDED CONDITIONS AND INFORMATIVE)				

APPROVED LAYOUT
5/1/14/1033



Replacement Farm Park
Buildings
Bagshot Road
Chobham
Client: T Hilling & Co. Ltd
Proposed Site Plan Colour
Scale 1:1250 @ A3
Drawing no. 400/05



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