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Friday, 5 December 2014

To: The Members of the **Planning Applications Committee**
(Councillors: Edward Hawkins (Chairman), Glyn Carpenter (Vice Chairman), David Allen, Richard Brooks, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, David Hamilton, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton)

In accordance with the Substitute Protocol at Part 4 of the Constitution, Members who are unable to attend this meeting should give their apologies and arrange for one of the appointed substitutes, as listed below, to attend. Members should also inform their group leader of the arrangements made.

Substitutes: Councillors Rodney Bates, Ian Cullen, Paul Ilnicki, Lexie Kemp, Bruce Mansell and Alan Whittart

Site Visits

Members of the Planning Applications Committee may make a request for a site visit. Requests in writing, explaining the reason for the request, must be made to the Development Manager and copied to the Executive Head - Regulatory and the Democratic Services Officer by 4pm on the Monday preceding the Planning Applications Committee meeting.

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber, Surrey Heath House on **Monday, 15 December 2014 at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes	1 - 18

To confirm and sign the non-exempt minutes of the meeting held on 17 November 2014.

3 Declarations of Interest

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

Planning Applications

4	Application Number: 14/0562 - Kingsclear Nursing Home, Park Road, Camberley GU15 2LN - Watchetts Ward	19 - 30
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Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 17 November 2014

- + Cllr Edward Hawkins (Chairman)
- Cllr Glyn Carpenter (Vice Chairman)

+ Cllr David Allen	+ Cllr Ken Pedder
+ Cllr Richard Brooks	+ Cllr Audrey Roxburgh
+ Cllr Mrs Vivienne Chapman	+ Cllr Ian Sams
+ Cllr Colin Dougan	+ Cllr Pat Tedder
Cllr Surinder Gandhum	- Cllr Judi Trow
Cllr David Hamilton	+ Cllr Valerie White
+ Cllr David Mansfield	+ Cllr John Winterton

 - + Present
 - Apologies for absence presented

Substitutes: Cllr Rodney Bates for Cllr Judi Trow

In Attendance: Cllr Adrian Page, Cllr Bob Paton and Cllr Wynne Price (Cllrs Page and Price from min 72/P to 74/P and Cllr Paton from 72/P to 76/P)

Officers in attendance: Lee Brewin, Michelle Fielder, Gareth John, Jessica Harris-Hooton, Aneta Mantio, Shane O'Donnell, Jonathan Partington, Jenny Rickard, Chenge Taruvinga, Paul Watts.

72/P Minutes

The minutes of the meeting held on 22 October 2014 were confirmed and signed by the Chairman.

73/P Application Number: 14/0249 - 17 Queens Road, (formerly Bisley Office Furniture), Bisley, Woking GU24 9RB - Bisley Ward

This application was for the erection of 113 dwellings with new access from Snowdrop Way and Chatton Row, internal roads, footways, parking, landscaping, open space with other associated works following demolition of the existing factory buildings and areas of hardstanding. (Additional information rec'd 22/09/14), (Amended plans & info rec'd 20/10/14).

There had been a site visit at the proposed site.

Members were advised of the following updates:

'Twelve additional letters of objection have been received concerned with the following issues:

1. *Proposed access – the existing access from Queens Road is the preferred option. BPC highlights that an application to the Planning Inspectorate was made to use the existing access for a residential use.*

Officer's comments: The alternative access from Queens Road is not subject to the current application. The applicant seeks planning permission with a single access from Snowdrop Way and this has been considered only.

2. *Housing mix & affordable housing*

Officer's comments: The proposal includes a variety of residential units from 1-bedroom to 5-bedrrom. The Housing Manager is satisfied that the proposed mix is acceptable.

3. *Impact on the Thames Basin Heath SPA*

Officer's comments: The development cannot commence until the SANG, the relevant mitigation of the likely impacts on the TBH SPA, is in place, which is secured by condition No. 3. The legal agreement in terms of SAMM is an additional measure to the SANG and relates to the management and monitoring of the SPA.

4. *Representation letters*

Officer's comments: 2 letters of support have been received – on 30/09 and on 09/10.

5. *Site visit*

Officer's comments: Members and officers visited the site.

6. *All the other matters raised have been addressed in the report to the Committee or above.*

7. *Condition 3 – to be reworded as follows:*

No development shall take place until written confirmation has been obtained from the LPA in agreement with Natural England that the applicant has secured a SANG in perpetuity (including its management plan); and no dwelling shall be occupied before written confirmation has been obtained from the LPA that the works required to bring the land up to acceptable SANG standard have been completed.

Reason: To comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012; saved Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan; and, the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2012).

8. *Condition 4 – to be reworded as follows:*

No development works shall commence until the applicant has secured and undertaken relocation of the watercourse to the southern end of the site, on

or off the application site; with full details of the proposed design of the watercourse, timetable for delivery and maintenance agreement submitted to and approved in writing by the Local Planning Authority.

Reason: In order to manage flood risk and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2012.

9. *Condition 9 – A survey has been submitted by the applicant and therefore the amended condition should read:*

The Oak T29, as identified on plan R.0324_03-A received on 20/10/2014, should be replaced with plant 1no of Quercus robur tree within 2m of the tree to be removed to the satisfaction of the Local Planning Authority prior to the first occupation of the development. The tree shall have minimum stem size of 20 - 25 cm girth [nominal diameter of 7.2cm] at 1m from ground level, of a minimum overall planted height of 4.0 – 6.0m and having a substantially straight stem and Semi Mature tree as specified in BS 3936. Replacement planting shall conform to the British Standard for Nursery Stock as set out in BS 3936, Parts 1 to 5. Handling, planting and establishment of trees shall be in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape. If any replacement planting planted in accordance to this condition die or become seriously damaged or diseased within a period of five years of the date of first occupation of the development, it shall be replaced as soon as practicable with another tree of similar size and species.

Reasons: To maintain the landscape character and profile of the area and to establish a tree which, in time, will replace the loss of amenity which was afforded by the tree, which is to be removed and to maintain the landscape character of the area to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Additional conditions to be imposed in terms of contamination:

Condition 32:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1.1 Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are

subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,*
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,*
- adjoining land,*
- groundwaters and surface waters,*
- ecological systems,*
- archeological sites and ancient monuments;*

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

1.2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

1.3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

1.4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported

in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1.1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1.2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.3.

1.5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework'.

Some Members raised the following:

- i) Traffic congestion from increased number of cars parking in Snowdrop Way;
- ii) Concerns regarding HGVs using Snowdrop Way and space for passing;
- iii) Loss of children's right to play in Snowdrop Way;
- iv) Loss of commercial site;
- v) Consideration to be given to change the access to Queens Road – Members were advised that this land was not currently owned by the applicant and could not be part of the application, although negotiations were being undertaken under section 38 with the Secretary of State;
- vi) Deferral of the application – Members were advised that the application had to be determined at the meeting as any change in the access would mean the application would have to be resubmitted with new plans and another consultation process. The applicant could then hold the Council to account for non-determination within the statutory period.

- i) Paragraph 7.8.12 stated that the Surrey Fire Service recommended that parking enforcement be introduced due to residents' concerns regarding access for emergency vehicles – this contradicted the County Highways Agency's comments at paragraph 7.8.3. Members expressed disappointment that a representative from the County Highways Agency was not present at the meeting particularly as this was for a major application with significant highways implications. It was agreed that a letter be sent by the chief executive of the Council to the chief executive of Surrey County Council expressing this disappointment.

The officers had recommended that the application be approved subject to conditions as set out in the report of the Executive Head –Regulatory and the satisfactory completion of a legal agreement. After consideration of the officers' recommendation, the Committee was of the opinion that the application had not provided sufficient evidence on traffic issues in Snowdrop Way and the impact on the residential amenity.

Resolved that application 14/0249 be refused on the grounds that the application had not provided sufficient evidence with regard to the traffic concerns and the impact on the residential amenity, the wording to be finalised after consultation with the Chairman.

Note 1

It was noted for the record that Councillor David Mansfield had been an employee of Bisley Office Equipment some years ago. He also attended meetings in relation to the consultation process as an observer and did not take part in any discussion.

It was also noted for the record that councillors had received letters from Bisley Parish Council and residents in relation to this application.

Note 2

As this application triggered the Council's Public Speaking Scheme, Mrs James representing the Snowdrop Residents' Association spoke in objection. Mr Smith and Mr Holden (representing the Bisley Residents' Association) also shared a speaking slot and spoke in objection.

Mr Hutchison, the agent, spoke in support of the application.

Note 3

The recommendation to approve was proposed by Councillor Rodney Bates and seconded by Councillor Richard Brooks.

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve:
Councillors Rodney Bates and Richard Brooks.

Voting against the recommendation to approve:

Councillors David Allen, Vivienne Chapman, Colin Dougan, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

The vote was lost.

The recommendation to refuse was proposed by Councillor Colin Dougan and seconded by Councillor Vivienne Chapman.

Voting in favour of the recommendation to approve:
Councillors David Allen, Vivienne Chapman, Colin Dougan, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton

Voting against the recommendation to approve:
Councillors Rodney Bates and Richard Brooks.

The vote was carried.

74/P Application Number: 14/0605 - Frimhurst Farm, Deepcut Bridge Road, Deepcut GU16 6RF - Mytchett and Deepcut Ward

The application was for the application relating to the continued use of the existing Industrial Centre for use classes B1, B2 and B8 and movement between these uses as well as a revised vehicular access onto Deepcut Bridge Road.

Some Members felt that the proposal catered for a variety of employment types in the area and refusal of the application would cause a loss of local jobs and have a detrimental impact on the local economy. Officers reminded Members that while the reuse of buildings within the historic core of the site may be acceptable, the proliferation of compound areas and the creation of a new access in the countryside would harm its intrinsic character, beauty, and landscape quality.

Resolved that application 14/0605 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

As this application triggered the Council's Public Speaking Scheme, Mr Andrews, the agent, spoke in support of the application.

Note 2

The recommendation to approve was proposed by Councillor Vivienne Chapman and seconded by Councillor Ken Pedder.

Note 3

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse:
Councillors Rodney Bates, Richard Brooks, Vivienne Chapman, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Valerie White and John Winterton.

Voting against the recommendation to refuse:
Councillors David Allen, Colin Dougan and Pat Tedder.

75/P Application Number: 14/0675 - The Brickmakers Arms, Chertsey Road, Windlesham GU20 6HT - Windlesham Ward

The application was for the erection of a detached building and ancillary storage shed to provide additional accommodation to the existing public house and the extension of the car park with associated landscape alterations (retrospective).

This application would normally be determined under the Council's Scheme of Delegation, however, at the request of a local ward councillor it had been called in for determination by the Planning Applications Committee.

Members were advised of the following updates:

'The committee report contains two errors;

- 1. It states that Windlesham Parish Council has no objection, this is incorrect, an objection has been raised on the basis there are no very special circumstances to justify the retention of the buildings in the Green Belt. The Parish Council also raise concerns as to whether the parking facilities are sufficient to meet the demand of the public house and the new facility.*
- 2. Para 7.1 the word 'locally' is omitted from the first sentence.*

Officers have had sight of the material circulated to members (by the agent) in advance of this meeting).'

In addition the Committee was advised that there was an error in the report and Windlesham Parish Council had raised an objection to the proposal.

Some concerns were raised with regard to the planning permission of the previous out buildings and the mobile home still on the site. In addition the traffic and car parking issues were discussed.

It was noted that the erected detached building used as a function room, catered for the local community by providing a venue for various groups. This improved the vitality of the business and the village. It was suggested a condition could be added to limit the function room to community use only.

It was suggested that the application be deferred so that further discussions could take place with the applicant with regard to the use of the function room.

Resolved that application 14/0675 be deferred to allow for further discussions to take place with the applicant, with regard to the use of the function room.

Note 1

As this application triggered the Council's Public Speaking Scheme, Mr Sapstead spoke in objection; he also spoke in objection on behalf of Lord Russell who was unable to attend at short notice. Mr Andrews, the agent, spoke in support of the application.

Note 2

The recommendation to defer the application was proposed by Councillor Colin Dougan and seconded by Councillor Vivienne Chapman.

Note 3

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to defer the application:

Councillors David Allen, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

Voting against the recommendation to defer:

Councillor Rodney Bates.

76/P

Application Number: 14/0609 - Brook Green, Waverley Close, Camberley GU15 1JH - Parkside Ward

The application was for the outline application for the erection of two detached buildings, each to contain 9 two bedroom flats following the demolition of the existing buildings (Matters of access, layout and scale to be considered.) (Additional info rec'd 21/10/2014).

Members were advised of the following updates:

'One additional representation of objection and one representation of support have been received.'

The objection raised the following concerns:

- *increased traffic and potential parking issues*
- *loss of trees and vegetation which is harmful to the character of the area'*

In addition the sentence in paragraph 7.5.2 starting with 'moreover' should read:

'Moreover the scale and siting of the buildings, with the access drive running between the buildings and formal parking arrangement, would give rise to a form of development which would appear significantly at odds with the existing development in Waverley Close.'

Resolved that application 14/0609 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to refuse the application was proposed by Councillor Edward Hawkins and seconded by Councillor Audrey Roxburgh.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

77/P Application Number: 14/0794 - Alenia Marconi, Lyon Way, Frimley, GU16 7EX - Frimley Ward

The application was for the erection of a gas fuelled, Short Term Operating Reserve electricity generation plant.

Members were advised of the following updates:

'The LPA has been notified of a change in the planning agent acting for the applicant.

4 representations of objection have been received which raise the following matters:

- Increase in noise, dirt, pollution and vibrations already experienced by residential properties in the area; (Officer note: the proposal's impact on residential amenities is considered in section 7.5 of the committee report)*
- The proposal is too close to residential properties (Officer note: this would be a matter for the Health and Safety Executive)*
- Object to the principle of any development on the site on flooding grounds (Officer note: the site is part of an allocated employment site and benefits from planning permission for redevelopment, in addition the EA has not raised any flood related objection to the proposal which is supported by an up to date flood risk assessment)*

Point of clarification – The Environmental Health Officer has considered the proposals impact in terms of noise, contamination and air pollution.

The application is supported by a noise assessment, air quality assessment and contaminated land assessment.

In respect of noise, the assessment considers the impact of the proposal on the nearest properties located in Station Road. In his assessment of the robustness of the Noise Assessment, the EHO notes:

- No sound is produced when the plant is not on line;*
- Experience of this type of plant indicates that operating times are likely to be 1900-2100 (season and demand dependant);*
- Plant will be online typically 83mins a day (subject to caveat above);*

- *On the basis of the 35Db(A) silencers proposed by the applicant complaints are unlikely (increase in noise over background levels being 1Db(A)), however this can be improved by the use of 45Db(A). The use of these improved silencers will reduce the difference between sound produced and background noise levels to Zero. This is conditioned, condition 5 of the report*

In summary the EHO concludes:

1. *Noise levels from the plant will not cause the standards detailed within BS8233:14 to be exceeded within bed, dining and living rooms of the nearest residential properties.*
2. *Noise levels from the plant will be below day, evening and night time background levels within bed, dining and living rooms for the nearest residential property. Allowing for the same to have a partially open window for ventilation purposes.*
3. *Noise levels from this power plant are less than was predicted to arise from the same unit in the distribution, trading or warehouse scheme.*

No objection is raised on land contamination grounds and a standard condition is proposed (condition 6).

In terms of air quality, the submitted air quality assessment predictions are based on a worst case scenario of the plant being on line for 1500hrs per year (not the predicted 800hrs). The EHO concludes that air quality issues can be controlled by condition and are not a constraint to the proposed development.

An additional condition (detailed below) is however proposed to deal with dust generation during the construction phase:

8. Prior to the development hereby approved commencing a Dust Management Plan (DMP) shall be submitted to and agreed in writing with the local planning authority. The details to be submitted should include:

- *measures for the mitigation and control of dust from the site construction operations and include details of any monitoring scheme,*
- *measures to ensure contact details for appropriate persons are displayed on the site boundary,*
- *means of observing wind speed and direction prior to conducting any dust generating operations during periods of high or gusty wind*
- *establishment and enforcement of appropriate speed limits on site during the construction period to prevent dust being whipped up*
- *Water assisted dust sweepers to be used on access roads and local roads to remove any material tracked out of the site*
- *Measures to avoid the dry sweeping or large areas*
- *All loads to be covered entering and leaving the site*
- *Water to be used as a dust suppressant*

Reason: To comply with the guidance produced by the Institute of Air Quality Management, Policy DM9 of the Core Strategy and Development Management Policies 212 and the NPPF.'

Some Members sought clarification on the noise levels but were advised that Environmental Services had raised no objection as the noise levels could be compared to that of talking in a library.

In addition clarification was sought on the phrase 'short term' in the description 'short term operative reserve'. The Committee was advised that short term related to the operation during the day. Some Members requested that a definition of 'short term' could be included in the resolution.

Resolved that application 14/0794 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor Vivienne Chapman and seconded by Councillor Richard Brooks.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Pat Tedder, Valerie White and John Winterton.

Voting against the recommendation to approve:

Councillors David Allen and Ian Sams.

78/P

Application Number: 14/0799 - Burwood House Hotel, 15 London Road, Camberley GU15 3UQ - St Pauls Ward

The application was for the erection of side and rear extensions with associated internal alterations following conversion of hotel into 10 residential flats (one 3 bedroom, eight 2 bedroom and one 1 bedroom). (Amended plans rec'd 24/10/14).

Members were advised of the following updates:

'Further viability information has been submitted and the levels of contributions have yet to be agreed as a result; however the recommendation in respect of this application remains to defer and delegate subject to the satisfactory negotiation and completion of an agreement in respect of infrastructure, SPA and affordable housing by the 27th of November.'

Some Members were concerned about traffic issues and the low provision of affordable housing.

Resolved that application 14/0799 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor Richard Brooks and seconded by Councillor David Allen.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

79/P Application Number: 14/0735 - Pembroke House, Pembroke Broadway, Camberley - Town Ward

The application was for the erection of a 92 bedroom residential carehome following the demolition of existing office building. (Amended plans rec'd 09/10/2014)

Members were advised of the following updates:

'Point of clarification: parking provision for this development. Para. 1.1 and 4.4 should read 31 car spaces in the basement, 10 cycle spaces and 2 disabled bays on the ground floor as well as one minibus bay. A revised consultation response from the Highway Authority to reflect this has been also received.'

Resolved that application 14/0735 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor Richard Brooks and seconded by Councillor David Allen.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

80/P Application Number: 14/0870 - 45 Deepcut Bridge Road, Deepcut, GU16 6QT - Mytchett and Deepcut Ward

The application was for the erection of 3 detached two storey dwellings following demolition of existing bungalow.

Members were advised of the following updates:

'A satisfactory legal agreement was received and therefore the recommendation is Grant subject to conditions.'

Resolved that application 14/0870 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor Richard Brooks and seconded by Councillor Audrey Roxburgh.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

81/P Application Number: 14/0837 - 29 - 29a Portesbury Road, Camberley GU15 3TA - Town Ward

The application was for the change of use from garage/workshop/office to residential, together with the erection of two storey side and single storey rear extensions following the demolition of detached garage to the rear to provide a single dwelling.

Members were advised that a consultation response had been received from Environmental Services regarding contamination issues; no objection had been raised subject to a standard contamination condition being included.

'Additional conditions to be imposed in terms of contamination:

Condition 32:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1.1 Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The

investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,*
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,*
- adjoining land,*
- groundwaters and surface waters,*
- ecological systems,*
- archeological sites and ancient monuments;*

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

1.2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

1.3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

1.4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported

in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1.1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1.2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.3.

1.5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework. '

Resolved that application 14/0837 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor Richard Brooks and seconded by Councillor Colin Dougan.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

82/P Application Number: 14/0710 - 22 Worsley Road, Frimley, GU16 9AU - Frimley Green Ward

The application was for the erection of a two storey side extension to comprise 2 one bedroom flats with the retention of the existing property on a reduced curtilage.

Members were advised of the following update:

'Thames Valley Water – No objection'.

In addition the Committee was advised that an email had been received by officers from the applicant outlining the proposal would provide a needed variety of units in the area.

Resolved that application 14/0710 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to refuse the application was proposed by Councillor Rodney Bates and seconded by Councillor Ken Pedder.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

83/P

Application Number: 14/0887 - The Sun, 45 High Street, Chobham GU24 8AF - Chobham Ward

The application was for the application for Advertisement Consent for 2 illuminated fascia signs, 1 illuminated hanging sign, 1 illuminated title sign, 2 non-illuminated other signs and 1 illuminated menu sign all replacing existing signage.

Members were advised of the following updates:

'Chobham Parish Council – Objection 'All external Lighting to be heritage in keeping with the High Street''

Some Members were concerned about the bulkhead lighting and felt signs should be lit from outside and not within the light units. It was agreed that this would be covered by the inclusion of an additional informative.

Resolved that application 14/0887 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application as amended was proposed by Councillor Ian Sams and seconded by Councillor Pat Tedder.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

84/P Application Number: 14/0876 - The Sun, 45 High Street, Chobham, GU24 8AF - Chobham Ward

The application was for the Listed Building Consent for the advertisement for 2 illuminated fascia signs, 1 illuminated hanging sign, 1 illuminated title sign, 2 non-illuminated other signs and 1 illuminated menu sign all replacing existing signs.

Some Members were concerned about the bulkhead lighting and felt signs should be lit from outside and not within the light units. It was agreed that this would be covered by the inclusion of an additional informative.

Resolved that application 14/0876 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application as amended was proposed by Councillor Valerie White and seconded by Councillor Pat Tedder.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Rodney Bates, Richard Brooks, Vivienne Chapman, Colin Dougan, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

Chairman

2014/0562

Reg Date 09/07/2014

Watchetts

LOCATION: KINGSCLEAR NURSING HOME, PARK ROAD, CAMBERLEY, GU15 2LN

PROPOSAL: Erection of a detached three storey building to comprise of a 90 bedroom care home. (Amended info rec'd 23/07/2014), (Additional info rec'd 21/08/14), (Additional plans rec'd 03/10/14), (Amended info rec'd 10/11/14).

TYPE: Full Planning Application

APPLICANT: Ms Nicola Thornton
Caring Homes Group Ltd

OFFICER: Duncan Carty

RECOMMENDATION: Defer and delegate for the completion of a legal agreement and then GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application relates to the redevelopment of a 78 bed care home within the settlement of Camberley to provide a 90 bed care home. The site is located behind frontage development on Park Road within the "Wooded Hills" character area as defined in the Western Urban Area Character SPD 2012.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on character, residential amenity, biodiversity and highway safety. The current proposal is not CIL liable as it relates to Class C2 development. The applicant is willing to enter into a legal agreement to secure controls to limit trips and/or outings from the proposed care home to the SPA, information provided to each new staff member and resident to explain the value and fragility of the SPA and preclusion of dogs (except those required for the care of patients, e.g. guide dogs) to the site to limit the impact of proposal on the integrity of the Thames Basin Heaths Special Protection Area. As long as an acceptable agreement is provided by 22 December 2014, the current proposal is considered to be acceptable.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the east side of Park Road and currently comprises a large detached building of about 3,800 square metres in use as a care home for the elderly providing 78 bedrooms. The site is set on an elevated site behind frontage properties, accessed via a small track running between 96 and 104 Park Road and the site is bounded on all sides by residential properties including those located on Park Road, Brackendale Road, Heatherdale Road and Kingsclear Park. The 1 hectare site falls within the "Wooded Hills" character area as defined in the Western Urban Area Character SPD 2012
- 2.2 The building on the site is located towards the northern end of the site and this area is largely level with mature trees mostly located close to the boundaries of the site. To the south of the building is an open area and after a short plateau the level of the land falls sharply and the site becomes more wooded.

3.0 RELEVANT HISTORY

3.1 The application site has an extensive planning history following its conversion into a home for the elderly in 1958 and the most recent proposals (to redevelop the site) are as follows:

3.2 SU/08/0511 Erection of a part two storey part three storey building to comprise a 91 bed nursing home (Class C2) to include refuse and cycle storage following demolition of existing.

Approved 11/06/2009

3.3 SU/11/0728 Application for new planning permission to replace extant planning permission SU/08/0511 for the erection of a part two storey part three storey building to comprise a 91 bed nursing home (Class C2).

Approved 29/02/2012 (this application remains extant and is a material consideration)

4.0 THE PROPOSAL

4.1 The full application proposes the erection of a detached three storey building of about 4,800 square metres of accommodation to comprise a 90-bedroom care home with associated communal areas and facilities. This would provide a net increase of 1,000 square metres of accommodation at the site, as compared with the existing development on the site. The building would have a maximum height of 12 metres to the ridge however there would be variation in the eaves and ridge height across the building. The building would be located within the central part of the site and would have a broadly 'H' shaped footprint with landscaped communal gardens created around the building.

4.2 Access to the site would remain via the existing driveway which would lead to a parking and servicing area located to the front and north side of the building. This area would also include bin and cycle parking areas. The southernmost part of the site would remain unaltered and the trees in this location would be retained.

4.3 Planning permission has previously been granted for a care home redevelopment of the site (under earlier permissions SU/08/0511 and SU/11/0728). The proposal would differ from the extant scheme in the following ways:

- The maximum height of the extant development is 12.6 metres, 0.6 metres above the maximum height of the current proposal.
- The floor area of the extant scheme is 5,500 square metres, 1,700 square metres more than the existing development and 700 square metres more than the current proposal.
- The extant scheme would be L-shaped and would extend over a good proportion of the central and north eastern part of the site. The current proposal would rationalise the built footprint locating the development in a more central part of the site, with the development moved a significant distance (from a minimum of 3.5 to 20 metres) from the north east site boundary with 4-8 Brackendale Road. Whilst, this consolidation of development on this site has led to a smaller gap to the rear boundary with 90 and 92 Park Road and 7 and 9 Kingsclear Park in particular, there has an increase in the gap to 11 Kingsclear Park.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------|--|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Surrey Wildlife Trust | No objections. |
| 5.3 | Natural England | No objections. |
| 5.4 | Tree Officer | No objections (verbal). Any formal comments will be reported to the Committee. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 12 letters of objection had been received which raise the following issues:
- Overlooking / loss of privacy [*See Paragraph 7.4*];
 - Increased noise / disturbance [*See Paragraph 7.4*];
 - Loss of trees [*See Paragraph 7.3*];
 - Overbearing / unneighbourly [*See Paragraph 7.4*];
 - Overshadowing / loss of light [*See Paragraph 7.4*]; and
 - Noise from construction [*Officer comment: See Condition 8*].
- 6.2 There has also been one letter of support received. The support is qualified on the basis of the retention of the mature tree belt and boundary hedging to the south of the site.

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within the defined settlement of Camberley. Accordingly, Policies CP12, CP14, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) are relevant to the consideration of this application. The National Planning Policy Framework and the Planning Practice Guidance are also material considerations. The current proposal is not CIL liable, as it is for a Class C2 development.
- 7.2 The extant planning permission SU/08/0511 is a material consideration in the assessment of the current proposal. The principle of a care home development is acceptable on this site given the existing use of the site and extant planning permission.

It is therefore considered that the main issues to be addressed by this application are:

- The impact of the development on the character of the area;
- The impact of the development on the residential amenities;
- The level of parking and the impact of the development on highway safety; and
- The impact of the development on protected species and biodiversity.

7.3 The impact of the development on the character of the area

- 7.3.1 The application site is located within an area characterised by detached two-storey residential properties. However, there are a number of significant exceptions to this prevailing character including the application site which currently comprises a very large two to three storey building in use as a care home. The site is bounded on all sides by residential properties and does not have a street frontage. Access is gained via a driveway running between 96 and 104 Park Road.
- 7.3.2 The site is within Wooded Hill Character Area as identified by the Western Urban Area Character SPD 2012 which identifies the positive features of the area as being the soft green character and extensive tree cover, the green tunnels along road corridors and the buildings set in generous heavily vegetated plots which creates a low density verdant character.
- 7.3.3 As summarised at paragraph 4.3 above the replacement care home building would be three-storey and would be slightly lower in maximum height than the extant scheme. More critically, the proposed building would be repositioned to a more centrally located position within the site having a more consolidated form substantially set-in from the south west and north east site boundaries. In addition, given that the development does not include a street frontage the development would not be clearly visible from the road or in the wider public domain. In the officer's opinion the development would not harm the character of the Wooded Hills Character Area and the building would be visually attractive and sympathetically detailed with articulation and changes in heights which would break up the bulk of the building.
- 7.3.4 The development requires the removal of a number of trees within the site. However the Council's Tree Officer has verbally raised no objection to this tree loss and advises that suitable replacement planting could ensure the tree cover of the site is maintained. The Arboricultural Officer does however raise concern with the proximity of the building to the hedge on the eastern elevation however this is not protected and does not significantly contribute to the character of the area such cutting back (that part of the hedge which falls within the site) would not impact on the character of the area. This could however have implications for the screening afforded by the hedge and this is considered in Paragraph 7.4 below.
- 7.3.5 Having regard to all of the above, it is considered that the development would be sympathetic to the character and the appearance of the area and would meet the relevant objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012, the Western Urban Area Character SPD and the National Planning Policy Framework.

7.4 The impact of the development on the residential amenities

- 7.4.1 The application site is bounded on all sides by residential properties. To the north west of the site are the properties on Park Road and the closest residential properties (90 and 92 Park Road) are between 35 and 50 metres from the proposed building. There are a number of trees on this boundary which would provide some screening, however the development would be partially visible from most of these properties. It is considered that the intervening distances and screening are sufficient to ensure that the development would not appear overbearing or unneighbourly. While it is noted that the development would include windows and a balcony (loggia) on this elevation they would be a sufficient distance from the dwellings and the primary garden space of these properties for it not to significantly impact on the privacy the occupants of these properties currently enjoy.

7.4.2 To the south east of the site are the properties located on Kingsclear Park. These properties are marginally closer and would be between 27 and 40 metres from the development. There is currently a significant volume of screening on this boundary in the form of a large conifer hedge which runs along the rear boundaries of these properties and would significantly screen the proposed development. While there are some gaps in this screen and while the cutting back of some overhanging hedge to facilitate development may reduce the effectiveness of this screen the separation distances are such that the development would not be viewed as overbearing. The impact of the development is further mitigated by the level changes which mean the development would be set some 1.5-2m below the level of the adjoining properties. The development would include windows in this elevation which would be located closer to the site boundary than the existing development (and, in part, the approved development under SU/08/0511 and SU/11/0728). However subject to a condition to ensure that the closest of these windows are fitted with obscure glazing (and retained as such), the development would not materially impact on the privacy the occupants of these properties currently enjoy.

7.4.3 While there are other residential properties bordering the site, these are further from the development and would not be materially affected by the proposed development. The development would marginally increase the intensity of the use of the site however it is not considered that the development would give rise to any material increase in noise or disturbance such as to impact on the amenities enjoyed by the occupants of the adjoining properties.

7.4.4 Having regard to all of the above it is not considered that the development would materially impact on the amenities currently enjoyed by the occupants of the adjoining residential properties and the development is considered to meet the relevant objectives of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 The level of parking and the impact of the development on highway safety

7.5.1 The application includes the provision of 29 car parking spaces; given that the occupants of the development are unlikely to own cars these spaces would be for staff and visitors. While the application indicates that there would be 39 staff members these would operate in shift patterns and would not all be on site at the same time. It is also noted that the application site is located in a highly sustainable location and it is therefore considered that the level of parking is appropriate to meet the demand of the development. The access to the site is to remain as currently exists although there would be a marginal increase in the intensity of the use of the access due to the increase in staff and potentially, visitors. The County Highway Authority has considered the application and has advised that no objection should be raised to the development subject to conditions.

7.5.2 Having regard to the above it is concluded that the development would deliver an appropriate level of car parking and would not give rise to conditions prejudicial to highway safety. Accordingly it is considered that the application meets the objectives of Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the National Planning Policy Framework.

7.6 The impact of the development on protected species and biodiversity

7.6.1 The application site is known to include a number of badger setts and the building also includes roosting for bats which also are likely to use the site for foraging. The applicant has submitted badger and bat surveys which suggest mitigation to ensure that the development would not impact on these protected species. The Surrey Wildlife Trust have indicated that sufficient survey information has been provided for the Council to determine the application and have raised no objections to the proposal, subject to the implementation

of the recommendations set out in the ecological reports provided to support this application (see Condition 15 below). It is therefore considered that no objections be raised on these grounds.

7.6.2 The application site is located within 2km of the Thames Basin Heaths Special Protection Area and Natural England are currently advising that new residential development has the potential to adversely impact on the protected sites due to increase recreational pressure. In this instance the development proposes a care home for the elderly which would fall within Use Class C2. A legal agreement is also required to secure controls to limit trips and/or outings from the proposed care home to the SPA, information provided to each new staff member and resident to explain the value and fragility of the SPA and preclusion of dogs (except those required for the care of patients, e.g. guide dogs) to the site to limit the impact of the current proposal on the integrity of the Thames Basin Heaths Special Protection Area. So long as a legal agreement is provided by 22 December 2014, no objection is raised to the proposal on these grounds. Accordingly it is considered that the application meets the objectives of Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the National Planning Policy Framework.

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

8.1 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:

- 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 development proposed would be sympathetic to the character and the appearance of the area and would not impact on the amenities currently enjoyed by the occupants of the surrounding residential properties. The development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area or local infrastructure provision.

10.0 RECOMMENDATION

Recommendation 1:

Defer and Delegate to the Executive Head of Regulatory Services and subject to the receipt of a satisfactory legal agreement to secure:

- an agreement from the applicant to limit trips and/or outings from the proposed care home to the SPA;
- information provided to each new staff member and resident to explain the value and fragility of the SPA; and
- preclusion of dogs (except those required for the care of patients, e.g. guide dogs)

by 22 December 2014, and at no cost to the Council, the Executive Head of Regulatory Services to be authorised to grant planning permission subject to the conditions detailed below:

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. The premises shall be used for care home only and for no other purpose (including any other purposes in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To retain control over the future use of the building and to ensure the development would not impact on the Thames Basin Heaths Special Protection Area.

3. 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. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

4. Notwithstanding the details submitted, no development including demolition shall take place until a detailed arboricultural method statement has been submitted and approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction" and shall contain details of pruning or removal of trees, specification and location of tree and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for hard surfaces. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works to be carried out in strict accordance with the approved details.

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

5.
 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 hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
 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.

6. 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.

7. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 29 cars to be parked including 2 disabled spaces and for 16 cycles to be parked. These shall be used and retained exclusively for its designated use.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

8. 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) wheel washing facilities
- (h) confirmation that no on-site burning of material is to be undertaken

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 residential amenity or highway safety, 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.

9. Before first occupation of the development hereby approved the window(s) at or above first floor level in the east elevation of the north wing (facing 13 and 15 Kingsclear Park) shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. The proposed development shall be built in accordance with the following approved plans: 5139 (3) LP001, SE001, PL001(C), PL002(B), PL003(C), EL001(A), EL002(A), SP001, SP002(J), 8451/01, 02, ME(01)001, 5139(3)EL004, EL003., 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 NPPG.

11. Prior to the commencement of development details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of residential and visual amenities and to accord with the objectives of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by

neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. Prior to the first occupation of the development hereby approved on site details of refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

14. Prior to the first occupation of the development hereby approved on site details of cycle storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to reduce the need for the use of the car and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. The proposed development shall be implemented in accordance with the recommendations set out in Section 4 of the Environmental Dimension Partnership Ecological Appraisal Report (May 2014), for birds and other species, Section 8.0 of the Surrey Wildlife Trust Badger Report (June 2014, amended July 2014) and Section 6 of the Surrey Wildlife Trust Bat Emergence Survey Report (October 2014) unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2014 and the National Planning Policy Framework.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5

Recommendation 2:

In the event that a satisfactory legal agreement is not completed to secure the required mitigations set out in Recommendation 1 above by 22 December 2014, the Authority will undertake an Appropriate Assessment and if the Authority is then unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Special Scientific Interest (SSSI) then the application shall be refused for the following reason:

The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the

proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in the NPPF and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

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2014/0865

Reg Date 22/09/2014

Mytchett/Deepcut

LOCATION: FORMER CHESWYCKS SCHOOL, GUILDFORD ROAD,
FRIMLEY GREEN, CAMBERLEY, GU16 6PB

PROPOSAL: Outline Application for the erection of a two storey building with accommodation in the roof space to provide a 62 bedroom care home including car parking, landscaping, access and associated works (access, appearance, layout and scale to be determined.). (Amended plan & additional info rec'd 24/11/2014).

TYPE: Outline

APPLICANT: Mr Mark Doodes
C/O Framptons Planning Ltd

OFFICER: Duncan Carty

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 This outline application relates to provision of a 62 bedroom care home within the Countryside (beyond the Green Belt) to the east of Frimley Green. The site is located behind landscaping fronting Guildford Road, to the west of the Deepcut Bridge Road junction, on a former school site which was substantially burned down in 2007.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character (including its countryside setting), residential amenity and trees. The current proposal is not CIL liable, relating to Class C2 development. The applicant is willing to enter into a legal agreement to secure controls to preclude the keeping of dogs (except those required for the care of patients, e.g. guide dogs) and cats at the site and occupancy limitations to limit the impact of the current proposal on the integrity of the Thames Basin Heaths Special Protection Area, as well as the provision of a monitoring fee. In addition, a monitoring fee for the required travel plan is required to be provided within the legal agreement.
- 1.3 However, the application has not been supported with sufficient survey information (and any required mitigation) to give certainty to the Council concerning the impact of the proposal on protected species. As such, an objection is raised on these grounds. In addition, a legal agreement (as indicated in Paragraph 1.2 above) has not been provided to date and so objections are also raised on SPA and highway safety grounds.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the north side of Guildford Road to the west of the Deepcut Bridge Road junction. The site lies in the defined Countryside (beyond the Green Belt) to the east of the settlement of Frimley Green. Whilst the site measures 1.9 hectares in area, only a small proportion of the site is to be developed. Land to the north and east of the application site is owned by the applicant.
- 2.2 The only remaining building on the site is the former caretaker's dwelling located closer to the road. This building is in an advanced state of dereliction. All other former buildings on the site cleared following the fire in 2007. There is evidence of the extent of hardstanding

for these buildings, playgrounds, car parking, swimming pool accommodation, etc. and as such the site is defined as previously developed land. There are a number of mature trees on the site, including a tree belt between the car parking and siting of the main (former) school buildings and another belt to the site frontage. There is woodland to the north and east of the siting of the proposed building. There is a Tree Preservation Order on the site covering many of these trees.

3.0 RELEVANT HISTORY

3.1 The application site has an extensive planning history as a school and the most recent proposals (to redevelop the site) are as follows:

- 3.2 SU/05/1084 Erection of a 70 bedroom nursing home for the elderly with 20 extra care flats and a childrens' nursery following the demolition of existing buildings. part two storey part three storey building to comprise a 91 bed nursing home (Class C2) to include refuse and cycle storage following demolition of existing.

Non-determination appeal withdrawn in September 2006 but the Council would have refused with the following reason:

"The application proposes the erection of three buildings in the countryside following the demolition of existing community [i.e. school] buildings. The new buildings are of a much larger scale than those they would replace and are considered to be of poor quality design and appearance out of keeping with their rural surrounds. As such the proposal is considered to be detrimental to the openness of the Countryside beyond the Green Belt and harmful to the rural character of the area...Furthermore, the proposal includes the loss of five significant, mature A1 grade trees which contribute to the character of the site. The loss of these trees would be harmful to the character of this countryside location..."

This development would have provided about 5,300 square metres of accommodation, a much larger scheme than the current proposal provided within three separate buildings located across the site.

4.0 THE PROPOSAL

- 4.1 The outline application proposes the erection of a detached two storey building with accommodation in the roofspace to comprise a 62-bedroom care home with associated communal areas and facilities. Details of access, appearance, layout and scale are to be determined under this application (with details of landscaping to be a reserved matter for later determination, if this application were to be approved).
- 4.2 The proposed building would have a maximum height of 9.8 metres to the ridge with an eaves height of 5.6 metres. The building would be located towards the rear of the site and would have a broadly 'L' shaped footprint with landscaped communal gardens created abutting the building. The proposal would provide about 2,900 square metres of development (gfa) on the site.
- 4.3 The former school and associated buildings previously provided about 1,500 square metres of accommodation, partly in a two storey form. The proposal would consolidate the location of previous development on the site (to the siting of, and close to, the main school buildings) with hardstanding (associated with ancillary buildings, hardstanding areas including

playgrounds, access roads, car parks, tennis courts, swimming pools) and the caretaker's dwelling spread across the site being removed.

- 4.4 Access to the site would remain via the former access points onto Guildford Road which would lead to a parking and servicing area located to the front/side of the proposed building. 24 parking spaces are proposed.
- 4.5 In support of this application, a transport statement, ecological assessment, an arboricultural report and planning statement have been submitted to support the application. Further details of sustainability and justification for the proposal were also submitted by email. The applicant has explained the need for this form of development in their planning statement which will be referred to in the proposal assessment below.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections.
- 5.2 Surrey Wildlife Trust Advised that further survey work is required.
- 5.3 Natural England No objections.
- 5.4 Tree Officer No objections (verbal). Any formal comments will be reported to the Committee.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 1 letter of objection has been received from the Mytchett, Frimley Green & Deepcut Society which raises the following issues:
- Improved access (such as a provision of a footpath/cycle path access) is required [see Paragraph 7.5]
 - Unlikely that people will arrive by public transport or cycle due to highway safety risk [see Paragraph 7.5]
- 6.2 There had also been 1 letter of comment received raising the following issues:
- Access arrangements will need to be carefully considered. This was an issue for former school [see Paragraph 7.5]
 - Unlikely that people will arrive by transport measures except by car due to road speed limit [see Paragraph 7.5]
 - Provision of a pathway could be provided to improve safety for walkers [see Paragraph 7.5]

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within the Countryside (beyond the Green Belt) as identified by the Proposals Map. Accordingly Policies CP12, CP14, DM9 and DM11 of the Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) are relevant to the consideration of this application. The Surrey

County Council Travel Plan Good Practice Guide 2010, Circular 06/2005, the National Planning Policy Framework and the Planning Practice Guidance are also material considerations. The current proposal is not CIL liable, relating to Class C2 development.

7.2 It is considered that the main issues to be addressed by this application are:

- The principle for the development;
- The impact of the development on the character of the area and wider countryside;
- The impact of the development on the residential amenities;
- The level of parking and the impact of the development on highway safety; and
- The impact of the development on protected species and biodiversity.

7.3 The principle for the development

7.3.1 Paragraphs 6 and 7 of the NPPF confirm that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental. These dimensions should contribute towards a strong responsive and competitive economy, support strong, vibrant and healthy communities and contribute to protecting and enhancing the natural (and built and historic) environment. There is a presumption in favour of sustainable development set out in the NPPF and an assessment must be made to assess the impact of the proposal on the three dimensions of sustainability.

7.3.2 The application site is previously developed land located within an area defined as Countryside (beyond the Green Belt). Paragraph 17 of the NPPF indicates the core planning principles which include recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it; and encouraging the effective use of land by reusing land that has been previously developed (brownfield land).

7.3.3 National policy for development on previously developed land does not direct such development solely to sites within existing defined settlements but also to countryside locations (such as Green Belt). The re-use of previously developed land within countryside locations for care home purposes is considered to be more sustainable than other possible uses. Care home uses are relatively passive in terms of activity undertaken and are limited in terms of transport movements. The applicant has indicated in their planning statement that this site remains *"a wasted asset in terms of its potential to provide for the development needs of the [Borough]..."* There are clearly some environmental benefits for this proposal, but a further assessment of the impact of the proposal on the countryside is made in Paragraph 7.4 below.

7.3.4 The current proposal provides residential accommodation which is a principal aim of national policy. The planning statement for the application indicates that there remains a need for such residential development and that such a proposal would contribute towards meeting the social need *"imposed by an aging and increasingly dependent population...Indeed, the aging nature of the Surrey population, as recognised by [this Council's own research in the Core Strategy], concludes that demand is outstripping supply significantly."* The applicant has also confirmed in their planning statement that *"it is acknowledged that there is a threshold which a viable care home can be established (around 60 bedrooms). It is not feasible to provide the level of personal care and the quality of supporting accommodation*

that is required by frail elderly residents in a significantly smaller care home. As such, this development is considered to represent the minimum amount of development to make the proposed re-development a viable proposition." There is clearly a social benefit supporting this proposal.

7.3.5 The planning statement for this application indicates that the proposal would *"generate 80 new positions of employment. All but the very senior managerial staff will likely be recruited from the local area. Clearly being a new care facility, designed to address a proven latent demand in the locality, it is reasonable to assume that all such roles are new positions, not ones transferred or displaced from elsewhere in the country...This application can demonstrate it will create a wide range of part-time, flexible and full-time positions which are both skilled (HR, managerial, marketing, IT, etc.) some semi-skilled (care work, medical liaison, etc.) and some manual (cleaners, porters, gardeners, etc.) which will suit a range of individuals for whom a "9-5" role is neither desired nor suitable."* There is clearly an economic benefit supporting the proposal.

7.3.6 The social and economic benefits of the proposal are important material considerations which strongly weigh in favour of the proposal and it is considered that the principle for the development is accepted, subject to the assessment of the impact of the proposal on the environment (in particular its countryside location) as set out in Paragraph 7.4 below.

7.4 The impact of the development on the character of the area and wider countryside

7.4.1 The current proposal would provide a significant building in a countryside location where none currently exists and a building larger than the structures previously sited on this site. This resulting loss to openness would result in some harm to the countryside.

7.4.2 Whilst the site is previously developed land, it is beginning to be reclaimed by nature due to the lack of any activity on the site since the fire in 2007 (and resulting demolition and clearance works undertaken for safety reasons). However, elements of its former use are still clearly visible and detract from its countryside setting. The site remains in a poor condition and has an adverse impact on the rural character of the immediate area. The current proposal would remove the remains of the former use, bring the land back into active use with opportunities to improve the landscaping (trees, etc.) across a large part of the site to the benefit of the setting of the site. In addition, the proposed care home development would be set back on the site (without a street frontage) and would not be clearly visible from the road or the wider public domain.

7.4.3 The development requires the removal of a number of trees within the site, however, the Council's Arboricultural Officer has (verbally) raised no objection to this tree loss, which would not affect the best quality and most significant trees on the site, and advises that suitable replacement planting could ensure the tree cover of the site could be maintained. In this regard, there is clearly scope for further significant planting on this site. However, such details would be provided as a reserved matter, subject to a separate reserved matters application (if this outline application were to be approved).

7.4.4 Having regard to all of the above, it is considered that the development would have some limited harm to the openness of the countryside but would also result in other improvements to the visual character and the appearance of the countryside and, taking into consideration the social and economic benefits of the proposal set out in Paragraph 7.3 above, would on balance meet the relevant objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.5 The impact of the development on the residential amenities

7.5.1 The application site is some distance from any nearby residential properties (the nearest being Corry Hill set about 250 metres from the siting of the proposal), and with the amount of landscaping (including trees) in between, no adverse impact on residential amenity is envisaged with the proposal complying, in this respect, with Policy DM9 of the Core Strategy and Development Management Policies 2012.

7.6 The level of parking and the impact of the development on highway safety

7.6.1 The transport statement provided by the applicant confirms that the proposal would provide a low level of traffic with a mini-bus service proposed for staff to reduce the use of the motor car further. Accommodation for service vehicles (such as refuse vehicles) is provided with parking to serve the development for visitors, including relatives (of residents), some staff and other professionals (such as doctors) who need to visit the development.

7.6.2 The application includes the provision of 24 car parking spaces; given that the occupants of the development are unlikely to own cars these spaces would be for staff and visitors. While the application indicates that there would be about 40 staff members these would operate in three shift patterns and would not all be on site at the same time. This level of provision is considered to be acceptable.

7.6.3 It is also noted that the application site is located in a relatively unsustainable location, located about 500 metres from the nearest bus stop (on Deepcut Bridge Road) and about 1 kilometre from the nearest local centre (Frimley Green). Noting the lack of a footway on this stretch of Guildford Road, the bends in the road close to the application site and the national speed limit applied on this road, opportunities for the use of other means of transport to and from the site than the motor car are limited. To address this, the applicant is to provide a shuttle mini-bus to ferry staff to and from the site and has provided details of a shuttle service between the site, Frimley and Farnborough (and stops in between). A travel plan would be required to bring forward the mechanism to limit the use of the motor car to the site and optimise the use of other modes of transport (particularly in this case the proposed mini-bus shuttle service).

7.6.4 The site access would require improved visibility so that a 2.4 by 100 metre visibility is provided to the site frontage. This level of visibility is considered to be acceptable for the road speed on Guildford Road in front of the site.

7.6.5 The County Highway Authority has reviewed the transport statement and considered the application and has advised that no objection should be raised to the development, subject to the provision of a £4,600 contribution towards the monitoring of a travel plan. Having regard to the above, it is concluded that the development would deliver an appropriate level of car parking and would not give rise to conditions prejudicial to highway safety, so long as the travel plan is provided. Without the contribution to facilitate the monitoring of a travel plan, an objection is raised on such grounds, with the proposal failing to meet the objectives of Policies CP11 and DM11 of the Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and the objectives of the Surrey County Council Travel Plan Good Practice Guide 2010.

7.7 The impact of the development on protected species and biodiversity

7.7.1 The application site, as indicated above, falls within a countryside location and adjacent to woodland, with the potential to provide habitats for protected species. The application has been supported by an ecological report which concludes that whilst the remaining building on the site (the former caretaker's dwelling) has a limited potential for bats, two trees to be removed have potential for use by roosting bats. A review of bat activity is proposed before

works commence. In addition, a reptile survey encountered a slow worm in the grounds and concluded that their presence is limited, a review is proposed before works commence. Work would also avoid the bird nesting season.

7.7.2 The Surrey Wildlife Trust has advised that the survey work undertaken so far has not been sufficient and further survey work is required (in relation to bats, badgers and reptiles) before the Council is able to grant permission. Under such circumstances, and on the basis that any meaningful surveys, that would be required, can only be undertaken in the spring/summer seasons, the Council is not in a position to support this application at this time with the level of uncertainty over the impact of the proposal on any protected species. *Circular 06/2005: Biodiversity and Geological Conservation* indicates that:

"It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all other material considerations may not have been addressed in making the decision."

As such, an objection to the proposal is raised on these grounds.

7.7.3 The application site is partly located within 0.4km of the Thames Basin Heaths Special Protection Area and Natural England is currently advising the new residential development has the potential to adversely impact on the protected sites due to increase recreational pressure. In this instance the development proposes a care home which would fall within Use Class C2. A legal agreement is also required to preclude the keeping of cats and dogs (except those dogs required for the care of patients, e.g. guide dogs) to the site and occupancy limitations, such that the occupancy so that the care home accommodation shall not be occupied other than by persons who are mentally and/or physically frail, have mobility problems or suffer from partial or full paralysis or in need of assistance with the normal activities of daily life to limit the impact of the current proposal on the integrity of the Thames Basin Heaths Special Protection Area, along with a monitoring fee. To date, such a legal agreement has not been provided and an objection is raised to the proposal on these grounds.

7.7.4 As such, it is considered that the proposal is unacceptable on ecological and SPA grounds, failing to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved), the NPPF and advice in Circular 06/2005.

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

8.1 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:

- 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 development proposed would be sympathetic to the character and the appearance of the area and would not impact on the amenities currently enjoyed by the occupants of the surrounding residential properties. However, sufficient survey information (and any required mitigation) has not been provided to fully take account of any protected species on the site and an objection is raised on these grounds. In addition, a legal agreement has not been completed to limit the impact on highway safety and the SPA and objections are also raised on these grounds. The application is therefore recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The applicant has failed to provide sufficient survey information to ascertain the level of activity of protected species on the application site and what mitigation would be required to ensure that the development proposal does not harm these protected species. Therefore, in the absence of this information the Local Planning Authority is unable to satisfy itself that a grant of planning permission would not be in breach of the Conservation of Habitats and Species Regulations 2010 (which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercises of their functions) and that the proposal would not conflict with ODPM Circular 06/2005, Policy CP14 of the Surrey Heath Core Strategy and the National Planning Policy Framework.
2. The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation).
3. The proposed development would not provide a mechanism to adequately monitor the travel plan required to ensure that the development would limit the use of the motor car (and correspondingly promote the use of other transport modes) leading to conditions prejudicial to highway safety failing to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012, Surrey County Council Travel Plan Good Practice Guide 2010 and the National Planning Policy Framework.

2014/0943

Reg Date 06/11/2014

Lightwater

LOCATION: LAND REAR OF 4, 6 & 8 MACDONALD ROAD, LIGHTWATER, GU18 5TN

PROPOSAL: Erection of 2 linked-detached two storey dwellings with rooms in the roofspace on land rear of 4, 6 and 8 Macdonald Road with new access off Catena Rise, car parking and associated works.

TYPE: Full Planning Application

APPLICANT: Mariinsky Ltd

OFFICER: Aneta Mantio

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 Permission is sought for the erection of 2 linked-detached two storey dwellings with rooms in the roofspace on land rear of 4, 6 and 8 Macdonald Road with new access off Catena Rise, car parking and associated works.
- 1.2 The report concludes that the size of the site is not considered sufficient to accommodate the additional residential units. This proposal would result in cramped, contrived and incongruous development out of character with the established street pattern and would fail to integrate satisfactorily with neighbouring buildings. The proposal would also result in an adverse loss of residential amenity for the immediate neighbouring owner/occupiers of Macdonald Road. In addition, no payment has been made toward SAMM (Strategic Access Management and Monitoring) measures and so this forms an additional reason for refusal. As such the proposal would conflict with the NPPF and the development plan and is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is located to the southeast side of Catena Rise, in a settlement area of Lightwater. The plot area of approximately 0.6ha currently forms rear gardens of No's. 4, 6 & 8 Macdonald Road. The application site is occupied by a number of outbuildings, including a shed, a greenhouse and a single garage. The site is fairly flat. There are extant statutory controls on site in the form of a Tree Preservation Order.
- 2.2 The immediate surrounding area is characterised by residential dwellings of various sizes and styles. The properties to Macdonald Road are semi-detached two-storey dwellings, some with rooms in the roof space. Residential dwellings in Catena Rise are predominantly semi-detached two-storey dwellings with an exception of Cape Lodge on the corner plot with Guildford Road. Catena Rise is an approximately 115m long cul-de-sac leading to Lightwater Village School. Properties to the north of the application site are terraced two-storey dwellings.

3.0 RELEVANT HISTORY

- 3.1 There is no relevant planning history relating to the current application.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of 2 linked-detached two storey dwellings with rooms in the roof space on land rear of 4, 6 and 8 Macdonald Road with access off Catena Rise.
- 4.2 The proposed dwellings would be of the same dimensions, measuring a maximum of 9.785m deep, 9.25m wide with ridge and eaves height of 8.35m and 5.2m. Each of the dwellings would have a single attached garage, allocated area for storage of bins and an access from Catena Rise. Cycle provision would be made within the proposed garages.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority Informally advise that no objection is raised. Members will be advised by way of an update in connection with any formal comments.
- 5.2 Windlesham Parish Council Raise objection to the proposal for the following reasons:
- Parking & traffic implications in Macdonald Road and Catena Rise;
 - Access for emergency vehicles to the school would be compromised during construction;
 - Overlooking & loss of privacy;
 - Loss of light to garden of No. 2 Macdonald Road;
 - Overbearing impact within Catena Rise street scene; and
 - The proposed tree planting to the side boundary is in the area of the existing sewer.
- [these issues are addressed in section 7]*
- 5.3 Surrey Heath Tree Officer Raise objection.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 2 letters of objection and 1 letter of support (from the address in the applicant's ownership) were received from the neighbouring occupiers in connection with the following issues:
- Overlooking *[see para 7.4.3]*;
 - Loss of sunlight to rear garden of No. 211 Guildford Road *[see para 7.4.4]*; and
 - Parking & traffic implications in Catena Rise & in Macdonald Road *[see section 7.5]*.

7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework (NPPF); Policies CP1, CP2, CP14, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); the Developer Contributions SPD; the Thames Basin Heath Special Protection Area Avoidance Strategy SPD; the Lightwater Village Design Statement SPD (LVDS SPD); and, Policy NRM6 of the South East Plan are material considerations in this application.
- 7.2 It is considered that the main issues to be addressed in determining this application are:
- Impact on the character of the area, including trees;
 - Impact on residential amenities;
 - Whether the development is acceptable in terms of parking and highway safety;
 - Impact on local infrastructure; and
 - Impact on Thames Basin Heaths SPA.

7.3 Impact on the character of the area, including trees

- 7.3.1 The NPPF has a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. However, the NPPF rejects poor design that fails to take the opportunity to improve the character and quality of an area. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area generally.
- 7.3.2 Policy CP2 (Sustainable Development and Design) of CSDMP 2012 is reflective of the NPPF as it requires development to ensure that all land is used effectively within the context of its surroundings and to respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 (Design Principles) of CSDMP 2012 also promotes high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.3.3 The application site, as it lies within the settlement of the Lightwater village, is subject to the design principles outlined in the LVDS SPD. This document states that new development should pay regard to the locally distinctive and valued patterns of development, ranging from the shape of streets, the size of building plots, the spaces between buildings, the scale and shape of buildings, the architectural detailing and materials of individual buildings, boundary treatments, and landscaping. The overdevelopment of sites should be resisted due to its harmful impact on residential amenity, increased traffic generation and harm to the character of the area through eroding the generally smaller scale character of the Village.
- 7.3.4 The application site is located to the rear of three dwellings in Macdonald Road. This residential winding road is approximately 1.6km long. At such a length, it accommodates a great variety of design, architectural styles, scale and form of dwellings. The general pattern of plots to the west side of Macdonald Road within the application site stretch (No's 2 - 32) is of long, narrow and regular rectangular plots. No's 4, 6 and 8 Macdonald Road are very similar to the others, albeit slightly irregular in shape, as these abut Catena Rise to the rear (which runs diagonally to Macdonald Road). Due to its location, the proposed layout would relate to the urban grain of the surrounding area, particularly to the aforementioned properties in Macdonald Road and the properties in Catena Rise.

- 7.3.5 The proposal is to retain less than 50% of the depth of the existing plots of No's 4, 6 & 8 to enable two new dwellings to be erected within the newly formed plots. At the depth of 25m, the retained plots of the host dwellings would be substantially smaller when compared with those to their south, namely No's 10 – 32, all of which are fairly identical with a depth of approximately 53m. As such, the proposal would result in a cramped and contrived layout that would be at odds with the existing pattern of development to the west side of Macdonald Road (as identified above) and therefore harmful to the character of the surrounding area.
- 7.3.6 The frontages of the proposed Plots 1 & 2 would be sited parallel to Catena Rise. As such, the rear elevations of the proposed dwellings would have an oblique relationship with the rear walls of dwellings in Macdonald Road. The separation distances between the existing and proposed rear walls would be 12m at their minimum which is considered inadequate not only in terms of the scale of rear gardens, but also in terms of residential amenities (see section 7.4 below).
- 7.3.7 The visual impact of the proposed development would be most apparent within the Catena Rise street scene. Catena Rise accommodates five pairs of two-storey semi-detached dwellings and two detached dwellings, one to each end of the cul-de-sac. The proposed linked-detached dwellings would be of a maximum height of 8.4m and would accommodate a habitable space within the roof space. Although the proposed height might be similar to the semi-detached properties in Catena Rise, coupled with the proposed massing, plot sizes and layout, the proposal would appear cramped and as a contrived form of development.
- 7.3.8 The two oak trees within the southwest corner of the application site are protected by a TPO (Tree Protection Order) ref. TPO 17/09. An Arboricultural Report, including the Impact Assessment, Method Statement and a Tree Protection Plan submitted with the application states that the proposed construction would be outside of the RPA (Root Protection Area) of any existing trees. However, the supplied site plan is inaccurate, showing an RPA of 2.9m for Oak T2 [T1 on the TPO plan] when in fact it should be 8.7m. Accordingly, there is an intrusion into the RPA of this tree by almost 9%. The supplied Method Statement and Tree Protection Plan are therefore inaccurate and there are concerns regarding site supervision of excavation works within the RPA for foundations, ground preparation for driveway construction, storage of materials etc.
- 7.3.9 The supplied plan also advises new planting using 4 Birch trees. The location of these trees is unacceptable with the flank wall of the adjacent building a mere 1.5m distant and the electric substation 2.5m. Long term retention is not a viable option; and in addition, it was brought to the council's attention that a sewer runs along this boundary.
- 7.3.10 For the above reasoning, the proposed development by reason of insufficient plot sizes, proposed layout and massing coupled with its height, would result in a cramped, contrived and incongruous built form that would fail to integrate satisfactorily into its context and not respect or enhance the character and quality of the area, so contrary to Policy DM9.

7.4 Impact on residential amenities

- 7.4.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.
- 7.4.2 The proposed Unit 1, located to the north part of the application site, would maintain a minimum separation distance of approximately 12m and 15m to the nearest rear part of No's. 4 & 6 Macdonald Road respectively. At the maximum height of 8.35m, given the separation distances, the proposed Unit 1 would result in overbearing impact on the above

existing dwellings in Macdonald Road. Although Unit 2 would be of the identical height as Unit 1, it would be set further back from the rear walls of the neighbouring properties in Macdonald Road at approximate minimum of 20m and therefore not considered to result in any adverse overbearing impact on the above neighbouring properties.

- 7.4.3 The separation distances to the rear boundary from the first floor habitable rooms of Unit 1 would vary between 7m to 10.3m; and of Unit 2 between 10.3m and 5.7m. The minimum separations are considered insufficient in terms of overlooking of the rear garden areas of the neighbouring properties, namely No's 4, 6, 8 and 10 Macdonald Road, resulting in unacceptable loss of privacy. This relationship would be the same when considered vice versa in terms of the existing occupiers overlooking, resulting in a loss of privacy to the future occupiers of the development.
- 7.4.4 Unit 1 would maintain an average separation distance of 13m to the rear boundary of No. 211 Guildford Road; and although its orientation would be to the southwest with a maximum ridge height of 8.35m, it is not considered that Unit 1 would result in any adverse loss of light or sunlight to the rear garden area of the above dwelling to warrant refusal of the scheme on this basis.
- 7.4.5 Due to the retained separation distances and the orientation of the proposed and the existing dwellings, it is not considered that the proposed development would result in any adverse loss of light to the habitable rooms or the rear gardens of properties in Macdonald Road.

7.5 Whether the development is acceptable in terms of parking and highway safety

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.
- 7.5.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and informally advised that is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. Members would be advised by way of an update in connection with any formal comments received prior to the Planning Applications Committee meeting.

7.6 Impact on local infrastructure

- 7.6.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule will come into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. As the proposal relates to a net increase in residential floor area, the development is CIL liable.
- 7.6.2 At the time of writing of this report, the required CIL forms were submitted and the Council was able to calculate the liable sum, which is £67,760. CIL is a land charge that is payable at commencement of works. An informative advising of this would be added.

7.7 Impact on the Thames Basin Heaths Special Protection Area

- 7.7.1 Policy NRM6 of the South East Plan (Thames Basin Heaths Special Protection Area) seeks to protect the ecological integrity of the TBH SPA, Policy CP14B of the Core Strategy builds on this as does adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2012). This SPD identifies Suitable Alternative Natural Green

Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.

- 7.7.2 The application site is located approximately 630m from the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 5.7 in occupancy and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site. From 1st December 2014, a financial contribution towards the provision of SANG is included within the CIL payment.
- 7.7.3 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMP (Strategic Access Management and Monitoring) measures. As this is not included within the CIL, a separate financial contribution towards SAMP is required. In this instance a payment of £1,500 is needed and has to be secured by way of a legal agreement, if not paid in full prior to the determination of the application. At the time of writing of this report, no such payment was or the satisfactory legal agreement was received by the Council.

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:

- 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 proposal by reason of the size of the site area, the proposed layout and resultant rear amenity space for the existing and proposed dwellings; and, coupled with the footprint, height and massing of the proposed dwellings would result in a cramped, contrived and incongruous development at odds with the established pattern of development forming poor relationships with the host dwellings and neighbouring buildings along the west side of Macdonald Road. As such the proposal would fail to integrate, respect and improve the character and quality of the area contrary to Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, the Lightwater Village Design Statement Supplementary Planning Document and the NPPF. The proposal would also represent an unneighbourly form of development for nos. 4 - 12 Macdonald Road, and for the future occupiers of the proposed units, resulting in an adverse loss of residential amenity

contrary to Policy DM9 (iii) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework. In addition, the applicant has failed to make financial contribution or secure legal agreement in terms of SMM.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal by reason of the size of the site area, the proposed layout and resultant rear amenity space for the existing and proposed dwellings; and, coupled with the footprint, height and massing of the proposed dwellings would:
 - a) result in a cramped, contrived and incongruous development at odds with the established pattern of development forming poor relationships with the host dwellings and neighbouring buildings along the west side of Macdonald Road. As such the proposal would fail to integrate, respect and improve the character and quality of the area contrary to Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, the Lightwater Village Design Statement Supplementary Planning Document and the National Planning Policy Framework; and,
 - b) represent an unneighbourly form development for nos. 4 - 12 Macdonald Road, and for the future occupiers of the proposed units, resulting in adverse overbearing impacts, loss of privacy and overlooking contrary to Policy DM9 (iii) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

Informative(s)

1. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development. In respect of the second reason for refusal, in addition to SMM contribution, CIL is the only mechanism for collecting Suitable Natural Green Space (SANG) monies. Therefore if there is SANG capacity at the time of appeal then capacity will be assigned.

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2014/0717

Reg Date 22/09/2014

Bagshot

LOCATION: 12 LONDON ROAD, BAGSHOT, GU19 5HN
PROPOSAL: Erection of 4 two storey dwellings with access to London Road, following the demolition of the existing car sales buildings.
TYPE: Full Planning Application
APPLICANT: Mr A Dowsett
OFFICER: Aneta Mantio

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 The full application proposes the erection of 4 two storey dwellings with access to London Road, following the demolition of the existing car sales buildings. This would comprise a pair of link-detached dwellings to the frontage of the site with two detached dwellings to the rear.
- 1.2 This report concludes that the proposal would not result in any adverse impact on the character of the surrounding area, loss of residential amenities, highway or parking implications. The proposed change of use from car sales to residential might be acceptable in principle, subject to the site being no longer required for employment purposes. However, the applicant has failed to demonstrate that the site is no longer required for such a use, contrary to Policy DM13 of the Core Strategy. In addition, the applicant has failed to make a financial contribution towards affordable housing and towards TBH SPA Strategic Access Management and Monitoring (SAMM).
- 1.3 As such, the proposed development would be contrary to the aims and objectives of the development plan and the NPPF and is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to approximately 0.19ha and is located to the east of London Road (A30) within the settlement of Bagshot. The site is broadly rectangular in shape (approximately 66m by 29m) and is currently occupied by two buildings and a large canopy and is currently used for car sales. The site is laid to hardstanding and bound by low wooden fence with dense shrubbery in places to the north & south/side. The frontage is fairly open with metal, low post & rail fence to the west and a wooden fence to the east/rear boundary. The ground levels of the application site slope down to the east. The application site has two points of vehicular access from London Road to the northwest and southwest of its frontage, albeit the southwest access is currently not in use.
- 2.2 The site is located in an area of mixed uses, being bounded with properties in different uses. There is an Archaeology Centre building (offices) to the north that appears currently vacant; a care home and smaller residential dwellings to the south; and a Council Depot to the east.

3.0 RELEVANT HISTORY

3.1 The relevant planning history includes the following applications:

- 94/0033 - Erection of new sales building following demolition of existing – approved;
- 00/1074 - Change of use from petrol filling station to the display and sale of motor vehicles – approved;
- 05/0488 - Change of use of existing land and buildings from the parking, display, servicing and sale of motor caravans to a use for the display, sale and servicing of motor cars – approved; and
- 06/0051 - Change of Use to residential, erection of a three storey building to accommodate 13 two bedroomed flats following the demolition of existing buildings. New vehicular access to be created onto A30 London Road – withdrawn prior to the determination.

There is no further relevant planning history.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of 4 two storey dwellings with access to London Road, following the demolition of the existing car sales buildings. The proposal is to erect a pair of link-detached dwellings to the frontage of the site with two detached dwellings to the rear. The existing access to the southwest would be utilised, whilst the existing access to the northwest of the site would be closed off.
- 4.2 The pair of linked-detached properties (Plots 1 & 2) would be a maximum 12.5m deep, 18.5m wide with ridge height varying between 9.5m and 5.75m; and eaves heights between 5.5m and 3.6m. The dwelling at Plot 3 would be a maximum of 14.1m wide (including the chimney), a maximum of 11.8m deep with a maximum ridge and eaves heights at 9.55m and 5.75m respectively. Plot 4 would be a maximum depth of 10.85m, a maximum width of 16.5m and a maximum ridge and eaves heights at 9.6m and 5.75m respectively.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--|--|
| 5.1 | Surrey County Council
Highway Authority | No objections, subject to conditions. |
| 5.2 | Environmental Protection | Subject to conditions, no objections in terms with the noise or contamination. |
| 5.3 | Windlesham Parish Council | Although the principle of redevelopment of the site for smaller residential units would be supported, the Parish Council raise objection due to overdevelopment of the site and overlooking. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 1 letter of support has been received in connection with provision of needed housing in Bagshot.

7.0 PLANNING CONSIDERATION

7.1 The National Planning Policy Framework; policies CP1, CP2, CP3, CP5, CP8, CP14, DM9, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012; NRM6 of the South East Plan 2009; and, the Thames Basin Heath Special Protection Area Avoidance Strategy Supplementary Planning Document 2012 form material considerations in this case.

7.2 It is considered that the main issues to be addressed in determining of this application are:

- The principles of the development including loss of employment use, provision of residential development and affordable housing;
- Design and impact on the character of the surrounding area;
- Impact on residential amenity, including noise and contamination;
- Impact on highway safety and parking capacity;
- Impact on local infrastructure; and
- Impact on the Thames Basin Heaths Special Protection Area.

7.3 The principles of the development including loss of employment use, provision of residential development and affordable housing

7.3.1 Policy DM13 (Employment Development Outside Core Employment Area & Camberley Town Centre) states that the loss of employment sites in the above areas may be permitted where it would not adversely affect the overall sustainability or employment opportunities of the relevant settlement; would not result in the loss of a strategically important sector; and would not result in the loss of units capable of use by small business or industry unless it can be demonstrated that there is no longer a need for such units. Policy CP1 (Spatial Strategy) indicates that Bagshot village will have limited capacity to accommodate new development and this will be achieved primarily through redevelopment of existing sites. Policy CP2 (Sustainable Development and Design) requires development to ensure that all land is used efficiently within the context of its surroundings. Policy CP3 (Scale and Distribution of New Housing) seeks to make provision of additional dwellings by promoting the use of previously developed land in settlement areas and ensuring the most effective use of that land. Policy CP5 (Affordable Housing) seeks a target of 35% of all net additional housing as affordable over the lifetime of the Core Strategy. The Borough Council will negotiate a 20% affordable housing equivalent financial contribution on sites of 3-4 units (net).

7.3.2 The proposed development involves a change of use from car sales (Sui Generis Class Use) to residential. The existing use provides employment for 3 full time members of staff. Policy DM13 requires that the proposed development should not result in the loss of units capable of use by small business or industry unless it can be demonstrated that there is no longer a need for such units. The applicant has produced no justification in these terms and therefore it has not been demonstrated that the application site is no longer required for employment purposes. As such, the Council is not satisfied that the proposal meets the criteria of Policy DM13, and an objection is raised on this ground.

- 7.3.3 Policies CP1, CP2 and CP3 encourage redevelopment of existing sites within the settlement areas, including Bagshot village. The application site is located within the mixed use location, where residential use is present. As such, the proposed residential use might be considered acceptable in principle subject to the other material considerations within this report.
- 7.3.4 The proposed development would provide a net increase in residential units. In line with Policy CP5, the proposal is liable for affordable housing financial contribution. At the time of preparation of this report, the applicant provided no indication that they are willing to enter into a legal agreement to secure this contribution. An objection is therefore raised on this basis.

7.4 Design and impact on the character of the surrounding area

- 7.4.1 The NPPF seeks a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. Policy CP2 (Sustainable Development and Design) requires new development to respect and enhance the quality of the urban environments. Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.4.2 The proposed development would be located in an area that is characterised by a variety of built form in terms of their scale, massing, architectural detailing and use. There is an existing office building to the north and the existing care home building to the south of the proposed development within the London Road frontage. The separation distances to the north and south/side boundaries would be maintained at 3.5m and 8.1m respectively, which would be comparable with gaps to boundaries maintained by neighbouring buildings and the pattern of development in the area. There is no well-established front building line in this section of London Road. The proposed Plots 1 & 2 would be set a minimum of 5.2m from the front boundary with the highway, which would be similar to the neighbouring care home building.
- 7.4.3 The existing buildings within the road frontage and adjacent to the application site contain hipped roofs, whilst the proposed dwellings include pitched roof form with side gables. The ridge height of the proposed dwellings would be set approximately 0.9m higher than the ridge of the office building to the north and approximately 2.5m lower than the ridge height of the care home to the south. Due to the maintained separation distances, set back from the road and the proposed height of the proposal, it is not considered that the proposed development would result in any adverse visual impact within the street scene.
- 7.4.4 The built form on the application site reflects its current use. The existing street scene is created by a metal post and rail low height open style front boundary treatment with the views of a large canopy, sales building and a warehouse style building beyond. The proposed street scene incorporates soft landscaping, the view of the linked-detached dwellings (Plots 1 & 2) with an outline of Plot 3 beyond and the improved access to its southwest corner. Appropriate landscaping could be secured by condition. Overall it is considered that the proposed use and development would not only respect the surrounding built form but would also enhance the visual appearance of the locality, in accordance with Policy DM9.

7.5 Impact on residential amenity, including noise and contamination

- 7.5.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.

- 7.5.2 The proposed layout is such that Plots 2, 3 and 4 would be located closest to the south boundary with the care home. The care home building has a numerous openings inserted within its north elevation, facing the application site, the majority of which serve habitable rooms. Those windows located with the view in direction of the rear garden of Plot 2 would be situated in a distance in excess of 14m. Such a distance is considered sufficient as not to result in any adverse overlooking and loss of privacy. Plots 3 and 4 would face the care home with their front elevations but given the distances away and the oblique siting of these plots it is not considered that any undue loss of privacy would occur.
- 7.5.3 The first floor bedroom and landing windows of Plot 4 would face southwest. Rear parts of rear gardens of the neighbouring residential dwellings, No's. 45 and 43 Lory Ridge, are situated this direction. An approximate minimum separation distance of 8.6m would be maintained between these windows and the boundary of the above neighbouring dwellings. Based on the separation distance and the oblique views of the main garden areas, it is not considered that the proposed development would result in any adverse overlooking and loss of privacy to the above existing neighbouring properties.
- 7.5.4 All the proposed first floor side facing windows would serve non-habitable rooms and spaces, namely en-suites, bathrooms or staircases. As such, these could be conditionally obscurely glazed in order to prevent any overlooking and loss of privacy to the neighbouring properties. It is considered that the proposed rear garden areas are sufficient to the scale of the proposed dwellings.
- 7.5.5 The Council's Environmental Health officer has considered the proposal and assessed the Noise Exposure Assessment for future occupiers, due to the location of the application site on a main road (A30). The proposal is considered to have no adverse impacts subject to the imposition of conditions including securing acceptable ventilation and fenestration.
- 7.5.6 Due to the historical use of the application site as a petrol station, the applicant submitted a contamination report, which was considered by the Council's Environmental Health officer. The officers are satisfied that subject to the submission of Phase Two Contaminated Land Report condition, the proposal would not result in any detrimental environmental contamination issues for the future occupiers.
- 7.5.7 In conclusion, it is considered that the proposed development would not result in any adverse loss of amenities to the occupiers of the neighbouring buildings or future occupiers of the proposed development.

7.6 Impact on highway safety and parking capacity

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.
- 7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway, subject to conditions. The County Highway Authority seeks to impose relevant conditions in order not to prejudice highway safety nor cause inconvenience to other highway users.

7.7 Impact on local infrastructure

- 7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule will come into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath

charges CIL on residential and retail developments where there is a net increase in floor area. As the proposal relates to a net increase in residential floor area, the development is CIL liable.

- 7.7.2 At the time of writing of this report, no CIL forms were submitted and therefore the Council is unable to calculate the liable sum. CIL is a land charge that is payable at commencement of works. An informative advising of this would be added.

7.8 Impact on the Thames Basin Heaths Special Protection Area

- 7.8.1 Policy NRM6 of the South East Plan (Thames Basin Heaths Special Protection Area) seeks to protect the ecological integrity of the TBH SPA, Policy CP14B of the Core Strategy builds on this as does adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2012). This SPD identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.

- 7.8.2 The application site is located approximately 690m from the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 11.4 in occupancy and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site. From 1st December 2014, a financial contribution towards the provision of SANG is included within the CIL payment.

- 7.8.3 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £2,998 is needed and has to be secured by way of a legal agreement, if not paid in full prior to the determination of the application. At the time of writing of this report, no payment or satisfactory legal agreement was received by the Council.

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

- 8.1 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:

- 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 proposal fails to demonstrate that the loss of the existing business use on the application site would not adversely affect the overall sustainability or employment opportunities of the settlement area of Bagshot; and that it would not result in the loss of a unit capable of use by small business or industry. As such, the local Planning Authority cannot satisfy itself that the loss of this business unit would not result in harmful impact on the local employment opportunities of the local area of Bagshot. The proposed development is therefore contrary to the aims and objectives of Policy DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012. In addition, the applicant has failed to make financial contributions towards affordable housing and SAMM.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal fails to demonstrate that the loss of the existing business use on the application site would not adversely affect the overall sustainability or employment opportunities of the settlement area of Bagshot; and that it would not result in the loss of a unit capable of use by small business or industry. As such, without evidence of an appropriate marketing exercise and identification of demand, the Local Planning Authority cannot satisfy itself that the loss of this business unit would not result in harmful impact on the local economy. The proposed development is therefore contrary to the aims and objectives of Policy DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012.
2. The proposal fails to provide an adequate provision of affordable housing, and as such would not deliver a development, which would meet the housing requirement of all sectors of the community. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012.
3. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

Informative(s)

1. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.

In respect of reason 3 for refusal, in addition to SAMM contribution, CIL is the only mechanism for collecting Suitable Alternative Natural Green Space (SANG) monies. Therefore if there is SANG capacity at the time of appeal then capacity will be assigned.

2014/0969

Reg Date 11/11/2014

Old Dean

LOCATION: 193-199 UPPER COLLEGE RIDE, CAMBERLEY, GU15 4HE
PROPOSAL: Change of Use from C3 to A1 (9.1msq) and new shop front with associated minor works to side elevation.
TYPE: Full Planning Application
APPLICANT: Mr John Ewins
 The Co-operative Group
OFFICER: Aneta Mantio

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The full application proposes a change of use from C3 to A1 (9.1sqm) and a new shop front with associated minor works to side elevation.
- 1.2 The report below concludes that the proposal would not result in any adverse impact on the character of the surrounding area, loss of residential units or amenities; or in any detrimental highway and parking implications. As such, the proposal is considered in line with the local plan and the NPPF and is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application property includes two business premises within a small shopping parade located to the north side of Upper College Ride in Old Dean Ward in Camberley. The application site is the ground floor level of a two-storey building with residential accommodation at the first and the roof levels. It comprises a frontage to the existing A1 (retail) unit 193 – 197 Upper College Ride and the currently vacant premises at No. 199 Upper College Ride, last in use as an A3 (restaurant). Between the two units there is a small area (9.1sqm) designated as an access to the first floor flats (C3 use). The character of the locality reflects that of the 'Post War Council Estate' character area, as identified in the Western Urban Area Character Supplementary Planning Document (SPD).

3.0 RELEVANT HISTORY

- 3.1 The most recent relevant planning history relating to No. 199 Upper College Ride includes the application 11/0285 for a change of use of ground floor from Class A1 (Retail) use to Class A3 (Restaurant) and insertion of an extract vent to the rear that was approved in June 2011.
- 3.2 Relevant recent planning history on premises 193 – 197 Upper College Ride includes a withdrawn application 14/0734 to vary the colour of existing shopfront including frames, door, stallriser and shutter to grey colour; and the approved scheme 08/0267 for an installation of an automatic sliding door and a shopfront and associated alterations.

There is no further relevant planning history.

4.0 THE PROPOSAL

- 4.1 Permission is sought for a change of use from C3 to A1 (9.1msq) and a new shop front with associated minor works to the side elevation. In terms of the proposed change of use, the 9sqm of residential use is an existing pedestrian access to the flats above the commercial unit from Upper College Ride. There is an existing secondary pedestrian access to the rear of the building that would be utilised. As such, no loss of residential units would result.
- 4.2 The proposed changes to the existing frontage include new fenestration details, an ATM installation to the area of the current access to the first floor flats and alterations to the existing entrance ramp. The existing small scale ground floor openings within the east/side elevation would be blocked up. The access to the first floor flats from within the frontage of the building would be removed and the existing rear access would be utilised.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority No comments.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no letters of representation have been received.

7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework; and, Policies CP1, CP2, CP3, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 form material considerations in this case.
- 7.2 It is considered that the main issues to be addressed in determining of this application are:
- Principle of the development in terms of change of use;
 - Design and impact on the character of the surrounding area;
 - Impact on residential amenity;
 - Impact on highway safety and parking capacity; and
 - Impact on local infrastructure.

7.3 Principle of the development in terms of change of use

- 7.3.1 Policy CP1 (Spatial Strategy) indicates that the employment growth in Camberley will be achieved through redevelopment of existing sites. Policy CP2 (Sustainable Development and Design) requires development to ensure that all land is used efficiently within the context of its surroundings. Policy CP3 (Scale and Distribution of New Housing) seeks to resist any development that involves a net loss of housing unless it can be demonstrated that the benefits outweigh the harm.

7.3.2 Policies CP1 and CP2 encourage redevelopment of existing sites within the settlement areas. The application site is located within the mixed use locality, where a retail use is present. As such, the proposed retail use is considered acceptable in principle subject to the other material considerations below.

7.3.3 The proposed development involves a change of use from A3 to A1. This in principle does not require planning permission as it benefits from permitted development under the Town and Country Planning (Use Classes) Order 1987 (as amended).

7.3.4 The change of use from ancillary C3 residential floor area to A1 arises from a change in access arrangements to the split level flats above. The flats would be accessed from an existing rear access. Removal of the access on the front elevation and its use as additional A1 floor area, housing an ATM, would not result in a loss of, or compromise the retention of either C3 (residential) unit. With this in mind, the proposal would not conflict with the aims of Policy CP3 of the Core Strategy and Development Management Policies 2012.

7.4 Design and impact on the character of the surrounding area

7.4.1 The National Planning Policy Framework seeks a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. Policy CP2 (Sustainable Development and Design) requires new development to respect and enhance the quality of the urban environments. Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.

7.4.2 The proposed operational development includes a replacement shopfront to part of the premises, namely the east/side part of No. 193-197 and the frontage to No. 199. All the detailing in terms of fenestration would match those existing to the west/side of the premises 193-197 and therefore are considered acceptable. The new ATM would be installed in the area of the existing access to the first floor flats and would visually follow the proportions of the existing door, which is also considered acceptable. Minor changes to the side/east elevation of the premises at No. 199 would include brickwork infill, matching the existing. On this basis, it is not considered that the proposal would result in any adverse visual impact within the street scene or the wider surrounding area.

7.5 Impact on residential amenity

7.5.1 The National Planning Policy Framework seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.

7.5.2 As outlined above in para. 7.3.4, the flats above the business premises would be, following the implementation of the proposed works, accessed via a rear secondary staircase. This staircase is currently in place and it is not considered that the loss of the front access from Upper College Ride would result in any detrimental impact on residential amenities.

7.6 Impact on highway safety and parking capacity

7.6.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.

7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority seeks to impose relevant conditions in order not to prejudice highway safety nor cause inconvenience to other highway users.

7.7 Impact on local infrastructure

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule will come into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. Although the proposed use is retail, as the proposal does not relate to a net increase in floor area, the development is not liable for a CIL payment.

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:

- 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 proposal is not considered to result in any adverse visual impact within the surrounding area, impact on residential amenities, highway and parking implications or loss of residential units. The proposed development has been considered against policies CP1, CP2, CP3, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012; guidance in the Western Urban Area Character Supplementary Planning Document; and, the National Planning Policy Framework 2012.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

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. The proposed development shall be built in accordance with the following approved plans: Location Plan and (00)010 Rev C, both received on 11/11/2014 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 Planning Practice Guidance.

3. The building works, hereby approved, namely the brickwork, shall be constructed in external fascia materials including brick and pointing to match those of the existing building.

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

Informative(s)

1. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

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2014/0724

Reg Date 21/10/2014

West End

LOCATION: GORDONS SCHOOL, BAGSHOT ROAD, WEST END,
WOKING, GU24 9PT

PROPOSAL: Extension to 'Louvain house' to form Girl's day house with study rooms, common rooms, kitchen, changing rooms, showers, sanitary accommodation, locker facilities and house office. (Amended plans rec'd 17/11/14)

TYPE: Full Planning Application

APPLICANT: Mrs S Meikle
The Gordon Foundation (Gordon's School)

OFFICER: Chenge Taruvunga

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application proposes the erection of a two storey extension to an existing classroom building. The proposed extension would provide an additional 136 square metres of class room space.
- 1.2 The report concludes that the proposed development would represent limited infilling on a previously developed site and therefore represents appropriate development within the Green Belt. Moreover the benefits arising from the provision of improved educational facilities weigh in favour of granting planning permission. It is also noted the proposal would not have an adverse impact on residential amenity, highway safety or trees. On this basis the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises Gordon's School which was originally established in 1885. The site is located within the Green Belt and is split by Bagshot Road, with a footbridge link over the road. The main school buildings (which are locally listed) are located on the south side of Bagshot Road.
- 2.2 Louvain House is located towards the north east of the southern part of the wider site, immediately adjacent to Bagshot Road and the school entrance to the west. The existing building currently forms two staff flats which will be moved to Bordein building which was previously occupied by the Bursar's House.

3.0 RELEVANT HISTORY

- 3.1 SU/12/0133 Erection of a two storey extension to existing building.
Approved 19/06/2012
- 3.2 SU/12/0134 Erection of a new classroom building.
Refused 26/06/2012

- 3.3 SU/13/0137 Erection of a single storey building to serve as a maintenance store following demolition of existing storage buildings.
Approved 10/05/2013
- 3.4 SU/13/0166 Erection of two single storey extensions to existing boarding house building.
Approved 09/05/2013
- 3.5 SU/13/0201 Erection of a single storey building to serve as a pavilion and changing facility.
Approved 09/05/2013

4.0 THE PROPOSAL

- 4.1 This application proposes the erection of a two storey extension to the Louvain building. According to the planning statement all enrolled pupils of Gordon’s School are part of a house and there are currently nine houses, four of which are residential with five being day houses. A third day house for girls is required to reduce overcrowding and provide extra study areas for sixth formers. The applicant advises that there is no intention to increase the number of pupils at the school.
- 4.2 The proposal for the extension and refurbishment of Louvain allows for the provision of two common rooms, together with two study rooms, a kitchen, house office, changing rooms and lockers. The proposed two storey extension will be positioned to the rear of the Louvain and occupy part of the footprint of the existing single storey elements to be demolished. The existing enclosed courtyard will also form part of the footprint of the extension.
- 4.3 The extension will measure 5.3 metres in depth and 13.2 metres in width with a ridge height of 8.3 metres. The two storey element would be characterised by similar rear facing gables as currently existing.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highways No objection.
- 5.2 West End Parish Council No objections.
- 5.3 Historic Buildings Officer Objection (see para 7.4)

6.0 REPRESENTATION

- 6.1 At the time of writing of this report no representations had been received.

7.0 PLANNING CONSIDERATION

7.1 The application site is located within the Green Belt as defined on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies Document 2012. Policies DM9 (Design Principles) and DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies Document are applicable to the consideration of this application along with the NPPF.

7.2 It is considered that the main issues to be addressed by this report are:

- The impact on the Green Belt;
- The impact on the character of the area and the local listed building;
- The impact on neighbouring residential amenities; and,
- The impact on parking and highway safety.

7.3 The impact on the Green Belt

7.3.1 The NPPF defines previously developed land as land which is, or was occupied by a permanent structure, including the curtilage of developed land and any associated fixed surface infrastructure. The site can therefore be considered to constitute “previously developed land” within the Green Belt. Paragraph 89 of the NPPF advises that the limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development would be appropriate in the Green Belt.

7.3.2 In assessing the proposal’s impact on the openness of the Green Belt the primary indicator is the presence of built form. The proposed extension would be sited within the footprint of existing single storey elements and courtyard area. In addition, the development would be sited within a part of the site that is densely concentrated by school buildings and extensive areas of hardstanding. The dining hall building to the immediate south, the main entrance and China House to the east and Bagshot Road just beyond the boundary to the north all contribute to a hard urban landscape around this part of the site. Although the proposed extension accounts for an increase in floor area of approximately 46%, in the context of the larger site, the proposal is considered to be a limited infill development on previously developed land that would not detract from the openness of the Green Belt or conflict with the purposes of including land within it.

7.3.4 The proposed development is therefore considered to be appropriate development in the Green Belt. Even if, notwithstanding this conclusion, this development is deemed to be harmful to openness then in the officer’s opinion the identified need for the accommodation (as identified in paragraph 4.1 of this report) weighs significantly in favour of this proposal. There is a wider concern that over time incremental infill developments at the school may cumulatively be harmful to the Green Belt. Whilst officers do not consider this to be the case with this proposal, it is nevertheless considered that for future applications the applicant provides a comprehensive masterplan so that development can be treated holistically. An informative is proposed regarding this (see also paragraph 7.4.3 below).

7.4 The impact on the character of the area and the local listed building

7.4.1 Policy DM17 of the Surrey Heath Core Strategy advises that development that affects a Heritage Asset should first establish and take into account its individual significance and seek to promote the conservation and enhancement of the asset and setting.

7.4.2 The Council's Historic Buildings Officer has visited the site in order to assess the proposal and has expressed concern in respect of the dilution of the quality of the historic building over time. He acknowledges that although the building is one of the more publically visible buildings on the site, the proposal may not have a substantially harmful impact on the interest of the wider complex. He advises that the incremental and accumulative alteration of buildings on the wider site may further dilute the interest of the heritage asset.

7.4.3 Although the concerns raised by the Council's Historic Buildings Officer are noted, the current proposal relates to only a small part of the wider site. Given the modest impact on the locally listed building, it is considered that the benefits of improving facilities within the school contributes to its continued competitiveness in the local area and outweighs the limited harm to the locally listed building. However, noting the concerns raised in respect of the incremental extensions to the wider site, officers have included an informative advising the applicant to submit a comprehensive master plan as part of future planning applications on the wider site as a means of fostering a more holistic assessment of the impact of development on the heritage asset. On this basis, it is not considered that the current proposal would have an adverse impact on the locally listed building.

7.5 The impact on neighbouring residential amenities

7.5.1 Policy DM9 of the Core Strategy advises that development will be acceptable where it provides sufficient private and public amenity space and respects the amenities of occupiers of neighbouring property and uses. The NPPG provides guidance in respect of noise considerations to be made in the delivery of new development.

7.5.2 The proposed extension would be set a significant distance away from residential neighbouring properties. It is therefore considered that the proposal would not have a significant impact on the amenities of neighbouring residential properties.

7.6 The impact on parking and highway safety

7.6.1 Policy DM11 of the Core Strategy advises that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

7.6.2 The County Highway Authority have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore have no highway requirements.

7.7 The impact on trees

7.7.1 Trees form an important part of the visual landscape whether in a rural or urban setting. Policy DM9 of the Core Strategy advises that trees and vegetation worthy of retention should be protected.

7.7.2 The Council's Tree Officer has assessed the proposal and advised that the proposed construction will be outside the root protection areas of trees on the site. As a safeguarding measure tree protection fencing as set out in the accompanying report by R W Green Limited dated 26 September 2014 will be requested by condition. Subject to compliance with relevant conditions, it is considered that the proposed development would not have an adverse impact on trees and as such accords with Policy DM9 of the Core Strategy.

7.8 The impact on local infrastructure

7.8.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule will come into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. However, as the proposals do not relate to development in Use Class C3, or A1 - A5, the development is not CIL liable.

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 In conclusion, the proposed development would represent a limited infill on previously developed and therefore represents appropriate development within the Green Belt. Moreover, the benefits arising from the provision of improved educational facilities weigh in favour of granting planning permission. It is also noted the proposal would not have an adverse impact on residential amenity, highway safety or trees. On this basis the application is recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

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. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building.

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

3. The proposed development shall be built in accordance with the following approved plans: 106, 107, 108, 109(A), 110 (A), 111, 112, 113. , 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 Planning Practice Guidance.

4. Before any equipment, materials or machinery are brought onto the site in connection with the development, protective fencing at least 2m high and comprising of a vertical and horizontal framework of scaffolding (well braced to resist impacts) and ground protection methods, in compliance with **BS5837:2012 – Trees in Relation to Design, Demolition and Construction**, shall be erected in accordance with the submitted and approved Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan, unless otherwise agreed in writing with the Local Planning Authority.

Such protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the borough council.

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.

5. A minimum of 7 working days before any development, including any works of demolition or site clearance, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to agree the extent of any facilitation or management tree works, tree and ground protection, demolition, storage of materials and the extent and frequency of Arboricultural site supervision. In all other regards the development shall proceed in accordance with the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** compliant report prepared by RW Green Limited dated 26 September 2014.

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.

Informative(s)

1. Building Regs consent req'd DF5
2. Decision Notice to be kept DS1
3. The applicant is advised that any further applications for extensions or redevelopment of parts of Gordon's School should be submitted as part of a comprehensive master plan to enable a holistic assessment of the impact of development on the Green Belt and the heritage asset.

2014/0905

Reg Date 10/10/2014

Town

LOCATION: HAYWARD HOUSE, 1 PORTESBERY ROAD, CAMBERLEY, GU15 3TA
PROPOSAL: Change of Use from retail use (Class A1) to an estate agency (Class A2).
TYPE: Full Planning Application
APPLICANT: Mr Craig Walker
Walker Broadcasting Limited Ltd/TA Belvoir Lettings Camberley
OFFICER: Chenge Taruvinga

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site is located along Portesbery Road in close proximity to Camberley High Street within a single storey wood clad building. Within this vicinity is a mixture of commercial units, each immediately adjacent to the Portesbery Road frontage.
- 1.2 The current application relates to a change of use from an A1 retail use to an A2 estate agency use. This report concludes that the development proposed is acceptable and would not harm the vitality and viability of the Camberley Town Centre, would respect the character and the form of the surrounding development, and would not materially impact on the amenities enjoyed by the occupants of the adjoining residential properties and would not result in conditions prejudicial to highway safety. On this basis the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located in close proximity to Camberley High Street and is surrounded by a mix of commercial buildings that front onto Portesbery Road. The application property features a brick and timber clad building which serves two commercial units, one of which is the subject of this change of use application.

3.0 RELEVANT HISTORY

- 3.1 SU/01/1309 Change of use of part of ground floor from A2 (financial and professional services) to A1 (retail).

Approved 04/02/2002

4.0 THE PROPOSAL

- 4.1 The proposal seeks permission for a change of use from retail (A1) to an estate agency (A2). A separate application for advertisement consent is currently being assessed under planning ref. SU/14/0906.

5.0 CONSULTATION RESPONSES

5.1 County Highway Authority No objection

6.0 REPRESENTATION

6.1 At the time of writing of this report no representations had been received.

7.0 PLANNING CONSIDERATION

7.1 The site lies within Camberley Town Centre as defined on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012. The application should therefore be determined against Policies CP10, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012. Regard must also be given to Policies TC1, TC2 of the Camberley Town Centre Area Action Plan (AAP) the National Planning Policy Framework (NPPF) and Western Urban Area Character SPD 2012. In light of this policy framework the main issues in the determination of this application are considered to be:

- The impact of the development on the vitality and viability of the Town Centre;
- Whether the development would be detrimental to the character and appearance of the area and residential amenities of existing residents in the vicinity; and,
- Whether the development is acceptable in terms of highway and parking considerations.

7.2 The impact of the development on the vitality and viability of the Town Centre

7.2.1 Policy TC2 of the Camberley Area Action Plan advises that the town centre retail role will be maintained and enhanced through the protection of retail activity within the Primary Shopping Area. Given the site lies outside both the primary and secondary frontages, Policy TC2 allows for greater diversity of uses between Classes A1 – A5, where they do not adversely impact on the existing character, function and vitality of the street or surrounding environment.

7.4 Whether the development would be detrimental to the character and appearance of the area and residential amenities of existing residents in the vicinity;

7.4.1 Policy DM9 of the Surrey Heath Core Strategy requires high quality design that enhances and respects the local character of the environment. New development is also required to ensure that the amenities of occupiers are respected.

7.4.2 It is not considered that the change of use from A1 to A2 would have an adverse impact on the character of the commercial unit or wider street scene. The proposal would be sited a significant distance away from any residential properties and would therefore not impact on residential amenity. As such it is considered that the proposal accords with the character and amenity considerations set out within Policy DM9 of the Core Strategy. The proposed advertisements are considered under a separate advertisement application (SU/14/0906).

7.6 Impact on parking and highway safety

- 7.6.1 Policy DM11 of the Core Strategy advises that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway subject to conditions. The County Highway Authority therefore has no highway requirements. The proposed development would meet the objectives of Policy DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

7.7 Impact of the development on local infrastructure

- 7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule will come into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. As the current application does not result in a net increase of retail floor space it would not be CIL liable.

8.0 CONCLUSION

- 8.1 This report concludes that the development proposed is acceptable and would not harm the vitality and viability of the Town Centre, would respect the character and the form of the surrounding development, would not materially impact on the amenities enjoyed by the occupants of the adjoining residential properties and would not result in conditions prejudicial to highway safety. On this basis the application is recommended for approval.

9.0 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.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

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.

Informative(s)

1. Decision Notice to be kept DS1

2014/0984

Reg Date 04/11/2014

Chobham

LOCATION: PARADISE FARM, 77 MINCING LANE, CHOBHAM, WOKING, GU24 8RT
PROPOSAL: Erection of a first floor side extension to dwelling and associated alterations.
TYPE: Full Planning Application
APPLICANT: Mr & Mrs Horswell
OFFICER: Ross Cahalane

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application proposes the erection of a first floor side extension and associated alterations to the farmhouse at Paradise Farm, a Grade II Listed building. The corresponding Listed Building Consent (SU/2014/0985) is being reported elsewhere on this agenda.
- 1.2 This report concludes that the proposed development would respect the character of the Grade II Listed Building and openness of the Green Belt and would not adversely affect neighbouring residential amenity or parking and highway safety.

2.0 SITE DESCRIPTION

- 2.1 The application site falls within the Green Belt and is sited on the western side of Mincing Lane, Chobham, near to its junction with Red Lion Road. The application property is a Grade II Listed 16th Century detached farm house sited within a fairly large residential curtilage surrounded by woodland.
- 2.2 In the last 50 years the farm house has been extended to the rear (west) and to the north with both single and double storey additions, and a conservatory approved by the July 2013 Planning Committee under application SU/2013/0310.

3.0 RELEVANT HISTORY

- 3.1 SU/2013/0310 Erection of a single storey side conservatory following demolition of existing conservatory
 Decision: Granted (03/07/2013) - implemented
- 3.2 SU/2013/0311 Listed Building Consent for the erection of a single storey side conservatory following demolition of existing conservatory
 Decision: Granted (03/07/2013)
- 3.3 SU/1998/0464 Listed Building Consent for the erection of a porch.
 Decision: Granted (12/08/1998) – implemented

- 3.4 SU/1991/0028 Erection of a first floor side extension.
Decision: Granted (05/03/1991) – implemented
- 3.5 BGR 5999 Construction of new cloaks, utility room and extension to sitting room
Decision: Granted (23/10/1967) – implemented
- 3.6 BGR 3250 Addition of porch, playroom and two bedrooms
Decision: Granted (22/12/1960) – implemented

4.0 THE PROPOSAL

- 4.1 This application proposes the erection of a first floor side extension and associated alterations to provide a bedroom extension with ensuite to the farmhouse at Paradise Farm, a Grade II Listed building. The proposal would consist of a pitched roof hipped at the flank, and would have a length of 4.3m, width of 3.8m, eaves height of approx. 4m and maximum ridge height of approx. 5.9m.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objection
- 5.2 Council Heritage and Conservation Officer No objection (please see Paragraph 9.3.3 for comments)
- 5.3 Chobham Parish Council No objection

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no representations have been received, although one general letter of support has been received in respect of the concurrent Listed Building Consent application. Any representations subsequently received will be orally reported to the committee.

7.0 PLANNING CONSIDERATION

- 7.1 This application is located within the Green Belt as identified on the proposals map of the Surrey Heath Core Strategy and Development Management Policies 2012. As such this application is considered against Policies DM9 (Design Principles) and DM17 (Heritage) of the Surrey Heath Core Strategy and Development Management Policies 2012 as well as the principles contained within Part 12 of the National Planning Policy Framework. The main issues to be addressed in considering this application are:

- The impact of the proposed development upon the Green Belt;
- The impact of the proposed development upon the interest of the building and the setting of Paradise Farm;
- The impact of the proposed development upon neighbouring residential amenity.

7.2 The impact of the proposal upon the Green Belt

7.2.1 The application site is located within the Green Belt as defined on the proposals map of the Surrey Heath Core Strategy 2012. Paragraph 79 of the National Planning Policy Framework (NPPF) indicates that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the most important attribute of Green Belts identified as their openness.

7.2.2 Paragraph 89 of the NPPF indicates that the construction of new buildings is inappropriate development in the Green Belt but lists exceptions including the extension of a building provided that the extension does not result in a disproportionate addition over the size of the original building (which the NPPF identifies as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally).

7.2.3 The application property is considered to have been previously extended by approximately a 48% floor area increase over the size of the original (1948) property. The current application proposes a floor area increase of approx. 16.34 sq. m, resulting in a cumulative increase of approx. 54.5% above the original dwelling. This increase in floor space is an indicator that this proposal would be disproportionate. On this basis the development can only be justified if there are very special circumstances that outweigh the harm to the Green Belt.

7.2.4 However, floor area is not the only indicator of built form and it must be acknowledged that in this case a significant portion of the proposed first floor extension would be surrounded by the existing built form and the proposed ridge height would be lower than the highest ridgeline of the main dwelling. Furthermore, given the first floor nature of the proposal the footprint of the dwelling would not increase, nor would the proposal result in a spread of development across the site. For this reason the openness of the Green Belt would not be notably diminished and this weighs in favour of the scheme. In addition and most importantly, the benefits to the historic character of the host property (as detailed in section 7.3) weigh significantly in favour of a grant of planning permission. For this reason it is considered that very special circumstances exist to justify the development.

7.3 The impact upon the interest of the building and the setting of Paradise Farm

7.3.1 Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.

7.3.2 Policy DM17 (Heritage) states that development which affects any Heritage Asset (including a Listed Building) should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the asset, such as a conservation area, and its setting.

- 7.3.3 The following comments have been received from the Council's Heritage and Conservation Officer in relation to the impact of the proposed development upon the character of the surrounding area:

I have discussed the principle and details of the proposal with the architect and am satisfied the special interest of the listed building will be preserved. The existing single storey extension with the crown pitch roof is not an attractive addition. Building a first floor above will create more mass but will allow the roof to better integrate with the existing roof form. The extension will obscure the gable of the historic wing but I am happy this is not so significant to harm the special interest of the building. The proportions and detailing of the extension do replicate the existing form and I am satisfied no specific conditions are required in this case other than the proposal to be built in accordance with the submitted drawings and that rain water goods are in cast iron or cast aluminium.

- 7.3.4 It is noted that specific design features and conservation style external materials have been incorporated in an attempt to respect the original features of the Listed Building. Whilst the Council's Heritage and Conservation Officer has expressed some concerns in respect of the proposal's relationship with the historic wing, it is considered that the mass, design and appearance of the proposal would sufficiently respect the character of the Listed Building.

- 7.3.4 Planning conditions can also be imposed to ensure that the proposal would be constructed using external materials that would match those of the existing dwelling, and in materials that satisfy the requirements of the Heritage and Conservation Officer.

- 7.3.5 Subject to appropriate conditioning, the proposed development is considered to comply with Policy DM9 and Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies along with the heritage asset advice contained within the NPPF.

7.4 The impact upon neighbouring residential amenity

- 7.4.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development.

- 7.4.2 The nearest neighbouring property to the proposed development is at Wood Grove approx. 50 metres to the north west. Other neighbouring properties are set further away. Given the limited scale of the proposed extension, along with the significant neighbouring boundary separation distances, it is considered that the proposed development would be of no material harm to the amenities of any neighbours.

- 7.4.3 As such, it is considered that this proposal complies with Policy DM9 (Design Principles) of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

- 8.1 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:

- 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.
- c) Have proactively communicated with the applicant through the process to advise of progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 This report concludes that the development proposed would not adversely affect the character of the Grade II Listed Building and the openness of the Green Belt, and would respect neighbouring residential amenity. It is therefore considered that the proposed development would comply with Policies DM9 (Design Principles) and DM17 (Heritage) of the Surrey Heath Core Strategy and Development Management Policies 2012, and the principles as identified within Part 12 of the National Planning Policy Framework.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

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. The proposed development shall be built in accordance with the following approved plans:

Drawing numbers: 0127 112; 0127 102 (Rev A); 0127 104 (Rev A); 0127 106 (Rev A); 0127 108 (Rev A) - received 30/10/2014,

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 Planning Practice Guidance.

3. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building. Any rain water goods shall be constructed using cast iron or aluminium external materials.

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

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5

2014/0985

Reg Date 30/10/2014

Chobham

LOCATION: PARADISE FARM, 77 MINCING LANE, CHOBHAM, WOKING, GU24 8RT
PROPOSAL: Listed Building Consent for the erection of a first floor side extension to dwelling and associated alterations.
TYPE: Listed Building Consent (Alter/Extend)
APPLICANT: Mr & Mrs Edward Horswell
OFFICER: Ross Cahalane

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application proposes the erection of a first floor side extension and associated alterations to the farmhouse at Paradise Farm, a Grade II Listed building. The corresponding planning application (SU/2014/0984) is being reported elsewhere on this agenda.
- 1.2 This report concludes that the proposed development would respect the character of the Grade II Listed Building and openness of the Green Belt and would not adversely affect neighbouring residential amenity or parking and highway safety.

2.0 SITE DESCRIPTION

- 2.1 The application site falls within the Green Belt and is sited on Mincing Lane Chobham. The application property is a Grade II Listed 16th Century detached farm house sited within a fairly large residential curtilage surrounded by woodland.
- 2.2 In the last 50 years the farm house has been extended to the rear (west) and to the north with both single and double storey additions, and a single storey conservatory extension approved by July 2013 Planning Committee under application SU/2013/0310.

3.0 RELEVANT HISTORY

- 3.1 SU/2013/0310 Erection of a single storey side conservatory following demolition of existing conservatory
 Decision: Granted (03/07/2013) - implemented
- 3.2 SU/2013/0311 Listed Building Consent for the erection of a single storey side conservatory following demolition of existing conservatory
 Decision: Granted (03/07/2013)
- 3.3 SU/1998/0464 Listed Building Consent for the erection of a porch.
 Decision: Granted (12/08/1998) – implemented

- 3.4 SU/1991/0028 Erection of a first floor side extension.
Decision: Granted (05/03/1991) – implemented
- 3.5 BGR 5999 Construction of new cloaks, utility room and extension to sitting room
Decision: Granted (23/10/1967) – implemented
- 3.6 BGR 3250 Addition of porch, playroom and two bedrooms
Decision: Granted (22/12/1960) – implemented

4.0 THE PROPOSAL

- 4.1 This application proposes the erection of a first floor side extension and associated alterations to provide a bedroom extension with ensuite to the farmhouse at Paradise Farm, a Grade II Listed building. The proposal would consist of a pitched roof hipped at the flank, and would have a length of 4.3m, width of 3.8m, eaves height of approx. 4m and maximum ridge height of approx. 5.9m.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objection
- 5.2 Council Heritage and Conservation Officer No objection (please see Paragraph 7.2.2 for comments)
- 5.3 Chobham Parish Council No objection

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report one general letter of support has been received. Any representations subsequently received will be orally reported to the committee.

7.0 PLANNING CONSIDERATION

- 7.1 This Listed Building Consent application is considered against the principles contained within Policy DM17 (Heritage) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.2 The impact of the proposal upon the Listed Building

- 7.2.1 Policy DM17 (Heritage) states that development which affects any Heritage Asset (including a Listed Building) should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the asset, such as a conservation area, and its setting.

- 7.2.2 The following comments have been received from the Council's Heritage and Conservation Officer in relation to the impact of the proposed development upon the character of the surrounding area:

I have discussed the principle and details of the proposal with the architect and am satisfied the special interest of the listed building will be preserved. The existing single storey extension with the crown pitch roof is not an attractive addition. Building a first floor above will create more mass but will allow the roof to better integrate with the existing roof form. The extension will obscure the gable of the historic wing but I am happy this is not so significant to harm the special interest of the building. The proportions and detailing of the extension do replicate the existing form and I am satisfied no specific conditions are required in this case other than the proposal to be built in accordance with the submitted drawings and that rain water goods are in cast iron or cast aluminium.

- 7.3.4 It is noted that specific design features and conservation style external materials have been incorporated in an attempt to respect the original features of the Listed Building. Whilst the Council's Heritage and Conservation Officer has expressed some concerns in respect of the proposal's relationship with the historic wing, it is not considered that the proposed first floor side extension would be of such harm to the historic fabric or overall special character of the Listed Building as to warrant the refusal of this application. As such, it is considered that the proposed development would comply with the principles as identified within the National Planning Policy Framework and Policy DM17 Heritage of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

- 8.1 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:

- 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.
- c) Have proactively communicated with the applicant through the process to advise of progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 This report concludes that the proposed development would not have a detrimental impact upon the historic fabric of the Grade II Listed Building or its setting, and it is therefore considered that the proposed development would comply with the principles as identified within Policy DM17 Heritage of the Surrey Heath Core Strategy and Development Management Policies 2012 and Part 12 of the National Planning Policy Framework.

10.0 RECOMMENDATION

GRANT Listed Building Consent subject to the following conditions:-

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. The proposed development shall be built in accordance with the following approved plans:

Drawing numbers: 0127 112; 0127 102 (Rev A); 0127 104 (Rev A); 0127 106 (Rev A); 0127 108 (Rev A) - received 30/10/2014,

unless the prior written approval has been obtained from the Local Planning Authority.

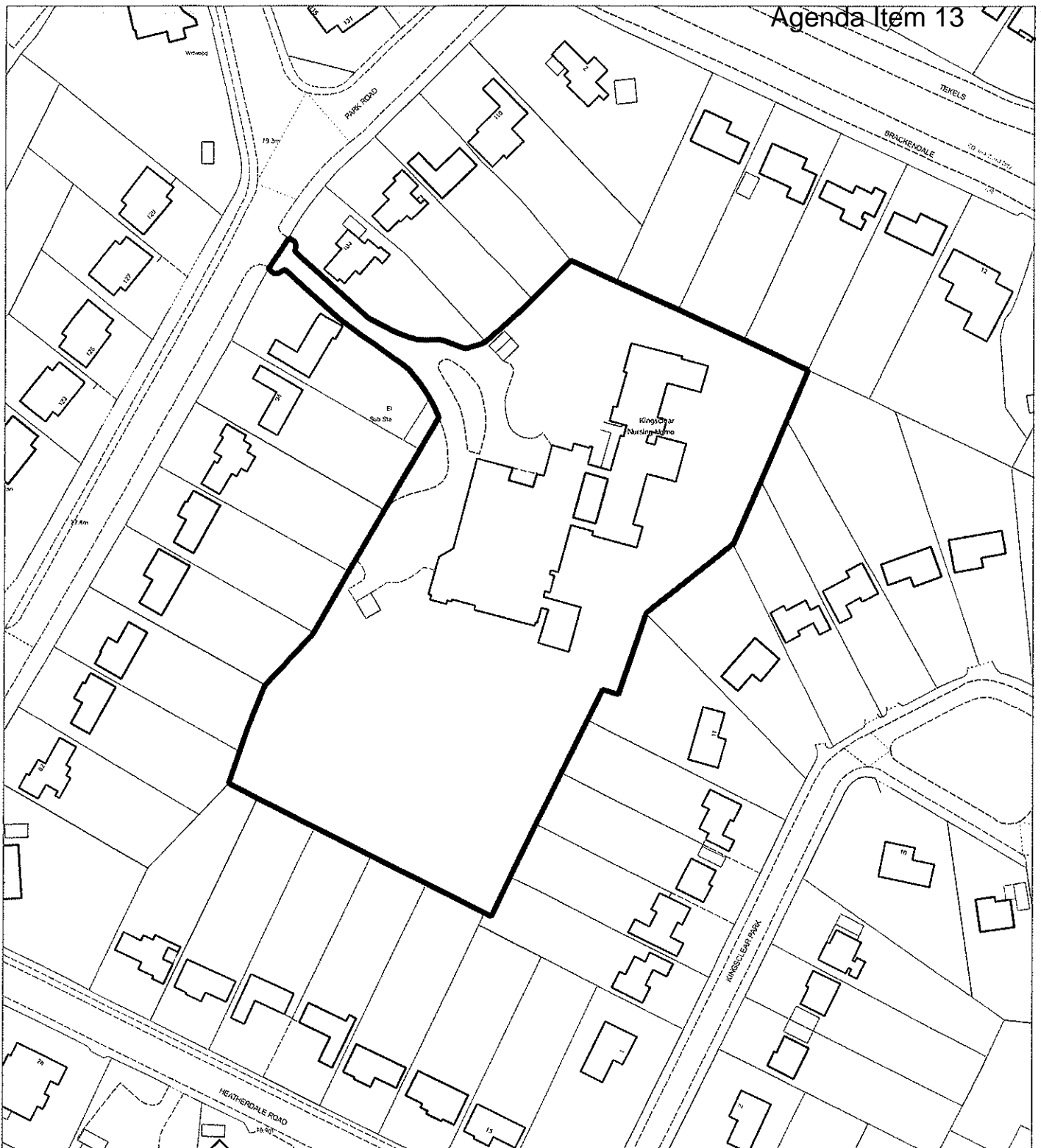
Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

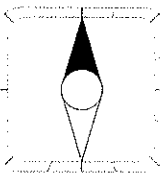

3. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building. Any rain water goods shall be constructed using cast iron or aluminium external materials.

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

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5



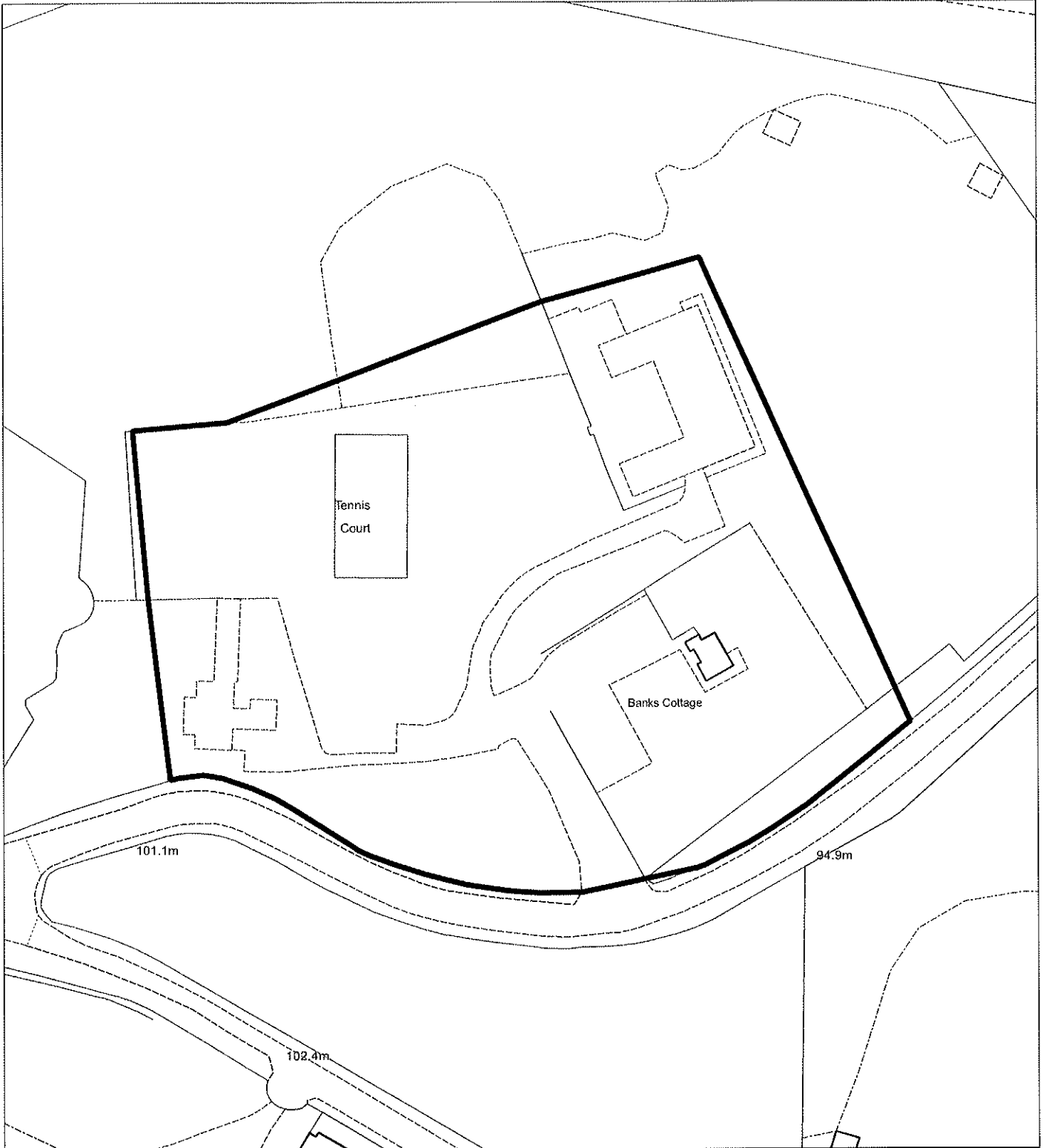
Title	Planning Applications			
Application number	14/0562		Scale @ A4	1:1,250
Address	KINGSCLEAR NURSING HOME, PARK ROAD, CAMBERLEY, GU15 2LN		Date	01 Dec 2014
Proposal	Erection of a detached three storey building to comprise of a 90 bedroom care home. (Amended info rec'd 23/07/2014), (Additional info rec'd 21/08/14), (Additional plans rec'd 03/10/14), (Amended info rec'd 10/11/14).			
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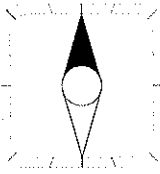

SU/14/0562 – KINGSCLEAR NURSING HOME, PARK ROAD, CAMBERLEY



SU/14/0562 – KINGSCLEAR NURSING HOME, PARK ROAD,
CAMBERLEY





Title	Planning Applications		
Application number	14/0865		Scale @ A4 1:1,250
Address	FORMER CHESWYCKS SCHOOL, GUILDFORD ROAD, FRIMLEY GREEN, CAMBERLEY, GU16 6PB		Date 02 Dec 2014
Proposal	Outline Application for the erection of a two storey building with accommodation in the roof space to provide a 62 bedroom care home including car parking, landscaping, access and associated works (access, appearance, layout and scale to be determined.).		
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SU/14/0865 – FORMER CHESWYCHS SCHOOL, GUILDFORD ROAD, FRIMLEY GREEN



North-East Elevation



West-East Elevation



South-East Elevation



South-West Elevation

1. EXISTING BUILDING
 2. PROPOSED BUILDING
 3. EXISTING LANDSCAPE
 4. PROPOSED LANDSCAPE
 5. EXISTING DRIVEWAY
 6. PROPOSED DRIVEWAY

GUILDFORD ROAD
 FRIMLEY

Montpelier
 estates

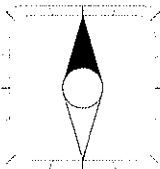

02/07/14 15/7/01/04 C

PROPOSED ELEVATIONS
As indicated on A2

SU/14/0865 – FORMER CHESWYCHS SCHOOL, GUILDFORD ROAD,
FRIMLEY GREEN



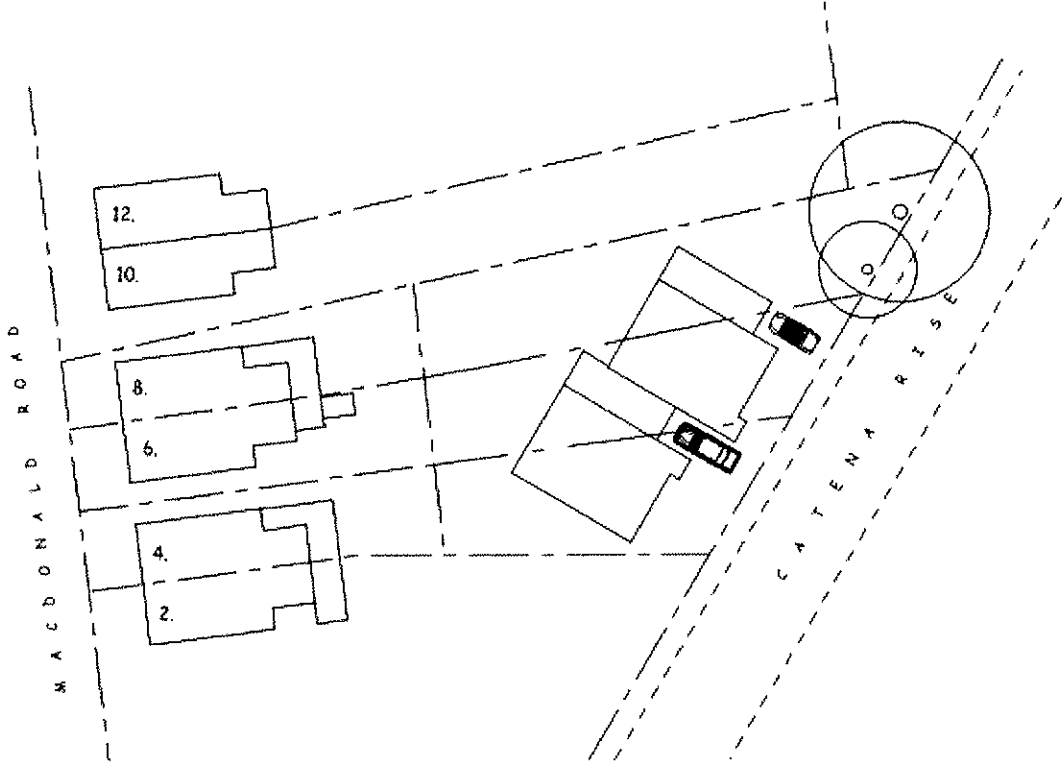


Title	Planning Applications			
Application number	14/0943		Scale @ A4	1:1,250
Address	LAND REAR OF 4, 6 & 8 MACDONALD ROAD, LIGHTWATER, GU18 5TN		Date	01 Dec 2014
Proposal	Erection of 2 linked-detached two storey dwellings with rooms in the roofspace on land rear of 4, 6 and 8 Macdonald Road with new access off Catena Rise, car parking and associated works.			

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SU/14/0943 – LAND REAR OF 4, 6 & 8 MACDONALD ROAD,
LIGHTWATER

PROPOSED SITE PLAN

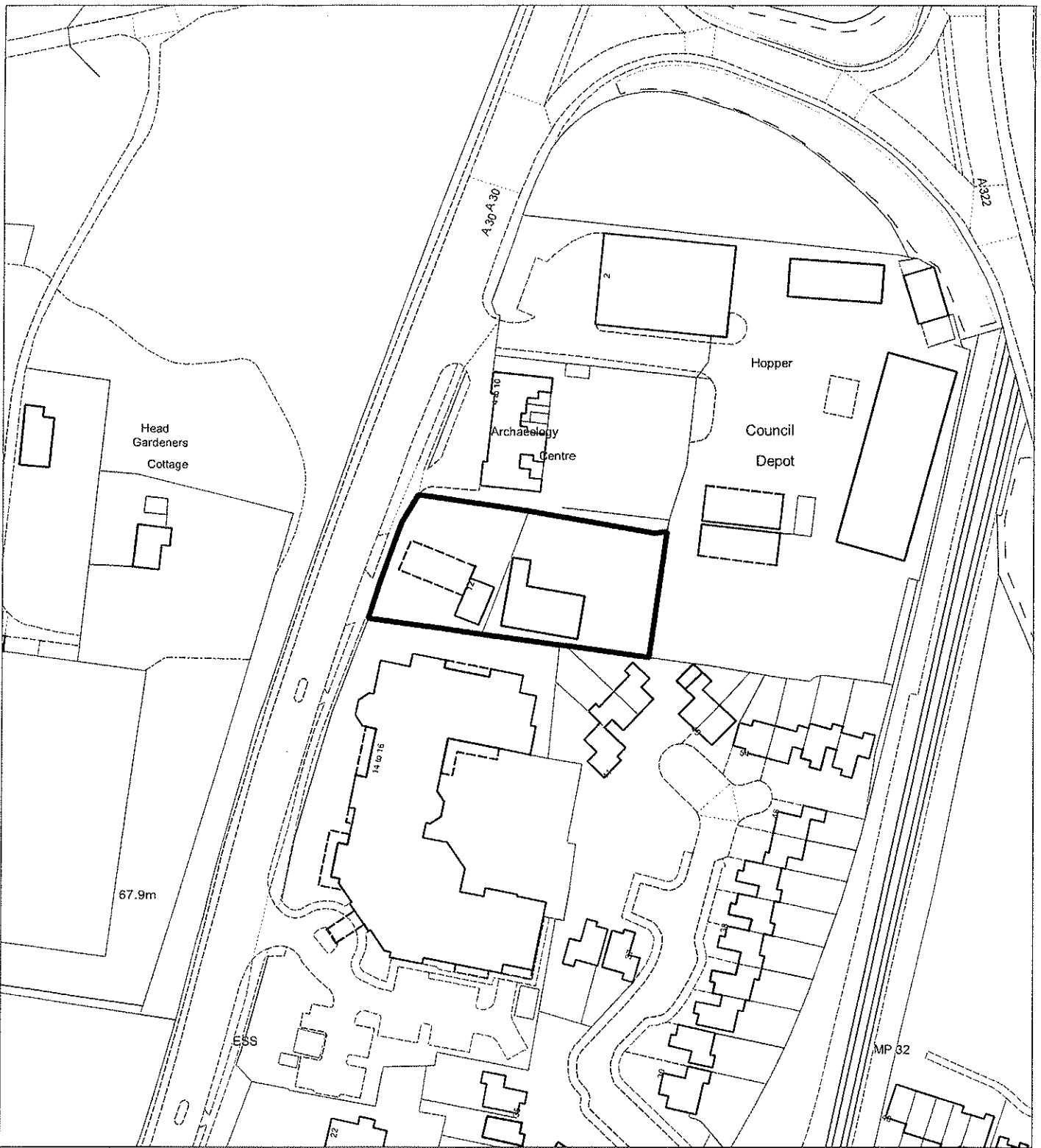




PROPOSED ELEVATIONS



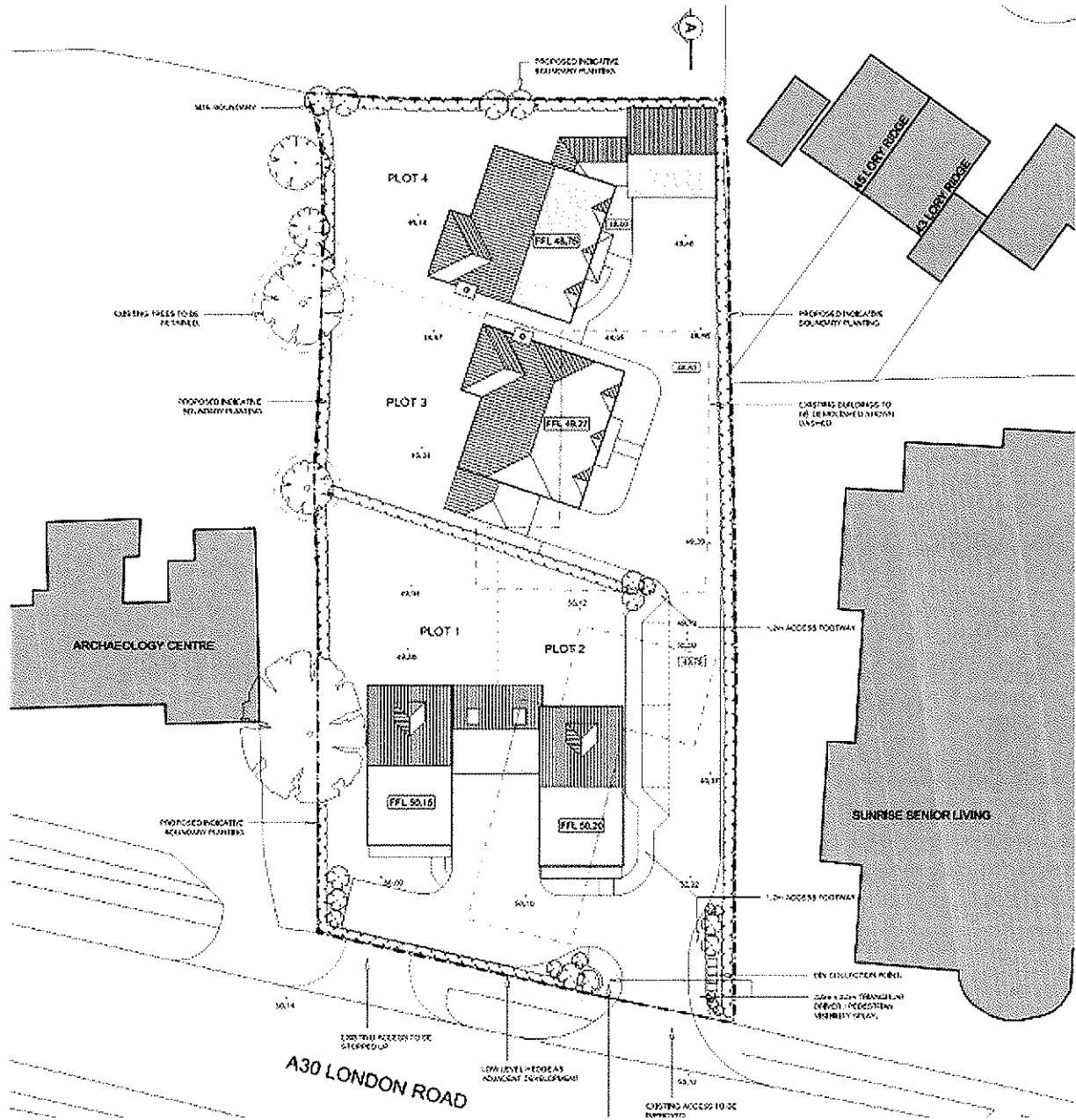
SU/14/0943 – LAND REAR OF 4, 6 & 8 MACDONALD ROAD,
LIGHTWATER



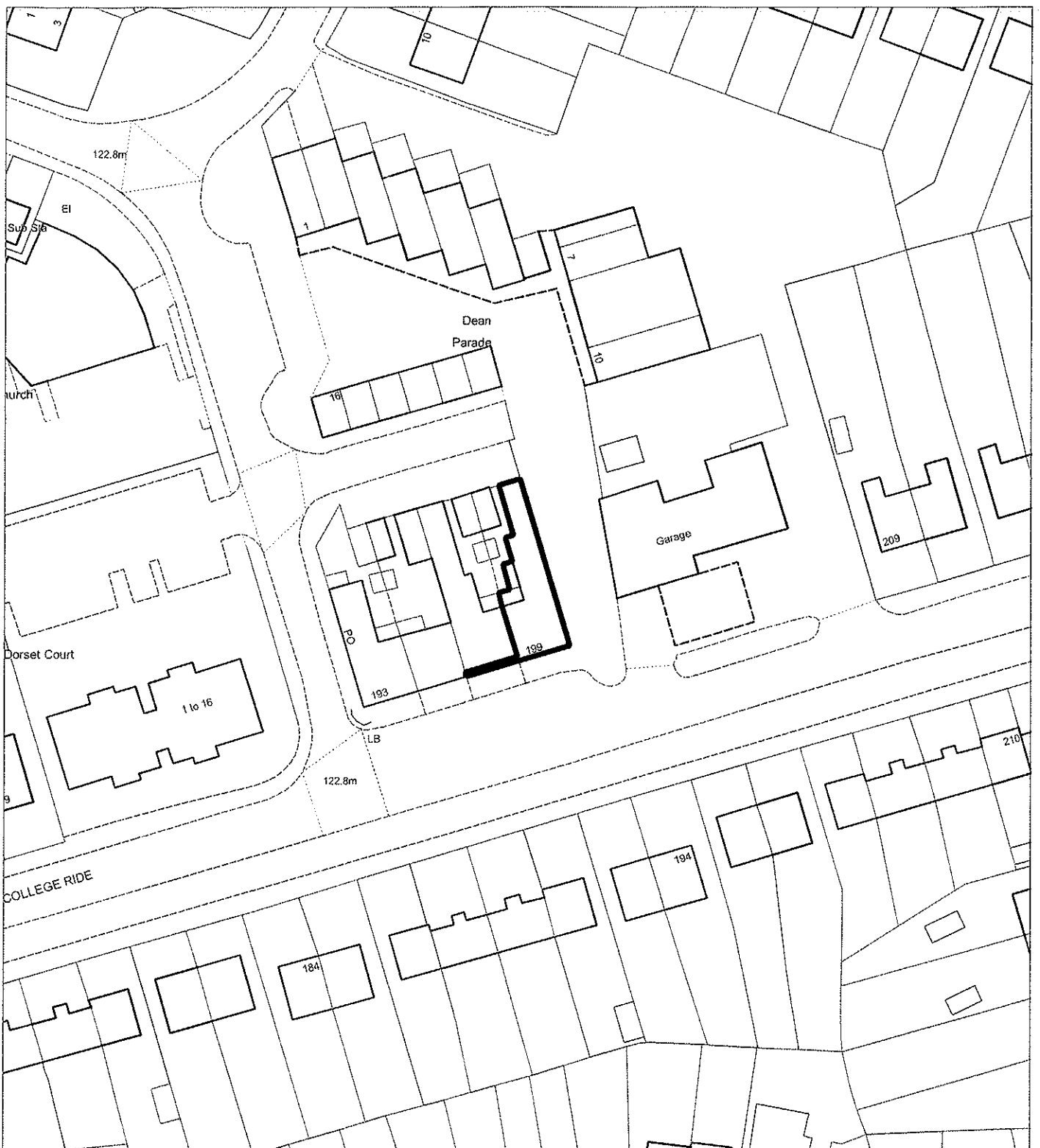


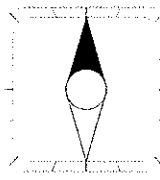

Title	Planning Applications		
Application number	14/0717		Scale @ A4 1:1,250
Address	12 LONDON ROAD, BAGSHOT, GU19 5HN		Date 01 Dec 2014
Proposal	Erection of 4 two storey dwellings with access to London Road, following the demolition of the existing car sales buildings.		
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PROPOSED SITE PLAN



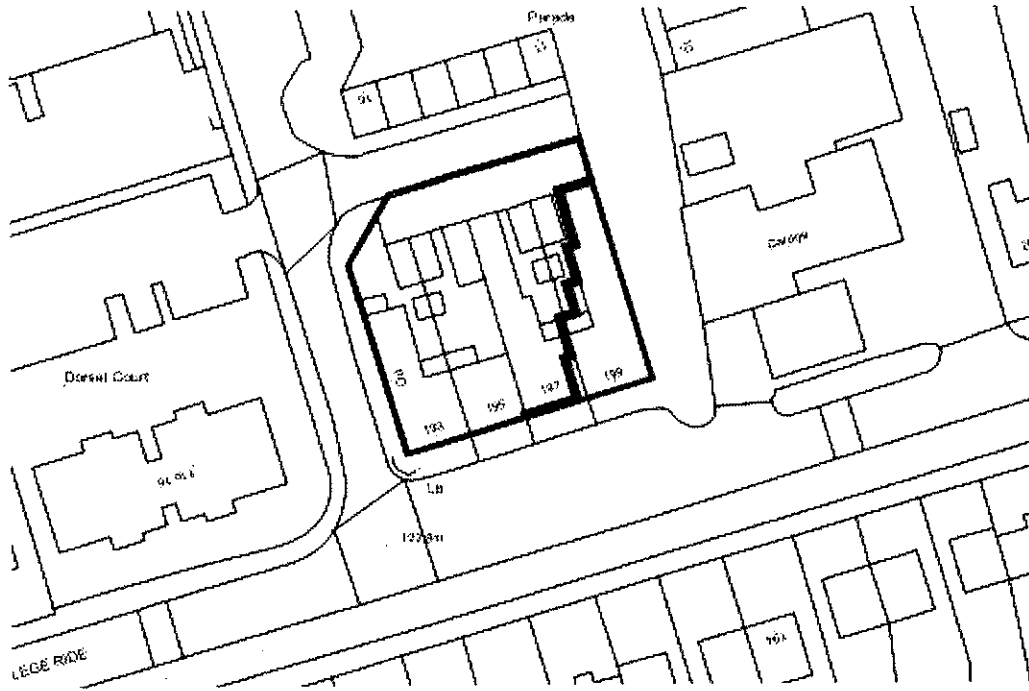




Title	Planning Applications			
Application number	14/0969		Scale @ A4	1:750
Address	193-199 UPPER COLLEGE RIDE, CAMBERLEY, GU15 4HE		Date	01 Dec 2014
Proposal	Change of Use from C3 to A1 (9.1msq) and new shop front with associated minor works to side elevation.			

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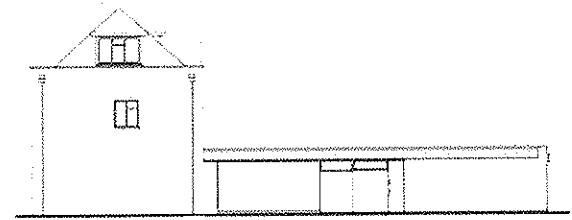
PROPOSED SITE PLAN



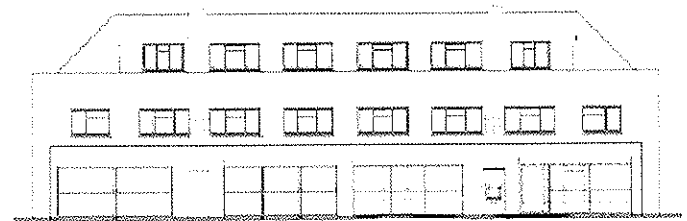
EXISTING & PROPOSED ELEVATION



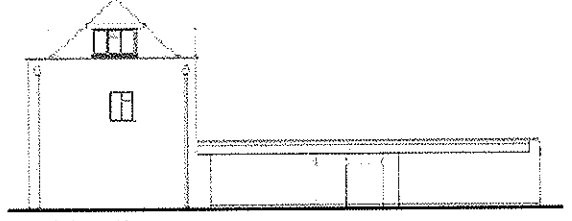
FRONT / SOUTH ELEVATION (UPPER COLLEGE ROAD)



SIDE / EAST ELEVATION

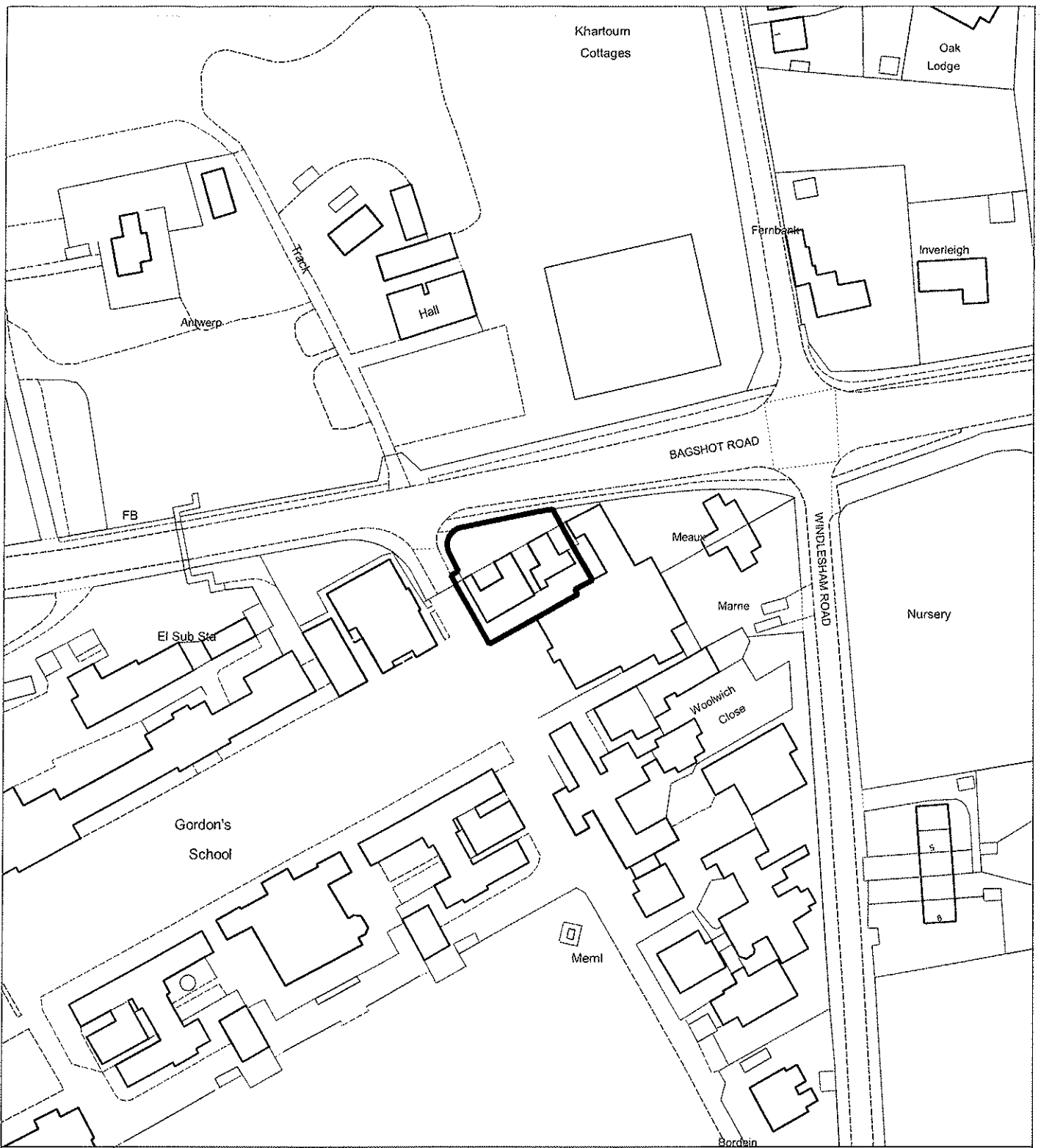


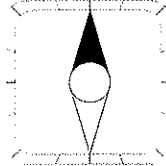

FRONT / SOUTH ELEVATION (UPPER COLLEGE ROAD)



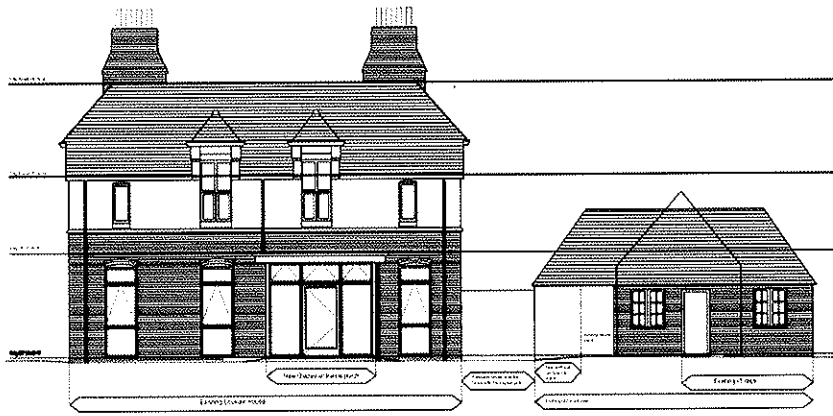
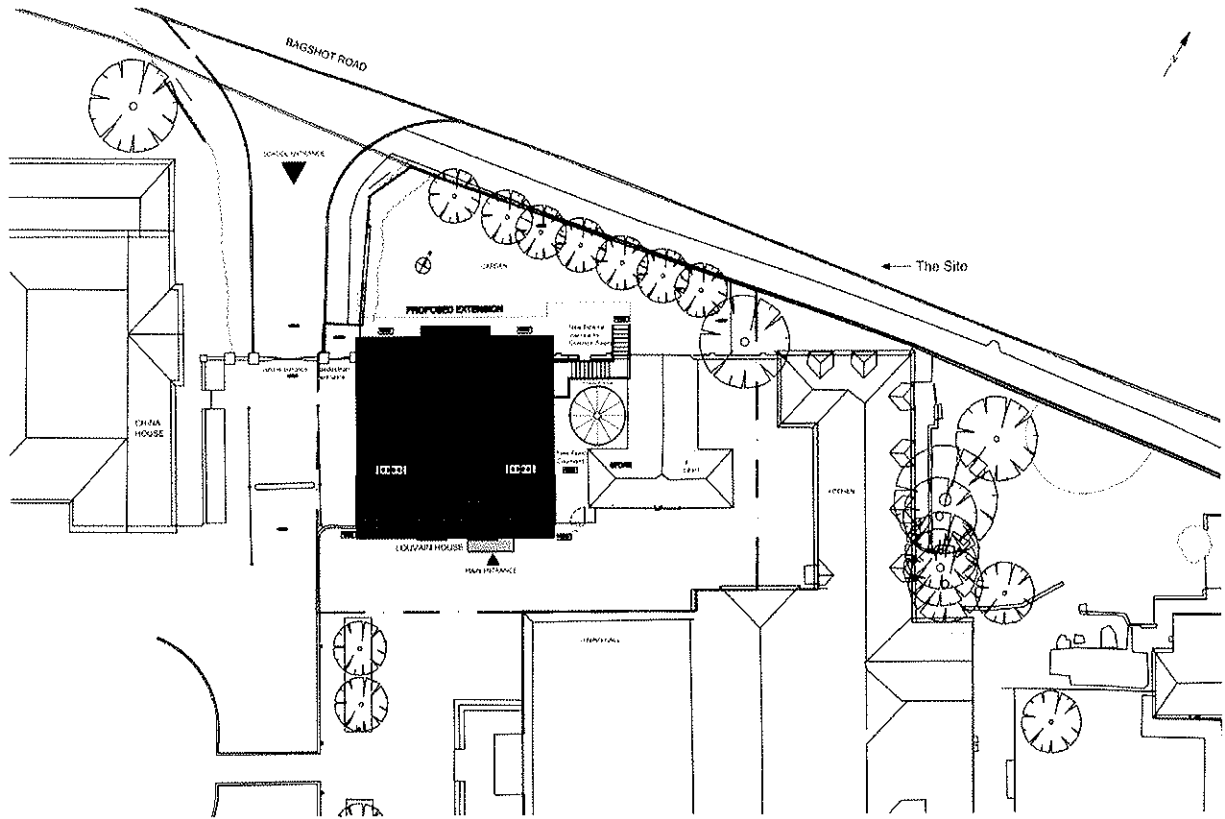
SIDE / EAST ELEVATION



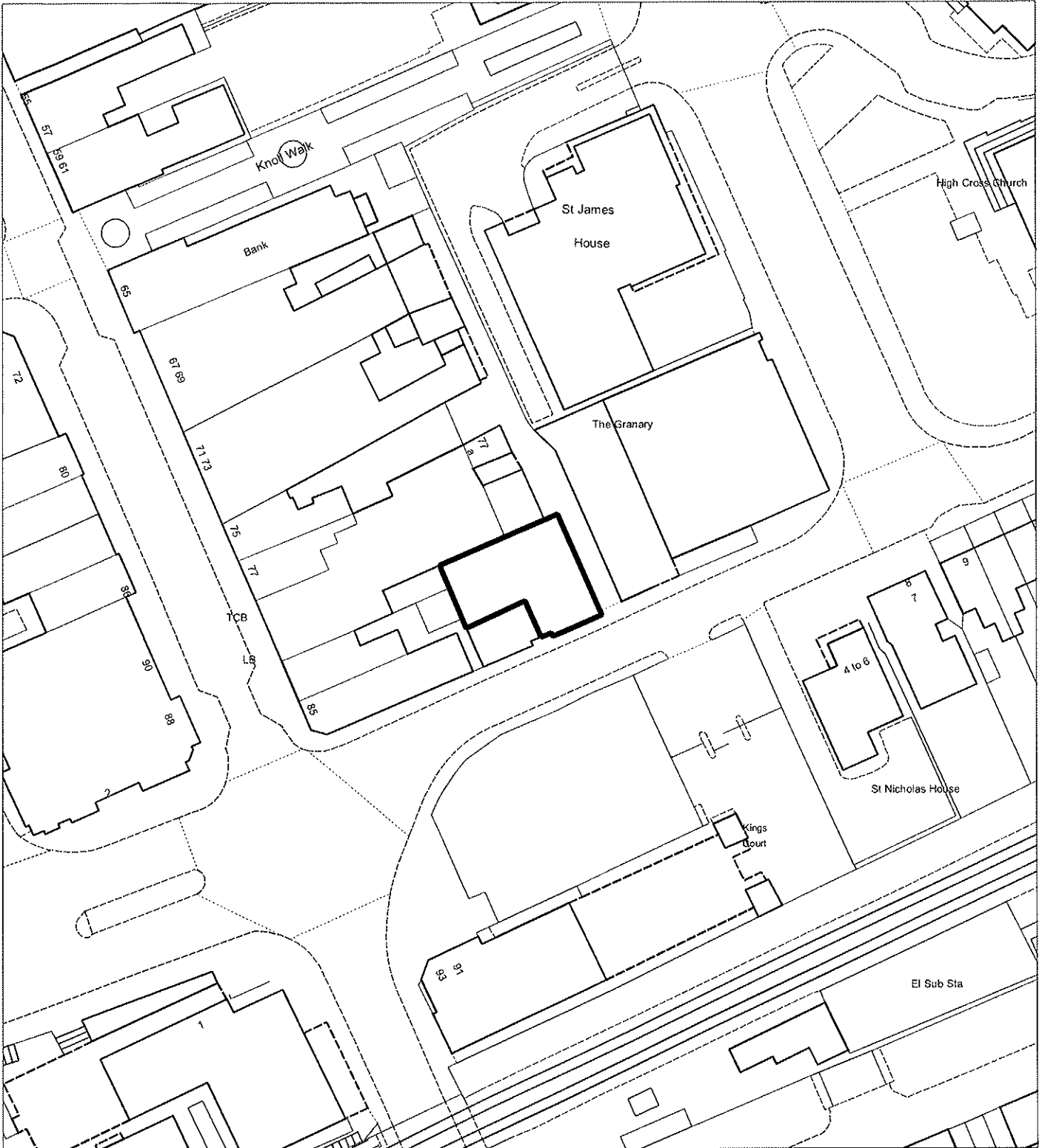


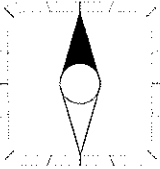

Title	Planning Applications		
Application number	14/0724		Scale @ A4 1:1,250
Address	GORDONS SCHOOL, BAGSHOT ROAD, WEST END, WOKING, GU24 9PT		Date 01 Dec 2014
Proposal	Extension to 'Louvain house' to form Girl's day house with study rooms, common rooms, kitchen, changing rooms, showers, sanitary accommodation, locker facilities and house office.		
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SU/14/0724 – GORDONS SCHOOL, BAGSHOT ROAD, GU24 9PT





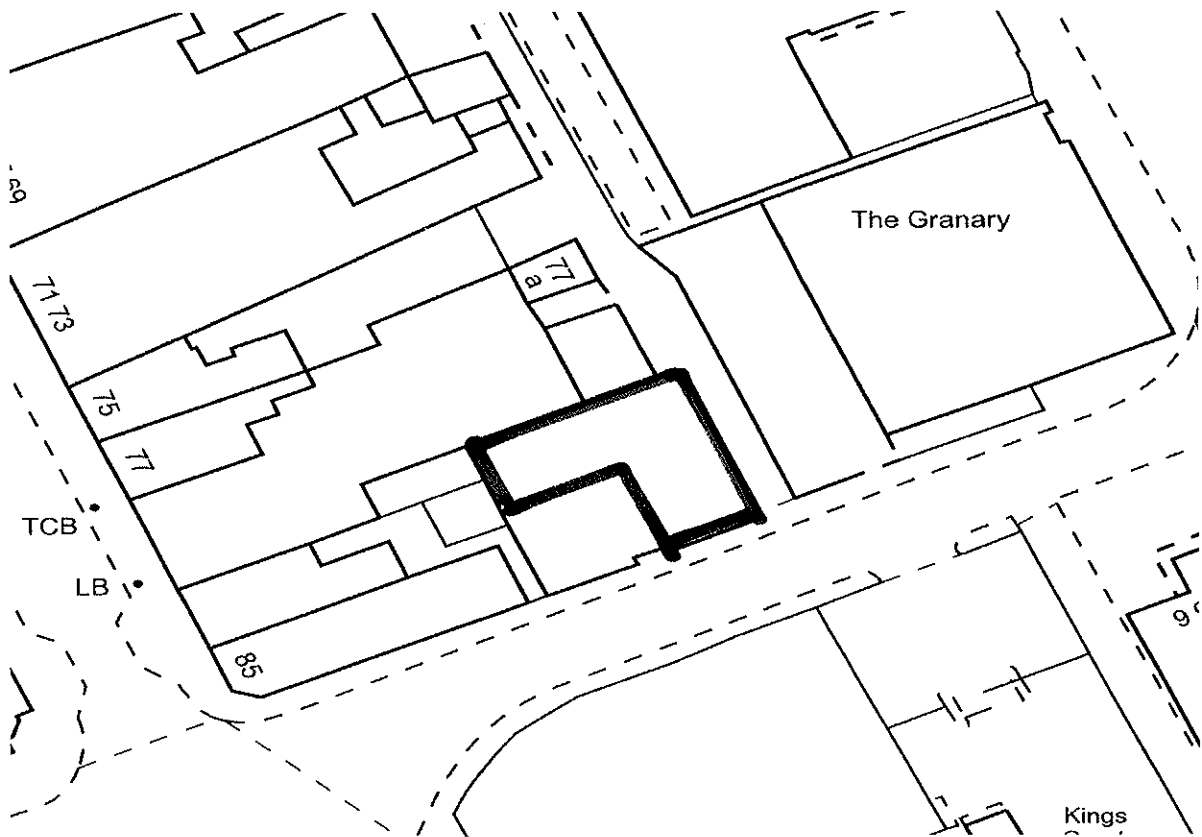


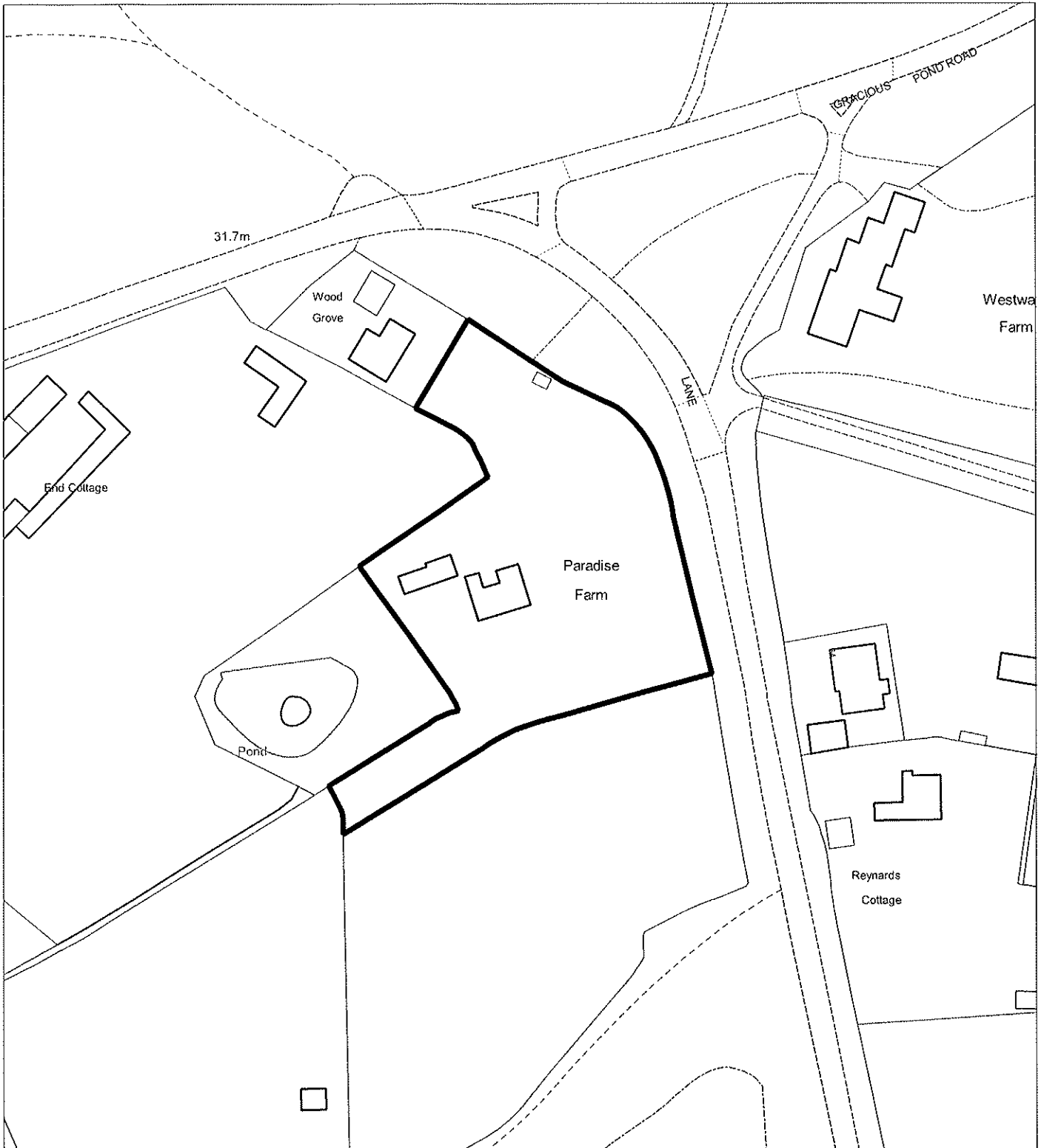
Title	Planning Applications		
Application number	14/0905	Scale @ A4	1:750
Address	HAYWARD HOUSE, 1 PORTESBERY ROAD, CAMBERLEY, GU15 3TA	Date	02 Dec 2014
Proposal	Change of Use from retail use (Class A1) to an estate agency (Class A2).	 	
Version	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2014		

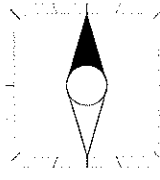
SU/14/0905 – HAYWARD HOUSE, PORTESBERY ROAD, GU15 3TA



SU/14/0905 – HAYWARD HOUSE, CAMBERLEY, GU15 3TA

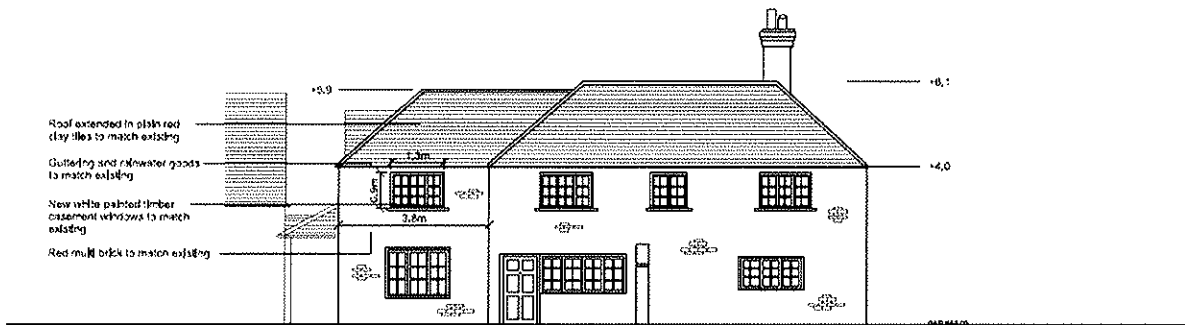
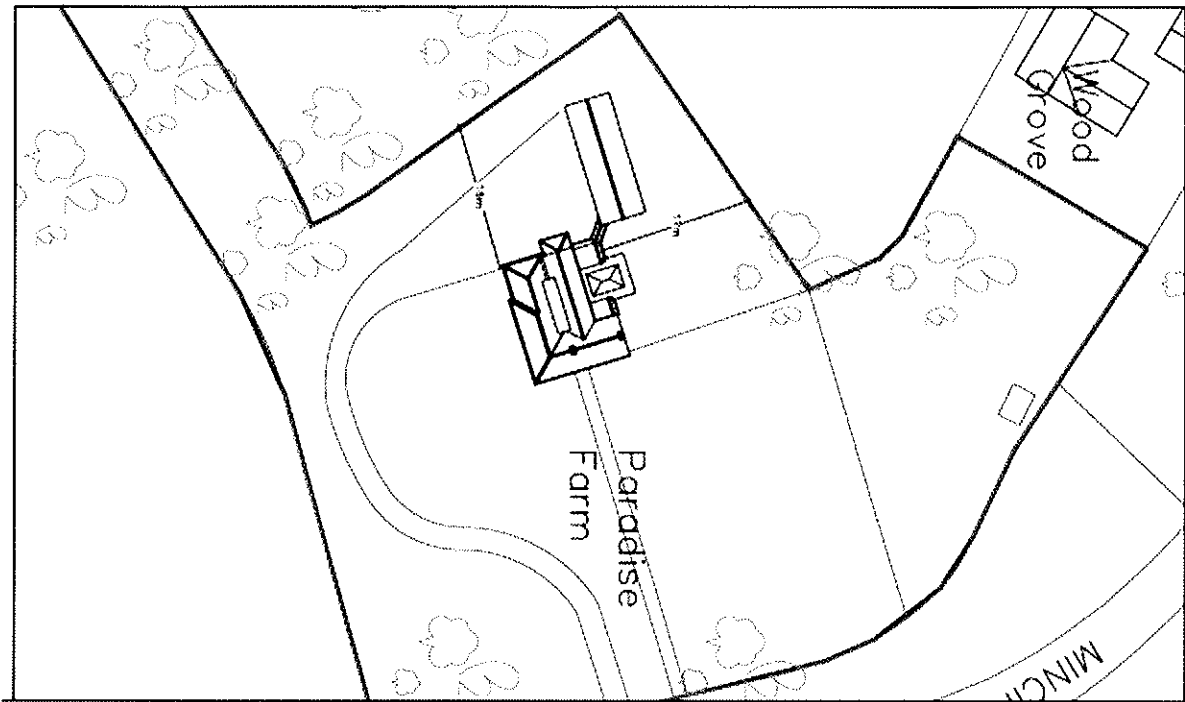




Title	Planning Applications		
Application number	14/0984 & 14/0985		Scale @ A4 1:1,250
Address	PARADISE FARM, 77 MINCING LANE, CHOBHAM, WOKING, GU24 8RT		Date 02 Dec 2014
Proposal	Erection of a first floor side extension to dwelling and associated alterations. / Listed Building Consent for the erection of a first floor side extension to dwelling and associated alterations.		



SU/14/0984 AND SU/14/0985 – PARADISE FARM, 77 MINCING LANE CHOBHAM



PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED WEST ELEVATION
SCALE 1:100



SU/14/0984 AND SU/14/0985 – PARADISE FARM, 77 MINCING LANE CHOBHAM



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APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR CONSIDERATION BY THE PLANNING APPLICATIONS COMMITTEE

NOTES

Officers Report

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

How the Committee makes a decision:

The Planning Applications Committee's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

The Committee cannot base decisions on:

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995 (as amended) is summarised for information below:

A1. Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
A2. Financial & professional Services	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
A3. Restaurants and Cafes	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
A4. Drinking Establishments	Public houses, wine bars or other drinking establishments (but not nightclubs).
A5. Hot Food Takeaways	For the sale of hot food consumption off the premises.
B1. Business	Offices, research and development, light industry appropriate to a residential area.
B2. General Industrial	Use for the carrying on of an industrial process other than one falling within class B1 above.
B8. Storage or Distribution	Use for the storage or as a distribution centre including open air storage.
C1. Hotels	Hotels, board and guest houses where, in each case no significant element of care is provided.
C2. Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
C2A. Secure Residential Institutions	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
C3. Dwelling houses	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
C4. Houses in Multiple Occupation	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
D1. Non-residential Institutions	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
D2. Assembly & Leisure	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
Sui Generis	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.