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Thursday, 11 June 2015

To: The Members of the **Planning Applications Committee**
(Councillors: Edward Hawkins (Chairman), David Mansfield (Vice Chairman), David Allen, Richard Brooks, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Rebecca Jennings-Evans, Katia Malcaus Cooper, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White)

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 Dan Adams, Rodney Bates, Ruth Hutchinson, Paul Ilnicki, Max Nelson and Adrian Page

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, 22 June 2015 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	3 - 10

To confirm and sign the non-exempt minutes of the meeting held on 27 May 2015.

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.

Human Rights Statement

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

Planning Applications

4	Application Number: 15/0291 - Brook Green and Tinybrook, Waverley Close, Camberley GU15 1JH	11 - 28
5	Application Number: 15/0419 - 18 Elizabeth Avenue, Bagshot GU19 5NX	29 - 34
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Glossary

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 27 May 2015

- + Cllr Edward Hawkins (Chairman)
- Cllr David Mansfield (Vice Chairman)

- | | |
|-------------------------------|-------------------------|
| + Cllr David Allen | - Cllr Robin Perry |
| - Cllr Richard Brooks | + Cllr Ian Sams |
| + Cllr Nick Chambers | + Cllr Conrad Sturt |
| + Cllr Mrs Vivienne Chapman | + Cllr Pat Tedder |
| + Cllr Colin Dougan | + Cllr Victoria Wheeler |
| + Cllr Surinder Gandhum | + Cllr Valerie White |
| + Cllr Rebecca Jennings-Evans | |
| + Cllr Katia Malcaus Cooper | |

- + Present
- Apologies for absence presented

Substitutes: Cllr Dan Adams (In place of Robin Perry) and Cllr Paul Ilnicki (in place of Cllr Richard Brooks)

In Attendance: Cllr Ruth Hutchinson, Cllr Charlotte Morley, Cllr John Winterton, Lee Brewin, Ross Cahalane, Michelle Fielder, Jessica Harris-Hooton, Karen Limmer, Jonathan Partington, Neil Praise, Jenny Rickard, Paul Watts, Sadaf Malik and Emma Pearman

1/P Minutes

The minutes of the meeting held on 30 April were confirmed and signed by the Chairman.

2/P Application Number: 14/0893 - Krooner Park and Land at Crabtree Park, Wilton Road, Camberley GU15 2QP

The application was for the creation of a Football Centre, to include 1 full size artificial grass pitch, 7 artificial 5-a-side pitches with associated clubhouse, changing rooms and spectator seating. (Additional info rec'd 23/02/15)

A site visit was carried out at the site.

Members were advised of the following updates:

'Change to recommendation – Ordinarily an application of this size and nature would be determined by the Council as the Local Planning Authority. However, following an application by a third party requesting the Secretary of State (SoS) intervenes on this application, the SoS has written to the Local Planning Authority and advised that if Members agree with the recommendation to grant planning permission, the application must be referred to the SoS for consideration. This gives the SoS the opportunity to either make no comment and on that basis the

application would be approved or the SoS can use call-in powers and make his own decision on the application.

Therefore the officer's recommendation changes to - GRANT subject to conditions and legal agreement and referral to the Secretary of State.'

The speakers in objection still had some concern about the length and gradient of the ramp and health and safety issues with regard to pedestrians. The ramp also had a camber on one side which could cause issues in inclement weather. Concern was also expressed about the impact on the natural green space and the habitat for wildlife. It was proposed that two extra conditions be added to application to help alleviate concerns about the ramp in inclement weather:

- that a salt box be located at the ramp and maintained; and
- signage be erected to remind drivers that they should leave via the ramp in a forward direction.

The speakers in support considered the scheme to be of benefit to the wider community, which would create more employment and would be at no cost to the Council.

Some Members shared the concern regarding the ramp, the lack of enough parking spaces and traffic issues. Officers advised that the scheme had not been refused on traffic or parking issues previously and County Highways Agency had not raised any objections.

Resolved that application 14/0893 be approved as amended subject to:

- i) conditions as set out in the report of the Executive Head – Regulatory;**
- ii) two extra conditions that a salt box be located at the ramp and maintained, and signage be erected to remind drivers that they should leave via the ramp in a forward direction;**
- iii) the completion of a suitable obligation to secure the following:**
 - a) a financial contribution of £25,000 towards environmental improvements to Crabtree Park;**
 - b) a financial contribution of £27,000 towards the implementation of shared cycleway/footway on Frimley Road; and**
- iv) referral to the Secretary of State for consideration.**

Note 1

It was noted for the record that Councillor Edward Hawkins declared that emails had been received by some Members in relation to this application.

Note 2

As this application triggered the Council's Public Speaking Scheme, Mr Harding and Mr Couzens spoke in objection and Mr Funnell and Mr Cooper spoke in support.

Note 3

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

Note 4

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

Voting in favour of the recommendation to approve as amended:

Councillors Dan Adams, David Allen, Colin Dougan, Surinder Gandhum, Edward Hawkins, Paul Ilnicki, Rebecca Jennings-Evans, Katia Malcaus Cooper, Ian Sams and Valerie White.

Voting against the recommendation to approve the application as amended: Nick Chambers, Vivienne Chapman, Conrad Sturt, Pat Tedder and Victoria Wheeler.

3/P Application Number: 15/0106 - Whitehill Farm, Kings Ride, Camberley Surrey GU15 4LJ

This application was for the erection of a two storey 64 bedroom (Class C2) Care Home with parking, access and landscaping. (Amended plans rec'd 27/03/2015)

Members were advised of the following updates:

'For information, the current proposal would result in a reduction in volume (about 4%) over the approved scheme SU/11/0451.

Changes to conditions:

Condition 9 (for clarity):

Details and the proposed position of a protective reptile fencing during construction shall be submitted to and approved by the Local Planning Authority. The protective fencing shall be provided and retained for the duration of construction works in accordance with the agreed details and position unless otherwise agreed in writing with the Local Planning Authority.

Condition 10 (to reflect SWT comments):

The mitigation measures as set out in Section 6 of the Preliminary Ecological Assessment Report by Middlemarch Environmental dated March 2015, except where expanded upon within: Paragraphs 5.8 - 5.19 inclusive of the Badger and Hazel Dormouse HSA Survey Report (Version 2) by the Ecology Consultancy

dated 05/02/15; Paragraphs 4.4 - 4.7 inclusive and Appendix 3 of the Ground-based Bat Tree Report dated January 2015 by the Ecology Consultancy dated 05/02/15; and the recommendations set out in the Destructive search for Reptiles by Middlemarch Environmental dated 12/03/15; shall be implemented in full within the specified time periods as detailed in the aforementioned documents, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interest of nature conservation and to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

*Planning obligation has been completed and as a consequence the recommendation should be changed to **GRANT**.*

CORRECTION TO COMMITTEE REPORT

A query has been raised with regards to the committee report advising that the development approved under application 2005/0028 approved 14 bedrooms. This is incorrect – this application approved 7 bedrooms within consented leisure development.'

Members were also advised that a petition with five signatures in objection had been received by the Council.

Speakers in objection to the scheme felt that the design was out of keeping and was overbearing, and there was concern about traffic issues and encroachment into the countryside. Traffic calming measures, such as 'build outs' were sought should the Committee be minded to approve the application.

The speaker in support reminded Members that the previous application had extant planning permission but this scheme was a re-design. Members were advised that the applicant had agreed to traffic calming measures, and condition 17 which related to this would be re-worded to be more specific and include the description of 'build outs'.

Resolved that application 15/0106 be approved as amended subject to:

- i) conditions as set out in the report of the Executive Head – Regulatory;**
- ii) condition 17 to be re-worded to be more specific to mention 'build outs' to be installed; and**

Note 1

As this application triggered the Council's Public Speaking Scheme, Ms Garner and Mr McCarthy spoke in objection and Mr Banham spoke in support.

Note 2

The recommendation to approve the application as amended was proposed by Councillor Paul Ilnicki 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 this application was as follows:

Voting in favour of the recommendation to approve the application as amended:

Councillors Dan Adams, David Allen, Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Paul Ilnicki, Katia Malcaus Cooper, Ian Sams and Conrad Sturt.

Voting against the recommendation to approve the application as amended: Councillors Nick Chambers, Rebecca Jennings-Evans, Pat Tedder and Valerie White

Councillor Victoria Wheeler abstained.

4/P Application Number: 15/0196 - Frimley Park Hospital, Portsmouth Road, Frimley GU16 7UJ

This application was for the reconfiguration of existing car park and erection of extension to the existing decked car park to provide 273 visitor car parking facilities and 6 disabled parking spaces; a net increase of 121 spaces.

Members were advised of the following updates:

'County Highways have requested that conditions 4 and 5 be updated as detailed below:

4. Prior to the occupation of the car park development, details shall be submitted to the Local Planning Authority of the existing car park barrier entry system and where necessary adjustments shall be made to optimise vehicle entry into the car park to accommodate the additional vehicle flow as a result of the development. Prior to any of the additional car parking spaces being brought into use, the required adjustments to the barriers shall be implemented.

5. Prior to the reconfiguration of the surface car park, details of a dedicated pedestrian/cycle access from Portsmouth Road to the main entrance of the hospital, shall be submitted to the Local Planning Authority, such details to include new surfacing, improved signage and associated facilities. Once the scheme of work has been approved, such works shall be implemented prior to any of the additional parking spaces being brought into use.'

Some Members felt that one deck for parking would not be enough to remedy the traffic issues. Officers proposed that an informative would be added to establish

that any future application would be supported by a master plan. This would avoid 'piece meal' applications.

Some Members however, expressed concern that more decks would be harmful for residents.

Resolved that application 15/0196 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory and an informative as detailed above.

Note 1

The recommendation to approve the application as amended was proposed by Councillor Vivienne Chapman 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 this application was as follows:

Voting in favour of the recommendation to approve the application as amended:

Councillors Dan Adams, David Allen, Nick Chambers, Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Paul Ilnicki, Rebecca Jennings-Evans, Katia Malcaus Cooper, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

5/P Application Number:15/0153 - Land rear of 4,6,8 MacDonald Road, Lightwater GU18 5TN

This application was for the erection of one pair of three bedrooms, two storey semi-detached dwellings on land rear of 4, 6 and 8 Macdonald Road with new access off Catena Rise, car parking and associated works.

The application would normally have been determined under the Council's Scheme of Delegation, however, at the request of a local ward Member, it had been called in for determination by this Committee.

Members were advised of the following updates:

*'Correction to typo at paragraph 4.1, this should read "**without** rooms in the roofspace"*

The speaker in objection felt that the development was inappropriate, over bearing causing loss of privacy and loss of residential amenity.

The speaker in support felt that the scheme was not overbearing and the window of plot 1, which overlooked existing properties was obscure glazed. It was noted that the floor area had reduced and the gardens had increased. Members were informed that the applicant had written to residents offering to discuss the development with them but only one replied.

Some members were concerned about the loss of trees but they were advised by the Arboricultural Officer that the trees which had been removed were either diseased or dangerous.

Resolved that application 15/0106 be refused for the reason set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that:

- Councillor Jennings – Evans had a conversation with the applicant, prior to being appointed as a Member of the Planning Applications Committee, but gave no opinion;and
- Councillor Malcaus Cooper advised that Windlesham parish Council Planning Committee had been lobbied on the past in relation to this site.

Note 2

As this application triggered the Council's Public Speaking Scheme, Mr Dodds spoke in objection and Mr Vaughan spoke in support.

Note 3

The recommendation to refuse the application was proposed by Councillor David Allen and seconded by Councillor Valerie White.

Note 4

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

Voting in favour of the recommendation to refuse the application:

Councillors Dan Adams, David Allen, Nick Chambers, Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Paul Ilnicki, Rebecca Jennings-Evans, Katia Malcaus Cooper, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

Voting against the recommendation to refuse the application: Councillor Ian Sams.

Chairman

2015/0291

Reg Date 13/04/2015

Parkside

LOCATION: BROOK GREEN & TINYBROOK, WAVERLEY CLOSE,
CAMBERLEY, GU15 1JH

PROPOSAL: Outline application for the erection of two blocks of flats each containing 9 residential flats following demolition of two existing dwellings. Appearance and landscaping reserved.

TYPE: Full Planning Application

APPLICANT: Avakas Developments Ltd

OFFICER: Chenge Taruvinga

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 The outline application proposes the erection of 2 detached three-storey buildings each to contain 9 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with appearance and landscaping to be reserved. This application is a revision to the scheme refused under SU/14/0609.
- 1.2 The report concludes that the revised scheme fails to overcome the reasons for the refusal of SU/14/0609. The proposed development would have an adverse impact on the established character of this setting by reason of its cramped and visually prominent appearance within the plot. In addition Block A would give rise to an overbearing and unneighbourly built relationship with the neighbouring dwelling to the south, South Lodge. In the absence of a SuDS compliant drainage strategy and a legal agreement securing contributions in respect of affordable housing additional reasons for refusal in respect of these matters have been included.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the south side of Waverley Close and currently comprises two detached dwellings known as Brook Green and Tinybrook respectively. Brook Green is a modest detached two-storey dwelling while Tinybrook is a bungalow. Both front the highway, each with an access to Waverley Close and both have defined front gardens. To the rear each property currently benefits from good sized rear gardens.
- 2.2 The site is bounded to the rear by a flatted development known as Tides End Court which comprises two detached buildings each containing 6 flats with associated amenity space and parking. The rear boundary of the site also adjoins a very small section of 50 Portsmouth Road. To the south side of the site is a detached residential property known as South Lodge while the north side boundary adjoins the M3 Motorway. The front boundary is marked by the public highway at Waverley Close. The site is generally level and includes a number of trees and landscape features which are mostly located on the boundaries of the site.

3.0 RELEVANT HISTORY

3.1 A recent outline application (SU/14/0609) for the erection of 2 detached buildings containing 9 two bedroom flats following the demolition of the existing buildings was considered by the Planning Applications Committee in November 2014. It was refused for the following reasons:

1. The development proposed, by virtue of the scale and massing of the buildings and the formal layout of the development including the introduction of large areas of hardstanding, would result in an incongruous, dominant and overly urbanised pocket of development which would fail to respect and enhance the character and appearance of the surrounding area, including the semi-rural and verdant character of the Wooded Hills Character Area.
2. It had not been demonstrated that the proposal would not have an adverse impact on protected species
- 3-5. Standard reasons for refusal pertaining to planning infrastructure contributions; affordable housing contributions; and SANG provision/ SPA mitigation respectively.

A copy of the Committee report and the decision notice pertaining to this application are provided as Annex A to this report.

4.0 THE PROPOSAL

- 4.1 The outline application proposes the erection of 2 detached three-storey buildings each to contain 9 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with matters of appearance and landscaping to be reserved.
- 4.2 The proposed buildings would be to a height of approximately 10.5 metres and would be sited adjacent to each other. There would be an access road running between the buildings providing access to parking areas to the side and rear of the site.
- 4.3 The main differences between the current scheme and that refused under SU/14/0609 are set out below:
 - In a similar way to 14/0609 the buildings proposed would each provide 9 flats and would be to a maximum height of approximately 10.5 metres.
 - The proposal would measure approximately 5.8 metres at the eaves under the current scheme. The buildings under 14/0609 measured approximately 6.6 metres at the eaves.
 - Under the current proposal the two buildings would be of an 'L' shaped barn hip/gable character. The proposals under 14/0609 were characterised by two front and rear facing 3 storey gable elements.
 - At their widest, each of the buildings would measure approximately 17 metres in width (narrowing to 8.5 metres). Under 14/0609 the two flatted blocks measured approximately 17 metres in width.
 - The depth of the proposed built forms measures approximately 24 metres under the current application. Under 14/0609 the depth of the built forms was 17.5 metres.

- The closest building to the street frontage is set approximately 7.8 metres away under the current application. Under 14/0609 the buildings were set approximately 4.2 metres from the street frontage.
- Under the current proposal, only 20 parking spaces are proposed. Under 14/0609 a total of 24 car parking spaces were to be provided.
- The parking layout under the current scheme is more informal with spaces interspersed to the front and rear of the site. Under 14/0609 the parking area was of a linear layout and sited to the rear of the application site.
- Bin stores are now proposed to the front of the site. Under 14/0609 they had been sited to the rear of the buildings.
- The separation distances from side boundaries remain largely similar in both schemes.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--|--------------------------------------|
| 5.1 | Surrey County Council
Highway Authority | No objections subject to conditions. |
| 5.2 | Surrey Wildlife Trust | No objections subject to conditions. |
| 5.3 | SHBC Drainage Engineer | Objection. |
| 5.4 | SHBC Tree Officer | No objections. |

6.0 REPRESENTATIONS

- 6.1 At the time of the preparation of this report 6 letters of objection had been received. This raises the following issues:
- Parking provision is insufficient [See para. 7.4]
 - Potential overbearing impact [See para. 7.3]
 - Congestion problems are likely to arise [See para. 7.4]
 - The development would be inappropriate development in a semi-rural location [See para. 7.2]
 - There would be an adverse impact on local amenities and utilities [*Officer comment: This may relate to the proposal's impact on local infrastructure which is covered in para.7.8; it could also relate to residential amenities which is covered in para.7.3*]
 - Development is too large for the plots and would appear over dominant [See para. 7.2]
 - Potential for excessive noise impact given the number of units proposed [See para. 7.3.4]
 - Japanese Knotweed may grow at Brook Green [See para. 7.10]

- Too many flats on Waverley Road [*Officer comment: There is no policy against the provision of flats on this site. However the impact of the development on the character of the area is covered in para. 7.2*]
- A significant degree of landscape features have been removed prior to the submission of the application and the proposal would only serve to exacerbate this [See para. 7.2]
- The development continues to reflect a very urbanising character [See para. 7.2]
- There is a need to potentially relocate sewage pipe [*A drainage strategy has not been provided; see para. 7.9*]
- Adverse impact on highway safety given the limited area for turning heads [See para.7.3].

7.0 PLANNING CONSIDERATION

7.1.1 The application site is located in the settlement area of Camberley as identified by the Proposals Map and accordingly it is considered that policies CP2, CP5, CP6, CP12, CP14, DM9, DM10 and DM11 and the NPPF are relevant to the consideration of this application. The guidance contained in the Western Urban Area Character SPD, the Developer Contributions SPD and the Thames Basin Heath Special Protection Area Avoidance Strategy SPD is also a material consideration.

7.1.2 In light of the reasons for refusal of 14/0609 and the development plan detailed above, the primary considerations in the determination of this application are:

- The impact of the development on the character of the area;
- The impact of the development on residential amenities;
- The level of parking and the impact of the development on highway safety;
- The impact of the proposal on the delivery of affordable housing;
- The impact on the Thames Basin Heaths Special Protection Area;
- The impact of the development on protected species and biodiversity;
- The impact of the development on infrastructure provision; and,
- The impact on Sustainable Drainage.

7.1.3 This means that the following matters remain unchanged and were considered to be acceptable in the determination of application 14/0609:

- The principle of residential development on the site; and
- The size and tenure mix of the dwellings proposed.

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

- 7.2.1 The NPPF seeks a presumption in favour of sustainable development securing high quality design, as well as taking account of the character of different areas. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale and density of new development in relation to neighbouring buildings and the local area more generally. Policy DM9 of the Core Strategy is reflective of this, requiring development proposals to respect and enhance the local environment.
- 7.2.2 The application site is located at the northern end of Waverley Close which is a small cul-de-sac on the north side of the Portsmouth Road. The site is located within the Wooded Hills Character Area as identified by the Western Urban Area Character SPD (WUAC SPD). The SPD recognises the Wooded Hills area as being characterised by predominantly large irregular plots, winding roads/lanes, heavy vegetation and a scattering of Victorian/Edwardian buildings. The positive features of the area are identified as its soft green character and extensive tree cover, green tunnels along road corridors, buildings set in generous heavily vegetated plots which all help to create a low density verdant character. The negative features of the area are the small pockets of development with an urban character which have more formal layouts, have lower levels of vegetative cover, lack enclosure and have large areas of hard surfacing and bulky buildings. Principle WH1 of the Wooded Hills Character Area advises that development should be set in spacious, irregularly shaped plots which provide for extensive space between, and around buildings and which allows for the maintenance and development of a verdant character. Principle WH2 advises that development forms with closely set buildings, cramped appearances, and minimal provision of side gardens are considered to be out of keeping with the soft enclosed semi-rural character and will be opposed. Principle WH6 advises that high quality contemporary designs will be welcomed where they are respectful of the surroundings of the area.
- 7.2.3 The site currently comprises two detached dwellings set on good sized plots. While the existing properties do not share the Victorian/Edwardian characteristics of some of the buildings in the Character Area the modest scale of the dwelling along with the spacing and landscaping around the dwellings does contribute to the low density, verdant character of the area. The current application proposes the demolition of these dwellings and the erection of 2 large detached 'L' shaped buildings with entrances to the side of either building and an access running between. In a similar fashion to the refused scheme the proposed buildings would measure 10.5 metres in height and 17 metres in width.
- 7.2.4 Although the applicant advises that the current proposal addresses concerns raised under SU/14/0609 in respect of the urban layout of the development by employing a 7.8 metre set back from the street frontage, it is not considered that this alleviates the perception of an overly urban layout and the excessive scale proposed. The height of the built forms, along with the siting of parking areas and refuse stores to the front of the buildings, and the retention of an access through the site all combine to erode the green, verdant, and spacious character of the area. To the rear, the applicant has sought to overcome concerns raised in respect of the hard urban landscape by interspersing parking areas with areas of soft landscaping. However, this in turn, gives rise to a contrived layout within the site with parking spaces sited awkwardly adjacent to side elevations and building corners.
- 7.2.5 The design response of the buildings combines the use of gable features and barn hip roof elements which creates a complex mix of architectural features which, when combined with the overall height of the built forms, appear wholly out of scale and visually discordant along this street frontage. In combination with the proposed parking and bin storey layout, the overall development significantly erodes the pleasant semi –rural quality of this setting.

- 7.2.6 As part of the submission, the applicant draws a comparison between the height of Ashley House, located across the road, and the proposed built forms advising that the height of the building is in character with the existing locale. However, although Ashley House measures 10.5 metres in height, it is set 16.5 metres away from the Waverley Close street frontage. The significant setback in combination with its solitary nature on the site allows for a greater sense of spaciousness and the perception of a more modest scale when viewed in the context of the wider street scene. In contrast, given that two flatted blocks are proposed on the application site within closer proximity to the street frontage, the proposal would appear cramped and out of scale within this context.
- 7.2.7 As such, despite the revisions to the scheme, the proposed development would give rise to a contrived and incongruous form of development that continues to give rise to an overly urban layout that is out of scale and fails to integrate with the semi-rural character of this setting. The development therefore fails to accord with the design principles contained within Policy DM9 of the Core Strategy and the guiding principles of the Wooded Hills Character Area as set out within the WUAC SPD.

7.3 The impact of the development on residential amenities

- 7.3.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties are respected.
- 7.3.2 The application site is bounded to the southeast by a residential property known as South Lodge which is set within a large curtilage. Block A would be sited approximately 2.4 metres from the common boundary with this property and would be approximately 20 metres from the flank elevation of the dwelling. Unlike the previous proposal which projected 5 metres beyond the rear wall of South Lodge, Block A would project up to 20 metres beyond this. While the separation distances between the development and this dwelling remain similar, the proposed flatted block would appear overbearing and unneighbourly to the rear garden area of South Lodge by virtue of its height and rear projection. Notwithstanding that the appearance of the building is a reserved matter, it is considered that the building's siting and footprint in the current location would be harmful to the amenities that the occupants of South Lodge enjoy.
- 7.3.3 To the rear the application site shares common boundaries with the flatted development at Tides End Court and with 50 Portsmouth Road. However, it is considered that the intervening distances and the screening on the boundaries would be sufficient to ensure that the development would not materially impact on the amenities the occupants of these properties currently enjoy. Similarly, while there are residential properties across the street at the front of the site these are also sufficient distance from the development for it not to materially impact on the amenities the occupants of these properties currently enjoy.
- 7.3.4 The development would increase the number of units and people on the application site and this is likely to result increase activity including vehicle movements. However, it is not considered that the resulting intensity of use on the site would be such as to give rise to unacceptable noise and disturbance to the occupiers of the adjoining properties. The application site is located adjacent to the M3 Motorway and as such the future occupants of the development may be subject to noise disturbance from the Motorway. The site is bounded by an acoustic barrier which has improved the noise environment within the site and it is considered that unacceptable noise levels within the building could be prevented by mitigation measures to be secured by condition. Accordingly no objection should be raised to the proposals on these grounds.

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

- 7.4.1 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 has no highway requirements. The proposed development therefore complies with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.
- 7.4.2 The development proposes the creation of a parking area to the rear of the site, parallel to the rear boundary, which would provide 20 car parking spaces at a ratio of 1.2 spaces per unit. Surrey County Council's parking standards recommend 1 car parking space per two-bed flat and the development proposed would exceed this guidance. Given the size of the units, location of the site and the public transport links available it is considered that the level of parking is appropriate to meet the parking demand of the development. Furthermore, it is noted that cycle parking is also to be provided and the provision of this should be a condition in any permission granted for the development of the site.
- 7.4.3 Access to the site would be from Waverley Close with an access drive running between the buildings to the rear of the site. The County Highway Authority has considered the application and has advised that it has no objection to the development on highway safety, policy or capacity grounds. Accordingly it is not considered that the development would give rise to conditions prejudicial to highway safety and accordingly the development would meet the objectives of Policy DM11 of the Core Strategy and Development Management Policies 2012.

7.5 The impact of the proposal on the delivery of affordable housing

- 7.5.1 The application proposes a net increase of 16 dwellings and Policy CP5 requires that 40% of the proposed units are affordable, split evenly between social rented and intermediate units.
- 7.5.2 The development should deliver 6 affordable units; however, in the absence of a completed planning obligation there is no mechanism to secure the provision of these units as affordable housing. Accordingly the development is contrary to the aims and objectives of Policy CP5 of the Core Strategy and Development Management Policies 2012 and is contrary to the objectives of the National Planning Policy Framework.

7.6 The impact on the Thames Basin Heaths Special Protection Area

- 7.6.1 The application site is located within 1km of 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 16 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.
- 7.6.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which 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. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full

Council on the 16th July 2014. As a SANGS is considered to be a form of infrastructure, it

is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

- 7.6.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. In the absence of a payment received in respect of SAMM or the completion of a legal agreement to secure this contribution, the proposal fails to accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

7.7 The impact of the development on protected species and biodiversity

- 7.7.1 The application site and surrounding areas include a number of mature trees and the form and current condition of Brook Green make the building potentially suitable for roosting bats. The applicant has now submitted a Phase 2 Bat report in addition to the previously submitted Phase 1 report by P V Ecology. Surrey Wildlife Trust has advised that the development would not have a harmful impact on protected and important species on the site. As such, if the LPA were minded to approve the application conditions in respect of biodiversity enhancements on the site would be applied. As such the current proposal overcomes reason 2 of the refusal of 14/0609 and accords with Policy CP14 of the Core Strategy.

7.8 The impact of the development on infrastructure provision

- 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 came 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 GIA floor area of 100 square metres or more.
- 7.8.2 The current proposal would result in a net increase in GIA floor space of approximately 622 square metres. Accordingly the development is liable for an estimated contribution of £111,960.00 towards community infrastructure in accordance with the Council's CIL Charging Schedule. The final total will be stated in the CIL notices that will be served on the liable party(s).
- 7.8.3 In accordance with the requirements of the CIL Regulations 2010 (as amended) and the Council's Infrastructure Delivery Supplementary Planning Document, should this application be approved, a land charge will be levied on the land to which this application relates, with payment required prior to commencement of development.

7.9 The impact on Sustainable Drainage provision

- 7.9.1 The Government in April 2015 changed requirements for major developments for sustainable drainage systems (SuDS). Under these requirements the Council must be satisfied during determination of the application that SuDS can be designed into a proposal, unless demonstrated to be inappropriate. A drainage strategy has not been provided to support the current application. As such, it has not been demonstrated that the proposal would accord with the Government's requirements in respect of sustainable drainage for major developments.

7.10 Other matters

- 7.10.1 The Council's Tree Officer has indicated that the trees to be removed as part of the proposed works are of low grade and therefore no objection is raised in this respect. However, it should be noted that there is evidence of a re-emergence of Japanese Knotweed to the rear of Brook Green. This must be controlled and prevented from spreading into adjacent land. Japanese Knotweed is subject to legal constraint under the Weeds Act 1959 and failure to exercise control measures could lead to Natural England serving an enforcement notice.

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

9.0 CONCLUSION

- 9.1 The revised scheme fails to overcome the reasons for the refusal of SU/14/0609. The proposed development would have an adverse impact on the established character of this setting by reason of its cramped and visually prominent scale within the plot. In addition Block A would give rise to an overbearing and unneighbourly built relationship with the neighbouring dwelling to the south, South Lodge. In the absence of a SUDs compliant drainage strategy and a legal agreement securing contributions in respect of affordable housing additional reasons for refusal in respect of these matters have been included.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The development proposed by virtue of the scale and massing of the buildings, and contrived layout including the introduction of large areas of hard standing, would result in an incongruous, dominant and overly urbanised pocket of development which would fail to respect and enhance the character and appearance of the surrounding area, including the semi-rural and verdant character of the Wooded Hills Character Area. Accordingly the development would be contrary to Policy DM9 of the Core Strategy and Development Management Policies 2012 and would conflict with the objectives of the Western Urban Area Character SPD and the National Planning Policy Framework.

2. The development proposed, as a result of the depth of Block A beyond the rear elevation of South Lodge, in combination with the proximity to the shared boundary would give rise to an overbearing and unneighbourly impact on the amenities that the occupants of this neighbouring property enjoy and therefore would fail to accord with the amenity principles contained in policy DM9 of the Surrey Heath Core Strategy and Development Management Policies.
3. The proposal fails to contribute to the 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 contrary to the aims and objectives of policies CP5 and CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
4. 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).
5. In the absence of a drainage strategy the applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that the development is appropriately flood resilient and resistant and whether a sustainable drainage system for the management of run-off is appropriate. As such the development fails to comply with Schedule 3 of the Flood and Water Management Act 2010, paragraph 103 of the National Planning Policy Framework and associated guidance in the Planning Practice Guidance and Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

Informative(s)

1. Advise CIL Liable on Appeal CIL3

2014/0609

Reg Date 27/08/2014

Parkside

LOCATION: BROOK GREEN, WAVERLEY CLOSE, CAMBERLEY, GU15 1JH

PROPOSAL: Outline application for the erection of 2 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)

TYPE: Full Planning Application

APPLICANT: Avakas Developments Ltd

OFFICER: Paul Sherman

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 The outline planning permission proposes the erection of 2 detached three-storey buildings each to contain 9 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with matters of appearance and landscaping to be reserved. The proposed buildings would front onto the highway boundary and would be approximately 4m from this site boundary with the entrances to the buildings in the front elevations. The buildings would have a height of approximately 10.5 metres and would be sited side by side with an access road running between the buildings giving access to a car parking area to the rear of the site containing 24 car parking spaces.
- 1.2 The report concludes that the development proposed, by virtue of the scale and urban layout of the development, would be harmful to the character and the appearance of the area. Furthermore, it has not been demonstrated that the development would not adversely impact on protected species within the site. In the absence of a completed legal agreement the development would adversely impact on the Thames Basin Heaths Special Protection Area, would adversely impact on local infrastructure provision and would fail to deliver the required level of affordable housing units.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the south side of Waverley Close and currently comprises two detached dwellings known as Brook Green and Tinybrook respectively. Brook Green is a modest detached two-storey dwelling while Tinybrook is a bungalow. Both front the highway, each with an access to Waverley Close and both have defined front gardens. To the rear each property currently benefits from good sized rear gardens.
- 2.2 The site is bounded to the rear by a flatted development known as Tides End Court which comprises two detached buildings each containing 6 flats with associated amenity space and parking. The rear boundary of the site also adjoins a very small section of 50 Portsmouth Road. To the south side of the site is a detached residential property known as South Lodge while the north side boundary adjoins the M3 Motorway. The front boundary is marked by the public highway at Waverley Close. The site is generally level and includes a number of trees and landscape features which are mostly located on the boundaries of the site.

3.0 RELEVANT HISTORY

3.1 There is no planning history for the site which is relevant to the current application.

4.0 THE PROPOSAL

4.1 The outline planning permission proposes the erection of 2 detached three-storey buildings each to contain 9 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with matters of appearance and landscaping to be reserved. The development would have a density of 90 dwellings per hectare.

4.2 The proposed buildings would front onto the highway boundary and would be approximately 4m from this site boundary with the entrances to the buildings in the front elevations. The buildings would have a height of approximately 10.5 metres and would be sited side by side with an access road running between the buildings giving access to a car parking area to the rear of the site containing 24 car parking spaces. This parking area would also include bin stores and cycle parking would be provided adjacent to the amenity space to the rear of each block.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No comments to make in respect of the proposed development.
- 5.2 Surrey Wildlife Trust Comments awaited and will be reported at the meeting.
- 5.3 Council's Arboriculturist Raises no objection subject to conditions relating to soft landscape details and pre-commencement meeting for supervision of tree works.

6.0 REPRESENTATION

6.1 At the time of the preparation of this report 1 letter of objection had been received. This raises the following issues:

- Impact on the character of the area *[see para 7.5]*
- Impact on traffic / parking *[see para 7.7]*
- Impact of wildlife *[see para 7.9]*
- Increase noise and disturbance *[see para 7.6]*

6.2 There had also been 1 general letter of support received.

7.0 PLANNING CONSIDERATION

7.1 The application site is located in the settlement area of Camberley as identified by the Proposals Map and accordingly it is considered that policies CP2, CP5, CP6, CP12, CP14, DM9 and DM11 are relevant to the consideration of this application. The guidance contained in the Western Urban Area Character SPD, the Developer Contributions SPD and the Thames Basin Heath Special Protection Area Avoidance Strategy SPD is also a material consideration.

7.2 Having regard to the above it is considered that the main issues to be addressed by this application are:

- The principle of the development;
- The size and tenure mix of the dwellings proposed;
- The impact of the development on the character of the area;
- The impact of the development on residential amenities;
- The level of parking and the impact of the development on highway safety;
- The impact on the Thames Basin Heaths Special Protection Area;
- The impact of the development on protected species and biodiversity; and,
- The impact of the development on local infrastructure provision.

7.3 The principle of the development

7.3.1 Within the settlement area the principle of residential development is generally acceptable. The National Planning Policy Framework seeks to direct development to previously developed land (PDL) and states that garden land does not constitute PDL. The application site currently comprises the residential properties and curtilages of Brook Green and Tinybrook and accordingly the site cannot be considered to be PDL.

7.3.2 While the NPPF encourages the use of PDL it is accepted that in areas of poor housing supply, such as Surrey Heath, the use of some non PDL may be required to meet housing delivery requirements. It is also noted that new housing should be directed to sustainable locations with good access to jobs, services and infrastructure. It is considered that the proposal would be a sustainable form of development and such no objection is raised to the principle of the development notwithstanding that the application site is not PDL.

7.4 The size and tenure mix of the dwellings proposed

7.4.1 The application site proposes a development of 18 two-bedroom flats. Policy CP6 seeks to ensure that developments deliver a range of property sizes and sets out the desired mix of property sizes in new developments. In this instance the development does not reflect this property mix, however, it is noted that the development would deliver exclusively smaller two-bedroom units which the supporting text of Policy CP6 identifies as being under provided within existing housing stock. It is therefore considered that while the development would not include a range of property sizes it would contribute to the provision of smaller units and would contribute to addressing the current imbalance in property mix in the Borough. Accordingly no objection is raised to the mix of the units proposed.

7.4.2 The application proposes a net increase of 16 dwellings and Policy CP5 requires that 40% of the proposed units are affordable, split evenly between social rented and intermediate units. The development should deliver 6 affordable units, however, in the absence of a completed planning obligation there is no mechanism to secure the provision of these units as affordable housing. Accordingly the development is contrary to the aims and objectives of Policy CP5 of the Core Strategy and Development Management Policies 2012 and is contrary to the objectives of the National Planning Policy Framework.

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

7.5.1 The application site is located at the northern end of Waverley Close which is a small cul-de-sac on the north side of the Portsmouth Road. The site is located within the Wooded Hills Character Area as identified by the Western Urban Area Character SPD. This recognises these areas as being characterised by predominantly large irregular plots, winding roads/lanes, heavy vegetation and a scattering of Victorian/Edwardian buildings. The positive features of the area are identified as its soft green character and extensive tree cover, green tunnels along road corridors, buildings set in generous heavily vegetated plots which all help to create a low density verdant character. The negative features of the area are the small pockets of development with an urban character which have more formal layouts, have lower levels of vegetative cover, lack enclosure and have large areas of hard surfacing and bulky buildings.

7.5.2 The site currently comprises two detached dwelling set on good sized plots. While the existing properties do not share the Victorian/Edwardian characteristics of some of the buildings in the Character Area the modest scale of the dwelling along with the spacing and landscaping around the dwellings does contribute to the low density, verdant character of the area. The application proposes the demolition of these dwellings and the erection of 2 large detached buildings fronting the street on either side of an access running between the buildings to a formal parking area to the rear. Each of the buildings would be 10.5m high and 17m wide and would be of significantly greater scale than the existing buildings which characterise Waverley Close. Moreover, the scale and siting of the buildings with its from access drive running between the buildings and formal parking arrangement would give rise to a form of development which was overly urban in development and would appear significantly at odds with the existing development in Waverley Close. While there is limited opportunity for new landscaping to the front of the buildings this would not overcome the harm arising. In contrast, while Ashley House on the opposite side of Waverley Close is a flatted development, unlike the application proposal this existing development maintains spaciousness characteristic of the Character Area.

7.6 The impact of the development on residential amenities

7.6.1 The application site is bounded to the southeast by a residential property known as South Lodge which is set within a large curtilage. Block 1 would be sited approximately 2.4m from the common boundary with this property and would be approximately 20m from the flank elevation of the dwelling. While the development would be visible from this property the separation distances between the development and this dwelling and its primary garden areas are sufficient to ensure that the development would not appear overbearing or unneighbourly. Furthermore, while the appearance of the building is a reserved matter, it is considered that the building could be designed to ensure that no habitable room windows were provided in this elevation and therefore an obscure glazing condition could ensure that the privacy of this property could be protected.

7.6.2 To the rear the application site shares common boundaries with the flatted development at Tides End Court and with 50 Portsmouth Road. However, it is considered that the intervening distances and the screening on the boundaries would be sufficient to ensure that the development would not materially impact on the amenities the occupants of these

properties currently enjoy. Similarly, while there are residential properties across the street at the front of the site these are also sufficient distances from the development for it not to materially impact on the amenities the occupants of these properties currently enjoy.

- 7.6.3 The development would increase the number of units and people on the application site and this is likely to result increase activity including vehicle movements. However, it is not considered that the resulting intensity of use on the site would be such as to give rise to unacceptable noise and disturbance to the occupiers of the adjoining properties. The application site is located adjacent to the M3 Motorway and as such the future occupants of the development may be subject to noise disturbance from the Motorway. The site is bounded by an acoustic barrier which has improved the noise environment. Within the site and it is considered that any subject to conditions to secure noise mitigation for the building it is considered that the unacceptable noise levels within the building could be prevented. Accordingly no objection should be raised to the proposals on these grounds.
- 7.6.4 Having regard to all of the above the development would meet the relevant objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012 and accordingly no objection should be raised on these grounds.

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

- 7.7.1 The development proposes the creation of a parking area to the rear of the site, parallel to the rear boundary, which would provide 24 car parking spaces at a ratio of 1.3 spaces per unit. Surrey County Council's parking standards require a minimum of 1 car parking space per two-bed flat and the development proposed would exceed this minimum standard. Given the size of the units, location of the site and the public transport links available it is considered that the level of parking is appropriate to meet the parking demand of the development. Furthermore, it is noted that cycle parking is also to be provided and the provision of this should be a condition in any permission granted for the development of the site.
- 7.7.2 Access to the site would be from Waverley Close in the location of the existing access to Tinybrook which would lead to an access drive running between the buildings to the rear of the site. The County Highway Authority has considered the application and has advised that it has no objection to the development on highway safety, policy or capacity grounds. Accordingly it is not considered that the development would give rise to conditions prejudicial to highway safety and accordingly the development would meet the objectives of Policy DM11 of the Core Strategy and Development Management Policies 2012.

7.8 The impact on the Thames Basin Heaths Special Protection Area

- 7.8.1 The application site is located within 1km of 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 16 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.
- 7.8.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which 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. In this instance a contribution of £79,019 would be required.

7.8.3 In the absence of completed planning obligation it cannot be concluded that the development would not impact on the SPA and accordingly it is contrary to the objectives of Policy CP14 of the Core Strategy and Development Management Policies 2012 and fails to meet the requirements of the Habitat Regulations. From 1st December 2014 the Council's Community Infrastructure Levy (CIL) Charging Schedule takes effect and this will replace the existing mitigation requirements for development impacting on the SPA. An informative will therefore be added relating to this.

7.9 The impact of the development on protected species and biodiversity

7.9.1 The application site and surrounding areas include a number of mature trees and the form and current condition of Brook Green make the building potentially suitable for roosting bats. The applicant has submitted an extended Phase 1 Bat Report and Ecological Survey which concludes that the building includes access points and areas suitable for roosting bats, however, the report advises that it was not possible to fully inspect the building. The report concludes that further survey work is required to confirm the presence / absence of roosting bats within the building and accordingly it is not possible to assess the impact of the development on this protected species.

7.9.2 Surrey Wildlife Trust's comments are awaited but in the absence of sufficient survey work to assess the impact on bats it cannot be demonstrated that the development would not impact on this protected species. Accordingly the development is contrary to the objective of Policy CP14 of the Core Strategy and Development Management Policies 2012, ODPM Circular 06/2005 and the National Planning Policy Framework.

7.10 The impact of the development on local infrastructure provision

7.10.1 The Council adopted the Developer Contributions SPD in October 2011 and financial contributions are now required for any development providing new dwellings or commercial floorspace; levels of contributions have been drawn from work carried out by the Surrey Collaboration Project and the amount payable will be dependent on the scale of the development and its location.

7.10.2 In this instance the development proposes the erection of 18 (market) residential units following the demolition of the two existing dwellings. As such a total contribution of £57,799.04 is required which would be put towards primary education, transport, libraries, equipped playspace, community facilities, indoor sports, and recycling, and would ensure that the infrastructure impact of the development is mitigated.

7.10.3 In the absence of completed planning obligation to secure this mitigation the development, in combination with other proposals, would give rise to a deterioration of the local infrastructure and accordingly fails to meet the objectives of Policy CP12 of the Core Strategy and Development Management Policies 2012 and fails to meet the requirements of the Developer Contributions SPD. Again from 1st December 2014, CIL takes effect and this will replace the current infrastructure tariff and so an informative advising of this will be added.

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 Having regard to the above it is concluded that the development proposed, by virtue of the scale and urban layout of the development, would be harmful to the character and the appearance of the area. Furthermore it has not been demonstrated that the development would not adversely impact on protected species within the site. In the absence of a completed legal agreement the development would adversely impact on the Thames Basin Heaths Special Protection Area, would adversely impact on local infrastructure provision and would fail to deliver the required level of affordable housing units.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The development proposed, by virtue of the scale and massing of the buildings and the formal layout of the development including the introduction of large areas of hardstanding, would result in an incongruous, dominant and overly urbanised pocket of development which would fail to respect and enhance the character and appearance of the surrounding area, including the semi-rural and verdant character of the Wooded Hills Character Area. Accordingly the development would be contrary to Policy DM9 of the Core Strategy and Development Management Policies 2012 and would conflict with the objectives of the Western Urban Area Character SPD and the National Planning Policy Framework.
2. It has not been demonstrated that the development proposed would not significantly adversely impact on protected species, in particular bats, which are likely to be present on the site. Accordingly the development would be contrary to the objectives of Policy CP14 and would conflict with ODPM Circular 06/2005 and the objectives of the National Planning Policy Framework
3. The proposal fails to contribute to the 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 contrary to the aims and objectives of policies CP5 and CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
4. 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 CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012 in relation to the provision of infrastructure contributions towards primary education, transport, libraries, equipped playspace, indoor sports, community facilities and recycling in accordance with the requirements of Surrey Heath Borough Councils Developer Contributions SPD.

5. 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).

Informative(s)

1. In respect of reasons for refusal 4 and 5 please note that the Council's Community Infrastructure Levy Charging Schedule is scheduled to take effect on 1st December 2014 at which point a legal agreement securing a contribution towards transport, libraries, community facilities and recycling under the Surrey Heath Developer's Contributions SPD 2012 and a legal agreement to provide SANG under the Thames Basin Heath SPA Avoidance Strategy SPD will no longer be required as CIL will replace this.

However, it will be necessary to meet the requirements 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 Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations). In this respect, an objection by the Council on SPA grounds will only be removed where there is available SANG capacity at the point of the validation of any subsequent appeal.

In addition, a contribution towards SAMM (Strategic Access Management and Monitoring) would still be required and secured through a legal agreement.

Therefore, if this decision is appealed and subsequently granted planning permission at appeal after the Council's CIL Charging Schedule has taken effect, this scheme will be liable to pay the Council's CIL upon commencement of development. CIL will therefore in all other respects overcome these reasons for refusal.

2015/0419

Reg Date 12/05/2015

Bagshot

LOCATION: 18 ELIZABETH AVENUE, BAGSHOT, GU19 5NX
PROPOSAL: Erection of a first floor side extension.
TYPE: Full Planning Application
APPLICANT: Mr Paul Hutchinson
OFFICER: Ross Cahalane

This application has been reported to the Planning Applications Committee because the applicant is closely related to a Ward Councillor.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a first floor side extension. The proposal is considered to be acceptable in terms of its impact on local character and residential amenity. The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises a two storey detached property located on the western side of the Elizabeth Avenue cul-de-sac.
- 2.2 The surrounding area is residential in character, comprising of two storey detached properties with common post-war architecture on varying-sized plots.

3.0 RELEVANT PLANNING HISTORY

- 3.1 None.

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the erection of a first floor side extension.
- 4.2 The proposed first floor side extension would consist of a pitched roof with a gable flank end, and would have a length of 6.84m, width of 2.43m, eaves height of approx. 5.1m and maximum height of approx. 6.7m. The proposal would be set in from the host dwelling first floor front elevation line by 0.6m.

5.0 CONSULTATION RESPONSES

5.1 Windlesham Parish Council: No response received at time of preparation of report.

5.2 Surrey County Highway Authority: No comments.

6.0 REPRESENTATION

6.1 At the time of preparation of this report one objection has been received, raising the following issues:

- Loss of light/sunlight/overshadowing in back garden, side entrance and main bedroom.
- Overlooking, loss of privacy and visually overbearing impact.
- Tree adjacent to proposal not mentioned on application form.
- *(Officer comment: Refer to Paras 7.4.2 – 7.4.3.)*

7.0 PLANNING CONSIDERATION

7.1 The application site falls within the settlement area of Bagshot as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). Policy DM9 of the CSDMP and the relevant guidance of the National Planning Policy Framework (NPPF) are material considerations in the determination of this application.

7.2 It is considered that the main planning issues to be addressed are:

- The impact of the proposal on the character and the appearance of the area, and;
- The impact of the proposal on residential amenities, and;
- The impact of the proposal on highway safety.

7.3 The impact of the proposal on the character and the appearance of the area

7.3.1 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 DM9 (Design Principles) of the CSDMP 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 The proposed first floor side extension would be visible within the street scene. However, the proposed additional bulk, width and roof form is considered to be subservient in appearance to the host dwelling, and would respect the design of the original dwelling. Additionally, the proposed external brick and tile materials would match those of the original dwelling, and the proposed set-back from the adjoining front elevation would reduce its prominence within the streetscene.

- 7.3.3 The proposal would be sited approx. 1.6m from the side elevation of the detached property No. 16 Elizabeth Avenue. The application site forms a row of three detached properties of the same design (No. 14, 16 and 18), and it is accepted that the proposal would enclose a visual gap at first floor level between the properties which has not been replicated at the above neighbour sites. However, the proposed front elevation would be set back from the front elevation line of No. 16 by approx. 2.1m, which is considered sufficient to avoid the creation of a terracing effect upon No. 16.
- 7.3.4 It is noted that concern has been raised in respect of a tree adjacent to the proposal. The application site falls within an area Tree Preservation Order (Ref: TPO 2/76) which was issued in 1976, and benefits from dense natural screening. Whilst some removal of this shrubbery adjacent to the proposal may be necessary, due to its age and size it is not statutorily protected under the above Order and is not considered to be of sufficient public amenity value to warrant statutory protection.
- 7.3.5 It is therefore considered that the proposal would have no adverse impact on the character of the site and surrounding area, in compliance with the design requirements of Policy DM9 of the CSDMP and the NPPF.

7.4 The impact of the proposal on residential amenities

- 7.4.1 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) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development.
- 7.4.2 The proposed first floor side extension would abut the side boundary with No. 16 Elizabeth Avenue to the northeast. Concern has been raised by the neighbour in respect of the impact upon the back garden, side entrance and main bedroom of No. 16 in terms of loss of light/overshadowing and overbearing impact. However, no flank elevation windows exist at No. 16 facing the proposal. The proposal would project approx. 1.4m beyond the first floor rear elevation line of No. 16. However, given the separation distance to the nearest ground and first floor rear windows of No. 16 and the depth and width of the rear garden of No. 16 compared to the proposed projecting first floor element, it is considered that the proposal would not give rise to adverse harm the amenities of this neighbouring property in respect of overshadowing, loss of outlook or overbearing impact.
- 7.4.3 Concern has also been raised in respect of impact upon No. 16 in terms of overlooking and loss of privacy. As the proposal appears to include ensuite facilities at the rear, in order to protect the amenity of No. 16 it is considered necessary to impose a planning condition requiring the proposed first floor rear elevation window to be obscure-glazed and fixed shut below 1.7m from internal floor level.
- 7.4.4 The proposal would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid any material harm in terms of loss of light, outlook, privacy or overbearing impact.
- 7.4.5 It is therefore considered that the proposed development would sufficiently respect the amenities of occupants of neighbouring properties, in accordance with Policy DM9 (Design Principles) of the CSDMP and the NPPF.

7.5 Impact on highway safety

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) states 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.
- 7.5.2 The County Highway Authority (CHA) has been consulted and has no comments to make on safety, policy or capacity grounds. The LPA is therefore satisfied that the proposal would not have a detrimental impact on the safety and operation of the public highway. As such, the proposal would not conflict with the aims of Policy DM11.

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 It is considered that the proposed development would not result in adverse impact to the character of the area and would not cause adverse harm to the amenities of occupants of neighbouring properties. Therefore the proposal is considered to be in accordance with Policy DM9 (Design Principles) of the Surrey Heath Core Strategy & Development Management Policies 2012 and the National Planning Policy Framework. As the size of the extension is less than 100 sq. m in Gross Internal Area, it is not CIL (Community Infrastructure Levy) liable.
- 9.2 The application is therefore 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 proposed development shall be built in accordance with the following approved plans: P-1, P-3 and P-4 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.

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.

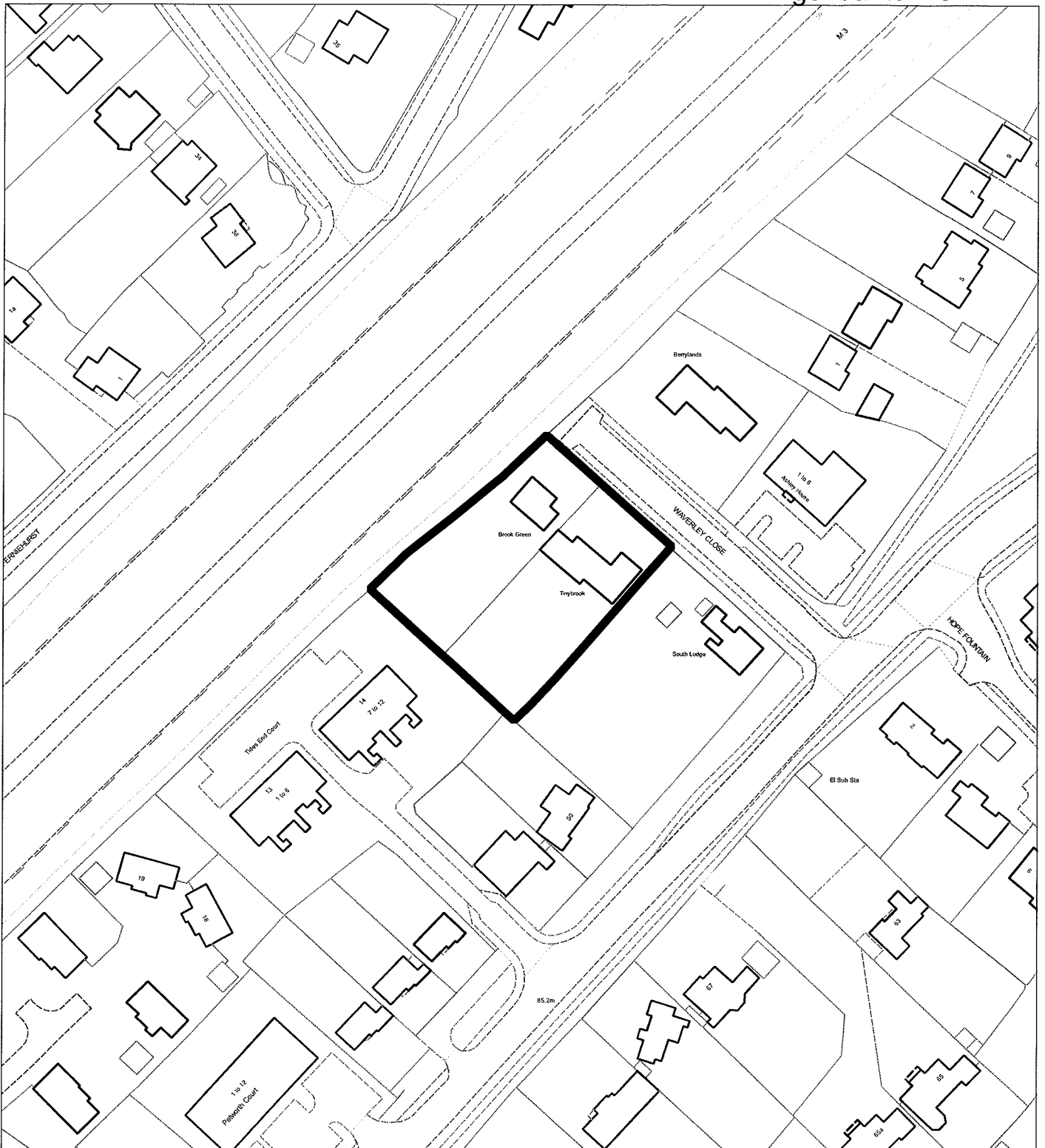
4. Before first occupation of the development hereby approved the first floor window in the rear elevation shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

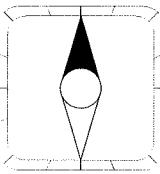


Reason: In the interests of the amenities enjoyed by No. 16 Elizabeth Avenue and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. Party Walls (etc.) Act 1996 DE3
4. Advice regarding encroachment DE1

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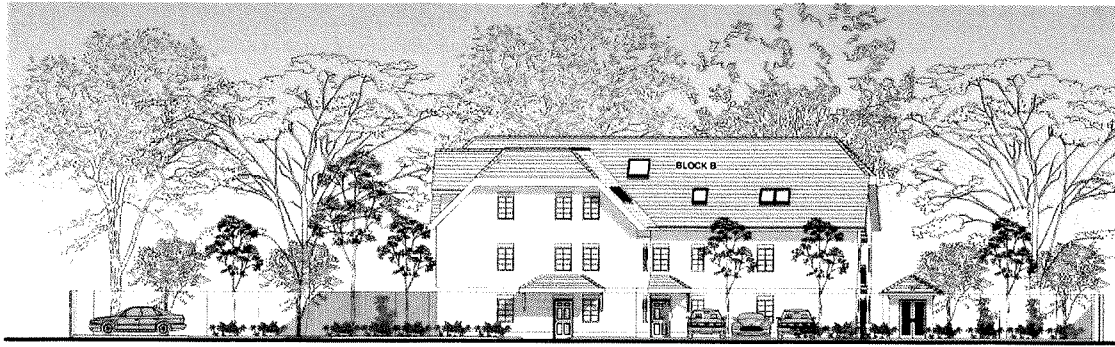


Title	Planning Applications		Page	24 of 2
Application number	15/0291		Scale @ A4	1:1,250
Address	BROOK GREEN & TINYBROOK, WAVERLEY CLOSE, CAMBERLEY, GU15 1JH		Date	05-06-2015
Proposal	Outline application for the erection of two blocks of flats each containing 9 residential flats following demolition of two existing dwellings. Appearance and landscaping reserved.		 	
				

SU/15/0291 – BROOK GREEN, WAVERLEY CLOSE, GU15 1JH



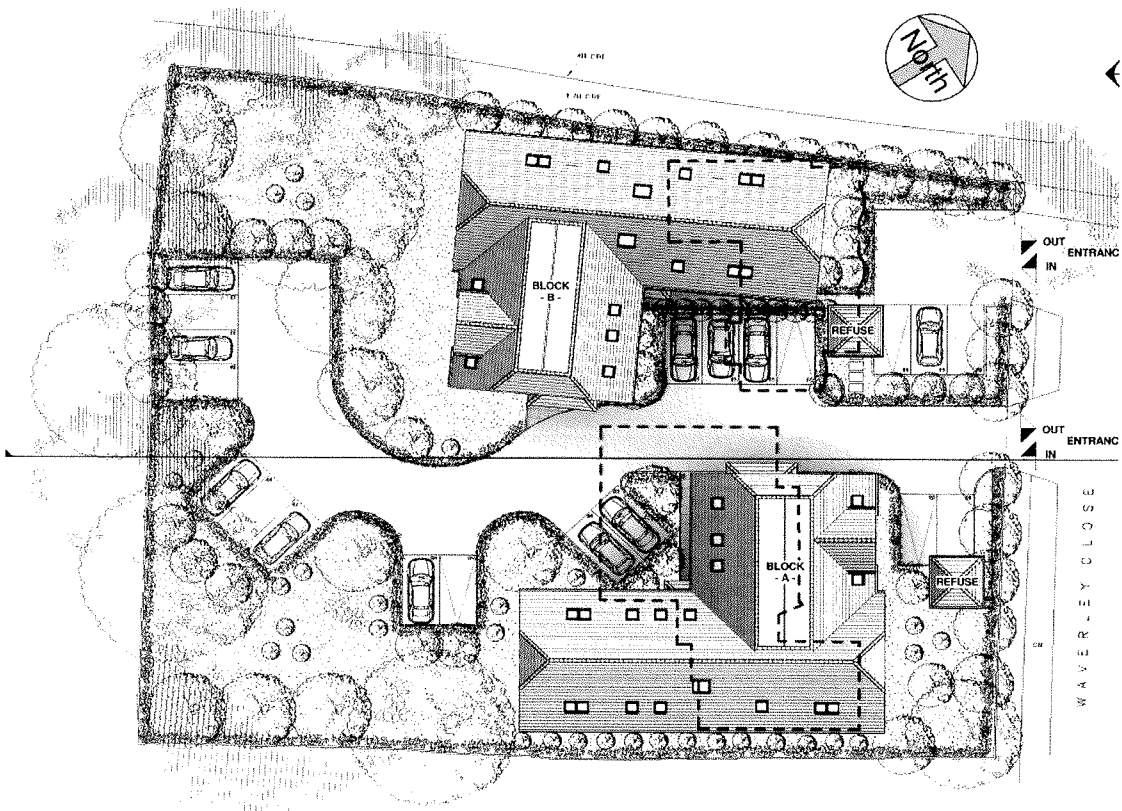
SU/15/0291 – BROOK GREEN, WAVERLEY CLOSE, GU15 1JH

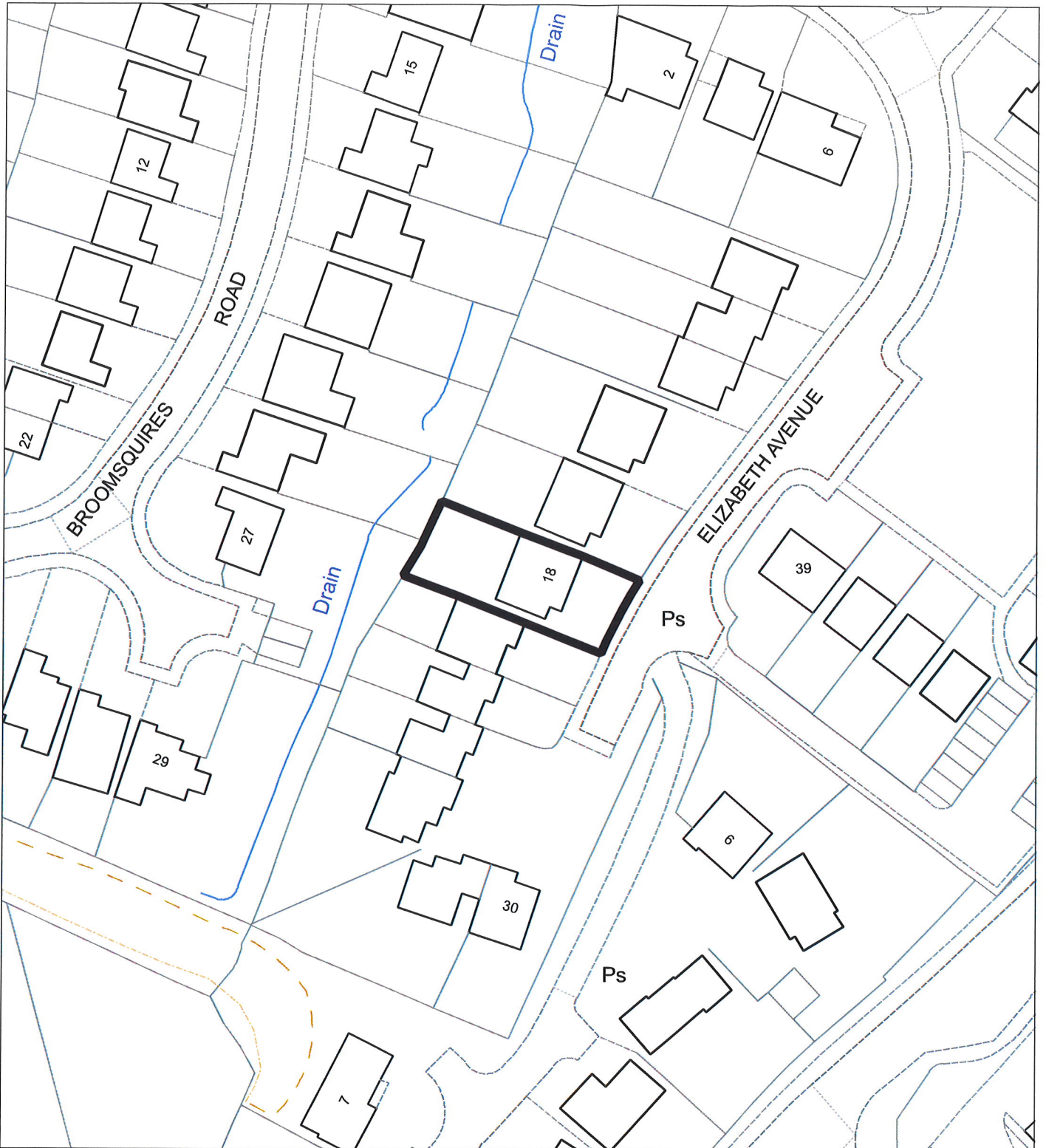


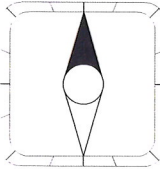

Site View A, as a proposed
1:100

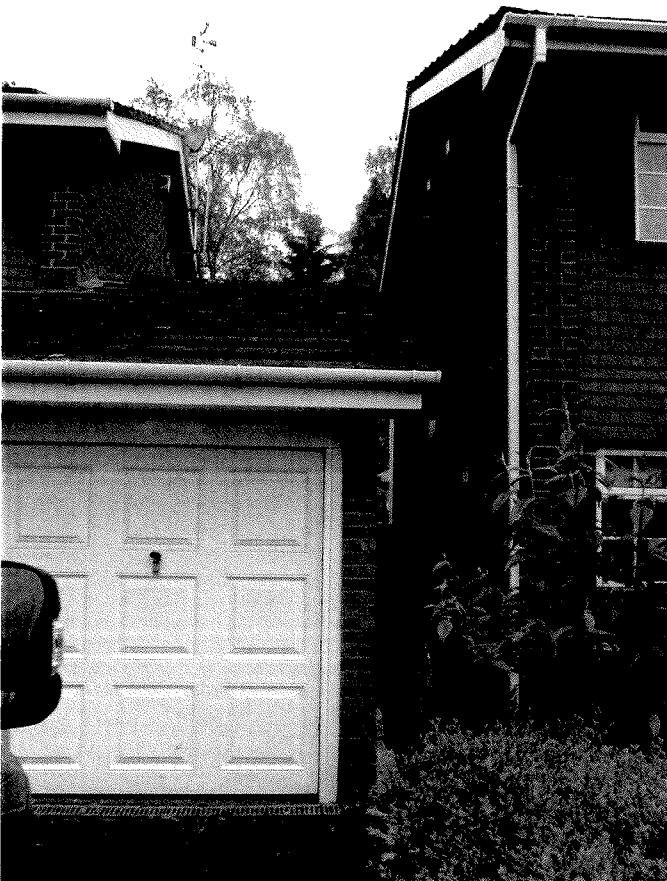


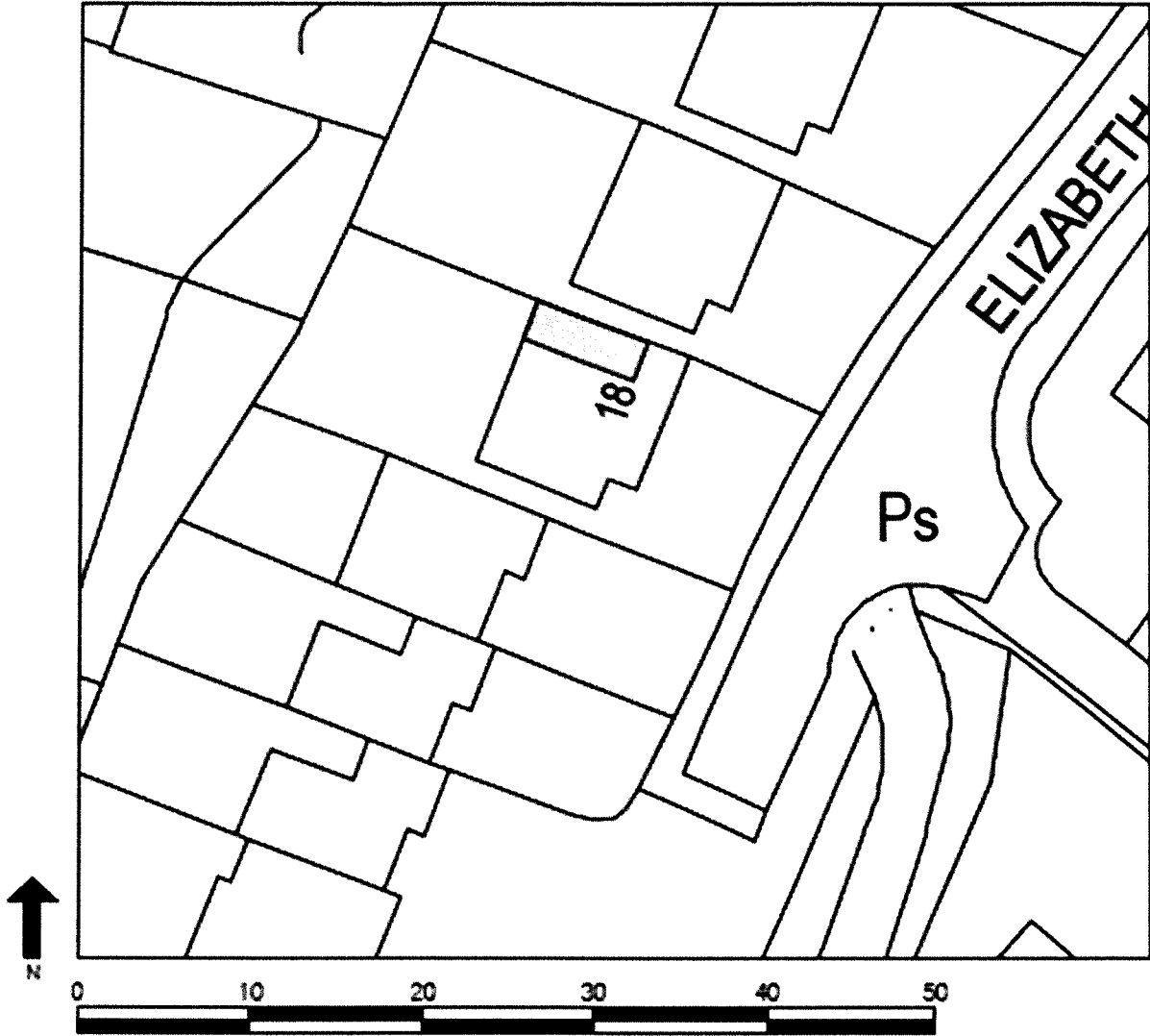
Site View B, as a proposed
1:100



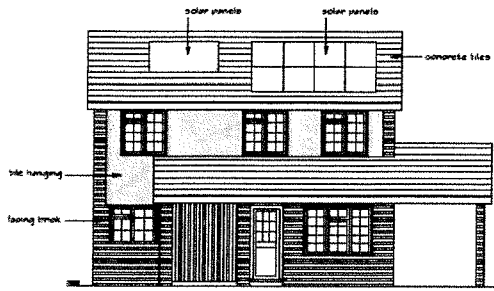


Title	Planning Applications		Page	25 of 2
Application number	15/0419		Scale @ A4	1:750
Address	18 ELIZABETH AVENUE, BAGSHOT, GU19 5NX		Date	05-06-2015
Proposal	Erection of a first floor side extension.		 	
<small>Version 1</small>	<small>© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2015</small>			

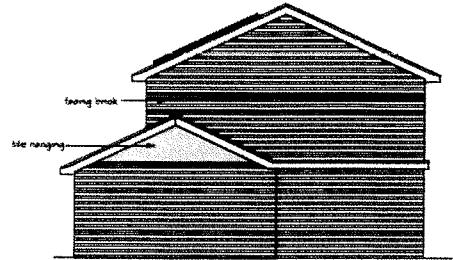




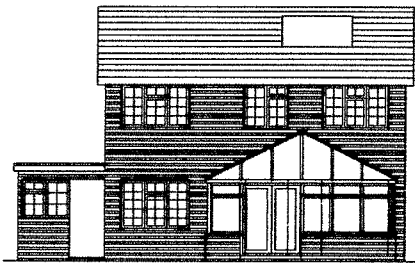
EXISTING



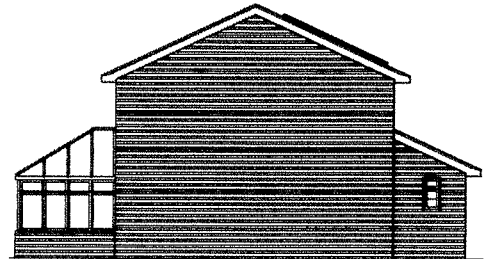
FRONT ELEVATION
(SOUTH EAST)



SIDE ELEVATION
(NORTH EAST)

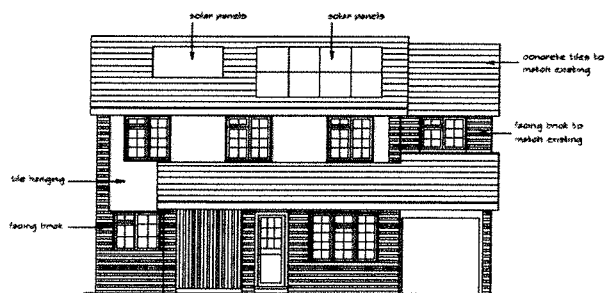


REAR ELEVATION
(NORTH WEST)

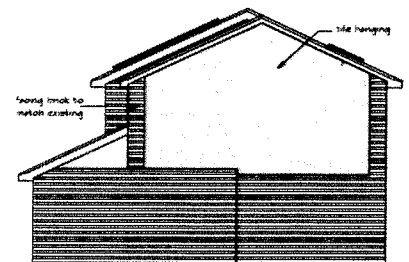


SIDE ELEVATION
(SOUTH WEST)

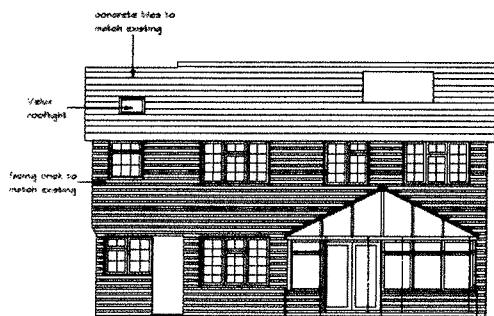
PROPOSED



FRONT ELEVATION
(SOUTH EAST)



SIDE ELEVATION
(NORTH EAST)



REAR ELEVATION
(NORTH WEST)

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22 June 2015		
Planning Applications Committee <u>Update</u>		
Item No.	App no. and site address	Report Recommendation
4 Page 11	2015/0291 Brook Green & Tinybrook, Waverley Close, Camberley	REFUSE
<p><u>UPDATE</u></p> <p>Page 13, para. 6.1 – Five additional representations had been received, 1 in support and 4 of objection. Objections raised were in respect of:</p> <ul style="list-style-type: none"> • increased traffic and potential parking issues • loss of trees and vegetation which is harmful to the character of the area • scale and massing of development significant <p>Page 16, para. 7.3.4 – The Council's Environmental Health Officer has advised that an acoustic report would be required by condition if the application were to be granted. This report should demonstrate how acceptable noise levels would be achieved within the flatted units.</p> <p>Reason 5, page 20 – The agent for the application has provided SUDs drainage information this morning. Due to the late submission of this information, this has been returned to the agent. Accordingly the drainage objection will stand. Given the other reasons for refusal, officers do not recommend deferral of the application to consider the drainage information.</p>		
5 Page 29	2015/0419 18 Elizabeth Avenue, Bagshot	GRANT subject to conditions
<p><u>UPDATE</u></p> <p>Page 30, Para 5.1 – Windlesham Parish Council consultation response: No objection</p>		

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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.