



**Surrey Heath Borough Council**  
Surrey Heath House  
Knoll Road  
Camberley  
Surrey GU15 3HD  
Telephone: (01276) 707100  
Facsimile: (01276) 707177  
DX: 32722 Camberley  
Web Site: [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk)

**Department:** Democratic Services  
**Division:** Transformation  
**Please ask for:** Lee Brewin  
**Direct Tel:** 01276 707335  
**E-Mail:** [democratic.services@surreyheath.gov.uk](mailto:democratic.services@surreyheath.gov.uk)

Tuesday, 21 June 2016

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, Katia Malcaus Cooper, Adrian Page, 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, Rebecca Jennings-Evans and Max Nelson

#### Site Visits

**Members of the Planning Applications Committee and Local Ward Members 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 Thursday 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 **Thursday, 30 June 2016 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

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## AGENDA

- |   |                              | Pages |
|---|------------------------------|-------|
| 1 | <b>Apologies for Absence</b> |       |
| 2 | <b>Minutes</b>               |       |

To confirm and sign the non-exempt minutes of the meeting held on

### **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.

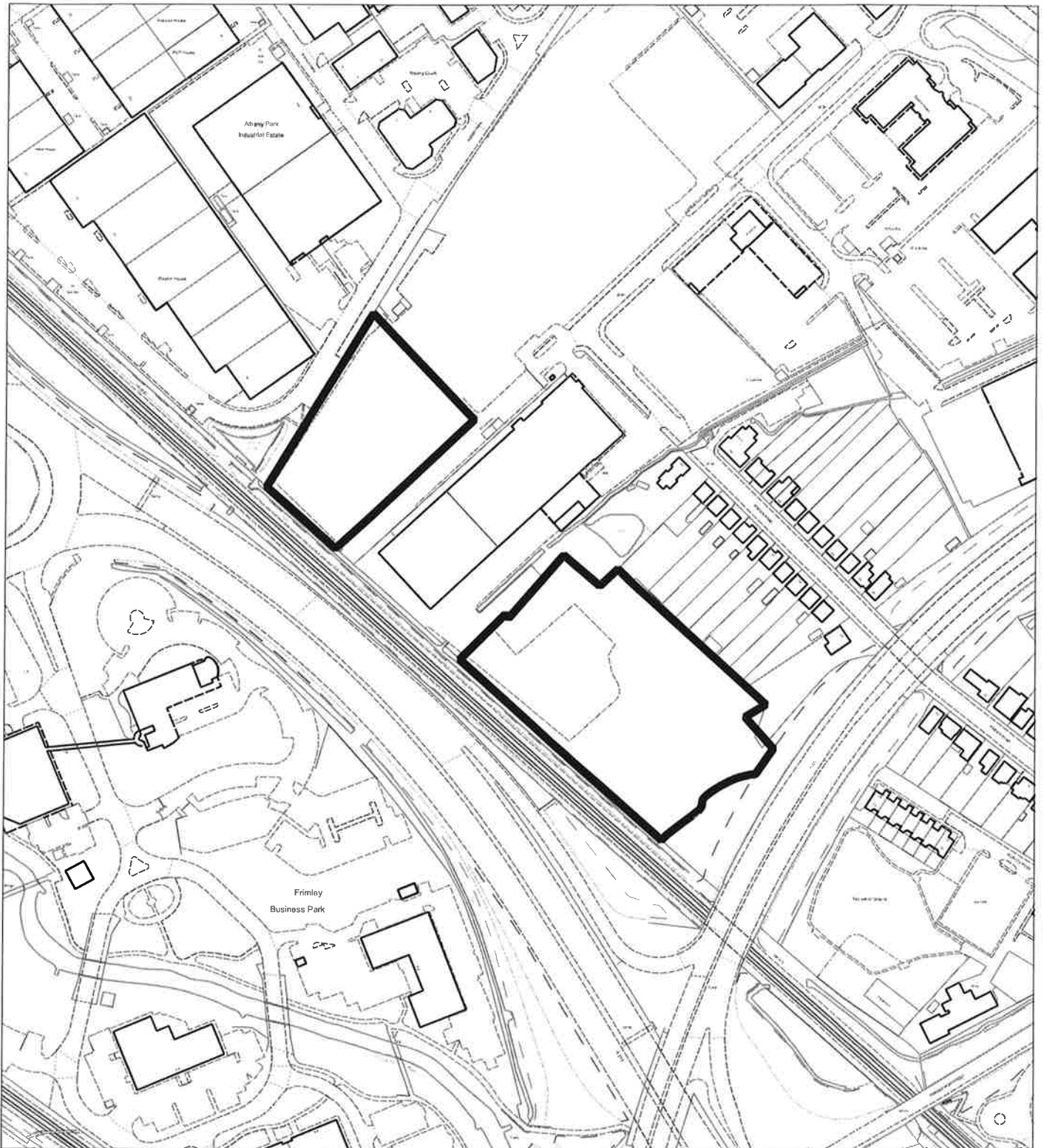
### **Human Rights Statement**

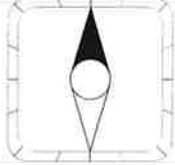

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will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

### **Planning Applications**

<b>4</b>	<b>Application Number: 19/0095 - Plots B and C, Trade City, Former BAE Systems, Lyon Way Frimley</b>	<b>3 - 20</b>
<b>5</b>	<b>Application Number: 16/0199 - Plot A, Trade City, Former BAE Systems, Lyon Way, Frimley</b>	<b>21 - 34</b>
<b>6</b>	<b>Application Number: 16/0038 - 92 Park Road, Camberley GU15 2LN</b>	<b>35 - 46</b>
<b>7</b>	<b>Application Number: 16/0383 - Land adjacent to Lynwood, Heath Rise and between 9 and 18 Chaucer Grove, Camberley GU15 2ER</b>	<b>47 - 60</b>
<b>8</b>	<b>Application Number: 16/0320 - 49 Bosman Drive, Windlesham GU20 6JN</b>	<b>61 - 76</b>
<b>9</b>	<b>Application Number: 16/0172 - The Manor, 30 Southwell Park Road, Camberley GU15 3QQ</b>	<b>77 - 88</b>
<b>10</b>	<b>Application Number: 16/0162 - Highway Verge, West of the Cottage, Church Lane, Bisley, Woking</b>	<b>89 - 100</b>
<b>11</b>	<b>Application Number: 16/0365 - 27 Diamond Ridge, Camberley GU15 4LB</b>	<b>101 - 112</b>

### **Glossary**



<b>Title</b>	Planning Applications		<b>Page</b>	8 of 8	
<b>Application number</b>	16/0095			<b>Scale @ A4</b>	1:2,500
<b>Address</b>	PLOTS B & C, TRADE CITY, FORMER BAE SYSTEMS, LYON WAY, FRIMLEY, CAMBERLEY			<b>Date</b>	09-06-2016
<b>Proposal</b>	Erection of 2 No. light industrial/ground industrial/warehouse buildings, (Class B1C/B2/B8) and ancilliary office accommodation with parking and landscaping. (Additional Information Rec'd 15/03/2016), (Additional info rec'd 07/04/16), (Additonal plan				
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**LOCATION:** PLOTS B & C, TRADE CITY, FORMER BAE SYSTEMS, LYON WAY, FRIMLEY, CAMBERLEY

**PROPOSAL:** Erection of 2 No. light industrial/ground industrial/warehouse buildings, (Class B1C/B2/B8) and ancillary office accommodation with parking and landscaping. (Additional Information Rec'd 15/03/2016), (Additional info rec'd 07/04/16), (Additional plans/info rec'd 26/05/16). (Amended plans & information rec'd 03/06/2016), (Amended plans rec'd 07/06/16).

**TYPE:** Full Planning Application

**APPLICANT:** Kier Property Development Limited

**OFFICER:** Duncan Carty

## 1.0 SUMMARY

- 1.1 This is a full application for the erection of 2 no buildings with a commercial floorspace of 5,860 square metres, falling within light industrial (Class B1c), general industrial (Class B2) and storage and distribution (Class B8) uses within Trade City, formerly the BAE Systems site. The site is a part of the Lyon Way Business Park. Access to the site would be from Lyon Way. This proposal would provide an alternative development to that approved in outline form as a part of the earlier hybrid permission SU/12/0821 for the Trade City development. The proposal relates to Plots B and C of that development. The remaining vacant plot (Plot A) is the subject to application SU/16/0199, being reported elsewhere on this agenda.
- 1.2 The report concludes that there is no objection to the principle of the development and the opportunity to deliver economic development on this underused site should be given significant weight. The development would be sympathetic to the character of the Business Park and could be accommodated without causing harm to the residential amenities enjoyed by the occupants of the surrounding residential properties. The development would not increase the risk of flooding on this site or adjoining properties and it is considered that the biodiversity value of the site can be enhanced through a suitable landscaping plan. The development would include a suitable level of off street car parking, would not give rise to conditions prejudicial to highway safety. The application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site equates to two vacant plots (B and C) with a combined area of 1.5 ha site located at the west end of Trade City, within the Lyon Way Business Park. Plots D, E, F and G have been recently built at the site. Plot B is located in the north east corner of Trade City, with Plot C to the south with Plot G in between these plots.
- 2.2 Plot B shares its northwest boundary with the Albany Park Industrial Estate, the southwest boundary adjoins a railway line. Plot C shares its southeast boundary with the raised section of the A325 with the north east boundary with residential properties in Station Road and the southwest boundary also adjoins the railway line. The remaining boundaries for these plots are with other parts of Trade City.

- 2.3 A watercourse runs through the Trade City site which links to a watercourse running alongside the railway line. There is also a small pond, adjacent to No.47 Station Road, which falls within the boundaries of the wider site. The implementation (in part) of the hybrid permission SU/12/0821 has provided landscape and ecological enhancements around this watercourse. Access is from Lyon Way and this is the only vehicle or pedestrian access to the application site.
- 2.4 The site falls within an “Industrial Estates and Infrastructure” character area as defined by the Western Urban Area Character SPD 2012 within which such land is described as having “flat, low level, hard urban landscapes”.

### 3.0 RELEVANT HISTORY

The wider Trade City site has an extensive history, of which the following is most relevant:

- 3.1 SU/12/0821 Hybrid application (part outline, part full) for the erection of four Class B1c/B2/B8 buildings (A, B, C and G) together with parking and servicing areas layout and means of access to be considered, all other matters reserved. Full planning permission for the demolition of existing buildings and the erection of three Class B1c/B2/B8 buildings (D, E and F) together with parking and servicing areas. Approved in April 2013. Partly implemented (i.e. Plots D, E and F).
- Condition 3 of this permission limited the height and floorspace for outline units within this development.*
- 3.2 SU/13/0626 Removal of Condition 20 of hybrid permission SU/12/0821 to allow the removal of the restriction on operating hours for the approved development (with operating hours limited from 7am to 10pm Mondays to Saturdays only). Refused in November 2013 and subsequent appeal allowed in May 2014.
- Consequently, with conditions requiring the approval of noise insulation/mitigation for any general industrial use (Condition 12 of SU/12/0821) and noise attenuation for all uses (Condition 22 of SU/12/0821) and the provision of an acoustic fence (Condition 1 imposed by the Inspector for this appeal), the Inspector considered that a restriction on the operating hours of the (Trade City) business park was not required.*
- 3.3 SU/14/0257 Approval of reserved matters pursuant to hybrid planning permission SU/12/0821 in relation to the erection of Building G for Class B1c/B2/B8 purposes, matters to be determined include scale, appearance and landscaping. Approved in June 2014 and implemented.
- 3.4 SU/16/0199 Erection of 1 no. Class B1c/B2/B8 building and ancillary offices and accommodation with parking and landscaping. Being reported elsewhere on this agenda.

#### 4.0 THE PROPOSAL

- 4.1 This proposal is to erect 2 no buildings for a commercial floorspace of 5,860 square metres, falling within light industrial (Class B1c), general industrial (Class B2) and storage and distribution (Class B8) uses, on vacant plots within the Trade City development. This is an alternative to the element of the hybrid permission, in that the current proposal would provide an amended layout and floorspace as follows:

	Plot B	Plot C
Approved max height*	13.5m.	13m.
<b>Proposed max height</b>	<b>11.9m.</b>	<b>12m.</b>
Approved floorspace*	2,930 sq.m.	3,555 sq.m.
<b>Proposed floorspace</b>	<b>2,260 sq.m.</b>	<b>3,600 sq.m.</b>
Approved width**	41.7m.	85.9m.
<b>Proposed width</b>	<b>41.8m.</b>	<b>75.7m.</b>
Approved depth**	61.3m.	36.2m.
<b>Proposed depth</b>	<b>46.8m.</b>	<b>36.4-43.9m.</b>

\*As limited by Condition 3 of SU/12/0821

\*\* As shown on the approved drawings for SU/12/0821

This provides a reduced size for Plot B and a minor increase (50 square metres) for Plot C. Plot B would have a reduced depth (by about 15 metres) and Plot C would have a reduced width (by 10 metres). Both buildings would have a reduced maximum height (by about 1-1.5 metres).

- 4.2 The proposal would provide parking at a level of 24 spaces for Plot B and 65 spaces for Plot C.

#### 5.0 CONSULTATION RESPONSES

- |     |                                   |                                       |
|-----|-----------------------------------|---------------------------------------|
| 5.1 | County Highway Authority          | No objections.                        |
| 5.2 | Environment Agency                | No objections.                        |
| 5.3 | Environmental Health              | No objections, subject to conditions. |
| 5.4 | County Local Lead Flood Authority | No objections, subject to conditions. |
| 5.5 | Arboricultural Officer            | No objections.                        |
| 5.6 | Network Rail                      | Comments awaited.                     |

## 6.0 REPRESENTATION

At the time of preparation of this report, there were no representations in support and five representations have been received which raise the following objections:

- 6.1 Impact of additional traffic [*see Paragraph 7.6*]
- 6.2 Impact on flooding/drainage [*see Paragraph 7.7*]
- 6.3 Buildings too large [*see Paragraphs 7.3 & 7.4*]
- 6.4 Overbearing impact on residential properties [*see Paragraph 7.4*]
- 6.5 Visual impact of industrial appearance [*see Paragraph 7.3*]
- 6.6 Too close to residential boundaries [*see Paragraph 7.4*]
- 6.7 Impact on covenant allowing discharging of surface water into site [*Officer comment: This is a private matter*]
- 6.8 If approved, an acoustic fence is required for noise/security and floodlighting should not be directed towards rear gardens [*Officer comment: There is no justification for an acoustic fence to the boundary concerned, due to the orientation for the building in Plot C (see Paragraph 7.5) and lighting is dealt with by proposed Condition 12 below*]

## 7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within a Core Employment Area within the settlement of Frimley. As such Policies CP2, CP8, CP11, CP12, CP14, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework (NPPF) are relevant to the consideration of this application.
- 7.2 Having regard to the above it is considered that the main issues to be addressed in determining this application are:
  - The principle of the development for the proposed uses;
  - The impact of the development on the character and the appearance of the area;
  - The impact of the development on residential amenities;
  - The level of parking and the impact of the development on highway safety; and
  - The impact of the development on drainage and flood risk.

### 7.3 The principle of the development for the proposed uses

- 7.3.1 The application site falls within a Core Employment Area as identified by the proposals map and Policy CP8 advises that, within such areas, development for light industrial, general industrial and storage/distribution uses will generally be encouraged and the policy seeks to prevent the loss of such uses within these areas. The retention of Core Employment Areas and redevelopment of underused sites within these areas is essential to ensure that the Council's jobs targets are met and to deliver economic development within the Borough.

7.3.2 The application seeks a mixed use development comprising light industrial, general industrial and storage/warehouse uses and while the exact split of these uses is currently unknown, all the proposed uses are appropriate uses for the Core Employment Area. In addition, the principle for such development was obtained through the hybrid permission SU/12/0821. Accordingly it is considered that the proposal meets the objectives of Policy CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 and accordingly no objection should be raised to the proposal on these grounds.

#### **7.4 The impact of the development on the character and the appearance of the area**

7.4.1 The application site is located on part of the Lyon Way Business Park, a development of mostly commercial buildings with large areas of car parking. The area has a distinctly commercial character, however, the business park benefits from a significant amount of landscaping which softens the appearance of the units.

7.4.2 The development proposes a commercial development providing two industrial/warehouse buildings. While the development would provide significant amounts of hardstanding for car parking and servicing, there will be scope for soft landscaping particularly around Plot C, which would be closest to residential properties in Station Road.

7.4.3 It is therefore considered that the development would contribute to the character and the quality of the Lyon Way Business Park and would not detract from the character or the appearance of the surrounding area. The development is therefore considered to meet the objectives of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and no objection should be raised on these grounds.

#### **7.5 The impact of the development on residential amenities**

7.5.1 While the application site is located within an existing business park, Plot C directly adjoins the rear boundaries of 11 residential properties on the south side of Station Road. Any development of this site should ensure that the residential amenities currently enjoyed by the occupants of these properties are protected.

7.5.2 The approved layout under hybrid permission SU/12/0821 showed that Plot C would be between 10 and 14 metres from the common boundaries with these residential properties, with the long rear gardens meaning that this building would be approximately 60 metres from the closest residential property. In addition the width of this building facing these properties would be 85.9 metres, with a maximum height of 13 metres imposed by Condition 3 of this hybrid permission. In comparison, the current proposal would provide a building with a similar level of separation (between about 11 and 13 metres to the mutual boundary) and a reduced width (75.9 metres) and maximum height (12 metres) which show a minor improvement for the current proposal against the approved scheme. In addition, landscaping is proposed to the rear of Plot C with the planting of Alder and Swamp Cypress trees to a planting height of approximately 2.5 to 3 metres, which will help soften the appearance of the proposed building for these residential properties.

7.5.3 Plot B lies some distance from the nearest residential properties in Station Road, with buildings (for Plots D-G) in between. The size and form of the development would not have any adverse impact on these properties.

7.5.4 The Council's Environmental Health Officer has raised no objection to the proposal on noise subject to conditions to control noise (if there is a general industrial user for Plot C (closest to residential properties, in a similar manner to Plots D-G, and a mitigation scheme (such as insulation) for each unit). The proposed building for Plot C has been orientated so that the servicing faces into the Business Park, and away from the residential properties in Station Road.

7.5.5 Condition 1 of the appeal for SU/13/0626 required the provision of an acoustic fence. This was required between Buildings E and F, on the basis that the servicing yard between these blocks would otherwise be open towards, and cause unneighbourly disturbance (i.e. overnight) to the residential properties in Station Road, in particular 49 Station Road. In all other locations the service yards are or are proposed to be shielded from these residential properties by the orientation of the buildings and no further acoustic fencing is therefore required. In the Inspector's decision, he indicated that the low level of car parking use (overnight) would limit any impact from noise on these residential properties. As such, no adverse impact from noise emanating from the site is envisaged to local residents.

7.5.6 Having regard to the above, and subject to conditions, the development proposed would not materially impact on the residential amenities enjoyed by the occupants of the surrounding residential properties. Accordingly, the development meets the objectives of the relevant section of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM10 of the South East Plan 2009.

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

7.6.1 The application site is accessed from Lyon Way and this access point would link to all the proposed buildings via internal subsidiary roads. Lyon Way links to the wider highway network at the Frimley Road and includes a traffic light controlled junction.

7.6.2 The County Highway Authority has considered the proposal and has advised that the development proposed would not result in conditions prejudicial to highway safety and that the development would not significantly adversely impact on the local highway network.

7.6.3 The development would include a total of 65 parking spaces, at an average of 1 space per 90m<sup>2</sup> of floorspace. The current maximum parking standards are 1 space per 30m-100m<sup>2</sup> for light and general industrial uses and 1 space per 100m<sup>2</sup> for storage/warehouse uses. Given the development is to deliver a mix of light industrial, general industrial and storage/warehouse floor space it is considered that the level parking proposed is acceptable and would meet the demand of the proposed development. The County Highway Authority has also considered this matter and has raised no objection to the development on these grounds.

7.6.4 In light of the above, it is considered that the application meets the objectives of Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **7.7 The impact of the development on drainage and flood risk**

7.7.1 A watercourse passes through the site and this is a source of flooding to the site and some of the adjoining properties. Most of the southern section of the site (Plot B) is in Flood Zones 1, 2 and 3 and some of the northern section of the site is within Flood Zone 2. The applicant has provided a Flood Risk Assessment for the site and provided a drainage strategy for the development which seeks to demonstrate that, through mitigation and the design of the development and drainage requirements, the site could be developed without increasing the risk of flooding on the site and without increasing flood risk of the properties surrounding the site.

7.7.2 Since the consideration of the hybrid permission SU/12/0821, the Government introduced new guidance requiring, along with the responsibility for surface water drainage (i.e. the Local Lead Flood Authority (LLFA)) transferring from the Environment Agency to Surrey County Council, which has required greater scrutiny of the required drainage strategy prior to determination (rather than dealing later with these details by condition). This has provided more robustness in the decision making process on drainage matters.

7.7.3 The Environment Agency and the LLFA have considered the application and not raised any objections to the proposal on flooding or drainage grounds. Nevertheless, it is considered prudent that conditions are imposed to ensure that the flood Details of surface water drainage have been provided and the LLFA have raised no objections, subject to conditions.

7.7.4 It is therefore considered that, subject to conditions, the development meet the objectives of Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **8.0 CONCLUSION**

8.1 There is no objection to the principle of the development and the opportunity to deliver economic development on this underused site should be given significant weight. The development would be sympathetic to the character of the Business Park and could be accommodated without causing harm to the residential amenities enjoyed by the occupants of the surrounding residential properties. The development would not increase the risk of flooding on this site or adjoining properties. The development would include a suitable level of off street car parking, would not give rise to conditions prejudicial to highway safety. The application is recommended for approval.

## **9.0 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: 1494-TP-PL-01, 1494-TP2-01 Rev. C, 1494-TP2-02 Rev. A, 1494-TP2-03 Rev. A, 1494-TP2-04 Rev. B and 1494-TP2-05 Rev. A, 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 as indicated on the approved drawing 1494-TP2-05 Rev. A.

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

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

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

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

6. Building C shall not be occupied, in part or wholly, by a general industrial use (falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless a scheme has been submitted to and approved by the Local Planning Authority detailing noise insulation and mitigation measures to ensure that adjacent residential properties would not be impacted by the noise for the proposed use. Once approved, the insulation and mitigation measures shall be implemented prior to the first occupation of the unit for general industrial uses and thereafter retained unless the prior written approval has been obtained for the Local planning Authority.

Reason: In the Interests of residential amenity and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. Prior to the commencement of the construction of each building or phase of development, a scheme shall be submitted to and approved by the Local Planning Authority to demonstrate that 10% of the energy demand of the unit or phase can be delivered through on-site renewable or low carbon energy sources. Once approved, the measures shall be implemented on site and shall be made operational prior to the occupation of the unit or phase.



Reason: In the interests of sustainability and to accord with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. Before Blocks B and C are occupied each unit shall be provided with at least one shower with changing and locker facilities per unit.

Reason: To promote sustainable travel choices and to accord with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

10.
  1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
  2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
  3. A landscape management plan including maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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

11. (i) No works pursuant to this permission shall commence until there has been submitted to and approved by the Local Planning Authority: a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011; and unless otherwise agreed in writing by the Local Planning Authority, a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2011 identification of Potentially Contaminated Sites Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority, a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person (indicated above) that any remediation work required and approved under the provisions above has been implemented fully in accordance with the approved details. Unless otherwise agreed in writing by the Local Planning Authority, such verification shall comprise:

- (a) as built drawings of the implemented scheme;
- (b) photographs of the remediation works in progress; and
- (c) Certificates demonstrating that imported and/or material left in situ is free of contamination.

(iii) Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: To ensure that the risk from contamination can be managed and to accord with the National Planning Policy Framework.

12. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

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

13. Prior to the commencement of each building or phase of development, a scheme for the noise attenuation of the relevant building or phase of development shall be submitted to and approved in writing by the Local Planning Authority. The relevant building or phase of development shall be so constructed and completed with such measures as approved before the relevant building or phase of development is/are first occupied.

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

Policies 2012 and the National Planning Policy Framework.

14. No development shall take place until details of how the sustainable drainage system, including any temporary drainage requirements, will be provided, protected and maintained during the construction process, how the system will cater for system failure or exceedance events, both on and off site, and how pollution risk will be mitigated have been submitted to and approved by the Local Planning Authority. The sustainable drainage system shall be provided in accordance with the approved details.

Reason: To ensure that the proposal has a fully considered sustainable drainage system failure process to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. No development shall take place until the following drawings are provided to and approved by the Local Planning Authority. These scaled drawings (with a scale bar) shall include a finalised drainage layout detailing sustainable drainage system elements, pipe diameters and their respective levels; and long and cross sections of each sustainable drainage system element including details of root barriers and flow restrictions. Associated calculations shall also be provided. The sustainable drainage system shall be provided in accordance with the approved details.

Reason: To ensure that the sustainable drainage system is designed to technical standards and to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. Prior to the first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority to demonstrate that the sustainable drainage system has been construction in accordance with the approved details pursuant to Conditions 14 and 15 above.

Reason: To ensure that the sustainable drainage system is designed to technical standards and to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

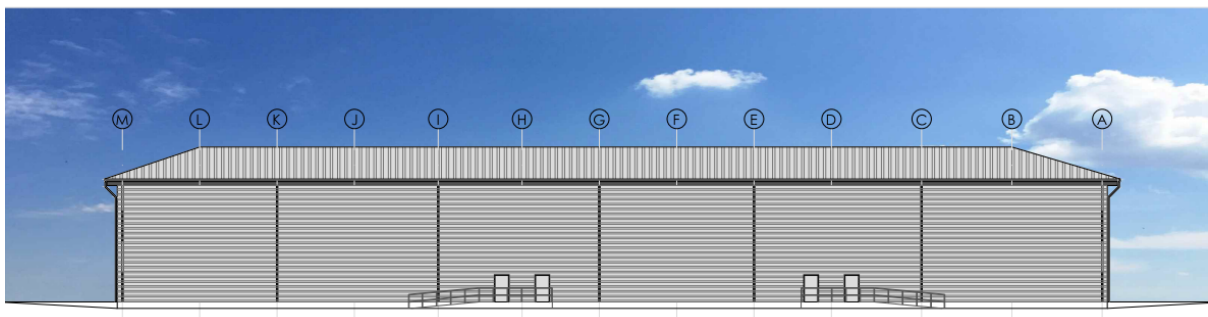
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Plot B



Plot C





Plot B



Plot C





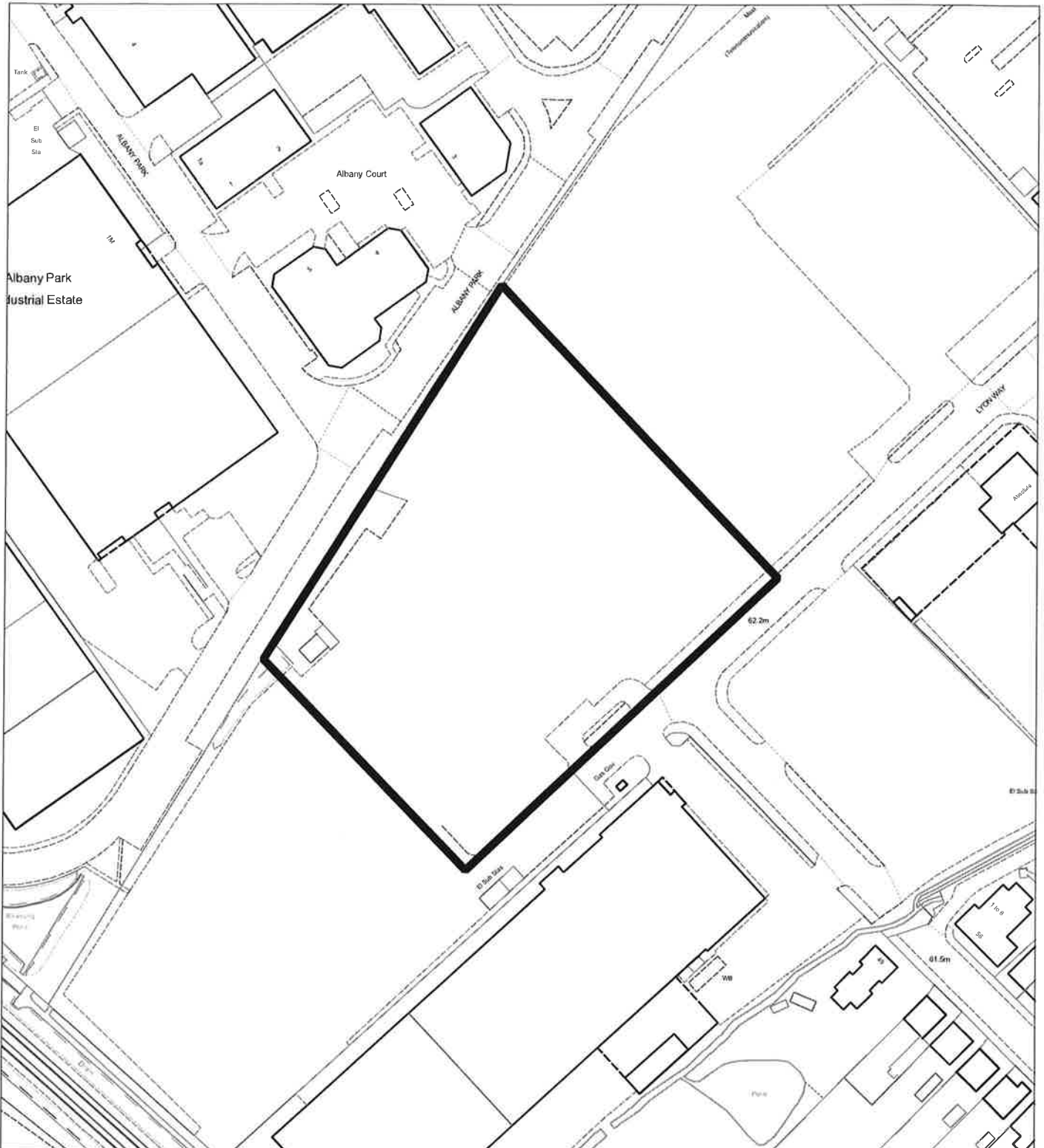
View towards Station Road

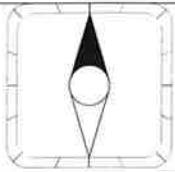



Existing Units







<b>Title</b>	Planning Applications		<b>Page</b>	1 of 8
<b>Application number</b>	16/0199		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	PLOT A, TRADE CITY, FORMER BAE SYSTEMS, LYON WAY, FRIMLEY, CAMBERLEY		<b>Date</b>	09-06-2016
<b>Proposal</b>	Erection of 1 No. light industrial/general industrial/warehouse buildings (Class B1c/B2/B8 and ancillary office accommodation with parking and landscaping. (Amended information rec'd 29/3/16), (Additional info rec'd 07/04/16), (Additional plans & inf			
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**LOCATION:** PLOT A, TRADE CITY, FORMER BAE SYSTEMS, LYON WAY, FRIMLEY, CAMBERLEY

**PROPOSAL:** Erection of 1 No. light industrial/general industrial/warehouse buildings (Class B1c/B2/B8 and ancillary office accommodation with parking and landscaping. (Amended information recv'd 29/3/16), (Additional info rec'd 07/04/16), (Additional plans & info rec'd 26/05/16). Amended plans & information rec'd 03/06/2016).

**TYPE:** Full Planning Application

**APPLICANT:** Kier Property Development Limited

**OFFICER:** Duncan Carty

## 1.0 SUMMARY

- 1.1 This is a full application for the erection of 1 no building with a commercial floorspace of 3,980 square metres, falling within light industrial (Class B1c), general industrial (Class B2) and storage and distribution (Class B8) uses within Trade City, formerly the BAE Systems site. The site is part of the Lyon Way Business Park. Access to the site would be from Lyon Way. This proposal would provide an alternative development to that approved in outline form as a part of the earlier hybrid permission SU/12/0821 for the Trade City development. The proposal relates to Plot A of that development. The remaining vacant plots (Plots B and C) are the subject to application SU/16/0095, being reported elsewhere on this agenda.
- 1.2 The report concludes that there is no objection to the principle of the development and the opportunity to deliver economic development on this underused site should be given significant weight. The development would be sympathetic to the character of the Business Park and could be accommodated without causing harm to the residential amenities enjoyed by the occupants of the surrounding residential properties. The development would not increase the risk of flooding on this site or adjoining properties. The development would include a suitable level of off street car parking, would not give rise to conditions prejudicial to highway safety. The application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site equates to a vacant plot (A) with an area of 0.8 ha site located to the north of Trade City, within the Lyon Way Business Park. Plots D, E, F and G, to the south, have been recently built at the site. Vacant Plot B is located in the north east corner of Trade City, with vacant Plot C to the south with Plot G in between these plots.
- 2.2 Plot A shares its northwest boundary with the Albany Park Industrial Estate. The remaining boundaries for these plots are with other parts of Trade City.
- 2.3 The site falls within an "Industrial Estates and Infrastructure" character area as defined by the Western Urban Area Character SPD 2012 within which such land is described as having "*flat, low level, hard urban landscapes*".

### 3.0 RELEVANT HISTORY

The wider Trade City site has an extensive history, of which the following is most relevant:

- 3.1 SU/12/0821 Hybrid application (part outline, part full) for the erection of four Class B1c/B2/B8 buildings (A, B, C and G) together with parking and servicing areas layout and means of access to be considered, all other matters reserved. Full planning permission for the demolition of existing buildings and the erection of three Class B1c/B2/B8 buildings (D, E and F) together with parking and servicing areas. Approved in April 2013. Partly implemented (i.e. Plots D, E and F).
- Condition 3 of this permission limited the height and floorspace for outline units within this development.*
- 3.2 SU/13/0626 Removal of Condition 20 of hybrid permission SU/12/0821 to allow the removal of the restriction on operating hours for the approved development (with operating hours limited from 7am to 10pm Mondays to Saturdays only). Refused in November 2013 and subsequent appeal allowed in May 2014.
- This appeal decision removed any limitations on operating hours at the Trade City business park.*
- 3.3 SU/14/0257 Approval of reserved matters pursuant to hybrid planning permission SU/12/0821 in relation to the erection of Building G for Class B1c/B2/B8 purposes, matters to be determined include scale, appearance and landscaping. Approved in June 2014 and implemented.
- 3.4 SU/16/0095 Erection of 2 no. Class B1c/B2/B8 buildings and ancillary offices and accommodation with parking and landscaping. Being reported elsewhere on this agenda.

### 4.0 THE PROPOSAL

- 4.1 This proposal is to erect 1 no building for a commercial floorspace of 3,980 square metres, falling within light industrial (Class B1c), general industrial (Class B2) and storage and distribution (Class B8) uses, on vacant plots within the Trade City development. This is an alternative to the element of the hybrid permission, in that the current proposal would provide an amended layout and floorspace as follows:

	Plot A
Approved max height*	15.8m.
<b>Proposed max height</b>	<b>14.3m.</b>
Approved floorspace*	3,500 sq.m.
<b>Proposed floorspace</b>	<b>3,980 sq.m.</b>
Approved width**	50m.
<b>Proposed width</b>	<b>50.8m.</b>
Approved depth**	68.3m.

<b>Proposed depth</b>	<b>67.8m.</b>
-----------------------	---------------

\*As limited by Condition 3 of SU/12/0821

\*\* As shown on the approved drawings for SU/12/0821

This provides a building with an increased floorspace (by 480 square metres). The proposed building would have a slightly reduced depth with a marginal increase in width. The building would have a reduced maximum height (by about 1.5 metres).

4.2 The proposal would provide parking at a level of 38 spaces.

## 5.0 CONSULTATION RESPONSES

- |     |                                   |  |
|-----|-----------------------------------|--|
| 5.1 | County Highway Authority          | No comments received to date. Any formal comments will be provided as an update for the Committee. |
| 5.2 | Environment Agency                | No objections.   |
| 5.3 | Environmental Health              | No objections, subject to conditions.  |
| 5.4 | County Local Lead Flood Authority | No objections, subject to conditions.  |

## 6.0 REPRESENTATION

At the time of preparation of this report, there were no representations in support and five representations have been received which raise the following objections:

- 6.1 Impact on noise/vibration [*see Paragraph 7.6*]
- 6.2 Impact on flooding/drainage [*see Paragraph 7.7*]
- 6.3 Impact on privacy [*see Paragraph 7.4*]
- 6.4 Impact of floodlights [*see Paragraph 7.4*]
- 6.5 Impact of construction noise and vibration [*Officer comment: This would not be a reason to refuse this application. However, there is a condition proposed to control hours of construction and excessive noise/activity levels would be the subject to Environmental Health legislation*]
- 6.6 Impact on local wildlife [*see Paragraph 7.8*]
- 6.7 Impact on property value [*Officer comment: This is not a material planning consideration*]

## 7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within a Core Employment Area within the settlement of Frimley. As such Policies CP2, CP8, CP11, CP12, CP14, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework (NPPF) are relevant to the consideration of this application.

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

- The principle of the development for the proposed uses;
- The impact of the development on the character and the appearance of the area;
- The impact of the development on residential amenities;
- The level of parking and the impact of the development on highway safety; and
- The impact of the development on drainage and flood risk.

### **7.3 The principle of the development for the proposed uses**

7.3.1 The application site falls within a Core Employment Area as identified by the proposals map and Policy CP8 advises that, within such areas, development for light industrial, general industrial and storage/distribution uses will generally be encouraged and the policy seeks to prevent the loss of such uses within these areas. The retention of Core Employment Areas and redevelopment of underused sites within these areas is essential to ensure that the Council's jobs targets are met and to deliver economic development within the Borough.

7.3.2 The application seeks a mixed use development comprising light industrial, general industrial and storage/warehouse uses and while the exact split of these uses is currently unknown, all the proposed uses are appropriate uses for the Core Employment Area. In addition, the principle for such development was obtained through the hybrid permission SU/12/0821. Accordingly it is considered that the proposal meets the objectives of Policy CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 and accordingly no objection should be raised to the proposal on these grounds.

### **7.4 The impact of the development on the character and the appearance of the area**

7.4.1 The application site is located on part of the Lyon Way Business Park, a development of mostly commercial buildings with large areas of car parking. The area has a distinctly commercial character, however, the business park benefits from a significant amount of landscaping which softens the appearance of the units.

7.4.2 The development proposes a commercial development providing an industrial/warehouse building. While the development would provide significant amounts of hardstanding for car parking and servicing, there will be scope for soft landscaping.

7.4.3 It is therefore considered that the development would contribute to the character and the quality of the Lyon Way Business Park and would not detract from the character or the appearance of the surrounding area. The development is therefore considered to meet the objectives of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and no objection should be raised on these grounds.

### **7.5 The impact of the development on residential amenities**

7.5.1 While the application site is located within an existing business park, Plot A lies some distance from the nearest residential properties in Station Road, with Buildings (D-G) located in between. The size and form of the development would not have any adverse impact on these properties.

7.5.3 The Council's Environmental Health Officer has raised no objection to the proposal on noise subject to conditions to control noise (including a mitigation scheme such as insulation for each unit). As such, no adverse impact from noise emanating from the site is envisaged to local residents.

7.5.4 Having regard to the above, and subject to conditions, the development proposed would not materially impact on the residential amenities enjoyed by the occupants of the surrounding residential properties. Accordingly the development meets the objectives of the relevant section of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

7.6.1 The application site is accessed from Lyon Way, through the Trade site. Lyon Way links to the wider highway network at the Frimley Road and includes a traffic light controlled junction. The County Highway Authority has not responded to date but did not raise an objection to the development under the hybrid permission SU/12/0821.

7.6.2 The development would include a total of 38 parking spaces, at an average of 1 space per 100m<sup>2</sup> of floorspace, which meets the parking standards.

7.6.3 In light of the above, it is considered that the application meets the objectives of Policy CP11 and Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## **7.7 The impact of the development on drainage and flood risk**

7.7.1 A watercourse passes through the site and this is a source of flooding to the site and some of the adjoining properties. Most of the site is in Flood Zone 1 and some of the northern section of the site is within Flood Zone 2 and 3. The applicant has provided a Flood Risk Assessment for the site which seeks to demonstrate that, through mitigation and the design of the development, the site could be developed without increasing the risk of flooding on the site and without increasing flood risk of the properties surrounding the site. This would be achieved setting the heights of buildings above the 1 in 100 year flooding event level.

7.7.2 Since the consideration of the hybrid permission SU/12/0821, the Government introduced new guidance requiring, along with the responsibility for surface water drainage (i.e. the Local Lead Flood Authority (LLFA)) transferring from the Environment Agency to Surrey County Council, which has required greater scrutiny of the required drainage strategy prior to determination (rather than dealing later with these details by condition). This has provided more robustness in the decision making process on drainage matters.

7.7.3 The Environment Agency and LLFA have considered the application and not raised any objections to the proposal on flooding or drainage grounds. Details of surface water drainage have been provided and the LLFA have raised no objections, subject to conditions.

7.7.4 It is therefore considered that, subject to conditions, the development meet the objectives of Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## 7.8 Other Issues

7.8.1 It is an objective of the planning process to promote biodiversity where such improvements can be secured. The provided ecological assessment relates to the wider Trade City site. However, notwithstanding this assessment, biodiversity enhancements have occurred elsewhere on the Trade City site, secured through condition 5 of hybrid permission

SU/12/0821, through the delivery of native planting and the better management of the green space near the pond, and along the drainage ditch south of Plots D-G and immediately to the north west of Station Road.

## 8.0 CONCLUSION

8.1 There is no objection to the principle of the development and the opportunity to deliver economic development on this underused site should be given significant weight. The development would be sympathetic to the character of the Business Park and could be accommodated without causing harm to the residential amenities enjoyed by the occupants of the surrounding residential properties. The development would not increase the risk of flooding on this site or adjoining properties. The development would include a suitable level of off street car parking, would not give rise to conditions prejudicial to highway safety. The application is therefore recommended for approval.

## 9.0 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: 1494-LP-01, 1494-TP3-01, 1494-TP3-02, 1494-TP3-03, and PL03, 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 as indicated on the approved drawing 1494-TP3-03.

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

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

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

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

6. Prior to the commencement of the construction of the development, a scheme shall be submitted to and approved by the Local Planning Authority to demonstrate that 10% of the energy demand of the unit can be delivered through on-site renewable or low carbon energy sources. Once approved, the measures shall be implemented on site and shall be made operational prior to the occupation of the development.

Reason: In the interests of sustainability and to accord with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

8.
  1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
  2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
  3. A landscape management plan including maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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

9.
  - (i) No works pursuant to this permission shall commence until there has been submitted to and approved by the Local Planning Authority: a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011; and unless otherwise agreed in writing by the Local Planning Authority, a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2011 identification of Potentially Contaminated Sites Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority, a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
  - (ii) The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person (indicated above) that any remediation work required and approved under the provisions above has been implemented fully in accordance with the approved details. Unless otherwise agreed in writing by the Local Planning Authority, such verification shall comprise:

- (a) as built drawings of the implemented scheme;
- (b) photographs of the remediation works in progress; and
- (c) Certificates demonstrating that imported and/or material left in situ is free of contamination.

(iii) Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: To ensure that the risk from contamination can be managed and to accord with the National Planning Policy Framework.

10. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

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

11. No development shall take place until a scheme for the noise attenuation of the building is submitted to and approved in writing by the Local Planning Authority. The building shall be so constructed and completed with such measures as approved before the building is first occupied.

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

12. No development shall take place until details of how the sustainable drainage system, including any temporary drainage requirements, will be provided, protected and maintained during the construction process, how the system will cater for system failure or exceedance events, both on and off site, and how pollution risk will be mitigated have been submitted to and approved by the Local Planning Authority. The sustainable drainage system shall be provided in accordance with the approved details.

Reason: To ensure that the proposal has a fully considered sustainable drainage system failure process to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

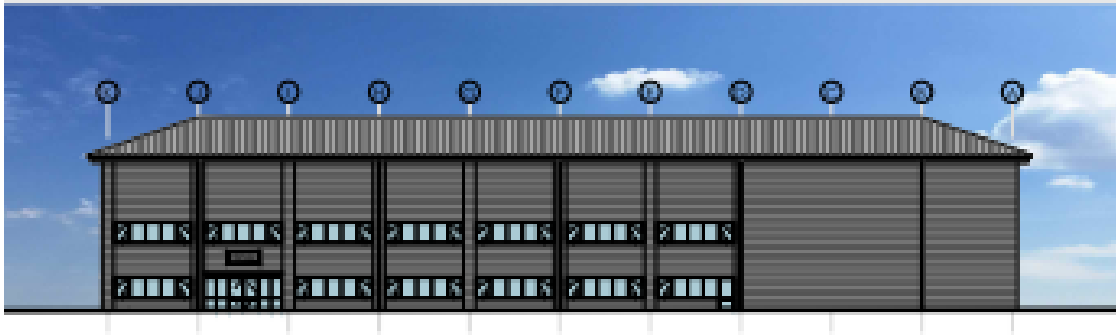
13. No development shall take place until the following drawings are provided to and approved by the Local Planning Authority. These scaled drawings (with a scale bar) shall include a finalised drainage layout detailing sustainable drainage system elements, pipe diameters and their respective levels; and long and cross sections of each sustainable drainage system element including details of root barriers and flow restrictions. Associated calculations shall also be provided. The sustainable drainage system shall be provided in accordance with the approved details.

Reason: To ensure that the sustainable drainage system is designed to technical standards and to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

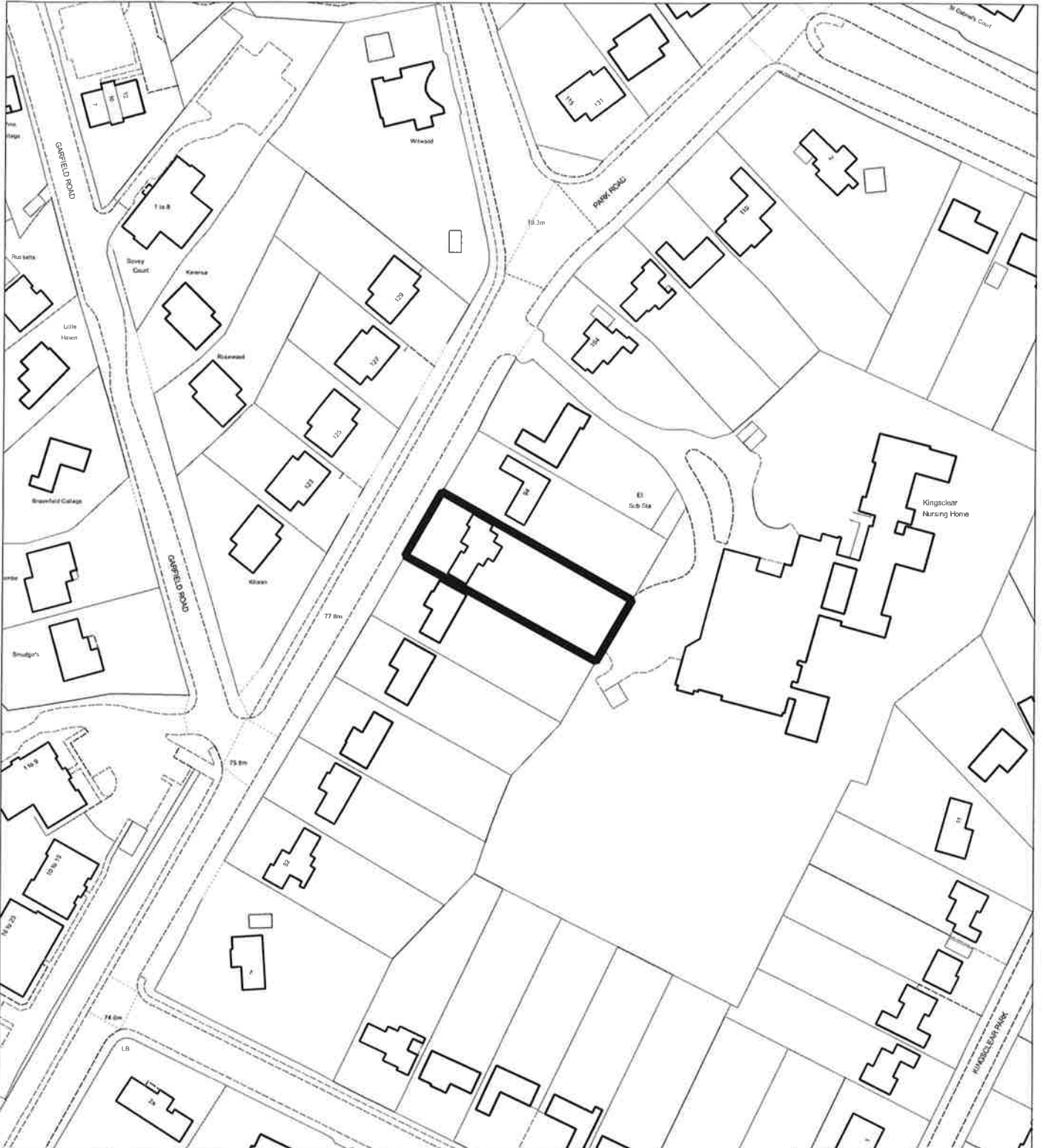
14. Prior to the first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority to demonstrate that the sustainable drainage system has been construction in accordance with the approved details pursuant to Conditions 13 and 14 above.

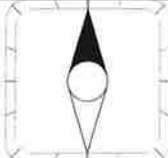

Reason: To ensure that the sustainable drainage system is designed to technical standards and to limit flood risk and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.









<b>Title</b>	Planning Applications		<b>Page</b>	2 of 8
<b>Application number</b>	16/0038		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	92 PARK ROAD, CAMBERLEY, GU15 2LN		<b>Date</b>	09-06-2016
<b>Proposal</b>	Formation of an access road to serve Kingsclear Care Home development (Class C2) following the demolition of existing dwelling (Class C3). (Amended plan rec'd 10/02/16). (Additional information recv'd 12/4/16).			
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**LOCATION:** 92 PARK ROAD, CAMBERLEY, GU15 2LN  
**PROPOSAL:** Formation of an access road to serve Kingsclear Care Home development (Class C2) following the demolition of existing dwelling (Class C3). (Amended plan rec'd 10/02/16). (Additional information recv'd 12/4/16).  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Craig Griffen  
Caring Homes Group Ltd  
**OFFICER:** Duncan Carty

**This application would normally be determined under delegated powers, however, it is being reported to the Planning Applications Committee at the request of Cllr David Lewis.**

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 The proposal relates to a residential dwelling on the south east side of Park Road within the settlement of Camberley and relates to the demolition of this dwelling to provide a new vehicular access to the Kingsclear Nursing Home (currently under redevelopment under permission SU/14/0562) with the existing access closed for access to this Nursing Home.
- 1.2 The current proposal is not CIL liable. The current proposal is considered to be acceptable in terms of its impact on local character, residential amenity and highway safety. However, the loss of the residential unit is not considered to be acceptable, and any highway safety (or any other) benefits would not overcome these concerns. As such, the proposal is considered to be unacceptable and the application is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site lies on the south east side of Park Road within the settlement of Camberley, between the road junctions with Park Street and Garfield Road. The application property is residential dwelling and its associated garden. The site falls within a "Wooded Hills" character area as defined within the Western Urban Area Character SPD 2012, which is defined as having a soft, green, semi-rural character. The frontage strip falls within an area of Group 11 of Tree Preservation Order No. 14/70.

### **3.0 RELEVANT PLANNING HISTORY**

There is no relevant planning history to the site. However, the following relevant history relates to the adjoining site:

- 3.1 SU/14/0562      Erection of a detached three storey building to provide a 90 bedroom care home at Kingsclear Nursing Home.    Approved in December 2014 and under construction.

#### **4.0 THE PROPOSAL**

- 4.1    The proposal relates to the demolition of this dwelling to provide a new vehicular access to the Kingsclear Nursing Home (currently under re-development under permission SU/14/0562) with the existing access, between 96 and 104 Park Road, closed for access to this Nursing Home.    The existing access would be retained only for a residential property, 96 Park Road, which adjoins this access.    The proposed access road would measure 5.5 metres in width, when compared with the existing access at a width of 4.5 metres.

#### **5.0 CONSULTATION RESPONSES**

- 5.1    County Highway Authority    No objections.  
      Senior Environmental        No objections (verbal).  
      Health Officer

#### **6.0 REPRESENTATIONS**

At the time of the preparation of this report, no representations had been received in support and 12 objections have been received (from 7 addresses) raising the following objections:

- 6.1    The care home redevelopment did not include this proposal and if had done so, an objection on this ground would have been made at that time.    The grounds of objection to the nursing home development remain in place    [*Officer comment: Each application proposal has to be determined on its own merits*]
- 6.2    Lack of need [*Officer comment: This is not a reason, in itself, to warrant the refusal of this application*]
- 6.3    Traffic congestion on Park Road, which would be exacerbated by this proposal and increased traffic to the nursing home [*See Paragraph 7.5*]
- 6.4    Increase in highway safety risk from another access onto Park Road, particularly with the high level of on-street parking (used as a town centre over flow) on the north side of Park Road, opposite the proposed access point, and the resulting difficulties of access for large vehicles, and also pedestrian safety [*See Paragraph 7.5*]
- 6.5    The loss of a four bedroom dwelling would have an adverse impact on character and appearance of the road [*See Paragraph 7.2*]
- 6.6    Retrograde step when there is an existing shortage of housing.    A family have replaced the nursing home staff who previously occupied this dwelling    [*See Paragraph 7.2*]
- 6.7    A second access road is not needed [*Officer comment: The applicant has clarified that the existing access would only be closed for the nursing home and only used by a residential property, 94 Park Road*]

- 6.8 Drainage and flooding, exacerbating existing excessive surface water run-off in Park Road [See Paragraph 7.6]
- 6.9 Demolition of housing [See Paragraph 7.2]
- 6.10 Noise, disturbance and light pollution from new access/use of nursing home [See Paragraph 7.4]
- 6.11 Loss of trees (including a beech tree) and resulting impact on streetscene and health of retained trees (including those on adjoining sites). Suggested replacement trees can be mitigated because the tree loss is to the frontage (where the access is proposed) [See Paragraph 7.3]
- 6.12 Lack of details in statement concerning the acoustic fence, and the need proves a noise impact [See Paragraph 7.4]
- 6.13 Impact on security [See Paragraph 7.4]
- 6.14 Loss of privacy, exacerbated by tree removal at the site boundaries and site topography [See Paragraph 7.4]
- 6.15 Lack of consultation with local residents [*Officer comment: This would not be a reason to refuse this application*]
- 6.16 Future maintenance of boundary fence [*Officer comment: This is a private matter*]

## 7.0 PLANNING CONSIDERATIONS

- 7.1 The application site falls within the settlement of Camberley. The proposal is not CIL liable. The current proposal is to be assessed against Policies CP1, CP3, CP6, CP11, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework (NPPF) and advice within the Western Urban Area Character SPD 2012. The main issues in the consideration of this application are:
  - Principle of the development;
  - Impact on local character;
  - Impact on residential amenity;
  - Impact on highway safety; and
  - Impact on drainage and flood risk.

### 7.2 Principle of the development

- 7.2.1 Policy CP3 of the Surrey Heath Core Strategy and Development Management Policies 2012 confirms that “*any development which results in the loss of housing unless it can be demonstrated that the benefits outweigh the harm.*” The applicant has raised a number of issues in support of their proposal in response:

- The safety and legibility of the site;
- The existing use of the property and the accommodation available at the nursing home redevelopment;
- The type of housing required within the Borough; and
- The number of dwellings made available elsewhere by the nursing home development.

The following paragraphs will address these comments in turn.

The safety and legibility of the site

7.2.2 The applicant has indicated:

*“The existing road that serves the [nursing] home is narrow and takes its access from a small roundabout. Approaching the existing access to the Home from the north involves vehicles turning across the small roundabout. Further, the proximity of the access to the south bound [part of the] carriageway makes manoeuvring from the site difficult. The entrance to the site behind the footway and its juxtaposition to the south bound [part of the] carriageway and the entrance to 104 Park Road poses far greater risk to road users than the proposed new access. Removing the access road...further away from the roundabout will improve visibility and highway safety.”*

It is considered, at Paragraph 7.5 below, that there may be no discernible highway benefits to the highway network by the proposal, which is acknowledged by the County Highway Authority, but it is noted that the improved access road width would improve traffic movements within the site. The proposal would also make the nursing home site more legible by being more visible from Park Road if the existing dwelling is demolished. However, it is considered that these benefits would not be sufficient to overcome the concerns over the loss of the residential unit, expressed below.

The existing use of the property and the accommodation available at the nursing home redevelopment

7.2.3 The applicant has indicated that:

*“92 Park Road is a four bedroomed house and was purchased by the Caring Homes Group for staff accommodation to service the existing Kingsclear [nursing] home. It has never provided market accommodation or domestic accommodation during the Group’s ownership. Staff for the new care home will be offered help finding accommodation in the area. There is the potential to offer staff accommodation within the new home which is considered ancillary to the use of the care home and would not require a planning application.”*

The authorised use of this property is as a residential dwelling (Class C3) and, how ever it has most recently been used, remains as such accommodation, and providing four bedrooms, could be used as family accommodation in the future. The accommodation provided within the nursing home is for overnight (emergency) staff accommodation only, and would not provide all of the facilities to make separate self-contained residential (i.e Class C3) units. Such off-site accommodation will still be needed to be provided for staff of the nursing home.

The type of housing required within the Borough

7.2.4 The applicant has indicated that:

*“Policy CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 notes that in Surrey Heath only 105 of all household spaces are classed as small dwellings compared with 36% across the south east. 47% of the Borough housing stock is in the form of detached dwellings, more than twice the national average of 22%. Not only is the mix of housing significantly out of balance, the type of housing required within the Borough is for small units, not large detached houses of which 92 Park Road is one.*

*It cannot be held that the retention of 92 Park Road will contribute towards an unmet housing need. The requirement on the Council area is for smaller properties, not large detached houses of which there is already an abundance.”*

The Strategic Housing Market Assessment 2014 (SHMA) indicates that there is a need for housing of all sizes with acknowledgment of the role of the delivery of larger residential units can play in releasing the supply of smaller residential properties. In addition, there are relatively substantial numbers of households needing larger properties and they often have to wait longer to be housed because of limited supply. There therefore remains an unmet need for housing of all sizes in the Borough and the loss of the residential dwelling is a retrograde step.

The number of dwellings made available elsewhere by the nursing home development

7.2.5 The applicant has indicated that:

*“There are already many elderly people within the Local Authority Area and by 2026 it is expected that the proportion of over 55’s will be 33.9%. As the elderly move into care it will bring a corresponding increase in the amount of housing being released to the general market. The new Kingsclear care home will provide 90 care beds for the elderly. By inference, some of those moving into the home will be from the local area and will be disposing of their existing homes as a consequence of this. The loss of 92 Park Road can also be offset against the increase in the number of housing [units] being freed up by those elderly choosing to move to care.”*

The approved care home relates to a net gain of 12 bedrooms over the (now former) nursing home which was previously located on the site. That redevelopment proceeds without the need for this access road (as a part of that development under planning permission SU/14/0562) and therefore the benefits of the larger care home on local housing provision does not transfer to the current proposal. The future projected increase in size of the elderly population in the Borough and the contribution the Kingsclear care home redevelopment is not a reason, in itself, to justify this proposal.

7.2.6 It is therefore considered that the proposal is not acceptable in terms of its principle, failing to comply with Policy CP3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework (NPPF).

**7.3 Impact on local character and trees**

7.3.1 The current proposal would provide an access road, removing a two storey dwellinghouse in a group of similar properties. It would provide views of the care home (on the site to the rear) and reduce tree cover, including the landscaped belt to the front (previously removed). The application site and the eastern side of Park Road lies

within

the Wooded Hill Character Area which is defined, in the Western Urban Area Character SPD 2012, as having a semi-rural residential character, in part provided by verdant vegetation with large detached dwellings set back in individual plots.

- 7.3.2 Tree Preservation Order 14/70 relates to the frontage strip, which includes some landscaping which has recently been removed. However, there were no protected trees in the group and no objections are raised to the impact on protected trees. The tree report provided with the application indicates that all major trees would be retained with the access road located beyond the root protection areas of these trees. The Council's Arboricultural Officer has raised no objections to the proposal.
- 7.3.3 As indicated by the applicant the proposal would allow greater visibility of the approved care home development from Park Road. Previously, the former care home was not visible from Park Road, and noting its much larger height and scale, very different to the surrounding dwellinghouses. The proposal would make the new care home building more prominent, but noting its setback and the existing vegetation to the site boundaries, would limit the views of the approved building and this relationship would be acceptable.
- 7.3.4 Nevertheless, Park Road is characterised by detached dwellinghouses with similar plot widths and gaps/landscaping between properties (particularly in the vicinity of the application site), providing a rhythm of development which adds to local character. The loss of the dwelling would provide a much larger gap between properties which would be at odds with this prevailing character and would consequently appear as a discordant feature, incongruous in the streetscene. The proposal would also increase the amount of hardstanding clearly visible from the public domain which would erode the soft green semi-rural landscape character of the area.
- 7.3.5 As such, an objection is therefore raised on character grounds, with the proposal failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Western Urban Area Character SPD 2012.

#### **7.4 Impact on residential amenity**

- 7.4.1 The nearest residential properties are located adjacent to the property. The proposal would provide an access road within 4.2 metres for the flank boundaries of these properties, with their respective rear gardens. The proposal would add activity and with the changes in levels introduce some minor land raising. However, the gardens are served by 1.8 metre high fences and landscaping, particularly to the boundary with 94 Park Road, and it is considered that any resulting loss of privacy could be mitigated by further planting in the landscaping strips (which is proposed to be up to 7.1 metres in width), by condition if minded to approve.
- 7.4.2 The proposed use would result in an increase in noise and general disturbance from traffic movements (including light) but noting the ambient level of noise from Park Road and activity at the care home, and the separation distances, noted above, and landscaping retained and this impact could be mitigated, by condition, if minded to approve. No objections are raised on these grounds.
- 7.4.3 The existing boundaries would retain fencing. Whilst, it is noted that the access is provided, any impact on the security of neighbouring properties could also be mitigated, by condition, if minded to approve. No objections are raised on these grounds.
- 7.4.4 As such, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of Surrey Heath Core Strategy and

Development Management Policies 2012.

## **7.5 Impact on highway safety**

- 7.5.1 The applicant has indicated, at Paragraph 7.2.2 above, the highway improvements gained by the proposal. The County Highway Authority has not raised any objections to the proposal and have indicated:

*“The existing access while located close to the mini roundabout junction on Park Road is not close enough to have an impact on it. I have checked the accident records which show there have been no personal injury accidents as a result of the use of this access in the last five years. There is good visibility in both directions along Park Road and there are wider footways to either side of the access making it more visible to pedestrians. The proposed replacement access further along Park Road whilst providing adequate geometry and visibility provides no particular highway safety benefits over the existing access.”*

The County Highway Authority raises no objections to the proposal on highway safety grounds. It is noted that, whilst the proposal would position the access to the care home further from the roundabout, the proposed access opposite available on-street parking. In addition, the proposed access would serve the same development (as approved under SU/14/0562) and would not, in itself, add to the traffic generation from the care home development. On balance, whilst it is noted that the increase in road width may improve traffic movements within the site, there would appear to be no particular benefit or disbenefit to the proposal to the operation of the highway network generally and highway safety grounds, in particular. As such, the proposed development is considered to be acceptable on highway grounds, complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## **7.6 Impact on drainage and flood risk**

- 7.6.1 The application site is 0.09 hectares in size and within a Zone 1 area (low flood risk), where development is not prevented by Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012. The proposal provides a form of development which is under the threshold requirements for consideration from the LLFA. The access road is on a slope and, if minded to approved, drainage measures could be provided by condition to limit any surface flow onto the public highway (and beyond). As such, the proposed development is considered to be acceptable on highway grounds, complying with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **8.0 CONCLUSION**

- 8.1 The proposed development is considered to be acceptable in relation to its impact on local character, residential amenity, highway safety drainage and flood risk. However, the proposal is considered to be unacceptable in terms of its principle and is recommended for refusal.

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

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

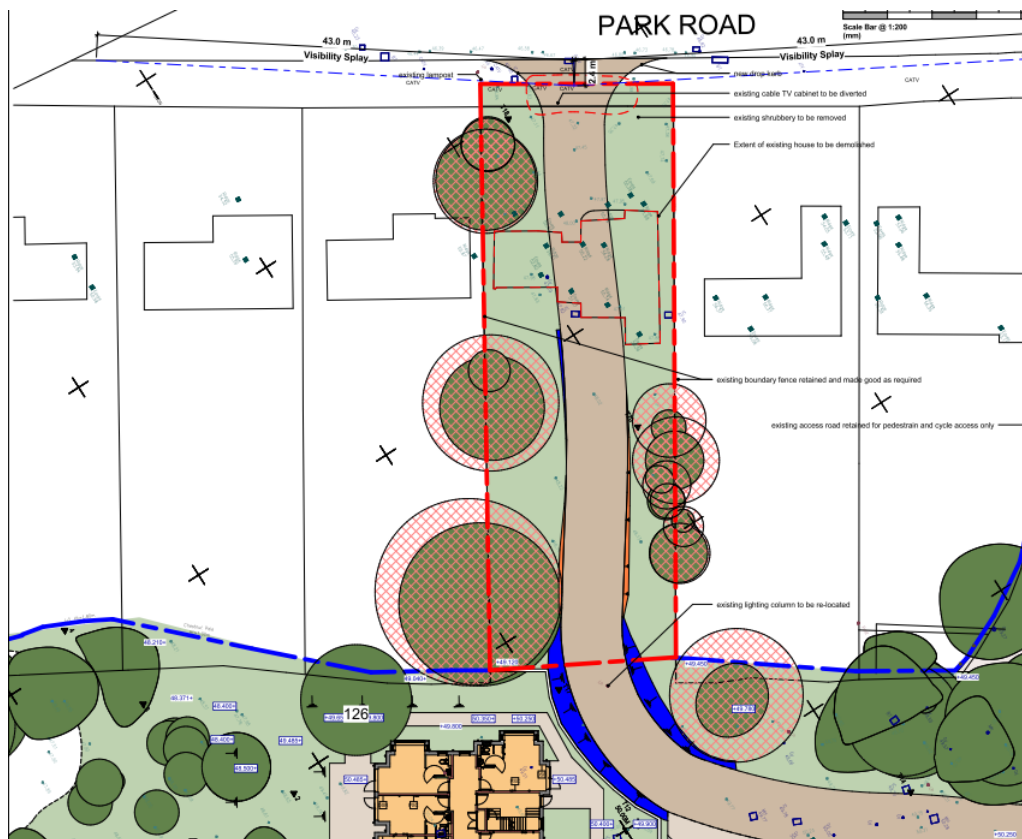
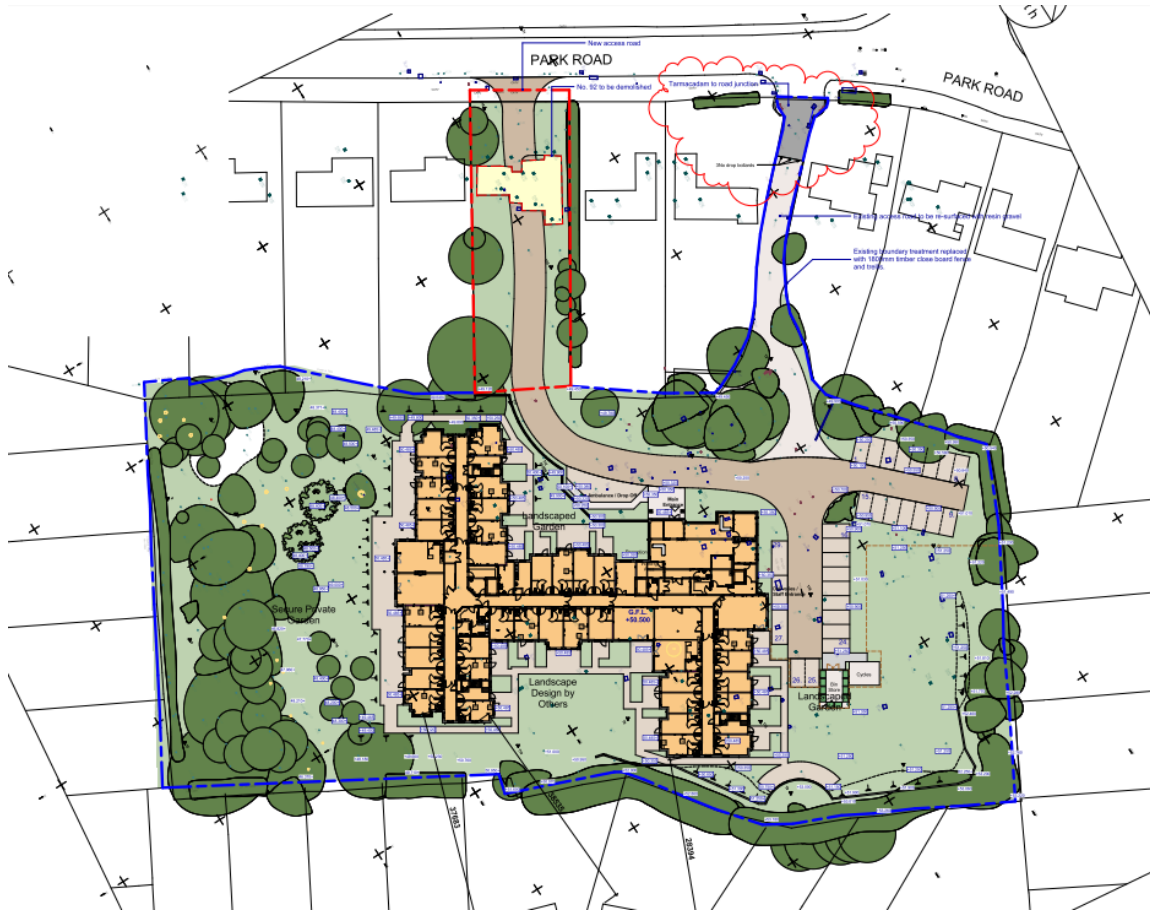
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to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

## **10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

1. The loss of the dwellinghouse, which it has not been demonstrated would have benefits which outweigh the harm, would fail to comply with Policy CP3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
2. The eastern side of Park Road lies in the Wooded Hill Character Area defined by its verdant vegetation with large detached dwellings set back in individual plots. The proposed creation of the access and associated large areas of hard surfacing would result in an erosion of this soft green semi-rural character; and, the loss of the dwelling would disrupt the rhythm of built form and appear incongruous in the street scene. As such the development would introduce negative features, failing to respect and enhance the character and quality of the area and contrary to policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, guiding principles WH1 and WH3 of the Western Urban Area Character Supplementary Planning Document 2012 and the National Planning Policy Framework 2012.





From Park Road



From Kingsclear Nursing Home site (at rear)







<b>Title</b>	Planning Applications		<b>Page</b>	3 of 8
<b>Application number</b>	16/0383		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 AND 18 CHAUCER GROVE, CAMBERLEY, GU15 2ER		<b>Date</b>	09-06-2016
<b>Proposal</b>	Creation of alternative access to 5-bedroom dwellinghouse approved pursuant to application SU10/0717. Access to be created off Chaucer Grove as opposed to Heathcote Road as originally approved.			
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**LOCATION:** LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 AND 18 CHAUCER GROVE, CAMBERLEY, GU15 2ER

**PROPOSAL:** Creation of alternative access to 5-bedroom dwellinghouse approved pursuant to application SU10/0717. Access to be created off Chaucer Grove as opposed to Heathcote Road as originally approved. (Amended plan rec'd 15/06/16). (Additional information recv'd 16/6/16)

**TYPE:** Full Planning Application

**APPLICANT:** .  
Lynwood Estates Ltd and The McKay and Chilton Grandchildren IIP

**OFFICER:** Emma Pearman

**This application would normally be determined under the Council's Scheme of Delegation, however it is being reported to the Planning Applications Committee at the request of Cllr Brooks.**

**RECOMMENDATION: REFUSE**

## **1.0 SUMMARY**

- 1.1 This application is for the construction of a new access to a dwelling which is currently under construction and was permitted by a separate planning permission SU10/0717 in 2010. The original access to the dwelling was to be via Heathcote Road (an unadopted road) which has not been constructed, however an access is now sought instead from Chaucer Grove. The new proposed access would be much shorter than that previously proposed though would result in the loss of some trees at the boundary with the site, however this is considered to be offset by the retention of trees and understorey that would have been lost had the original access been constructed. The proposal is considered to be acceptable in terms of impact on character, residential amenity and highways, parking and access. However, insufficient information has been provided in respect of bats, and as such the application is recommended for refusal on this basis. This issue is not considered to be insurmountable and clarification has been sought from the applicant. Any updates will be reported to the meeting.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site comprises an area of land at the end of Chaucer Grove between the curtilage of 9 and 18 Chaucer Grove, and land within the curtilage of Lynwood, Heath Rise. The area currently comprises a grass verge and hardstanding at the end of Chaucer Grove, with a chain link fence across the boundary with mature trees and vegetation behind. The application site is covered by an area Tree Protection Order TPO 9/04.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 SU14/0120 – Lawful Development Certificate for an existing use or operation comprising the implementation of planning permission 10/0717 for the erection of a detached dwelling house

*Agreed 16/05/2014*

- 3.2 SU10/0717 - Erection of a five bedroom, two-storey detached dwelling with accommodation in the roof space to include an attached double garage with accommodation over. Access to be created off Heathcote Road.

*Granted 10/11/2010 [under construction]*

### **4.0 THE PROPOSAL**

- 4.1 This proposal is for the creation of an access to the dwelling currently under construction, from the end of Chaucer Grove instead of from Heathcote Road (an unadopted road) as originally approved. This proposal would create an access of 3.6m in width and 11m in length approx. from the boundary, which would join up with the already approved area of hardstanding to the front of the dwelling. To facilitate the access, 5 Category C trees (low quality) would be felled.

### **5.0 CONSULTATION RESPONSES**

- 5.1 Surrey County Highway Authority No objection.
- 5.2 Council's Arboricultural Officer No objection.
- 5.3 Surrey Wildlife Trust Further information requested in respect of the impact on bats.

### **6.0 REPRESENTATION**

- 6.1 At the time of preparation of this report 8 separate letters of objection have been received and one petition with 13 signatures, and 3 letters in support of the application.
- 6.2 The issues raised in support of the application are as follows:
- Access to the site is safer than via Heathcote Road because of the mini-roundabout
  - Heathcote Road is a private road and the Heathcote Road residents association dispute the developers right of way over Heathcote Road
  - There will be a much shorter driveway to the property so there will be less impact on trees and wildlife / original driveway would have been at least 10 times longer
  - Chaucer Grove is a made up road built to serve considerably more houses than Heathcote Road

- The original access via Heathcote Road would have made it an unrealistic option particularly for large vehicles.

6.3 The reasons for objecting to the application are summarised below:

Character [see section 7.3]

- Would open up views of new house rather than it being screened from view and would face the blank side elevation of the garage/development is not of a high quality design
- If permission is granted permitted development rights for gates should be removed

Trees [see section 7.3]

- Trees at Chaucer Grove are of greater value than those at Heathcote
- Conclusions of the Tree Report are not correct as there are more trees that need to be removed than is stated and there are more high quality trees to be removed as a result of this access than Heathcote Road
- Previous application considered that the trees on this boundary were important in terms of screening

Highways and Traffic safety and amenity [see section 7.5]

- Road is narrow, has sharp blind bends, is already dangerous
- Not much space for safe parking of vehicles during construction/would prevent access by emergency vehicles
- Additional vehicles would cause too much traffic on Chaucer Grove, not designed to be a through road
- Limited parking on the road particularly with the proximity to the doctors surgery and town centre
- Would be damage to the road surface which is brick laid and not tarmac by the heavy vehicles
- Hazardous turning into Chaucer Grove when vehicles are exiting, safer with roundabout at Heathcote Road
- No pavement on the road
- Proposed new access would cause a danger to residents and children and occupiers of home for adults at end of Chaucer Grove
- May lead for a change in access request to serve other properties being built at Lynwood
- Often near-accidents with junction at Park Street
- Would appear that the proposed access would conflict with the garage and larger vehicles may not be able to visit the house leading them to park on the road

- May lead to vehicles blocking driveways and leaving engines running causing a noise impact
- Properties at Heathcote Road are screened from increased traffic whereas those in Chaucer Grove are not
- It is not the case that existing access is contrived and impacts more homes as developer suggests
- If permission is granted would need to control how it is constructed to prevent two accesses
- Should be a construction management plan if permission is granted
- Should be limits on hours of construction and a requirement to keep the road clean

#### Ecology [see section 7.6]

- Approved layout of the house in the ecology report is different to that of the approved scheme
- Does not appear that the trees identified for removal have been assessed for bats

#### Other matters

- Query over description of location *[Officer comment: it is considered that the description is accurate given the smaller application site that does not include the same site area as 10/0717]*
- Not contacted directly by the Council *[Officer comment: the Local Planning Authority notifies dwellings that are adjacent to the application site only and given the small red line area the number of properties was limited. However following concerns raised all the properties in Chaucer Grove and Heathcote Road were notified.]*
- Query whether construction of the house has commenced *[Officer comment: construction has commenced]*
- Development will contravene conditions of SU10/0717 *[Officer comment: It is not considered that this will be the case other than clearly condition 9 which relates to the Heathcote Road access and the approved plans condition but these can be updated with a variation of condition application if necessary]*
- Limited information to give clarity on why the original access is no longer suitable *[Officer comment: it is not a requirement for the applicant to explain; the planning authority must consider the proposal with the information provided]*

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012, and in this case the relevant policies are Policy DM9 (Design Principles) and Policy DM11 (Traffic Management and Highway Safety) and Policy CP14A (Biodiversity and Nature Conservation). It will also be considered against the National Planning Policy Framework (NPPF).



7.2 The main issues to be considered are:

- Impact on character and trees;
- Residential amenity;
- Highways, parking and access; and
- Ecology.

### **7.3 Impact on character and trees**

7.3.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.

7.3.2 Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density. The Guiding Principles of the Wooded Hills Housing Character Area state that new development should consist of buildings set in spacious, irregularly shaped plots with extensive space between and around buildings, consist of two-storey detached buildings enclosed by verdant vegetation, a provision of a green character through retention of large trees, development that erodes the soft, green character will be resisted.

7.3.3 Chaucer Grove has a spacious feel with large detached dwellings, of similar but not identical architectural style, set back from the road. The proposal would create an access at the end of the road to one detached dwelling which would be set back from the road by 12m approx., with the side elevation of the garage facing the access with limited glimpses of the main side elevation likely to be visible beyond. While the side elevation of the garage facing the street is not ideal, and the other properties within the road face the street, due to the curved nature of Chaucer Grove the side elevations of some properties and their garages are also clearly visible. Additionally this property will be more screened from view, with the retained trees, than the other properties which have open front gardens. Properties within the road are set back by varying degrees and the set back of approx. 12m of this property is within the range of those of existing properties. Given the set back from the street and the fact that this property would only be visible from the end of the road around the last bend, it is not considered that this would cause any significant harm to the character of the road.

7.3.4 The proposal would result in the loss of 5 category C (low quality) trees (one of these five is a group of three very close growing counted as one within the Tree Report), two of which are on the boundary and three just behind these. It would, however, see the retention of five trees that were previously going to be removed as a result of the access approved under 10/0717. However, the new access will be a length of 10m approx. from the side boundary to the approved hardstanding at the front of the property, as the trees on the boundary at Chaucer Grove form a narrow strip. By contrast, the previous access however was approximately 70m in length from the front boundary to the hardstanding area. While the trees to be lost now are of higher quality, the previous access would have resulted in a considerably larger area of understorey being lost which is considered a valuable part of the wooded character. Given the retention of the understorey and the similar numbers of trees now being retained, the Council's Arboricultural Officer has not objected to the proposals, subject to a condition regarding the tree protection during construction.

- 7.3.5 While the Guiding Principles of the Wooded Hills seek the retention of mature vegetation, in this case it is considered that the loss of the trees at the boundary with Chaucer Grove is offset by the retention of a much larger area of trees and vegetation between the front boundary at Heathcote Road and the property. Many of the large trees and canopy spread visible from Chaucer Grove will remain, so it will retain much of its green character and some value in terms of screening the proposed property from the road. It is not considered that any of the other Guiding Principles of this character area would be compromised by the new access opening up views of the approved dwelling, given that the dwelling and its layout itself is of a style and type appropriate to this character area.
- 7.3.6 It is therefore considered that the proposal is acceptable in terms of its impact on character and trees, and in line with Policy DM9 and the Guiding Principles of the Wooded Hills Housing Character Area and the NPPF in this regard.

#### **7.4 Residential Amenity**

- 7.4.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.4.2 The new access will be close to the front boundaries of 9 and 18 Chaucer Grove. It will be 8.6m approx. from the front elevation of number 9 and 21m approx. from the garage of 18 which is the nearest point, with the house itself approx. 28 metres away. Number 18 also has a high laurel hedge along the front boundary adjacent to the proposed access. It is not considered that the creation of the access at this point would cause any harm to the amenities of either property, though issues relating to highways are discussed in section 7.5 below. The impact of the house itself upon the amenities of these properties was already considered acceptable under permission 10/0717.
- 7.4.3 It should also be noted that the previous access would have been between Heathcote and Lothlorien in Heathcote Road, running along the length of their side boundaries, and additionally would have run along the length of the rear/side boundaries of 5 and 9 Chaucer Grove. The access once built in this location would not run along the boundary of any property and is considered therefore to be beneficial in terms of amenity than the access already approved.

#### **7.5 Highways, parking and access**

- 7.5.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 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 such impacts to acceptable levels can be implemented.
- 7.5.2 The proposed new access is considered to be acceptable by the County Highway Authority, subject to a condition that the property should not be occupied until the access has been constructed in accordance with the approved plans.
- 7.5.3 Many objections to the proposed development have been received on highway grounds, which mainly seem to focus on the construction period. In the Officer's opinion, the addition of one dwelling to the road is very unlikely to result in a noticeable increase in the amount of cars using the road once the new access is constructed, nor have a noticeable impact upon the existing problems with the road raised by objectors, especially given that

the access is at the far end of the road away from the junction with Park Road, doctors, and town centre. While disruption during the construction period is not a material planning consideration, if the County Highway Authority felt that a Construction Management Plan was necessary this could be required by condition. In this case this has not been requested although given the number of objections, further clarification on this has been sought from the County Highway Authority and any update will be reported to the meeting. Hours of working are covered under separate Environmental Health legislation and, if minded to approve, an informative will be added reminding the applicant of this.

- 7.5.4 It is therefore considered that the proposal is acceptable on highway safety and amenity grounds and in line with Policy DM11 and the NPPF in this regard.

## **7.6 Ecology**

- 7.6.1 Policy CP14A states that the Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted. Paragraph 99 of the ODPM Circular 06/2005 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impact on biodiversity and providing net gains where possible.
- 7.6.2 The applicant has submitted an Ecological Assessment which has been considered by Surrey Wildlife Trust. They have stated that the risk to nesting birds and badgers is not likely to be significant given the information provided as long as the trees are felled outside of the bird nesting season. However, not enough information has been provided on bats and as such it is not clear whether they would be affected by the new proposals.
- 7.6.3 The previous application 10/0717 required that mitigation be undertaken in accordance with the Ecological Assessment submitted at that time. It appears that such mitigation could still be carried out as required by that condition and is not affected by this application.
- 7.6.4 Whilst Surrey Wildlife Trust acknowledges the protection secured under 10/0717, they have sought clarification on the risk to bats from the trees now to be felled. As the planning authority has a duty to assess the risk to protected species, due to the lack of up to date information on bats at present, the proposal is contrary to Policy CP14A, Circular 06/2005 and the NPPF in this regard. However, it is not considered that this issue is insurmountable to overcome, and clarification has been sought from the applicant on this issue. Any updates will be reported to the meeting.

## **8.0 CONCLUSION**

- 8.1 It is therefore considered that the new proposed access to the site is acceptable in terms of character, trees, residential amenity and impact on highways, parking and access. However, while the proposal is considered to be acceptable in terms of its impact on birds and badgers, not enough information has been provided in respect of bats, although it is hoped that this issue can be resolved by the Committee meeting. At present therefore the proposal is considered to be contrary to Policy CP14A, Circular 06/2005 and the NPPF in this regard. Accordingly it is considered permission should be refused.

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

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

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

16/0383 – LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 & 18  
CHAUCER GROVE

The chain link fence and trees where the new access is proposed, with 9 Chaucer Grove on the left and the boundary of 18 Chaucer Grove on the right



Chaucer Grove, looking west from the proposed access facing number 14





16/0383 – LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 & 18  
CHAUCER GROVE

View into the site from the proposed access location, showing where the proposed house will be (permitted under 10/0717)

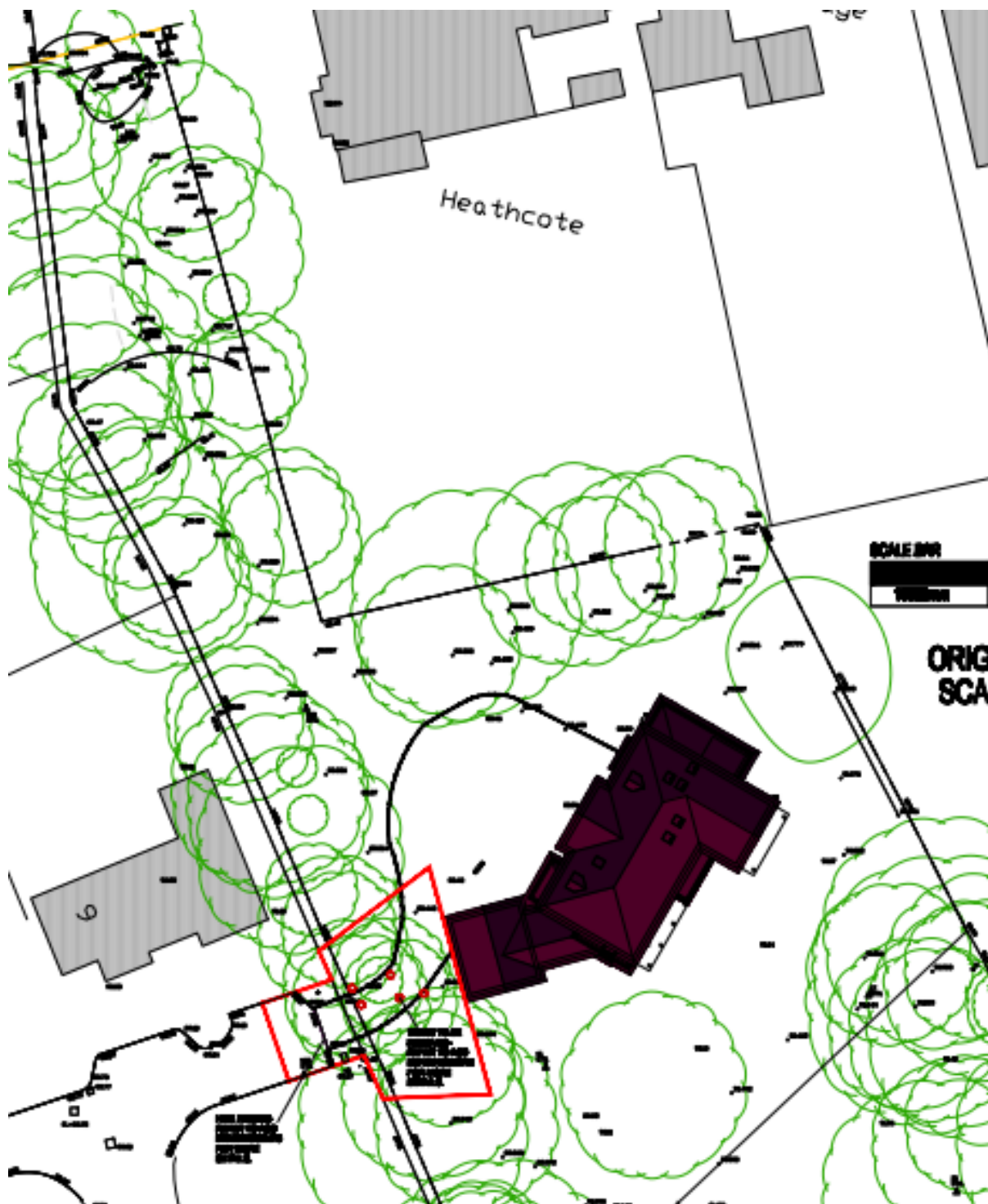


The location of the currently approved access from Heathcote Road



16/0383 – LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 & 18  
CHAUCER GROVE

The application site (red line boundary) showing where the new access is proposed and the location of the proposed dwelling (approved under 10/0717)



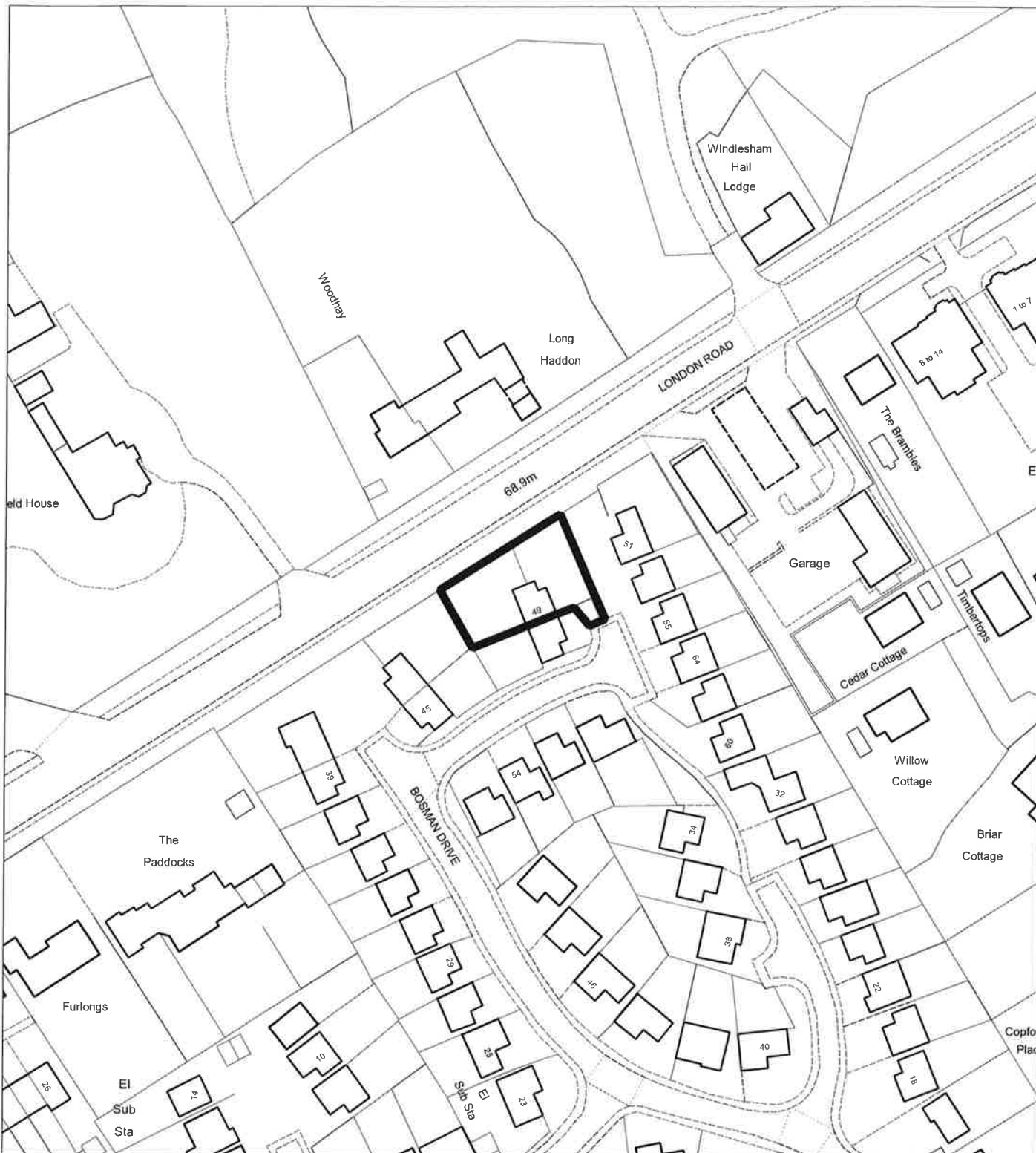


16/0383 – LAND ADJACENT TO LYNWOOD, HEATH RISE AND BETWEEN 9 & 18  
CHAUCER GROVE

The block plan approved under SU10/0717 showing the previously approved access from  
Heathcote Road to the north







<b>Title</b>	Planning Applications		<b>Page</b>	4 of 8
<b>Application number</b>	16/0320		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	49 BOSMAN DRIVE, WINDLESHAM, GU20 6JN		<b>Date</b>	09-06-2016
<b>Proposal</b>	Division of existing four-bedroom dwelling to form two 2 bedroom dwellings with associated parking and garden space.			
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**LOCATION:** 49 BOSMAN DRIVE, WINDLESHAM, GU20 6JN  
**PROPOSAL:** Division of existing four-bedroom dwelling to form two 2 bedroom dwellings with associated parking and garden space. (Part Retrospective).  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Gareth Bertram  
John Charles Property Investments  
**OFFICER:** Emma Pearman

**This application would normally be determined under the Council's Scheme of Delegation, however, it is being reported to the Planning Applications Committee at the request of Councillor Sturt.**

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 This application is for the division of an existing four-bedroom property, into two 2-bedroom properties. The existing property has had a large two-storey extension to the northern side and it is proposed to use this extension as a separate property. A number of objections have been raised by local residents. However, the proposal will not give rise to any additional built development and given its design and secluded location within the road it is not considered that there would be any significant harm to character. The proposal is also considered acceptable in other regards. It is considered that a condition can be imposed to prevent segregation of the front driveway area which would result in a more obvious terrace of properties.
- 1.2 Concern has been raised by residents that the conversion was underway without planning permission. The Enforcement Officer subsequently visited the site and stopped works. It appears that the front door on the side of the property has already been installed although there was already a door in this location, and the rear garden has been divided into two by the erection of a close-boarded fence. However internal works to convert the properties are not yet complete.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the northern side of Bosman Drive, and is bordered by the A30 London Road to the north, within the settlement area of Windlesham as identified by the Surrey Heath Core Strategy Proposals Map. The property is semi-detached with 47 Bosman Drive attached to the south, though most surrounding dwellings are detached, other than two other pairs of semi-detached dwellings to the west. The property has an area of hardstanding to the front which is bordered by tall vegetation to the eastern boundary, and a fence with mature trees to the northern boundary. There is a side gate and wall between the front elevation of the property and the northern boundary.

- 2.2 It appeared from the site visit that the conversion was already partly underway, with a close-boarded fence having been erected to divide the rear garden and a front door having been installed on the northern side elevation.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 SU01/0153 – Erection of a first floor side extension and single storey front extension

*Granted 11/04/2001*

- 3.2 SU99/0767 – Erection of a rear conservatory

*Granted 17/08/1999*

- 3.3 95/0251 – Erection of a single storey side extension incorporating a double garage

*Granted 09/06/1995*

### 4.0 THE PROPOSAL

- 4.1 This proposal is for the division of the existing dwelling into two 2-bedroom dwellings. The only changes to the exterior of the building are the use of the northern side elevation door as a front door and the erection of close-boarded fencing in the rear garden to separate the gardens into two. The existing hardstanding to the front is not proposed to be divided but will provide a parking area for both dwellings.

### 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objection.
- 5.4 Windlesham Parish Council Just note that a site visit should be made as work appears to have been started *[Officer comment: the Enforcement officer subsequently made a visit to the site and stopped any further works pending the outcome of this application]*

### 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 13 letters of objection from 10 people have been received which raise the following issues:

Character *[see section 7.3]*

- Creating a terrace would change the character of the road
- Will overcrowd and spoil an already well populated area
- Overdevelopment of the site – plot is too small for two dwellings
- Previous planning application SU01/0153 included a condition preventing severing the extension from the main dwelling so as not to cause harm to the character of

the area, this should be upheld.

Amenity [see section 7.4]

- Sufficient amenity space has not been provided
- Would be overlooking and loss of privacy.

Highways, access and parking [see section 7.5]

- Will increase the cars parked at the property which may result in parking on the street and increased risk of accidents
- Does not appear to be space for 4 vehicles on the driveway
- Already parking problems in the road.

Other matters

- Would devalue other properties in the street as the semi-detached properties would become a terrace / impact on property values [*Officer comment: Not a planning consideration*]
- Will lower the prestige of the neighbourhood and estate leading to a different class of person on the estate [*Officer comment: Not a planning consideration*]
- Work has already started and this should be taken into account when making the decision [*Officer comment: The Enforcement officer visited the site and has stopped works; this is not something that can be taken into account in the decision process*]
- Issues regarding neighbour notification [*Officer comment: Disruption during construction is not a planning consideration*]
- Impact on utility services and drains [*Officer comment: Not a planning consideration this would be covered by Building Control; additionally the extension would already be connected to utility services*]
- Design could be varied to be 3-bed leading to more pressure on services [*Officer comment: Internal changes would not require planning permission and are not considered likely to lead to a noticeable increase in pressure on services*]
- May lead to more conversions of properties [*Officer comment: Each application would be considered on its own merits*]
- The “existing” plans are inaccurate as property was marketed and sold as a 5-bedroom house not a 4-bedroom house [*Officer comment: Internal changes do not require planning permission and may have changed since it was marketed*]
- The garage has been converted into a playroom already [*Officer comment: This would not have required planning permission*]
- Work is already creating noise and dust and large vehicles are blocking driveways [*Officer comment: Disruption during construction is not a planning consideration*]
- Property has been empty since last July though planning statement says it was occupied [*Officer comment: This is not considered relevant to the consideration of the application*]

- The appearance of the property has already changed as the garage has been converted and windows made smaller [*Officer comment: these changes would not have required planning permission*].

## **7.0 PLANNING CONSIDERATION**

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012, and in this case the relevant policies are Policy CP6 (Dwelling Size and Type), Policy DM9 (Design Principles) and Policy DM11 (Traffic Management and Highway Safety). It will also be considered against the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are:

- Principle of the development and impact on character;
- Impact on residential amenity;
- Highways, parking and access; and,
- Impact on infrastructure and the Thames Basin Heaths SPA.

### **7.3 Principle of the development and impact on character**

7.3.1 Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development, which means that for decision taking, development proposals that accord with the development plan should be approved without delay. Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.

7.3.2 Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density. Policy CP6 states that housing mix for new developments should be approximately 10% 1-bed, 40% 2-bed, 40% 3-bed and 10% 4+bed properties.

7.3.3 Within the settlement area such as this site is located, the principle of residential development is acceptable, and Surrey Heath has a shortage of housing at the present time. Policy CP6 shows that within Surrey Heath there is the greatest need for 2- and 3-bed houses and a lesser requirement for 4+ bed houses. As such the principle of converting a larger property into two 2-bed properties is considered to be acceptable.

7.3.4 Bosman Drive features almost exclusively detached properties, other than three sets of semi-detached properties on the northern end, of which 47 & 49 Bosman Drive is one. The extension to the property is already in place, having previously been permitted through two planning applications as set out in paragraphs 3.1 and 3.3 above, and is not in itself considered to cause any harm in character terms. As such the issue is whether converting that existing extension to a separate dwelling will cause any harm to character.

7.3.5 Changing this extension into a separate dwelling would result in a row of terraced properties in this location which is not a feature seen anywhere else in the road. The extension is set back from the main front elevation of 47 & 49 Bosman Drive and would have the front door on the side, and does appear as an extension rather than a dwelling as it does not have the same appearance as the other dwellings in the road. However, it is in

a very secluded location within the road which is assisted by its set back from the front elevation, and would not appear any different from the front than it does at present. The size of the two dwellings would not appear significantly different from that of the other semi-detached properties in the road, with number 49 itself appearing almost identical to number 47. The front door on the side elevation would not be visible from the street and nor would the fence dividing the rear garden so it would not be obvious that this is a separate dwelling. Additionally a condition could be imposed to prevent any segregation of the front driveway area which would make it more obvious that it was separate.

- 7.3.6 With regard to the issues raised by local residents, it is not considered that dividing one larger dwelling into two smaller dwellings would cause such a noticeable increase in occupancy such that it would overcrowd or spoil the character of the area. With regard to the plot size, the current rear garden is larger than that of the surrounding dwellings and as such the rear gardens of both new properties would not be significantly different in size from those of surrounding dwellings. The plot is already supporting the extension and as such this application will not result in any additional built development on the site resulting in a cramped development. With regard to the condition on SU01/0153 that prevented segregation from the existing dwelling in order to prevent any harm to character, a check of the history of this application does not reveal any consideration or discussion of this point and as such the condition was likely to have been imposed to prevent segregation without a further application and consideration of the likely issues arising.
- 7.3.7 Given that the principle is acceptable, and that there would be no change in the external appearance of the buildings from existing, and the secluded location of the dwelling which would not result in an obvious terrace of properties, it is considered that on balance there would not be any significant harm to the character of the area caused by the proposal, and as such it is considered to be in line with Policies CP6 and DM9 and the NPPF in this regard. It is considered however that given the already large increase in the built form of 49 Bosman Drive from the size of the original dwelling that a condition is necessary to remove permitted development rights from both of the proposed properties to prevent a further increase in built form and intensification of the site.

#### **7.4 Impact on residential amenity**

- 7.4.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.4.2 The nearest neighbour to the properties is 47 Bosman Drive which is attached to 49 on the southern side. Converting 49 into a smaller dwelling would not result in any change to the amenities of the occupiers of number 47, given that there is no additional built development. Changing the extension into a separate dwelling also would not give rise to any additional impacts on amenity from existing. The situation in terms of overlooking of rear gardens of 47 and 43 to the rear would not change from existing and would result in a usual pattern of overlooking between neighbouring dwellings.
- 7.4.3 It is considered that sufficient amenity space would be provided for the occupiers of both new properties, and this amenity space would not be significantly different in size from that of surrounding dwellings. It is not considered that the intensification of the residential use and associated possible increase in occupancy is such that it would give rise to harm in terms of noise.

7.4.4 It is therefore considered that the proposal is acceptable in terms of amenity and in line with Policy DM9 and the NPPF in this regard.

## **7.5 Highways, parking and access**

7.5.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 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 such impacts to acceptable levels can be implemented.

7.5.2 There is a front driveway at the property which comprises a single-track width slope up from the road which opens out to a wider parking area. The applicant has demonstrated on the block plan that there is space for at least four cars on to park on this driveway to the front of the property, and it is proposed that this area would be shared between the two properties. There will be no change to the driveway area from existing. Concern has been raised about an increase in the number of cars parked on the road as a result of the proposal. However, the County Highway Authority's parking standards require 1.5 spaces per unit for 2-bedroom houses and by providing 2 spaces per unit this would be in excess of the required amount. It is also considered that a condition can be imposed to ensure the retention of this area for parking only.

7.5.3 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. As such it is not considered that the proposal is likely to cause any significant impacts in terms of highways, access and parking, and as such the proposal is in line with Policy DM11 in this regard.

## **7.6 Impact on infrastructure and the Thames Basin Heaths SPA**

7.6.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. However, conversion of one dwelling into two does not give rise to any CIL liability given that there is no increase in floorspace.

7.6.2 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the SHCS states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).

7.6.3 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.



7.6.4 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £224 which takes into account the existing floorspace. This has been paid by the applicant. It is therefore considered that the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD.

## **8.0 CONCLUSION**

8.1 The proposed development is considered to be acceptable in terms of the principle of development, in character terms and impact on residential amenity, highways and impact on infrastructure and the Thames Basin Heaths SPA. It is therefore considered that permission can be granted, subject to conditions.

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

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **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: Proposed Ground Floor Plan 1550 P104, Proposed First Floor Plan 1550 P105, Proposed Elevations 1550 P106 all received 31.03.16 , 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, fences or walls shall be erected under Schedule 2, Part 2, Class A of that Order other than along the existing boundaries defining the curtilage of 49 Bosman Drive as shown in red on the Location Plan received 5.4.16 and along the boundary between the rear gardens of the two new dwellings as shown on the Proposed Ground Floor Plan received 31.3.16; without the prior approval in writing of the Local Planning Authority.

Reason: To prevent any obvious sub-division of the driveway and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The parking area to the front of the properties as shown on the Block Plan 1550 P100 received 05.04.16 shall be retained as such at all times unless the prior approval has been obtained in writing from the Local Planning Authority.

Reason: To ensure that sufficient parking remains for the two proposed dwellings so as not to cause a nuisance on the highway, in line with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no extensions, additions or outbuildings to either of the proposed residential dwellings hereby approved shall be erected under Class A or Class E of Schedule 2, Part 1 of that Order without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of character and amenity, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

#### Informative(s)

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

16/0320 - 49 BOSMAN DRIVE

The front elevation of the dwelling - the two storey extension to the right would form the new dwelling with the front door on the side elevation



Another view of the front elevation, with 47 Bosman Drive on the far left





16/0320 - 49 BOSMAN DRIVE

The rear elevation of the two dwellings, showing the boundary fence which has already been erected to separate the proposed 49 and 49A Bosman Drive



The side elevation of the dwelling showing the front door of proposed 49A Bosman Drive and the gate to the rear garden



The driveway which is proposed to be shared between the dwellings



The site in its wider context within Bosman Drive

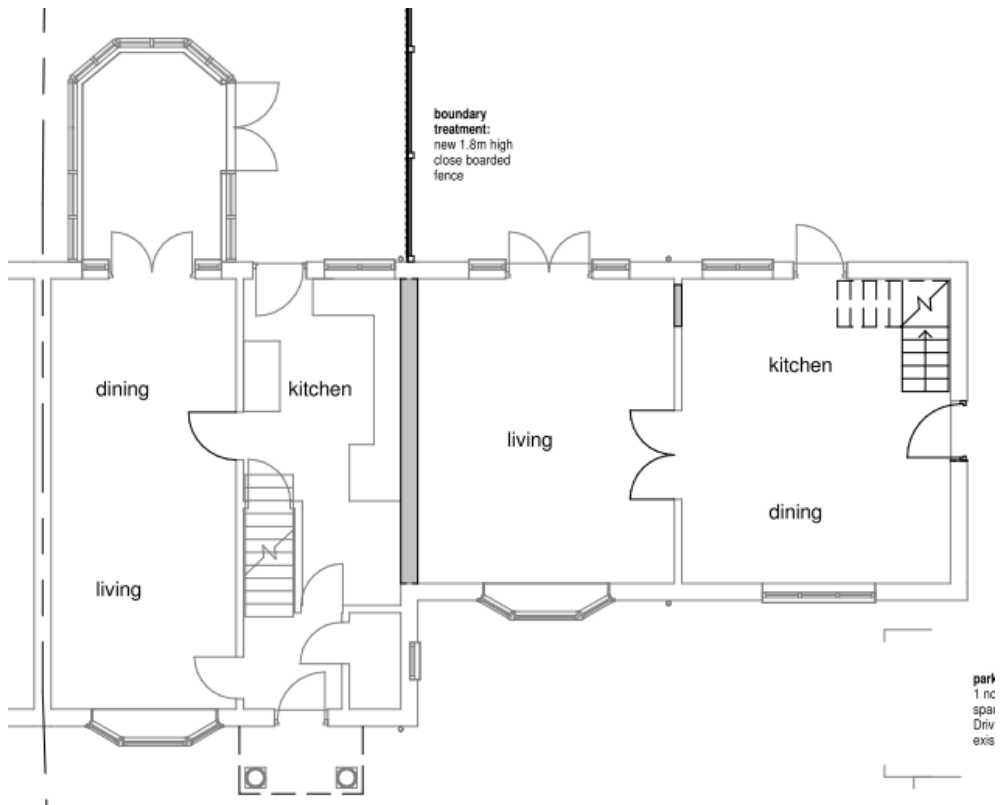




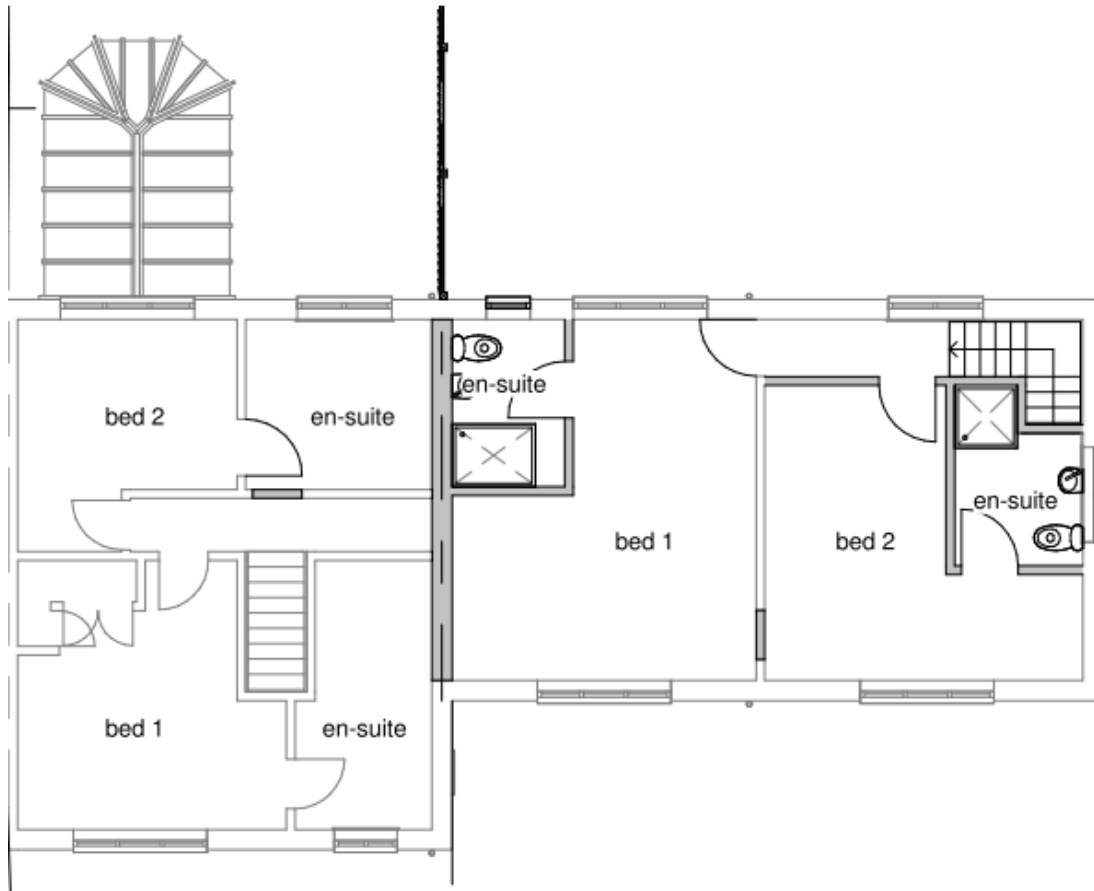
Proposed Block Plan



Proposed ground floor plan



Proposed first floor plan



Proposed front elevations



Proposed rear elevations



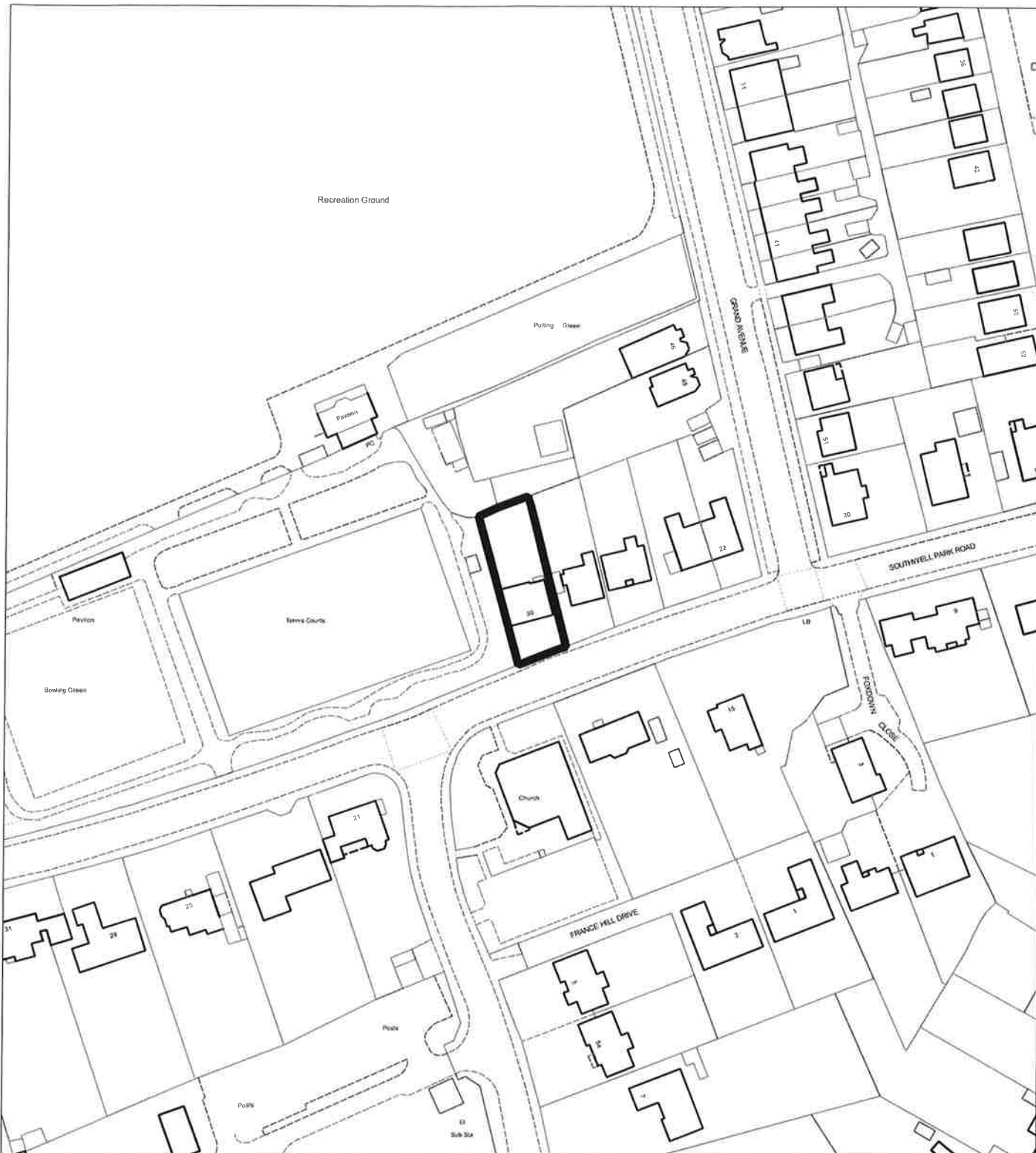
Proposed northern side elevation


w frames and sills - gloss paint finish



1 07.0 North elevation - as existing  
P103 1 : 100





<b>Title</b>	Planning Applications		<b>Page</b>	5 of 8
<b>Application number</b>	16/0172		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	THE MANOR, 30 SOUTHWELL PARK ROAD, CAMBERLEY, GU15 3QQ		<b>Date</b>	09-06-2016
<b>Proposal</b>	Variation of Condition 1 of planning permission SU/15/0494 to allow an increase in the number of children in attendance at the nursery school from 12 to 15.			
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**LOCATION:** THE MANOR, 30 SOUTHWELL PARK ROAD, CAMBERLEY, GU15 3QQ

**PROPOSAL:** Variation of Condition 1 of planning permission SU/15/0494 to allow an increase in the number of children in attendance at the nursery school from 12 to 15.

**TYPE:** Relaxation/Modification

**APPLICANT:** Mr & Mrs Sanderson  
Manor Montessori Nursery

**OFFICER:** Duncan Carty

**This application would normally be determined under delegated powers, however, it is being reported to the Planning Applications Committee at the request of Councillor McClafferty.**

## **1.0 SUMMARY**

- 1.1 The application relates to a mixed nursery/residential property within the settlement of Camberley. The proposal seeks consent for the variation of Condition 1 of planning permission SU/15/0474 to allow for an increase in the number of children attending the pre-school nursery from 12 to 15.
- 1.2 The report concludes that it has not been demonstrated that the increase in children from 12 to 15 can be accommodated without having an adverse impact on residential amenity. This is due to a lack of a noise survey relating to the rear garden and disturbance from traffic movements at dropping off/picking up times. The application is recommended for refusal.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is rectangular in shape and sits on a plot of approximately 430 square metres. The site benefits from an extended detached two-storey dwelling with roof space accommodation set back between 8 and 9 metres from the front boundary. In front of the building is a hard surfaced parking accommodating up to three vehicles. To the rear of the building is a garden area of approximately 180 square metres.
- 2.2 The application site directly adjoins another residential property to the east, London Road Recreation Ground and residential garden areas to the north. To the west the site adjoins tennis courts within the London Road Recreation Ground and to the south the site is bounded by the public highway.
- 2.3 The application site is lawfully in mixed use as a dwellinghouse (Class C3) and a nursery having been granted planning permission in January 2012 under SU/11/0794. An application to increase the number of children from 6 to 9 was implemented in May 2013 (SU/13/0200) and from 9 to 12 in July 20156 (under SU/15/0474).
- 2.4 It is noted that at the time of the site visit the nursery was underused with three children in attendance.

### **3.0 RELEVANT HISTORY**

- 3.1 SU/06/0591 - Change of Use of property to use as a child minders for up to 12 children

Refused 29/03/2007 for the following reasons:

*“The development proposed, by virtue of the intensification of the use of the site and in particular the garden area, will result in a level of noise and disturbance that will be detrimental to the residential amenities enjoyed by the occupants of the adjoining properties. Moreover the lack of on-site parking or a dropping off area for the users of the child-minders is likely to result in inconsiderate on street parking that would cause nuisance and disruption to other highway users. As such the proposal is contrary to Policy H15 of the Surrey Heath Local Plan 2000”.*

- 3.2 SU/11/0794 – Application for a Change of Use to allow for the mixed use of dwelling to allow part use as a nursery for up to 6 children.

Approved 18/01/2012.

- 3.3 SU/13/0200 - Variation of Condition 2(a) of planning permission SU/11/0794 to allow for an increase in the number of children in attendance at the nursery school to increase from 6 to 9 children.

Approved 20/05/2013.

- 3.4 SU/14/0333 - Variation of Condition 2(a) of planning permission SU/11/0794 to allow for an increase in the number of children in attendance at the nursery school from 9 to 12 (pursuant to SU/13/0200 which allowed the increase of children from 6 to 9).

Approved 09/06/14 for a temporary period to allow opportunity to assess the impacts of 12 children at this site for a limited 12 month period.

- 3.5 SU/15/0474 - Variation of Condition 2(a) of planning permission SU/11/0794 to allow for an increase in the number of children in attendance at the nursery school from 9 to 12 (pursuant to SU/13/0200 which allowed the increase of children from 6 to 9).

Approved 24/07/15

### **4.0 THE PROPOSAL**

- 4.1 The application seeks consent for the variation of Condition 1 of planning permission SU/15/0474 to allow for an increase in the number of children in attendance at the nursery school from 12 to 15.
- 4.2 The proposed increase in children will require an additional member of nursery staff, giving a total of five members of staff, one of whom is the householder. The application proposes the retention of the residential accommodation on the first floor and roof area. There are no changes proposed to the hours of attendance which are currently between 07:30 and 18:30 Monday to Friday with no attendance on Saturdays or Sundays, or Public Holidays.
- 4.3 The applicant has indicated in their planning statement that part of the rationale for the proposal is *“because of the continuing high (unmet) demand for nursery and childcare places in the locality, a situation that is verified by the Surrey County Council's Early Years Childcare Officer.”* The County Council *“wish the Manor Nursery to allocate more places to meet a particularly social need from low income families...In short, the Council has a statutory duty to ensure sufficiency of places for two year olds from families who meet the*

*criteria for funding...The predicted numbers from Camberley Town and local wards are high and existing early years' providers are being approached in order to develop additional places for two year olds."*

- 4.4 There have been noise surveys previously provided (with SU/14/0333) which assessed the noise levels that 12 children on the site would generate. The acoustic assessment was based on the sounds generated from the garden area, the activity within the building and the associated vehicle movements. Whilst a statement from an acoustic consultants has been provided with this application, a noise survey has not been provided for the new proposal.

## **5.0 CONSULTATION RESPONSES**

- |     |   |   |
|-----|---|---|
| 5.1 | County Highway Authority                            | No objection  |
| 5.2 | Environmental Officer                               | Raises concerns about increased noise levels from increased activity at the site.   |
| 5.3 | Surrey County Council Early Years Childcare Service | No objection – the proposal will provide places to accommodate the significant need that has been identified by the Department for Education. (DfE) |

## **6.0 REPRESENTATION**

At the time of the preparation of this report one representation of objection and one letter of support (making no specific comments) have been received. There have been 24 letters of support received, none making any specific comments. The representation of objection raises the following concerns:

- 6.1 Significant increase in noise and disturbance in the garden area [*See Paragraph 7.4*]
- 6.2 An increase in the level of traffic [*See Paragraph 7.5*]
- 6.3 Insufficient parking provision and highway safety concerns [*See Paragraph 7.5*]
- 6.4 Erosion of the residential character of the area [*See Paragraph 7.3*]
- 6.5 Impact on human rights [*Officer comment: See Page 2 of the Committee Agenda. There is considered to be no potential conflict with the Human Rights Act*]
- 6.6 Impact on environmental protection and statutory nuisance [*Officer comment: This would be a matter for separate Environmental Health legislation*]

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application site is located within the settlement area of Camberley as identified by the Surrey Heath Core Strategy and Development Management Policies 2012 and would be assessed under Policy DM9: Design Principles, DM11: Traffic Management and Highway Safety, DM13 Employment Development Outside Core Employment Areas and Camberley Town Centre and DM14: Community and Cultural Facilities of the Surrey Heath Core Strategy and Development Management Policies 2012 along with the principles contained

within the National Planning Policy Framework 2012. The National Planning Policy Framework (NPPF) is also a material consideration as is the associated Planning Practice Guidance (PPG).

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

- The principle of development;
- Impact of the development on the character area;
- Impact of the development on residential amenity;
- Impact of the development on parking and highway safety.

### **7.3 The principle of development**

7.3.1 Although the principle of development was established under SU/11/0794, the proposed increase in children from 12 to 15 is also assessed in respect of its impact on the employment development, as well as the provision of community and cultural facilities in the Borough. Policy DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 supports employment development on existing employment sites and this proposal would support economic development through the creation of employment.

7.3.2 Policy DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012 advises that improvements and enhancements to existing community and cultural facilities would be supported. The need for further childcare places in the local area has been set out by the applicant in their planning statement (see Paragraph 4.3 above). In addition the Surrey County Council Early Years Childcare Service support the proposal in helping address this local need by providing additional childcare places at the nursery.

7.3.3 It is considered that the proposal would enhance the community facility through the expansion of the nursery, and would support a local need for more childcare places, and this complies with Policies DM13 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

### **7.4 The impact of the development on the character area**

7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires development proposals to respect and enhance the local environment. Policy DM9 underpins the specific character measures set out within the Western Urban Area Character SPD 2012. The site falls within an "Edwardian Mosaic" character area as defined within the Western Urban Area Character SPD 2012, within which it is described as a residential area with community uses mixed throughout.

7.4.2 As set out in the Western Urban Area Character SPD 2012, properties in the Edwardian Mosaic Character Area offer a mixed character with some community uses in this vicinity. As Southwell Park Road is in close proximity to Camberley Town Centre, there are some properties also under a mixed use including a dentist (No.5), an accountant's office, a guest house (No. 17), a Child-minding business, a Solicitor's office, the recreation ground and a Church. The authorised use of the application property also includes the nursery use. However, the character of this road remains predominantly residential.

7.4.3 On the basis of the above considerations, it is considered that the proposal would comply, in this respect, with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the guidance contained within the Western Urban Area Character SPD 2012.

## **7.5 The impact of the development on residential amenity**

7.5.1 Policy DM9 of the Core Strategy advises that development will be acceptable where it provides sufficient private and public amenity space and respects the amenities of occupiers of neighbouring property and uses.

7.5.2 The application site is bounded to the eastern flank by the residential curtilage of No.28 Southwell Park Road and there are also residential curtilages beyond to the rear of the site fronting Grand Avenue and ancillary areas associated with the recreation ground. The nearest residential dwelling, 28 Southwell Park Road adjoins the application site to the east side and part of the rear. The properties to Grand Avenue are sited to the north located 37 metres at their closest points.

7.5.3 The supporting statement indicates that the rear garden is used for up to one hour in the mornings and one hour in the afternoons and, with some of the younger children requiring a sleep during the day, it is unlikely that 15 children would be using the garden area at the same time, and with a ratio of three children per member of staff, a maximum of 12 children could use the rear garden. Noise levels would be controlled to ensure that any sleeping children are not disturbed.

7.5.4 The supporting statement indicates that the children arrive in a staggered manner between 07:30 and 08:30 hours and collected up to 18:30 hours. Given that the site is within a sustainable area, with easy access to bus and train services, the statement indicates that in a recent survey, 60% (i.e. seven children) arrive by car. The applicant has indicated the availability of on-street parking in the area and public car parks (e.g. the town centre). However, it is inevitable that the proposal would lead to an increase in the level of activity from this activity.

7.5.5 The acoustic consultant has indicated that the level of disturbance resulting from the proposal would be so low as to not be perceivable by adjoining residents. However, the activity within the rear garden (including the number of children using the area and the timing for that use) and the extra transport movements (generated by the proposal) would not be controllable by condition.

7.5.6 In addition, a noise survey report (to reflect the current proposal) has not been provided to support this application and therefore the actual impact cannot be fully assessed. The Environmental Health Officer has raised concerns about the increased noise levels from increased activity at the site. The statement indicates that for the activity in the rear garden, an increase of no more than 1 decibel would occur but the Environmental Health Officer suggests it could be much higher. He has also requested that a noise survey report would be required to properly assess the likely impact.

7.5.7 It is therefore considered that it has not been demonstrated that there would not be a significantly harmful impact to the amenity enjoyed by the occupiers of adjoining residential properties. The proposal is therefore considered to fail to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **7.6 The impact on parking and highway safety**

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

7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

7.6.3 The County Highway Authority has again reviewed this current proposal and again raises no objection to the proposal. The proposed development therefore complies with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## **8.0 CONCLUSION**

7.7.1 The need for child places for childcare for the local area and that the proposal would assist in meeting this unmet demand is acknowledged. In addition, there are no objections to the proposal on character and highway safety grounds. However, the proposal will intensify the use of the premises and it has not been demonstrated that this increase in activity can be accommodated without detriment to residential amenity. As such, the application is recommended for refusal on this ground.

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

9.1 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.

## **RECOMMENDATION**

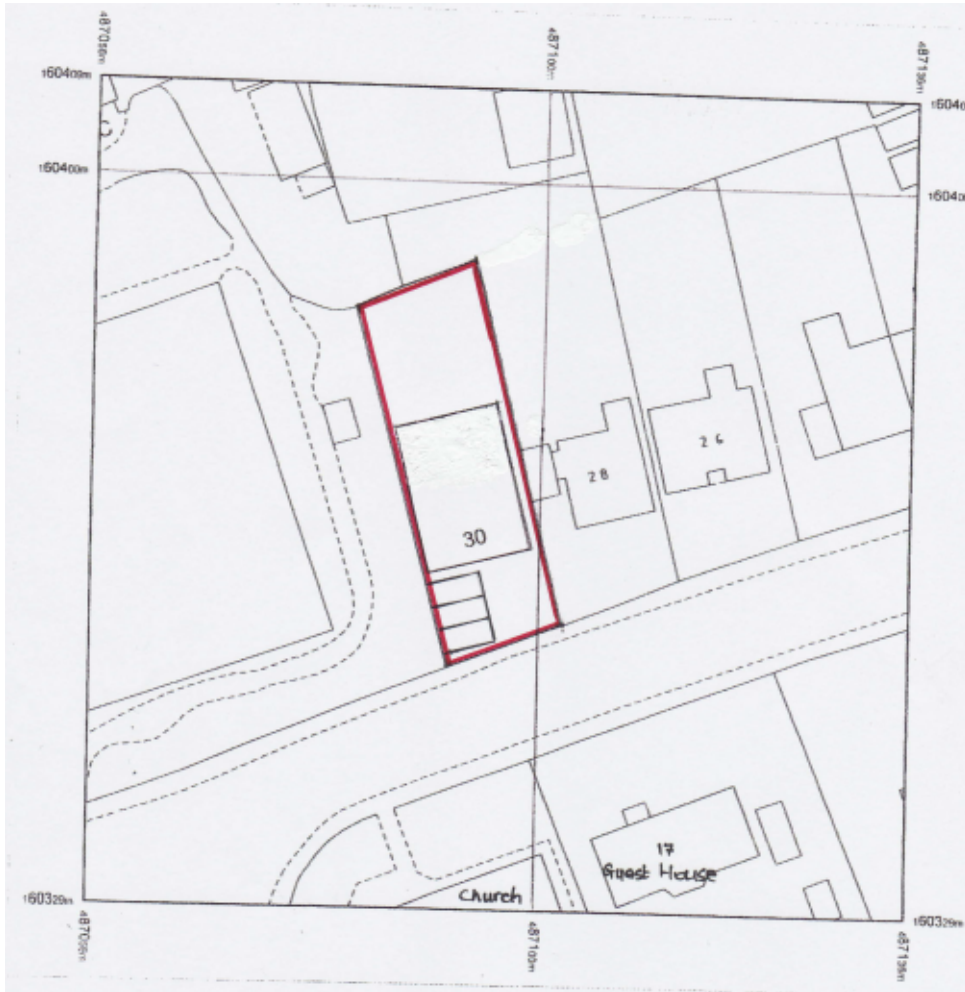
REFUSE for the following reason(s):-

1. It has not been demonstrated that the intensification of the use of the site, in particular the noise generated within the garden area, that would result from this proposal could be accommodated without detriment to the residential amenities of the occupiers of adjoining residential properties. Moreover, the proposal would result in an intensification of the movement of traffic which would cause disturbance, be unneighbourly and harmful to the residential amenities of the adjoining residential properties. As such, the proposal would fail to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

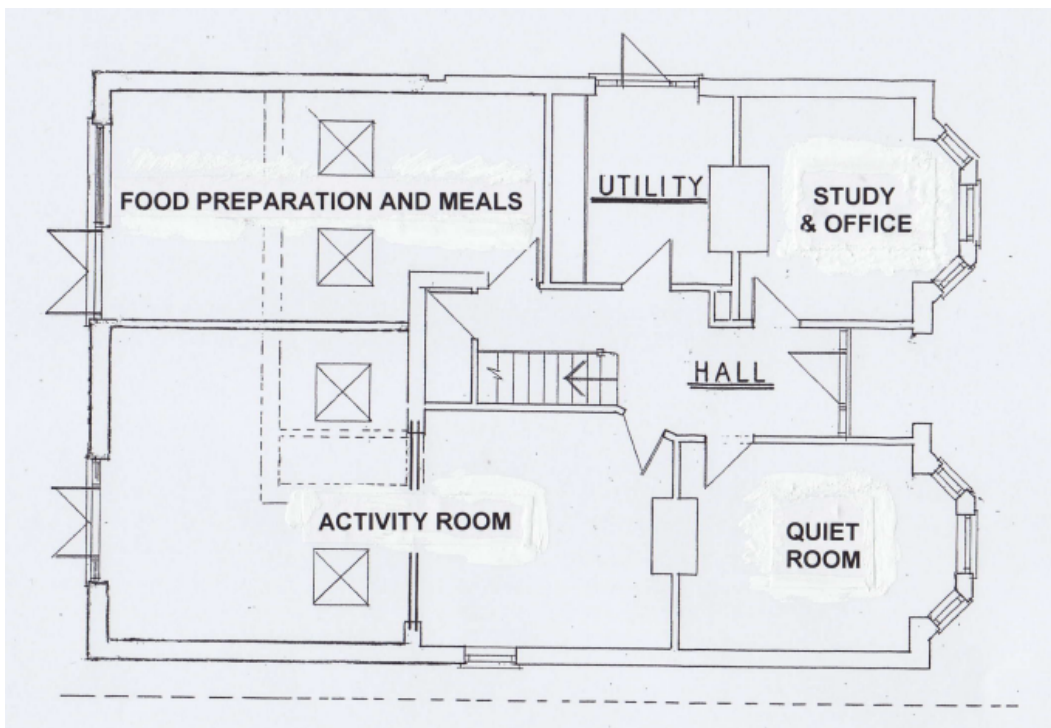




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Ground floor layout



16/0172 – THE MANOR, 30 SOUTHWELL PARK ROAD, CAMBERLEY

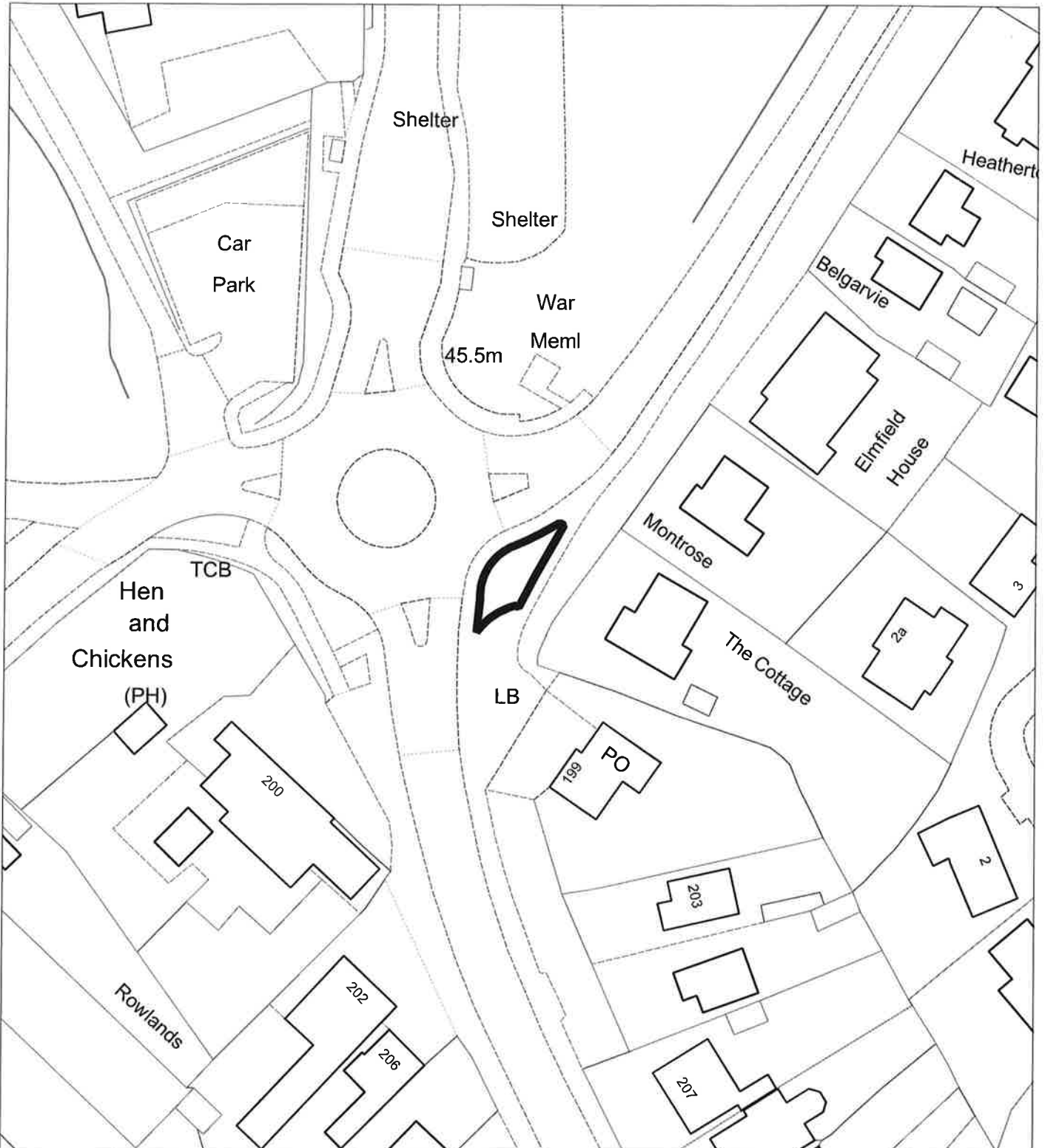
From Southwell Park Road




Rear garden







<b>Title</b>	Planning Applications		<b>Page</b>	6 of 8
<b>Application number</b>	16/0162		<b>Scale @ A4</b>	1:750
<b>Address</b>	HIGHWAY VERGE WEST OF THE COTTAGE, CHURCH LANE, BISLEY, WOKING		<b>Date</b>	09-06-2016
<b>Proposal</b>	Advertisement Consent to display a notice board to display Parish and Borough Council Agenda's and Notices. (Non illuminated).			
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**LOCATION:** HIGHWAY VERGE WEST OF THE COTTAGE, CHURCH LANE, BISLEY, WOKING

**PROPOSAL:** Advertisement Consent to display a notice board to display Parish and Borough Council Agenda's and Notices. (Non illuminated).

**TYPE:** Advert - (Non-Illuminated)

**APPLICANT:** Mrs Jill Biden  
Bisley Parish Council

**OFFICER:** Sadaf Malik

This application would normally be determined under the Council's Scheme of Delegation, however, it is being reported to the Planning Applications Committee at the request of Cllr Mansfield.

**RECOMMENDATION: GRANT subject to conditions**

### 1.0 SUMMARY

- 1.1 The application seeks planning permission for an advertisement consent to display a notice board to display Parish and Borough Council agendas (non-illuminated). The report concludes that the proposed advertisement would not be harmful to the character of the area, residential amenities and the highway. The scale and purpose is appropriate and the chosen location is along a pedestrian node therefore this would make it visible to pedestrians and serve its purpose as an informative notice board. The application is therefore recommended for approval.

### 2.0 SITE DESCRIPTION

- 2.1 The application site is a highway verge grassed area at the junction of Guildford Road (A322) and in-between Church Lane, adjacent to the southeast corner of the mini-roundabout. The grassed area is in front of The Cottage. To the south of The Cottage is the Post Office/Sainsburys Local.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 None, relevant to the current proposal.

### 4.0 THE PROPOSAL

- 4.1 This application seeks advertisement consent to display a notice board for the display Parish and Borough council agendas and notices (non – illuminated). The advertisement would be located on a grass verge in front of The Cottage.



4.2 The non-illuminated sign would be a lockable two bay landscape post with a notice board which would have a height of 2.6m, a width of 1.6m and a depth of 0.052m. The height from ground base level would be 0.6m. The colour of the text would be gold and the background colour would be night blue. The text would have a maximum height of 0.05m. The lockable two bay landscape posts would be made of aluminium and the notice board would be made out of polycarbonate glazing.

4.3 Following the objections raised to the proposed locality, officers met with the applicant on site to discuss the reasons why the proposed location had been chosen and why other sites had been discounted. The applicant followed up this site visit with a written response, summarised below:

1) The previous location was considered. The view of the Parish Council was that it needed to be in the vicinity of the Sainsbury's Local and the Post Office but that the previous location was unsuitable and not safe for the noticeboard or for residents to view with vehicles parking and reversing into spaces and their bumpers or tailgates overhanging the verge. Moreover, the car park land is part managed by Sainsburys and designated highway and so there may be ownership issues to overcome and any changes to Sainsburys parking layout may need a planning application.

2) Locations on the opposite side of the Guildford Road were considered but discounted as the footfall at these locations was too small and therefore siting the noticeboard here would not benefit the residents that wanted to view what was on the noticeboard.

3) Locations near to the clock and war memorial on the Village Green were discounted for the same reasons as in 2 above.

4) The corner of the verge at the front of the car park turning the noticeboard through 45 degrees but discounted as there are a couple of utility posts at this location and there is still the possibility that parking/reversing vehicles with overhanging bumpers/tailgates could change the noticeboard

5) The location behind the cycle rack further back in the car park towards the post office was considered but discounted as there is insufficient room for access to read the noticeboard by residents with children in prams and buggies nor for residents in wheelchairs and, moreover it would block a signed fire exit.

6) Locations on the opposite side of the car park were also considered and discounted. Again there is no footpath and it is understood that there may be a number of utilities' boxes located here. The totem sign for the Sainsbury's Local, at the front of the car park on this side, is illuminated.

## **5.0 CONSULTATION RESPONSES**

5.1 Surrey County Highway Authority No objection, subject to informative.

## **6.0 REPRESENTATION**

6.1 At the time of writing this report three letters has been received which object to the proposal.

6.2 The objections are summarised below:

The impact on the character of the area.

The position of the sign does not have to be in a prominent location and could be relocated to the Sainsbury carpark with all other signage.

*[Officers comment: Please see paragraph 4.1]*

The sign would impact on the character of Clock House.

*[Officers comment: Please see paragraph 7.3.5]*

The neighbours are concerned about the obstruction caused to their drive access by pedestrians when viewing the notice board.

*[Officers comment: Please see paragraph 7.4.2 and 7.5]*

The congregations of people viewing the notice board will cause issues of privacy.

*[Officers comment: Please see paragraph 7.4.2]*

Impact on safety.

The position of the sign could cause obstruction by blocking views and could causes safety issues, as oncoming traffic and congregating pedestrians would cause a potential accident.

*[Officer comment: Please see paragraph 7.4.2]*

## **7.0 PLANNING CONSIDERATIONS**

7.1 The proposal is considered against the National Planning Policy Framework (NPPF) para 67, Policies DM9 (Design Principles) and DM11 (Traffic management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) and they are relevant to the consideration of this planning application. Policy DM9 provides general design guidance and requires proposals to be mindful of their setting and context. Policy DM11 requires applications not to impact on the free flow of traffic or highway safety.

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

- Impact on the character of the area;
- Impact on residential amenities; and,
- Impact on highway safety.

### **7.3 Impact on the character of the area.**

7.3.1 Paragraph 67 of the National Planning Policy Framework advises that poorly placed advertisements can have a negative impact upon the character and appearance of the built and natural environment. This paragraph also advises that only those advertisements which will have an appreciable impact upon a building or their surroundings should be subject to the local planning authority's detailed assessment.

- 7.3.2 The National Planning Policy Framework promotes high quality standards with the objective to achieve sustainable development. Design Principles Policy DM9 of the CSDMP 2012 is reflective of the NPPF and seeks high quality design that respects and enhances the character of the area with consideration of scale, materials, massing, bulk and density.
- 7.3.4 The proposed notice board sign would be seen by any pedestrians and car users who turn on the mini roundabout and turn into Church Lane and Guildford Road. The 2.6m height of the notice board would be highly visible within the street scene thus effectively serving its purpose. However, the scale, proportions, design, materials and colours of the noticeboard and the posts are considered to be appropriate and would not dominate the appearance of the area or appear out of keeping.
- 7.3.5 Whilst the addition of a notice board to the street scene will add to the existing extensive street furniture in the locality, it is considered that this proposal would not result in visual clutter that would be harmful to the character of the area. Neither would the board conflict with the residential character of the neighbouring dwellings or the wider area being located 13m from the front elevation of Clock House and close by to the commercial premises of Sainsburys.
- 7.3.6 In light of the assessment above the proposal is considered to be acceptable and compliant with the aims and objectives of Policy DM9 of the CSDMP 2012 and the NPPF.

#### **7.4 Impact on residential amenity**

- 7.4.1 The NPPF sets out a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 ensures that any new proposals respect the amenities of the occupiers of the neighbouring properties and uses.
- 7.4.2 The nearest neighbour to the proposal would be Clock House. The proposal would have a 7.7m separation distance to the front boundary treatment of Clock House and a total 13m separation distance to the front elevation of Clock House. The size of the sign combined with the separation distances would ensure that the sign is not an obtrusive addition. It would not cause an adverse loss of outlook; have overbearing effects or conflict with views when residents drive in and out of their driveways. Residents express concerns over a potential loss of privacy due to people congregating to view the sign, however, given the distances away from the nearest properties and given that in practice this sign is unlikely to attract crowds of people there is considered to be no adverse loss of privacy to residents.
- 7.4.3 The proposed development is considered a sufficient distance from all other neighbouring properties as to not give rise to any harm. The proposal is therefore considered to be acceptable in terms of Policy DM9 and the NPPF.

#### **7.5 Impact of the highway**

- 7.5.1 Policy DM11 encourages the provision of safe and high quality design particularly when considering vehicle access, egress and layouts which considers the needs and accessibility of all highway users as well as cyclists and pedestrians.

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

*'It is not considered that the proposed position of the notice board will obstruct visibility onto the public highway for vehicles entering and leaving the Clock House. There is good visibility for vehicles using this access to see pedestrians standing at the notice board and equally good visibility for pedestrians to see a vehicle approaching and sufficient room for them to stand on the footways either side of the notice board should they need to allow a vehicle to pass. Vehicles using the access to the Clock House already have to cross a footway to gain access to Guildford Road and are therefore already very aware of their presence and will be travelling at a very slow speed. It is therefore considered by the Highway Authority that the positioning of the notice board will not have a detrimental impact on the public highway.'*

7.5.3 Moreover, given the alternatives considered by the applicant and discounted (see paragraph 4.3 above) it is considered that due consideration has been given to highway impacts in seeking to find the best location. The proposed development would not conflict with the aims of Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## **7.6 Other matters**

7.6.1 The proposal is not CIL liable.

## **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 by providing feedback through the validation process including information on the website, correcting identified problems and ensuring the application was correct and could be registered.

## **9.0 CONCLUSION**

9.1. The proposal is considered acceptable to the character of the area. The proposal is not considered to adversely impact on residential amenity. The proposal would not have any material impact on the safety and operation of the adjoining public highway. Accordingly the application is recommended for approval.

## **10.0 RECOMMENDATION**

GRANT consent subject to the following conditions:-

1. This consent shall be limited to a five year period from the date of the permission, when the advertisement hereby permitted shall be removed and the land reinstated to its former condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. (a) Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- (b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- (c) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- (d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

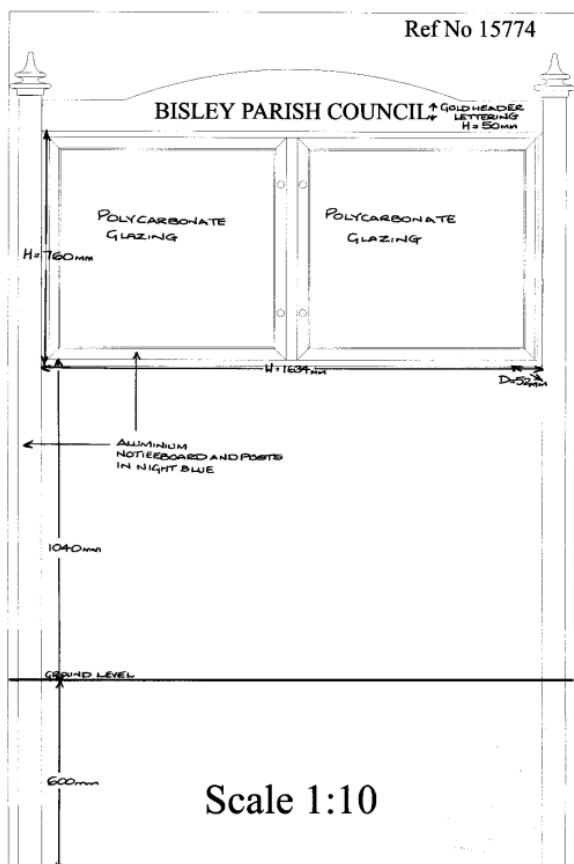
Reason: To comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework.

#### Informative(s)

1. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.



Proposed Site Plan



Proposed Elevations



The grassed area of the highway verge at the junction of Guildford Road with Church Lane.



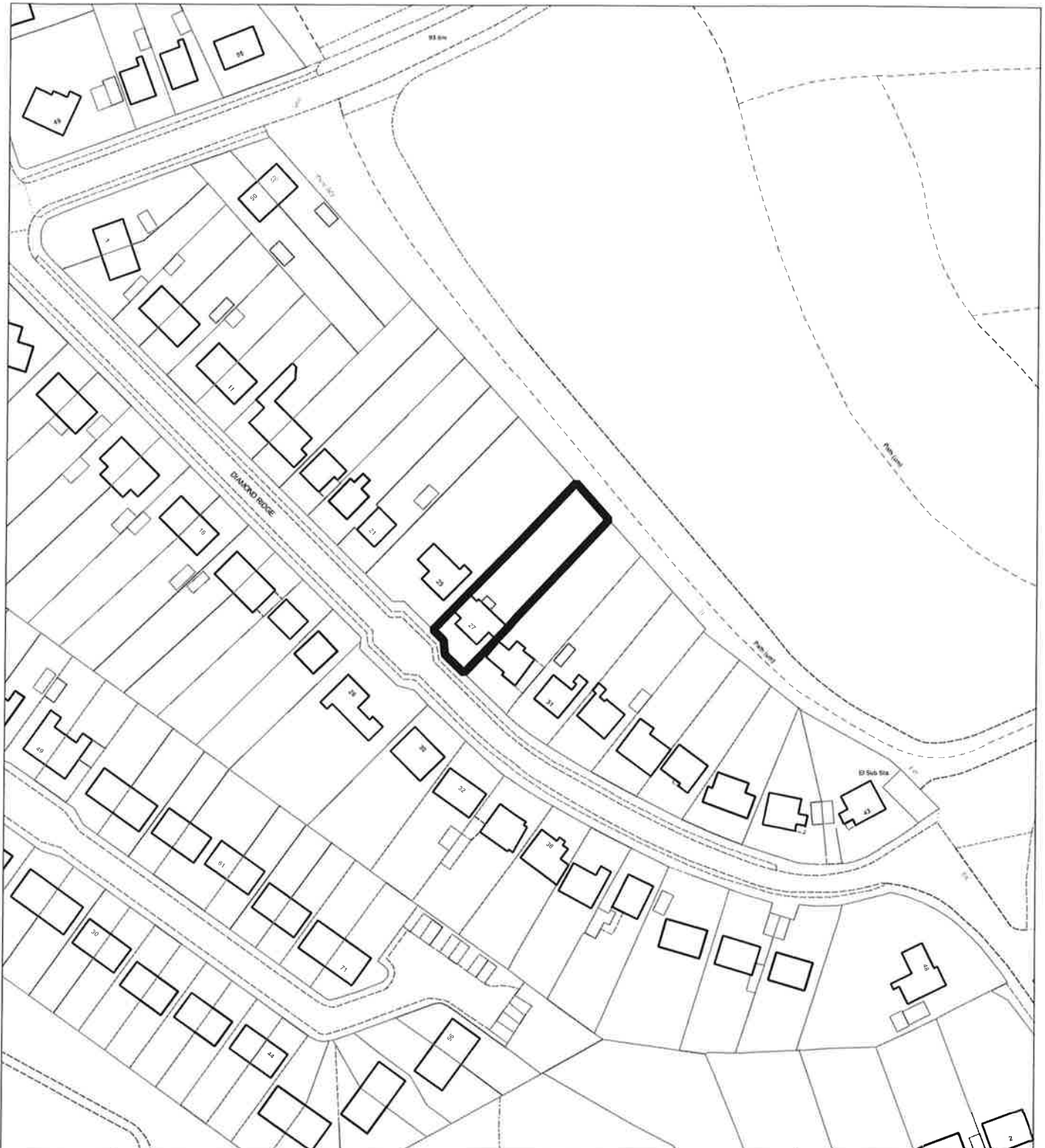
View from the War Memorial along Church Lane of the proposed location where the notice board would be located.





View from Guildford Road of the proposed location.

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<b>Title</b>	Planning Applications		<b>Page</b>	7 of 8
<b>Application number</b>	16/0365		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	27 DIAMOND RIDGE, CAMBERLEY, GU15 4LB		<b>Date</b>	09-06-2016
<b>Proposal</b>	Variation of condition 3 of approval 15/0686 (two storey and single storey rear extensions) to enable minor material amendments including an increase in the size of the bedroom window on the northwest first floor side elevation and addition of obscure			
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**LOCATION:** 27 DIAMOND RIDGE, CAMBERLEY, GU15 4LB  
**PROPOSAL:** Variation of condition 3 of approval 15/0686 (two storey and single storey rear extensions) to enable minor material amendments including an increase in the size of the bedroom window on the northwest first floor side elevation and addition of obscure glazing film. (Amended plan recv'd 4/5/16)  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr & Mrs Corbett  
**OFFICER:** Jonathan Partington

**The application would normally be determined under the Council's Scheme of Delegation, however, at the request of the Executive Head of Regulatory it is being reported to the Planning Applications Committee for determination.**

**RECOMMENDATION: GRANT subject to conditions**

## **1.0 SUMMARY**

- 1.1 The application seeks retrospective permission for minor material amendments to the bedroom window on the first floor side elevation permitted under 15/0686. The amendments including an increase in the size of the window and addition of obscure film cause no adverse impact to residential amenities, namely no serious overlooking or loss of privacy for the owner/occupiers of no.25. The application is therefore recommended for approval subject to conditions.

## **2.0 SITE DESCRIPTION**

- 1.1 The site is situated in a residential area of Camberley, within the Post War Council Estate Character Area, as defined in the Western Urban Area Character Supplementary Planning Document 2012 (WUAC SPD). The property is located on the eastern side of Diamond Ridge and is detached two storey dwelling with a hipped roof and single storey side garage and off-street parking.
- 1.2 The road is on a gradient and the application site is on a slightly higher level in relation to the adjoining dwelling to the north no.25. The separation distance between the main side elevation walls of no. 25 and 27 is approximately 5.8 metres. No. 25's side elevation has 2 ground floor windows and clear glazed stable door serving the kitchen/diner plus 1 window serving the downstairs toilet; and, on the first floor a total of 3 windows serving a utility room, landing and bathroom respectively. This neighbour also has a side patio area.

### 3.0 RELEVANT HISTORY

3.1 15/0686 Erection of two storey and single storey rear extensions

*Granted 22/9/2015. Condition 3 of this consent listed the drawing numbers. This consent has been implemented.*

### 4.0 THE PROPOSAL

- 4.1 This is a Section 73 application for the variation of condition 3 of approval 15/0686 to enable minor material amendments including an increase in the size of the bedroom window on the northwest first floor side elevation and addition of obscure glazing film. This is a retrospective application.
- 4.2 The approved plans for 15/0686 showed a side elevation bedroom window with a size of approximately 1.2 m width by 1.1 m height. By comparison the window as inserted has an enlarged width i.e. approximately 1.6 m width by 1.1 m height. In addition, the positioning of the window panes and design of the window has changed.
- 4.3 The approved plans did not verify whether it would be obscure glazed. The window as inserted is not obscure glazed but film has subsequently been added to the lower part of the window. Given that the window serves a bedroom it is a fire escape requirement of building regulations that the window is openable. The window therefore has a right sided (as viewed from outside) casement i.e. side hinged pane that swings outwards towards the front of the property and with an open view to the rear. The remainder of the window is top opening only.

### 5.0 CONSULTATION RESPONSES

5.1 Surrey County Highways No requirements to make.

### 6.0 REPRESENTATIONS

6.1 At the time of writing one letter of objection has been received from the immediate neighbour at no. 25 Diamond Ridge, summarised below:

- Object to increase in the size of the first floor side elevation window and increased overlooking and loss of privacy. The increased area of glazing and no. 27 being on higher land gives a greater angle of view into the neighbour's rooms.

*[Officer comment: See paragraph 7.2.3]*

- The rooms seriously impacted upon include the kitchen/diner (which has 2 windows and a clear glazed stable door) and downstairs toilet; and, on the first floor a frequently used utility room, a bathroom and landing with views across to a bedroom. There has also been a loss of privacy to the private side patio area.

*[Officer comment: See paragraphs 7.2.4 and 7.2.5]*

- Object to use of an obscure film of the first floor side elevation window. This film is to an unknown and unprescribed degree, with transparent borders still enabling overlooking covertly. It is no substitute for permanent glazing and would need to be replaced due to degradation/peeling. Any condition to maintain it would not be enforceable.

*[Officer comment: See paragraphs 7.2.6 -7.2.8]*

- Object to change in fenestration and design of the first floor side elevation window. There is now a large side opening out and overlooking the neighbour's rooms, patio and garden meaning that privacy cannot be protected by obscure glazing alone. The window should be hinged in the opposite direction to lessen intrusion of views, consistent with advice in Surrey Heath's design guidance (para. 4.1.7 of Supplementary Planning Guidance: Residential Development in Settlement Areas – Development Control Guidelines October 2002).

*[Officer comment: See paragraph 7.2.9. This design guidance is a historical document written to support the superseded Surrey Heath Local Plan 2000, since replaced by the Core Strategy and Development Management Policies Document 2012. This guidance therefore carries significantly less weight but is still available on the Council's website as it contains useful design and amenity principles]*

- The inserted ground floor side elevation window is not in accordance with the approved plans or this submission's plans. It is higher and therefore causes greater overlooking, particularly to the kitchen. The bottom sill of the window appeared above the existing fence and so further trellising has been added to the fence. This window should be obscure glazed or repositioned to the originally approved height.

*[Officer comment: Following officer requests the agent has checked this and confirmed that the window has been positioned correctly with the height from ground floor and damp course level as shown on the approved plans]*

- The approved window contravenes adopted policy and Government guidelines and the degree of intrusion is a contravention of Article 8 of the Human Rights Act.

*[Officer comment: See the Human Rights Statement on page 2 of this agenda. There is considered to be no conflict with the Human Rights Act]*

## **7.0 PLANNING CONSIDERATION**

- 7.1 The National Planning Policy Framework (NPPF) and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) are relevant. Guiding principles within the Western Urban Area Character SPD 2012 (WUAC SPD) also apply.



7.1.2 By way of background, planning approval 15/0686 was deemed acceptable for the following reasons:

- The development would not be an incongruous addition to the host dwelling, not be visible from street scene and not be harmful to the character of the area.
- No adverse overbearing or overshadowing effects for the immediate neighbour's at nos. 25 and 29. For no. 25 due to the side separation distance of 2.7 metres to the boundary and a further 3.1 metres to the neighbouring dwelling house
- No adverse loss of privacy levels for neighbours. In respect of no.25 the proposed ground floor side window serving the kitchen would not result in significant overlooking, due to the separation distance to the side boundary and fencing boundary treatment
- The officer's report considered the proposed bedroom window in the first floor side elevation facing no.25 to be permitted development i.e. any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be:
  - (i) obscure-glazed, and
  - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

7.1.3 However, the approved plans did not annotate the first floor bedroom window to verify it as permitted development, and no condition or informative was added to the decision notice. Consequently, the applicant commenced works in good faith by working to the approved plans and inserting a window, but not in compliance with this permitted development criteria. As explained in section 3 of this report the inserted window is not obscure-glazed (although the applicant has subsequently added the film) and is full height opening. In addition, the window is larger than shown on the approved plans and the panes are a different design.

7.1.4 This application therefore seeks to regularise these changes and so the main issue to consider with this application is the impact of this window on the residential amenities of the immediate facing neighbours i.e. no. 25 Diamond Ridge.

## **7.2 Impact on residential amenities**

7.2.1 Paragraph 17 of the NPPF lists core planning principles to underpin decision-taking. This includes the need to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (iii) of the CSDMP also requires developments to respect the amenities of occupiers of neighbouring property and uses.

7.2.2 The objector's concerns summarised at section 4 of this report concentrate on loss of privacy and overlooking of their side rooms and patio area, in relation to: (1) the increased size of the window; (2) the effectiveness of the obscure film; and, (3) the design of the openings. Each of these points will be considered below. The officer's site inspection included viewing from both within the neighbour's rooms affected, outside space, and the applicant's bedroom.

(1) The increased size of the window

- 7.2.3 The increase in the width of the window, by approximately 40 cm, inevitably adds to the perceived impact for the neighbours upon their privacy levels as it can be seen from all of their immediate rooms affected. However, the actual impact needs to be considered. On the ground floor the neighbour's rooms affected include a kitchen/diner (which has 2 windows and a clear glazed stable door) and downstairs toilet; and, on the first floor the immediate rooms affected include a utility room, a bathroom and landing. Of these rooms the bathroom is obscure glazed with latticing and it is considered that only the kitchen/diner is a principal habitable room. Even from standing in this kitchen/dining area it was difficult to gain full view of the window unless peering over a kitchen worktop. Given, therefore, the nature of these rooms, and given the separation distances between the dwellings of almost 6 metres it is considered that the actual impact is not sufficiently harmful to warrant refusal.
- 7.2.4 The neighbour also claims that a bedroom is affected but this is further within the neighbour's house and so in the officer's opinion there is even less of an impact on this room. Whilst the neighbour's complain that their patio area is overlooked, the patio area is in fact not visible from standing within the applicant's bedroom. Even peering out of the window it is not possible to see the patio and this is because of the angle of sight and the presence of the garage. In this respect, the larger window therefore makes no difference.
- 7.2.5 It should be further noted that permitted development rights do not restrict the size of a first floor side window. Hence, there would be nothing to preclude a significantly larger window being inserted in the side elevation if it was obscurely glazed and top opening only.

(2) The effectiveness of the obscure film

- 7.2.6 From viewing within the applicant's bedroom the obscure film was highly effective. The neighbour is concerned that the film's transparent borders still enable covert overlooking. However, this was not the case when inspected. The potential peeling and degradation of the film, and its permanence compared to actual obscure glazing, is a reasonable concern. Nevertheless, it is considered that a suitably robust condition can be imposed that requires film to remain in perpetuity and if this degrades to be replaced. In the officer's opinion such a condition would be enforceable.
- 7.2.7 The applicant has confirmed the manufacturer's details for the inserted film and this would be included in the condition. Typically manufacturers grade obscure glass from 1 -5 with grade 1 being the most transparent and affording the least privacy. The solution used by the applicant has been graded 4 by the manufacturers for two-way privacy. To ensure high privacy levels it is therefore considered that any replacement film (or glazing) under the terms of the condition must be at a minimum privacy level of 3-5 (such a stipulation would be consistent with permitted development requirements), with details submitted to the Planning Authority for approval prior to works.
- 7.2.8 In considering the reasonableness and necessity of this condition, this also has to be balanced with the fact that the applicant could still resort back to the original permission. Moreover, obscuring a bedroom window, when this is the only source of light and when this is a habitable room, is a far from ideal situation for the applicant.

(3) The design of the openings

- 7.2.9 The opened casement window does provide an open view area to the rear of the neighbour's property. Whilst this impact is not considered to be significantly adverse and only a part of the garden is visible, nevertheless, to ameliorate perceived harm it would be preferable for the window to open in the opposite direction. Whilst the window has to be openable to comply with building regulations, the applicant is, in principle, willing to switch

the hinge on the window to the opposite side. Efforts have already been made by the applicant to check the feasibility of this with the original window supplier. However, the original supplier is not prepared to change the fitting and another local window company has also advised against this. Any further updates on this will be provided at the meeting. The applicant has also advised that the only time there was need for this window to be open was to air the room following plastering and decoration. Moreover, on a regular/ daily basis only the top opener is used and there is also a bed in front of the window which prevents anyone from standing in front of it to gaze out.

## **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.

## **9.0 CONCLUSION**

- 9.1 In the officer's opinion the enlarged window, the obscure film and the design of the openings do not adversely impact upon the amenities of the occupants of no.25, subject to conditions. On this basis the application is recommended for approval.

## **10.0 RECOMMENDATION**

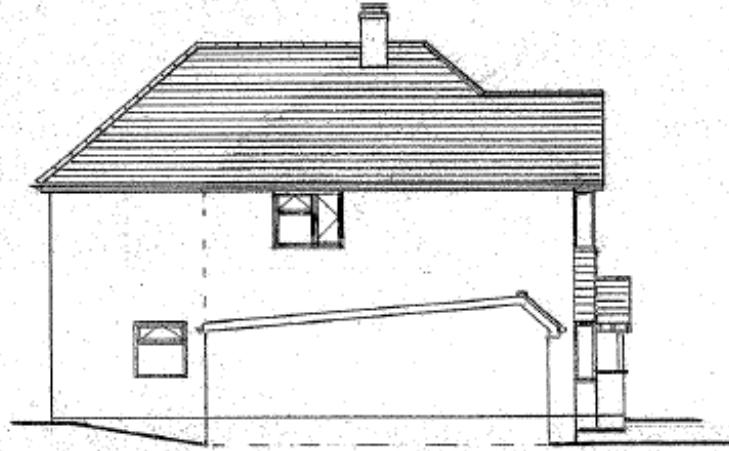
GRANT subject to the following conditions:-

1. There shall be no variation from the following approved plans: CORBETT 3 unless the prior written approval has been obtained from the Local Planning Authority.

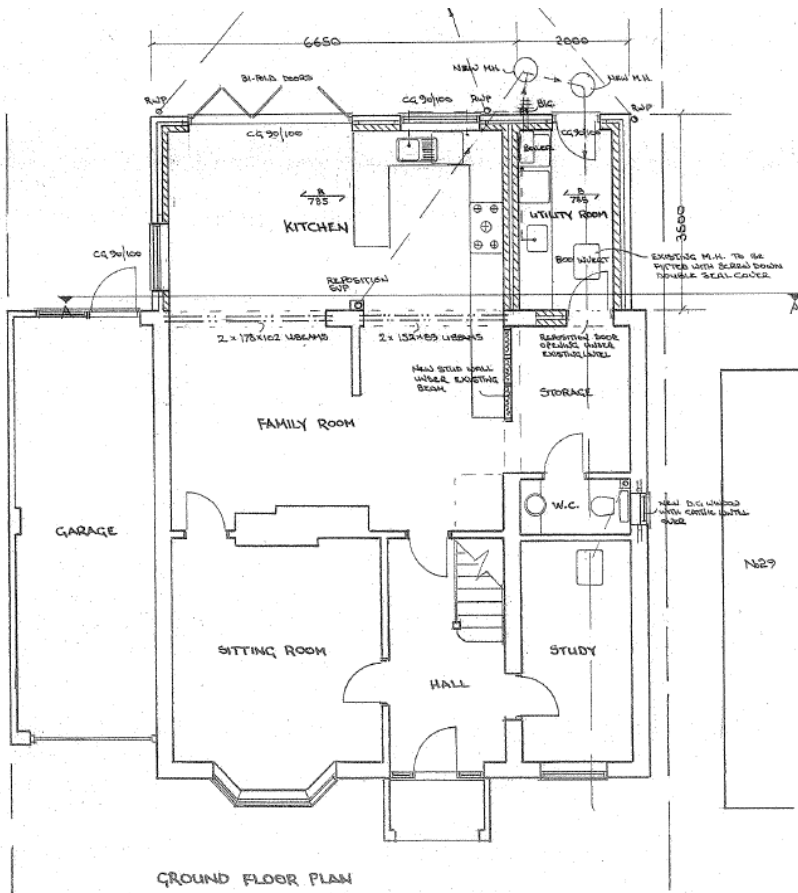
Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

2. The obscure film (with a two-way privacy rate of 4 by Frostbite WFC by the Window Film Company UK Ltd) inserted on the side elevation bedroom window shall be retained in perpetuity, or any equivalent replacement film or obscure glazing with a privacy rating 3-5. Details of any replacement film or glazing shall be submitted to and approved in writing by the Planning Authority prior to insertion. In the event that inserted film degrades or becomes damaged then it shall be replaced immediately.

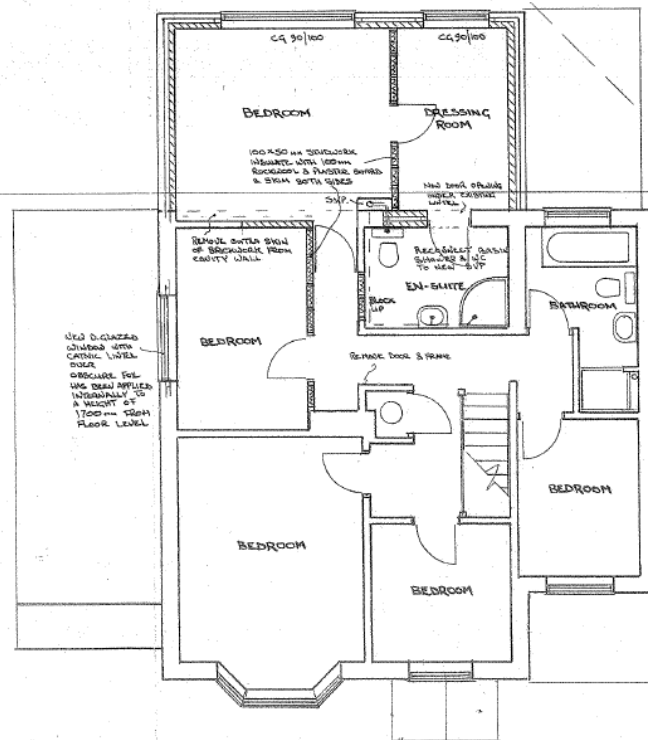
Reason: In the interests of the privacy levels of the owner/occupiers of no.25 Diamond Ridge and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.



SIDE ELEVATION N-WEST



GROUND FLOOR PLAN



FIRST FLOOR PLAN

The obscure film and view towards no.25



View towards no 25 with the casement window open



View towards the rear of nos.25 and 27 with the casement window open



View towards no. 27 from standing within no. 25's kitchen/diner



View towards no. 27's bedroom window from no.25's first floor utility room



View towards no. 27 from no.25's first floor bathroom





**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:

<b>A1. Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
<b>A2. Financial &amp; professional Services</b>	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
<b>A3. Restaurants and Cafes</b>	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
<b>A4. Drinking Establishments</b>	Public houses, wine bars or other drinking establishments (but not nightclubs).
<b>A5. Hot Food Takeaways</b>	For the sale of hot food consumption off the premises.
<b>B1. Business</b>	Offices, research and development, light industry appropriate to a residential area.
<b>B2. General Industrial</b>	Use for the carrying on of an industrial process other than one falling within class B1 above.
<b>B8. Storage or Distribution</b>	Use for the storage or as a distribution centre including open air storage.
<b>C1. Hotels</b>	Hotels, board and guest houses where, in each case no significant element of care is provided.
<b>C2. Residential Institutions</b>	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
<b>C2A. Secure Residential Institutions</b>	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.
<b>C3. Dwelling houses</b>	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.
<b>C4. Houses in Multiple Occupation</b>	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.
<b>D1. Non-residential Institutions</b>	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.
<b>D2. Assembly &amp; Leisure</b>	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).
<b>Sui Generis</b>	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.