



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

Tuesday, 28 February 2017

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), David Mansfield (Vice Chairman), Richard Brooks, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Jonathan Lytle, 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, 9 March 2017 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

	<b>Pages</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>3 - 20</b>

To confirm and sign the non-exempt minutes of the meeting held on 9 February 2017.

### **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: 16/1123 - Flexlands, Station Road, Chobham</b>	<b>21 - 52</b>
<b>5</b>	<b>Application Number: 16/1114 - The Cottage, Hatton Hill, Windlesham, GU20 6AB</b>	<b>53 - 72</b>
<b>6</b>	<b>Princess Royal Barracks</b>	<b>73 - 76</b>
<b>7</b>	<b>Exclusion of Press and Public</b>	

**The Planning Applications Committee is advised to RESOLVE that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act, as set out below:**

	<b>Item</b>	<b>Paragraph(s)</b>	
	<b>8</b>	<b>3</b>	
<b>8</b>	<b>Exempt Minute - PRB Deepcut</b>		<b>77 - 78</b>

### **Glossary**

**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 9 February 2017**

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

+ Cllr Richard Brooks	+ Cllr Adrian Page
+ Cllr Nick Chambers	- Cllr Robin Perry
+ Cllr Mrs Vivienne Chapman	+ Cllr Ian Sams
- Cllr Colin Dougan	+ Cllr Conrad Sturt
- Cllr Surinder Gandhum	+ Cllr Pat Tedder
+ Cllr Jonathan Lytle	+ Cllr Victoria Wheeler
+ Cllr Katia Malcaus Cooper	- Cllr Valerie White

+ Present

- Apologies for absence presented

Substitutes: Cllr Paul Ilnicki (In place of Cllr Colin Dougan) and Cllr Max Nelson (In place of Cllr Surinder Gandhum)

In Attendance: Cllr Ruth Hutchinson, Duncan Carty, Emma Pearman, Neil Praine, Michelle Fielder, Jonathan Partington, Gareth John, Lee Brewin, Ross Cahalane and Jenny Rickard

(Neil Praine attended from minute 53/P)

**48/P Minutes**

The open minutes of the meeting held on 12 January 2017 were confirmed and signed by the Chairman.

**49/P Application Number: 16/0554 - Land south of 24-46 (evens), Kings Road and 6 & 9 Rose Meadow, West End GU24 9LW**

The application was the approval of reserved matters (appearance, landscape, scale and layout) pursuant to outline planning permission APP/D3640/W/15/3028247 [SU/14/0532] for the erection of 84 dwellings (including 8 one bedroom flats, 34 two bedroom houses, 28 three bedroom houses and 14 four bedroom houses) with access from Rose Meadow. (Amended Plans and Additional Plan/Info - rec'd 07/12/2016). (Amended Info and Plans recv'd 12/12/16). (Amended and Additional Plans recv'd 13/12/16). (Amended Information recv'd 14/12/16). (Additional & amended plans recv'd 15/12/16). (Additional plans recv'd 16/12/16). (Amended plans recv'd 5/1/17 & 6/1/17).

Members received the following updates:

*'Correction:*

*The last sentence of Paragraph 7.11.3 (on Page 27) should read:*

*"This contribution has been secured through the legal agreement attached to the appeal decision and, as such, no objections are raised on these grounds."*

*Education Authority (SCC) has raised no objections subject to the provision of a contribution towards education [Officer comment: See paragraph 7.9.3 of the agenda report whereby this was discounted at outline stage and on appeal]*

*Six additional representations raising an objection have been received making the following additional comments:*

- *Lack of one storey houses (bungalows) for an aging population*
- *Lack of provision for an aging population*
- *No evidence that the travel plan has been implemented which is required prior to permission being granted [Officer comment: These details are required by condition 13 of outline permission to be provided and approved prior to first occupation]*
- *VDS has been overlooked*
- *Council's approach is at odds with other Council's approach to SANG development (e.g. Ashdown Forest SPA)*
- *Lack of recreational facilities in West End – part of reserve site should be used for such purpose*
- *Concerns about the requirements to meet Condition 7 of the outline permission (method of construction)*

*LLFA have confirmed no objections subject to the imposition of a condition and informative to explain requirements of Condition 10 of the outline permission.*

*The Council's Arboricultural Officer raises no objections, subject to conditions.*

#### **FURTHER CONDITIONS:**

*6. Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.*

*Reason: To ensure the Sustainable Drainage System has been constructed as agreed.*

*7. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.*

*Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to*



*accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

*8. The approved development shall be implemented in accordance with the Arboricultural Impact Assessment and Method Statement by ACD Arboriculture Rev. B dated 07.12.16 unless the prior written approval has been obtained for the Local Planning Authority. In addition, the required pre-commencement meeting must include the Tree Officer and be agreed a minimum of 7 working days in advance of the start of any works on site to allow the all parties to attend. Tree works, tree and ground protection, site supervision of excavation works, and storage etc. will all need to be agreed at that stage.*

*Reason: In the interest of visual amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

**AMENDMENT TO CONDITIONS:**

*Amendment to second sentence of Part 1 of Condition 4 to read:*

*“The submitted details shall include an indication of all level alterations, hard surfaces, speed restraint devices, street furniture, walls, ....”*

*Amendment to Condition 1 to read:*

*“Except for the requirement to meet Condition 4 below, the proposed development shall be built in accordance with the following approved plans...”*

**PROPOSED INFORMATIVE:**

*The applicant is advised that to comply with Condition 10 of the appeal decision APP/D3640/W/15/3028247, the applicant will need to supply the following information, Environment Agency consent(s), exceedance flow routes and final construction details.’*

Some Members were concerned that there had not been any community engagement between the developer and neighbouring residents. Members were advised that there had been a public exhibition but not on reserved matters. There were also concerns regarding traffic safety. It was noted that the road scheme had been amended to alleviate pinch points and to add in pavements.

Some concern was raised about the cumulative impact of the development, but this had been dealt with at the outline stage. In addition, some Members asked how long it would take to complete the development. This could not be included in a condition however, there was a standard condition which stated that the development should begin no later than two years from the date of approval. There was also a condition limiting the hours of construction.

**Resolved that application 16/0554 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Members declared that they had received letters from residents and the developer and had attended a design meeting.

**Note 2**

As this application had triggered the Council's public speaking scheme, Beulah Kingston and Jason Ing spoke in objection to the application and Andy Stallan representing the agent spoke in support.

**Note 3**

The recommendation to approve the application as amended was proposed by Councillor Nick Chambers and seconded by Councillor Max Nelson.

**Note 4**

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

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

Councillors Richard Brooks, Nick Chambers, Vivienne Chapman, Edward Hawkins, Paul Innicki, Max Nelson, Jonathan Lytle, Ian Sams, Pat Tedder and Victoria Wheeler.

Voting against the recommendation to approve the application as amended:

Councillors Katia Malcaus Cooper, David Mansfield, Adrian Page and Conrad Sturt.

**50/P Application Number: 16/0679 - Land South East of 4-14 (evens) Kings Road, West End Woking**

The application was for the Residential development of 35 dwellings comprising of 8 four bedroom, 10 three bedroom, 10 two bedroom houses and 3 two bedroom and 4 one bedroom flats with associated access, car and cycle parking, refuse/recycling storage and landscaping. (Additional Plan & information recv'd 03/08/2016). (Additional info recv'd 4/8/16). (Additional Info Rec'd 05/08/2016). (Additional Info recv'd 20/10/16). (Additional/Amended Info - Rec'd 09/01/2017). (Additional Information - Rec'd 16/01/2017).

Members were advised of the following updates:

*'Corrections:*

*Paragraph 3.4 – A copy of the appeal decision at Annex 1 has been subsequently added.*

*The last sentence of Paragraph 7.10.4 (on Page 65) should read:*

*"It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a financial benefit this is not a matter that needs to be given significant weight in the determination of this application."*

*The applicant has requested an extension to complete the required legal agreement for SANG delivery and retention to 28 February 2017, with any required further extensions agreed by the Head of Service.*

*The Council's Arboricultural Officer raises no objections, subject to conditions. Eleven additional representations raising an objection have been received making the following additional comments:*

- It is so rural that it is outside the scope of the VDS [Officer comment: There are parts of the VDS within the defined Countryside (including the Green Belt)]*
- The requirements made by the Surrey Wildlife Trust should be met before development starts*
- The requirements made by Environmental Health (assessment of ground gas) should be submitted to and approved prior to commencement of foundations [Officer comments – See proposed Condition 8]*
- Visibility splays and high friction surfacing to highway, as required by County Highway Authority should be provided [Officer comments – See proposed Conditions 12 and 13]*
- CIL contribution should be obtained for a contribution towards education [Officer comment: The type of contribution falls outside the CIL scheme]*
- Infrastructure should be considered across all approved planning applications (300+ dwellings) in the area*
- Residents have not been consulted on any road improvement to Kings Road [Officer comment: None are proposed]*
- Lack of provision for an aging population*
- Council's approach is at odds with other Council's approach to SANG development elsewhere (e.g. Ashdown Forest SPA)*
- Lack of recreational facilities in West End – part of reserve site should be used for such purpose*

**ADDITIONAL CONDITIONS:**

*17. The approved development shall be implemented in accordance with the Tree Report (Tree Survey and Constraint Advice) and Arboricultural Impact Assessment and Method Statement by ACD Arboriculture dated 23.03.16 and 01.07.16, respectively, unless the prior written approval has been obtained for the Local Planning Authority. In addition, the required pre-commencement meeting must include the Tree Officer and be agreed a minimum of 7 working days in advance of the start of any works on site to allow the all parties to attend. Tree works, tree and ground protection, site supervision of excavation works, and storage etc. will all need to be agreed at that stage.*

*Reason: In the interest of visual amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

*18. No development shall take place until an ecological strategy and management plan for the off-site woodland mitigation has been submitted by the applicant and approved by the Local Planning Authority. The offsite woodland should be delivered and managed in accordance with the approved details and commenced prior to occupation of the proposed development. The development shall also be implemented in accordance with the Ecological Impact Assessment dated 7 July 2016 and its Addendum dated 20 October 2016 both by EAD Ecology unless the prior written approval has been obtained from the Local Planning Authority.*

*Reason: In the interest of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

**AMENDMENT TO CONDITIONS:**

*Amendment to Condition 2 to read:*

*“Except for the requirement to meet Condition 4 below, the proposed development shall be built in accordance with the following approved plans...”*

*Also, the list of approved drawings in proposed Condition 2 should also include the following approved drawings:*

*“HT-28-S2F2 Rev. B, HT-29-S2FOG Rev. C, HT-30-S2H1 Rev. D, HT-31-S2H2 Rev. C, HT-32-S2H2 Rev. C, HT-33-S2H2 Rev. C, HT-34-SG Rev. B and HT-35-SGP Rev. B”*

*Amendment to second sentence of Part 1 of Condition 4 to read:*

*“The submitted details shall include an indication of all level alterations, hard surfaces, speed restraint devices, street furniture, walls, ....”*

**CHANGE TO RECOMMENDATION:**

***To extend the time period to complete the legal agreement for SANG delivery and retention to 28 February 2017, with any required extensions to be agreed by the Head of Regulatory.’***

There was some concern regarding the un-adopted road which led to the site, the design and density of the development. Members were advised that although the road was un-adopted it was still a right of way. In addition no condition could be added to improve the road as it was a private road.

**Resolved that application 16/0679 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory, and to extend the time to complete the legal agreement for SANG delivery and retention to 28 February 2017, with any required extensions to be agreed by the Head of Regulatory.**

**Note 1**

It was noted for the record that Committee Members declared that they had received information from the developer.

**Note 2**

As this application triggered the Council's public speaking scheme, Dr Jeff Llewellyn representing the West End Action group spoke in objection to the application and Mr Greg Pitt representing the agent spoke in support.

**Note 3**

The recommendation to approve the application as amended was proposed by Councillor Richard Brooks and seconded by Councillor Nick Chambers.

**Note 4**

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

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

Councillors Richard Brooks, Nick Chambers, Vivienne Chapman, Edward Hawkins, Paul Innicki, Max Nelson, Jonathan Lytle and Ian Sams.

Voting against the recommendation to approve the application as amended:

Councillors Katia Malcaus Cooper, David Mansfield, Adrian Page, Conrad Sturt, Pat Tedder and Victoria Wheeler.

**51/P Application Number: 16/1048 - Land south of Beach House, Woodlands Lane, Windlesham GU20 6AP - WITHDRAWN**

The application was for the outline application for the erection of 15 dwellings comprising houses for the over 55s (Class C3) and houses for the Windlesham Trust Community Home (Class C2) with access off Broadley Green. Access only with all other matters reserved.

Members were advised that the application had been withdrawn by the applicant and therefore was not considered by the Committee.

**52/P Application Number: 16/0779 - Whitehill Farm, Kings Ride, Camberley GU15 4LZ**

The application was for the erection of 4 no. blocks part two storey /part two storey with accommodation in the roof, with balconies and roof gardens, to provide 21 no. two/three bedroom units and 20 no. two storey units of extra care residential accommodation along with car, cycle and buggy parking, access and landscaping including footpaths links.

Members were advised of the following updates:

*'The applicant has provided further evidence concerning the future occupiers indicating that the average occupier of extra care accommodation is 77 years old and that people in their 70's are unlikely to be able to walk to the SPA due to the distance in-between.*

*The applicant has also considered that the landscape analysis has been provided for the applicant by a qualified landscape architect and that the scheme has not been assessed by a qualified landscape officer and the development can be provided within the site and is unlikely to give rise to unacceptable landscape or visual effects which cannot be mitigated.*

*The applicant has provided a sequential assessment to indicate that there are no other available sites for this development.*

*The applicant has also referred to an RTPI report on dementia care which identifies that good quality housing and well-planned, enabling local environments can have a substantial impact on the quality of life of someone living with dementia, and that town planning has a role to play if health and social policies are to succeed.*

*The applicant has requested a deferral for this application to allow more time to consider the impact of the proposal on the SPA. However, Natural England considers that there is no need to extend the timeframe to determine this application because they do not consider that an agreement on this issue is possible.*

*The Surrey Wildlife Trust has raised concerns about the proposal on SPA grounds and that there is insufficient information to be able to confirm the ecological impact of the development.*

*Four further objections have been received raising the following additional concerns:*

- Behaviour of builders on site [Officer comment: This is not a material planning consideration for the current proposal]*
- Noise from generator on site [Officer comment: This relates to the approved development]*
- Security threat for military families [Officer comment: This would not be a reason to refuse the current proposal]*

### **ADDITIONAL REASON FOR REFUSAL**

*3. It has not been demonstrated that the proposed development would not have an adverse impact on protected species likely to be present on the site failing to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and advice in the National Planning Policy Framework.'*

There was some concern regarding the visibility of the development from the road, development in SPA and the felling of many trees.  
It was noted that the borough was required to have 255 private extra care units by 2018. Members were advised that the units were designed to give 'extra care' residents independent living and the choice to live in larger homes so family members could stay. In addition residents would not be permitted to have any pets.

**Resolved that applications 16/0779 be refused as amended for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Councillor Edward Hawkins declared that had been contacted by residents and the developer.

**Note 2**

It was noted for the record that Councillor Richard Brooks declared that he had attended an exhibition by the developer and left the room during the consideration of the application.

**Note 3**

As this application triggered the Council's public speaking scheme, Jenny Garner spoke in objection to the application and Guy Wakefield, the agent and Rob Andrews (the applicant) spoke in support.

**Note 4**

The recommendation to refuse the application as amended was proposed by Councillor Conrad Sturt and seconded by Councillor David Mansfield.

**Note 5**

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

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

Councillors Nick Chambers, Vivienne Chapman, Edward Hawkins, Paul Ilnicki, Max Nelson, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Adrian Page, Ian Sams, Conrad Sturt, Pat Tedder and Victoria Wheeler.

**53/P Application Number: 16/0947 - Orchard Cottage, Shepherds Lane, Windlesham GU20 6HL**

The application was for the erection of an 88 bedroom care home with associated landscaping and planning, following demolition of existing dwelling and builders yard. Access from Chertsey Road. (Additional information recv'd 1/11/16). (Additional information rec'd 09/12/2016). (Additional Information - Rec'd 10/01/2017). (Amended Plan - Rec'd 16/01/2017).

Members were advised of the following updates:

*'The applicant has circulated an 11 page information document to some Members in support of the scheme. The applicant explains that this information can be found within the submitted planning documents.*

*Officer comment: This summary document does not contain new information, although some elements are only mentioned briefly in the draft S106 rather than the submitted planning documents. This summary states that the openness of the Green Belt will be maintained with screening from the road and landscaping, and views through the buildings and heights; and, that the scheme will have a reduced impact on openness than the previous scheme. As explained at paragraph 7.10 of the agenda report the applicant has assessed openness against visual impact rather than the quantum of built form, which is significantly greater than the extant scheme. The applicant also references the lack of alternative sites, however, the applicant did not carry out an alternative site assessment with this or the previous application so this is an unknown factor.*

*Two additional letters of representation (one with no name/address) in support of the application have been received. The issues raised are that it is an intelligent and thoughtful care home, will enhance the attractive residential community, allow individual needs to be addressed in a sensitive way, will provide a higher level of care than other homes.'*

It was noted that some Members felt that the proposal was harmful to the Green Belt, was a large increase in scale, would have potential traffic and parking issues and was an isolating location for the residents of the care home.

Members were advised that the proposal was designed to move away from the institutional look and provision for care homes. More car parking spaces were being offered contrary to the standard requirement. This was as a result of the developer listening to neighbouring residents' concerns about parking.

Some Members felt that there was a serious need for dementia care in the borough and this need outweighed the Green Belt issues.

Members were reminded that should they vote against the officers' recommendation, the very special circumstances to support this decision would have to be robust and clear.

**Resolved that application 16/0947 be refused for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Councillor Edward Hawkins declared that he had been contacted by residents and the developer.

**Note 2**

It was noted for the record that:

- Councillors Conrad Sturt, Pat Tedder and Victoria Wheeler declared that the applicant had met with them and handed them a document. There was no discussion;



- Councillor Edward Hawkins declared that he had attended an exhibition and was contacted by several parties in support and in objection to the application;
- Councillor Jonathan Lytle declared that he had also attended an exhibition.

**Note 3**

As this application triggered the Council's public speaking scheme, Victoria Muir spoke in objection to the application and David Driscoll, representing the agent spoke in support.

**Note 4**

The recommendation to refuse the application was proposed by Councillor Edward Hawkins and seconded by Councillor Victoria Wheeler.

**Note 5**

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

Voting in favour of the recommendation to refuse the application:

Councillors, Edward Hawkins, Paul Ilnicki, Max Nelson, Katia Malcaus Cooper, David Mansfield, Adrian Page, Pat Tedder and Victoria Wheeler.

Voting against the recommendation to refuse the application:

Councillors Richard Brooks, Nick Chambers, Vivienne Chapman Jonathan Lytle, Ian Sams Conrad Sturt.

**54/P Application Number: 16/1041 - Unit 2, adjacent to Waitrose, 150-152 London Road, Bagshot**

The application was for the subdivision of existing retail unit to provide 3 No. retail units to be used for the following: one unit for the sale of bulky goods and goods relating to outdoor pursuits with ancillary travel clinic (Class A1); one unit for the sale of bulky goods with ancillary pet care, treatment and grooming facilities and installation of mezzanine floor (Class A1); and one used as a cafe/restaurant (Class A3).

Members were advised of the following updates:

*'The applicant has provided further evidence of the impact of the proposal on local/town centres, particularly in relation to the proposed Cotswold Outdoor (Unit 2A) outlet. The unit would be seen as a flagship store which, whilst providing a similar range of products to other Cotswold Outdoor stores, would extend the range to include a library and travel clinic. The clinic would provide travel advice together with associated products including travel guides, maps, dietary*

*suggestions, insect guards, creams, etc. Cotswold Outdoor has specialist brands (Runnersneed, CycleSurgery and Snow + Rock) which would be provided under one roof. All of this differentiates the proposed Cotswold Outdoor outlet from its rivals.*

*A schematic layout has been provided which indicates that clothing and footwear would be provided on 56% of the floorspace provided for retail sales but it is noted that product ranges will change, influencing changes to the retail floor layout, because of the seasonality of the product demands. As such, it is recommended to adjust the maximum floorspace for the sale of clothing and footwear, as outlined in Condition 1, to 70%, and this has been agreed as the maximum that should be provided by the Council's Retail Adviser.*

*The applicant has confirmed that they do not want any restriction and formally requests that the application is deferred to allow further negotiations.*

*Three further objections have been received raising the following additional concerns:*

- John Lewis should extend their Waitrose development into this store*
- Café will not be productive (profitable) with other nearby cafes*
- Highway safety impact, with other developments in the area*
- Impact from air quality (dust and fumes) - a new report is required*
- Impact on Bagshot centre*
- Impact on infrastructure, community and other services*
- Provision of vet facilities*
- Development is marketed as the "Bagshot Retail Park" and suggests that the developer's vision is complete*
- Lack of parking provision*

#### **CHANGE TO CONDITION 1:**

*Unit 2a, as defined on the approved plan 13001/96, with a total net sales area of 1,201 square metres shall only be used under Class A1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking or re-enacting that Order) for the sale of goods, as listed below:*

- (a) outdoor and leisure clothing, accessories, equipment, footwear and services for walking running, camping, trekking, climbing, canoeing, water sports, cycling and winter sports with ancillary travel clinic;*
- (b) home improvement products and materials including hardware and DIY;*
- (c) garden centre goods including garden furniture, plants, BBQ and associated equipment;*
- (d) furniture, lighting, carpets and floor coverings;*

- (e) household textiles, housewares and haberdashery including furnishing, fabrics, cushions and curtains; bedding and linen; blinds and poles; clocks, pictures and mirrors and related accessories;*
- (f) pets, pet foods and related products and services, including ancillary pet care, treatment and grooming facilities;*
- (g) bulky electrical and gas kitchen items;*
- (h) motor goods, cycles, cycle products and accessories; and*
- (i) bulky leisure goods e.g. kayaks, tents, boats.*

*Under part 'a' of this condition no more than 70% of the net retail sales floorspace within the unit shall be used for the sale of outdoor clothing and footwear and should not include any fashion clothing or footwear. The goods listed under part 'a' of this condition shall only enure for the benefit of the first occupier.*

*Reason: In the interest of the vitality and viability of Bagshot centre and Camberley Town Centre and to comply with Policies CP1, CP10 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.'*

Members were advised of a further update stating that the applicant had agreed the 70% limitation on outdoor clothing and footwear and would not be seeking a deferral.

Some Members were concerned that the extra retail units on this site would detract from Camberley Town Centre and Bagshot Village Town Centre. Other Members felt that the proposal would provide what Notcutts had previously supplied.

There was concern regarding staff parking in the residential areas around the site but Members were informed that the County Highways Agency had raised no objections.

**Resolved that application 16/1041 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Committee Members declared that they had been contacted by residents, the applicant and the developer.

**Note 2**

The recommendation to approve the application as amended was proposed by Councillor Jonathan Lytle and seconded by Councillor Richard Brooks.

**Note 3**

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

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

Councillors Richard Brooks, Nick Chambers, Vivienne Chapman, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams, Conrad Sturt, Pat Tedder and Victoria Wheeler.

Voting against the recommendation to approve the application:

Councillor Paul Ilnicki.

**55/P Application Number: 16/1087 - Land between 4 and 5 School Lane, Windlesham GU20 6EY**

The application was for the erection of a detached three bedroom, two storey dwelling and detached garage. (Amended Plan - Rec'd 10/01/2017).

The application would normally have been determined under the Council's Scheme of Delegation for Officers, however, it had been reported to the Planning Applications Committee at the request of Cllr. White.

Members were advised of the following updates:

*'Since writing the committee report a further 9 letters of objection have been received (taking the total number of objections to 17). These letters of objection primarily raise concern about the vehicle access / highway safety and this matter is covered at paragraph 7.2 of the committee report. The 9 representations of objection also raise the following concerns:*

- *Size of the proposed dwelling out of character with the surrounding area [This matter is covered at paragraph 7.4 of the committee report]*
- *The proposed dwelling will negatively impact upon the amenity of surrounding residential properties [This matter is covered at paragraph 7.5 of the committee report]*
- *The proposed dwelling will negatively impact upon biodiversity [This matter is covered at paragraph 7.7 of the committee report]*

*A number of concerned parties have also queried why the planning report does not go into significant discussion regarding the proposed highway works. The reasons for this are covered at paragraphs 1.1, 1.2, 1.3, 3.4, 3.5, 7.2 and 7.3 of the committee report. To summarise, the highway works are identical to the previous scheme SU/15/0166 which were found to be acceptable by the Surrey County Council Road Safety Team, the Surrey County Council Highway Authority and at the previous planning appeal [Appendix 3 of your committee papers] by the*

*Planning Inspectorate. The highway works are identical to the previous proposal and given the findings of Surrey County Council Road Safety Team, the Surrey County Council Highway Authority and the Planning Inspector, it is not considered an objection on highways grounds can be sustained.'*

Members were advised that officers had been contacted by residents with concerns that the report had not covered highways issues. This was because the previous application had been considered by the SCC Road Safety Team, the County Highways Agency and the Planning Inspectorate. There had been no objections to the highways scheme.

Some Members had concerns about the loss of parking spaces in the vicinity and the highways issues due to the narrow line of sight out of School Lane. Officers advised that the Planning Inspector had been satisfied that the proposal would not cause highways issues. Some Members were still concerned about public safety particularly regarding the lack of a footpath. A deferral was requested in order for the highways study to be completed. However, officers advised that the County Highways Agency had taken the forthcoming review into account when making the decision about the application.

**Resolved that application 16/1087 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that:

- Councillor Pat Tedder declared that she lived close to the site and left the Chamber during the consideration of the application;
- Councillor Conrad Sturt declared that he had been in contact with some of the neighbours.

**Note 2**

As this application had triggered the Council's public speaking scheme, Nick Griffin, the agent spoke in support of the application.

**Note 3**

The recommendation to approve the application was proposed by Councillor Max Nelson and seconded by Councillor Edward Hawkins.

**Note 4**

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

Voting in favour of the recommendation to approve the application:

Councillors Richard Brooks, Vivienne Chapman, Edward Hawkins, Paul Ilnicki, David Mansfield, Max Nelson, Adrian Page and Ian Sams.

Voting against the recommendation to approve the application:

Councillors Nick Chambers, Katia Malcaus Cooper, Conrad Sturt and Victoria Wheeler.

Councillor Jonathan Lytle did not vote as he left the room during the consideration of the application.

**56/P Application Number: 16/1063 - 1, 1A & 3 Guildford Road, Frimley Green, Camberley GU16 6NL**

The application was for the change of use of first floor from C3 (residential) to B1 (offices) and use of land to rear for parking in connection with the first floor offices and ground floor estate agency.

This application would normally have been determined under the Council's Scheme of Delegation for Officers, however, it was reported to the Planning Applications Committee at the request of Cllr Paul Deach.

Members received the following update:

*'Kevin Cantlon, the Economic Development Officer, has written the following in support of the application:*

*Luff and Wilkin is a local company owned and run by local people who have made a commitment to the borough over a number of years. They provide employment to local people and will add additional staff numbers should their application prove successful. Each local job filled in the borough contributes in excess of £51,000 to the UK economy.*

*It is likely that any future employees of Luff & Wilkin will use the amenities in Frimley Green for things such as shopping and lunchtime activities, thereby helping to support the village economy.*

*Over the course of the next few years significant housing expansion of Deepcut, one mile away, is planned. As a property and estate agent Luff and Wilkin would be well placed to handle some of the new residential sales and lettings business for the new development, which could potentially bring about expansion of the company thus creating more jobs.'*

The Ward Councillor addressed the Committee and praised the work of the planning officers. However, it was noted that with regard to this application, the applicant had contributed to the business in the area and this proposal would provide much needed part time positions. This was particularly relevant to the large military community nearby. There was some concern about parking but it was felt that the benefit to the economy outweighed the loss of the residential unit.

**Resolved that application 16/1063 be approved subject to conditions, the final wording to be finalised after consultation with the Chairman and Vice Chairman.**

**Note 1**

It was noted for the record that:

- Councillor Vivienne Chapman declared that the applicant was a close friend and left the Chamber during the consideration of the application;
- Councillor Paul Ilnicki declared that he knew the applicant.

**Note 2**

The recommendation to refuse the application was proposed by Councillor Victoria Wheeler and seconded by Councillor Pat Tedder.

**Note 3**

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

Voting in favour of the recommendation to refuse the application:

Councillors Paul Ilnicki, Pat Tedder and Victoria Wheeler.

Voting against the recommendation to refuse the application:

Councillors Richard Brooks, Nick Chambers, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams and Conrad Sturt.

**The motion was lost.**

**Note 4**

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

**Note 5**

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

Voting in favour of the recommendation to approve the application:

Councillors Richard Brooks, Nick Chambers, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams and Conrad Sturt.

Voting against the recommendation to approve the application:

Councillors Paul Ilnicki, Pat Tedder and Victoria Wheeler.

**The motion was carried.**

**57/P Exclusion of Press and Public**

The Committee resolved, that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for minute 59/P and

60/P, on the ground that it would involve a likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**58/P Exempt Minutes**

The exempt minutes of the meeting held on 12 January 2017 were confirmed and signed by the Chairman.

**59/P PRB Deepcut**

The Committee received an update report in relation to the PRB site at Deepcut.

**60/P Review of Exempt Items**

The Committee resolved that the information at minute 59/P remain exempt.

Chairman



2016/1123

Reg Date 29/11/2016

Chobham

**LOCATION:** FLEXLANDS, STATION ROAD, CHOBHAM, WOKING, GU24 8AG

**PROPOSAL:** Erection of 8 x 2 bed and 6 x 3 bed dwellings, communal pavilion, car parks, bin store, entrance gates and associated landscaping, following demolition of existing buildings. (Amended plan recv'd 6/1/17)

**TYPE:** Full Planning Application

**APPLICANT:** Mr Quail  
Blenheim Chobham Ltd

**OFFICER:** Emma Pearman

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The application site used to be the site of Flexlands School but has been empty for a number of years. The site comprises the disused school buildings which are in a dilapidated state, and open land to the rear. The site lies outside the settlement boundary of Chobham, and within the Green Belt. The site has had two permissions granted previously (in 2005 and 2009) for care homes to be built and these permissions are extant. The proposal is for 14 two-storey terraced and semi-detached dwellings to be built on the site, which would be a mixture of 2 and 3 bedroom units and intended as retirement homes. There would also be a small office/pavilion, and the site would be gated to the front with the existing open land to the rear as communal open space for the development.
- 1.2 The proposal is considered to be redevelopment of a previously developed site, and would not have a greater impact on openness than the existing development, and as such is not inappropriate development in the Green Belt. The proposal would attract considerably fewer vehicles than the previous use as a school, or either of the extant permissions as a care home. Sufficient parking is to be provided on site in line with the County Highway Authority's standards.
- 1.3 The site is partly within Flood zones 2 and 3 although the proposed housing would fall outside of these areas. Comments are awaited from the Environment Agency, and the LLFA have requested further information at this stage, although it is anticipated that this can be resolved through conditions. The site also proposes no affordable housing for financial viability reasons, and further information is required in this regard however again it is anticipated that this can be resolved before Committee. If these issues remain unresolved then the recommendation would be changed on this basis. It should also be noted that while the development is proposed for retirement homes, and the applicant is a developer of retirement properties, no conditions are proposed that would restrict the age of occupants as the proposal is considered to be acceptable in planning terms without such a restriction.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is 1.2ha in size and lies to the north of Station Road, to the east of the settlement area of Chobham, and within the Green Belt. The site was formerly occupied by Flexlands School until 2005 and a separate Montessori nursery operated from part of the site for a few years after this. The site comprises the empty school buildings which are in a dilapidated state, hard surfacing to the front, and a courtyard between the buildings, open land to the rear with woodland to the north and two disused tennis courts. There is also a small pond located to the side of the main building. The boundaries of the site mainly comprise vegetation with a fence over the current access. There is a disused portacabin to the front of the site and public footpath 12 runs along the eastern boundary. The northern and western parts of the site lie within Flood Zones 2 and 3. There is residential development to the east of the site and on the opposite side of Station Road to the south, with open fields to the north and west.

## 3.0 RELEVANT PLANNING HISTORY

- 3.1 16/1032 - Lawful Development Certificate for an existing use or operation comprising the implementation of planning permissions SU/05/0894 and SU/09/0037.

*Agreed Lawful Use*

- 3.2 09/0037 - Change of Use of school building to residential care home, to include the erection of a single storey side extension and two storey rear extension, following demolition and replacement of the rear section of the building. Erection of new pitched roofs to existing single storey flat roofed elements of the building and associated alterations.

*Granted 23/06/2010 [and implemented]*

- 3.3 06/0906 – Application for dual use of free standing school building for educational/recreational purposes

Granted 04/12/1996

*Condition 1 reads as follows:*

*The permission hereby granted shall be limited to the period expiring on the 31.12.2001 on or before which date the use hereby permitted shall be discontinued and the premises reinstated to their former condition, to the reasonable satisfaction of the Local Planning Authority.*

*Reason: To enable the Local Planning Authority to review the terms of the application after five years to ensure that the amenities of neighbouring residential amenities are not unduly prejudiced.*

*Condition 4 reads as follows:*

*The use of the building hereby approved shall not be used by any external organisation whilst the school is operating. In addition the hall will only be available to external organisations up to 11 p.m. after school, during school holidays and at weekends.*

*Reason: In order to safeguard the amenities of adjoining residential properties.*

- 3.3 05/0894 - Change of Use of school buildings (D1) to residential care home (Cc) with associated alterations.

*Granted 21/11/2006 [and implemented].*

#### **4.0 THE PROPOSAL**

- 4.1 The proposal is for the erection of 8 x 2 bed and 6 x 3 bed dwellings, communal pavilion, car parks, bin store, entrance gates and associated landscaping, following demolition of existing buildings. The applicant states these will be for retirement housing. Twelve of the fourteen dwellings would have a single storey eaves height with dormers in the roofspace to provide a first floor, with eaves height of 2.7m and ridge height 7.3m approx. The remaining two dwellings would have the same ridge height but include front gabled elements at first floor level with eaves height 4.4m. The dwellings would be arranged around a communal garden area and pavilion to the front, in a similar layout to the existing buildings on the site. Plots 1-3 and 6-8 would be a terrace of three, with the remaining properties in semi-detached pairs.
- 4.2 All dwellings would have front and rear gardens, and timber framed car ports with two car spaces per dwelling. There would be four visitor parking spaces and a bin store to the front. The car ports would adjoin the side of the dwellings and be open on all sides other than the roof, with a 5m ridge height. The communal pavilion would be single storey with an eaves height of 2.1m and ridge height of 5m, with an open sided roof structure around two sides of the building at 3m in depth. The pavilion would comprise an office with concierge facility, WC and communal meeting/recreation room for the occupiers of the development.
- 4.3 The access to the site would remain as existing, with the existing hardstanding substantially reduced. One of the tennis courts to the rear would remain, but the open land to the rear would be communal for these properties with a pathway added. A new entrance gate of open construction and 1.6m approx. in height would replace the existing gate. The existing boundary hedge would be reinstated where required to form a continuous site enclosure.
- 4.4 The applicant has submitted the following, as well as the necessary plans, in support of the application which will be referred to as necessary in this report:
- Planning and Design and Access Statement
  - Accommodation Schedule
  - Arboricultural Report

- Archaeology Desk-Based Assessment
- Ecological Appraisal
- Flood Risk Assessment
- Geo-Environmental Desk Study and Risk Assessment
- Landscape and Visual Impact Assessment
- Transport Impact Assessment.

## 5.0 CONSULTATION RESPONSES

5.1	Surrey County Highway Authority	No objection, subject to conditions.
5.2	Environment Agency	Awaiting response.
5.3	Local Lead Flood Authority	Objection – need results of infiltration testing at this stage, though have recommended two conditions also.
5.4	Surrey Wildlife Trust	No objection, subject to conditions.
5.5	County Archaeological Officer	No objection.
5.6	Surrey Police	Has advised garages are used rather than car ports, communal areas should allow supervision from nearby dwellings
5.7	Council's Viability Consultant	Further information required to support the Viability Assessment.
5.8	Council's Arboricultural Officer	No objection, subject to condition.
5.9	Rights of Way	Awaiting response.
5.10	Environmental Health Officer	No objection, subject to conditions.
5.11	Chobham Parish Council	No objection, as long as main entrance remains of an open design, adjoining public footpath not diverted or obstructed, woodland within site to be preserved, should include a community facility as Flexlands School did. <i>[Officer comment: these matters are addressed in the report, see paragraphs 7.4.3, 7.5.7 and 7.13.3].</i>

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report four letters in support of the application have been received. Some of these letters, while being in support of the application overall, have areas of concern also mentioned. The issues raised are as follows:
- Design in keeping with character of adjacent properties [*Officer comment: see section 7.5*]
  - Intended use for dwellings for seniors will attract responsible buyers [*Officer comment: while the application states that they are intended as retirement homes, no condition is proposed in this regard as it is considered that the development is acceptable in planning terms whether or not the homes are for retirement use*]
  - Current site is unsightly and attracts anti-social behaviour – fly tipping, trespassing, and noise nuisance
  - Could parking restrictions be put in place on access road/Sandpit Hall Road [*Officer comment: see section 7.7*]
  - Please ensure units 13-14 have hedgerow to the rear to prevent overlooking [*Officer comment: see section 7.6*]
  - Concern about turning head on eastern side [*Officer comment: see section 7.7*]
  - Concern about flooding/drainage [*Officer comment: see paragraph 7.12.1*].

## 7.0 PLANNING CONSIDERATIONS

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CPA, CP2, CP3, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10 and DM11. 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;
  - Impact on the Green Belt;
  - Impact on character;
  - Residential amenity;
  - Highways, parking and access;
  - Ecology, trees and landscaping;
  - Affordable housing provision;

- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Other matters including flooding, archaeology, rights of way and contaminated land.

### **7.3 Principle of the development**

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to significantly boost the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development, and paragraph 47 also requires Local Planning Authorities to have a five-year supply of housing land. At present, Surrey Heath does not have a five-year housing land supply. This application would result in 14 additional residential units and accords with this aim of the NPPF. Policy CP6 requires a mix of housing sizes but indicates that 2 and 3 bedroom houses are in the shortest supply. This development seeks to provide 2 and 3 bedroom houses and as such no objection is raised to the housing mix.

7.3.2 The current D1 use has not been in operation since approximately 2005 so no objection is raised to the loss of this use. The site also has extant planning permissions for a Cc (care home) use, however the use is not operational and as such there is no net loss of Cc places.

7.3.3 The Parish Council have raised concern about the loss of a community facility, however there was no obligation through planning conditions for the school to provide such a facility. The school applied for permission to do this in 1996 (SU06/0906) and was allowed to use the Ann Mais building for other purposes outside school hours for a temporary period until 2001. This permission was not renewed, and neither the 2005 or 2009 permissions which are extant required any community use. As such it is not considered that the proposal would entail the loss of any community facility and nor would it be reasonable to impose such a condition on the applicant, given this planning history. The proposal would provide a room for recreational use for the future occupiers of the development.

7.3.4 It is therefore considered that the principle of the development is acceptable in terms of the above considerations, however the impact on the Green Belt and further considerations are set out below.

### **7.4 Impact on the Green Belt**

7.4.1 Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence.

7.4.2 Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

7.4.3 Paragraph 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists some exceptions; which includes the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.4.4 It is considered that the part of this site where the existing buildings are located, and where the housing is proposed, can be classed as previously developed land. When considering the impact on openness over and above the existing development, it is necessary to look at the footprint, floorspace and volume of the buildings, as well as the level of hardstanding. The applicant has provided the following table in the report:

<b>Existing volume of building</b>	7468 m3	
Additional approved volume by extension (2009)	+149.4 m3	
Proposed Volume	7,468 m3	
Difference =	-149.4 m3	-2%
<b>Existing footprint of building</b>	1,623 sq m	
Proposed footprint of building	1,340 sq m	
Difference=	-283 sq m	-21%
<b>Existing hard surface area</b>	4,392 sq m	
Proposed hard surface	2,615sq m	
Difference =	-1,776 sq m	-40.5%

7.4.5 The table above shows that in terms of volume, the impact would be the same as the existing development (and less than the extant permission). In terms of footprint and hard surfacing, there would be a significant decrease over and above the existing development. In terms of floorspace, the applicant has used Gross Internal Area (GIA), however the Council use Gross External Area (GEA) when assessing impact on the Green Belt. The following table therefore shows the GEA of the existing and proposed development:

	Existing development (Block A, Block B and brick built outbuilding)	Additional floorspace allowed under 05/0894	Additional floorspace allowed under SU09/0037	Subtotal including extant permissions	Now proposed
Gross External Area	<b>1947.7m<sup>2</sup></b>	184.5m <sup>2</sup>	78.6m <sup>2</sup>	<b>2210.8m<sup>2</sup></b>	<b>2385.3m<sup>2</sup></b> (22% increase over existing, 7% increase over extant permissions)

7.4.6 It is considered that the volume is a more reliable indicator of built form than floor area, as floorspace is internal and within the fabric of the building and as such cannot be seen, though is often a useful indicator of size increase. In this case, there is no increase in volume. Moreover, there is a substantial decrease in the footprint and hard surfacing area. While there is an increase in the floor area, even without taking the extant permissions into account, in the officer's opinion this percentage increase is less than, and offset by, the decrease in footprint and hard surfacing. It is therefore considered that the proposal would not result in a greater overall impact on openness than the existing development, and taking into account the extant permissions also which could be implemented, this impact would be even less.

7.4.7 The part of the site to the rear is currently open with two disused tennis courts. The applicant does not propose any significant landscaping on this area which could affect openness, however a pathway and some benches only are proposed. To the front, an open timber gate is proposed and hedgerows around the boundary of the site. As such it is not considered that these elements will have any significant additional impact on openness.

7.4.8 It is therefore considered that the proposal is not inappropriate development in the Green Belt, as it is an exception under the last bullet point of paragraph 89 of the NPPF.

## 7.5 Impact on the character of the area

7.5.1 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.

7.5.2 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 CP2 requires development to use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.

7.5.3 The proposed development is likely to be visible from the road to a limited degree, above the proposed hedgerow boundary treatments to the front and sides. The



proposed dwellings will be lower in height than the existing development which, particularly in its dilapidated state and with a number of extensions of varying styles, and large amount of hardstanding to the front, does not contribute positively to the appearance of the street scene. The closest part of the development to the road (other than the single storey car port) would be the side elevation of Plot 1, however this would be 26m from the road and 13m from the boundary of the site where the hedgerow would be, and as such given the significant set-back and boundary treatments, it is not considered that the side elevation facing the road would be harmful to the street scene. The rear elevations of Plots 1-5 are likely to be somewhat visible on the approach from Chobham, but they will be a minimum of 13m from the boundary, further than the existing development where the side elevations are currently visible on this approach, and again given this distance and the set back from the road, and the existing situation, it is not considered that this would be harmful to the appearance of the street scene.

- 7.5.4 The proposed dwellings would be two storey or single storey with roofspace accommodation and arranged in semi-detached pairs or terraces of three. Their cottage-style appearance is designed to be reflective of the rural setting, with the use of red brick and timber. Surrounding development along Sandpit Hall Road and Station Road mostly comprises detached dwellings on large plots, however further along Station Road towards the centre of Chobham, there are examples of semi-detached, red brick cottages not dissimilar from those proposed. Within the development, the houses would be arranged around the central pavilion and garden feature, with open space to the rear.
- 7.5.5 In the officer's opinion, it is therefore considered that the proposal would be likely to be an improvement over the existing situation in terms of the impact on local character. While Surrey Police have commented that garages should be used rather than car ports and communal areas overlooked by the development, the development as a whole would be gated and it would not be possible to arrange the housing overlooking the open land to the rear for reasons relating to flooding and Green Belt, though the boundary would be reinforced. The layout and design of the properties would sufficiently respect and enhance the character and quality of the area, and provide an efficient use of the land, as required by Policies CP2 and DM9. The proposed materials can be agreed by condition.

## **7.6 Residential amenity**

- 7.6.1 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.
- 7.6.2 The nearest property to the proposal is Sands, in Sandpit Hall Road. The rear of Plot 14 would be approximately 20m from the nearest point of this property, and the rear of Plots 13 and 14 would face the rear garden of Sands at a distance of 12m from the boundary with a public footpath in between. It would be over 20m to the garden area immediately behind the property itself. There is currently a close-

boarded fence with tall conifer trees above, along the western boundary of Sands, and the existing hedgerow is proposed to be reinstated and a new hedgerow where necessary. Further details of landscaping can be required by condition, however it is considered that, given the distance from the rear upper floor windows of Plots 13 and 14 to the most used garden areas of Sands, and the existing and proposed boundary treatments, it is not considered that there would be any significant adverse impact in terms of overlooking for this property.

- 7.6.3 Flexlands Cottage would be approximately 23m from the boundary of the proposed development and 34m approx. from the nearest dwelling. As such it is not considered that there would be any overbearing, overlooking or overshadowing impacts on this property.
- 7.6.4 No other properties are considered to be close enough to be significantly affected. It is therefore considered that the proposal is acceptable in terms of its impact on residential amenity, and in line with Policy DM9 in this regard.

## **7.7 Highways, Parking and Access**

- 7.7.1 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 CP11 requires new development that will generate a high number of trips to be directed to previously developed land in sustainable locations, or demonstrate it can be made sustainable. 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.
- 7.7.2 The applicant's Transport Assessment predicts that the proposal would not generate more than seven two-way movements during the AM or PM peak hours, and states that given the proposed demographic of the occupiers, the movements are likely to be less than this prediction. The County Highway Authority has been consulted and have not raised any objection, subject to conditions. They have noted that the traffic movements are likely to be significantly less than the site's previous use as a school, and also less than the extant permissions for a care home. The Transport Assessment also notes that Tesco and Chobham High Street are approximately 500m from the development, so within walking distance and there is a bus service on the main road connecting the site to Chobham, Woking and Guildford.
- 7.7.3 The proposal would provide two parking spaces per dwelling, which is more than necessary for two bedroom units, and also would provide four additional spaces in the form of visitor spaces. The County Highway Authority have not raised objection in this regard and it is considered the level of parking is acceptable. Concern has been raised about vehicles currently using the area in front of the site for overnight parking, and whether restrictions can be imposed, however this area is outside the application site area and conditions could not be imposed through the planning process as they are a matter for County Highways.
- 7.7.4 The occupiers of Flexlands Cottage currently use a turning head within the application site boundary when larger vehicles, such as delivery vehicles, need to access their property. This turning head would be removed with the proposed

development and while the applicant has no obligation to provide a turning head, they will be replacing this with another turning place close to the entrance to Flexlands Cottage, to enable larger vehicles to turn using also the driveway of Flexlands Cottage.

- 7.7.5 There would be no change to the existing access to the site, with a gate provided across the entrance. It is therefore considered that the proposal is acceptable in terms of its impact on highways, parking and access, subject to the conditions required by the County Highway Authority, for space to be laid out for parking and turning prior to occupation, and for a Construction Transport Management Plan.

## **7.8 Ecology, Trees and Landscaping**

- 7.8.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough 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.
- 7.8.2 The application site has potential for protected species given that there are disused buildings, where bats have been found in the past, and open land to the rear. The applicant has submitted an Ecological Appraisal which has been reviewed by Surrey Wildlife Trust (SWT), which found no evidence of bats in the buildings but the mature trees on site have some potential to support bats. The SWT state that the information is sufficient and that the application should be carried out in line with the recommendations and enhancements as set out in the report. Enhancements include managing the woodland to the rear including a buffer zone with different species, enhancement of the hedgerows, planting to attract bees and butterflies, and bird nesting boxes.
- 7.8.3 Policy DM9 requires the protection of trees and vegetation worthy of retention. The applicant has submitted an Arboricultural Survey and Landscape Masterplan which have been reviewed by the Council's Arboricultural Officer. There is a small area of Ancient Woodland to the rear of the site, but this is outside the application site boundary and proposed to be retained in its current condition. The proposal would see the removal of 7 trees for management and facilitation of the development, however the Arboricultural Officer is satisfied that this is acceptable and a comprehensive landscape management plan can be secured through conditions. It is therefore considered that the application is acceptable in terms of its impact on ecology, trees and landscaping, subject to conditions, and in line with Policies CP14A and DM9 in this regard.

## **7.9 Affordable Housing**

- 7.9.1 Paragraph 174 of the NPPF states that local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. Paragraph 50 states that where local planning authorities have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial equivalent of broadly equivalent value can be robustly justified. Policy CP5 states that developments of 10-14 units should secure a 30% on-site provision.

7.9.2 The applicant has put forward a Viability Assessment which concludes that it would not be financially viable on the site to provide any provision for affordable housing. Their Assessment has been reviewed by the Council's Viability Consultants, who have concluded that while it is unlikely that the site could support any affordable housing, more evidence is required at this stage from the applicant to support their Assessment. It is anticipated this additional evidence can be submitted and reviewed before the Committee date, and given this intermediate conclusion, it is considered unlikely that the site will be able to support affordable housing and as such no objection is raised on this basis. If the Viability Consultants come to a different view, however, before Committee which cannot be resolved with the applicant, or the issue remains unresolved, then the recommendation would be changed to refuse on that basis.

## **7.10 Impact on Infrastructure**

7.10.1 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. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.

7.10.2 Surrey Heath's CIL Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. An informative would be added to the decision advising the applicant of the CIL requirements.

7.10.3 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

## **7.11. Impact on the Thames Basin Heaths SPA**

7.11.1 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 CSDMP 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).

- 7.11.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.5km from the 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 and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.11.3 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 £7844 which has been paid by the applicant.
- 7.11.4 It is therefore considered that the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD. Informatives relating to CIL would also be imposed.

## **7.12 Other matters**

- 7.12.1 Policy DM10 states that in order to manage flood risk, a sequential approach will be taken to determining planning applications and there should be an appropriately designed Sustainable Drainage System. The northern and western parts of the site are within Flood Zones 2 and 3, however the applicant has located the houses so they are out of these areas. The applicant has submitted a Flood Risk Assessment which has been reviewed by the LLFA, who have requested further information at this stage but it is anticipated that this issue will be resolved through the imposition of conditions by the Committee date. Comments are also awaited from the Environment Agency. As such no objection is raised on this basis provided that this issue is resolved in time for Committee, however if not then the recommendation would be changed to refuse on this basis.
- 7.12.2 Policy DM17 requires that application sites over 0.4ha submit an Archaeological Desk-based assessment. This has been submitted by the applicant and reviewed by Surrey County Council's Archaeology Team. They have stated that given the development already on site, the likelihood of archaeological finds is limited and as such, no conditions or further work is required on this basis.
- 7.12.3 There is a public footpath which runs along the eastern boundary of the site, outside the application site area. County Rights of Way have been consulted, but to date has not responded. However, it is not considered that the application would affect this area and informatives can be added reminding the developer that the footpath should not be obstructed during the construction period.

7.12.4 Policies CP2 and DM9 requires development to respect and enhance the quality of the environment. The applicant has submitted a Geo-Environmental Desk Study and Risk Assessment which has been reviewed by the Council's Environmental Health Officer. He has stated that the further work required can be covered by conditions, and as such the development is considered to be acceptable in this regard.

## **8.0 CONCLUSION**

8.1 The proposal will provide 14 new units which are intended for use as retirement homes. The proposal is considered to be acceptable in terms of the principle of development, impact on Green Belt, character, residential amenity, highways, parking and access, ecology, trees and landscaping, infrastructure, and impact on the Thames Basin Heaths SPA, subject to conditions. Further information is required in respect of affordable housing provision and flooding. However it is anticipated that these matters can be resolved by the Committee date and the application is recommended for approval on this basis, however if they remain unresolved then the recommendation is likely to be changed.

## **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:

Location Plan 16-P1302-LP01 received 29.11.16

Site Plan 16-P1302-101.1 received 29.11.16

Proposed Floorplans and Elevations Plots 1/2/3 16-P1302-102 received 29.11.16

Proposed Floorplans and Elevations Plots 4/5 16-P1302-103 received 29.11.16

Proposed Floorplans and Elevations Plots 6/7/8 16-P1302-104 received 29.11.16

Proposed Floorplans and Elevations Plots 9/10 16-P1302-105 received 29.11.16

Proposed Floorplans and Elevations Plots 11/12 16-P1302-106 received 29.11.16

Proposed Floorplans and Elevations Plots 13/14 16-P1302-107 received 29.11.16

Pavilion Floorplan and Elevations 16-P1302-113 received 29.11.16

Bin Store Floorplan and Elevations 16-P1302-114 received 29.11.16

Entrance Gates Elevations 16-P1302-115 received 29.11.16

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. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to highway users, in accordance with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

5. No development shall commence until a Construction Transport Management Plan, has been submitted to and approved in writing by the Local Planning Authority. This shall 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) measures to prevent the deposit of materials on the highway.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to highway users, in accordance with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

6. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Tim Moya Associates [Tracey Clarke] and dated September 2016. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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.

7. Prior to commencement of development, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority, which should be based on the Amended Landscape Masterplan P556001 Rev C received 6.1.17. The submitted details should include an indication of all level alterations, hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new planting to be carried out, which shall incorporate native rather than ornamental species, and shall incorporate the advice as set out in the Ecological Assessment received 29.11.16 and



Condition 8 below. All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species. The planting shall be carried out after completion of the building programme and prior to first occupation and shall be carried out fully in accordance with the approved details.

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 Document 2012.

8. The proposed development shall be carried out in accordance with all the precautionary, mitigation and enhancement measures as set out in paragraphs 4.10-4.54 of the submitted Ecological Appraisal by The Ecology Partnership, received 29.11.16.

Reason: To ensure no harm from protected species arises from the development, and to provide enhancement of biodiversity in accordance with Policy CP14A and the National Planning Policy Framework.

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) A design that satisfies the SuDS hierarchy
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
- c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (pre, Post and during) as detailed in the submitted Flood Risk Assessment
- d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events both on and off-site
- e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, to include details on how the existing soakaways will be protected
- f) Finalised drawings read for construction to include: a finalised drainage layout details the location of SuDS elements, pipe diameters and their respective levels and long and cross sections of each SuDS element including soakaway volume details
- g) A management and maintenance plan that details maintenance regimes and responsibilities.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and

Development Management Policies Document 2012 and the National Planning Policy Framework.

10. Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

11. No development shall commence until a scheme to deal with the suspected hydrocarbon and asbestos contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report/survey based upon (a);
- (c) a remediation action plan based upon (a) and (b) should it be established from (a) and (b) that there is contaminated material that requires remediation ;
- (d) a "discovery strategy" detailing how unforeseen contamination, not previously identified, discovered during development would be dealt with;
- (e) a "validation strategy" identifying measures to validate the planned identified remediation works

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

12. If during development, contamination not previously identified is discovered then in conjunction with the discovery strategy as detailed in Condition 11 (d) above, no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out. Thereafter a full assessment of the discovered, unforeseen contamination is required in order that a suitable remediation and a validation strategy is then submitted for approval in writing by the Local Planning Authority detailing how the unforeseen discovered contamination shall be dealt with. The remediation/validation strategy shall be implemented in accordance with the approved scheme and thereafter a verification report containing

substantiating evidence demonstrating that the agreed remediation has been carried out shall be submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

13. Prior to the first occupation of the development, a verification report containing substantiating evidence demonstrating that the agreed remediation has been carried out shall be to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

14. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with Conditions 11-14 above and shall be conducted in accordance with such details and timescales as may be agreed.

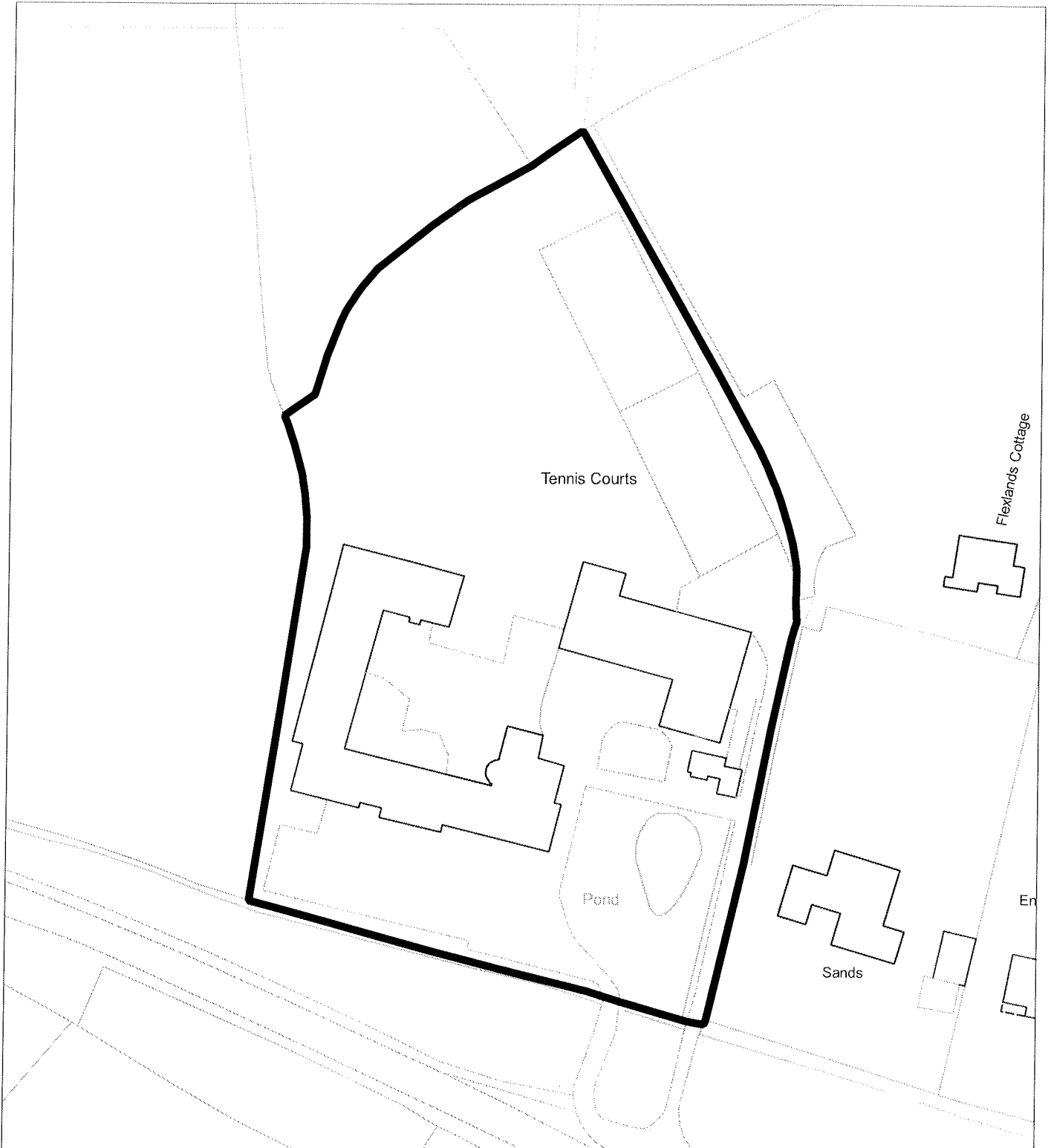
Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

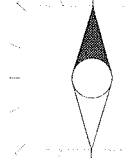

#### Informative(s)

1. Form 1 Needs Submitting CIL2
2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or cause damage to the highway

from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131,148,149).

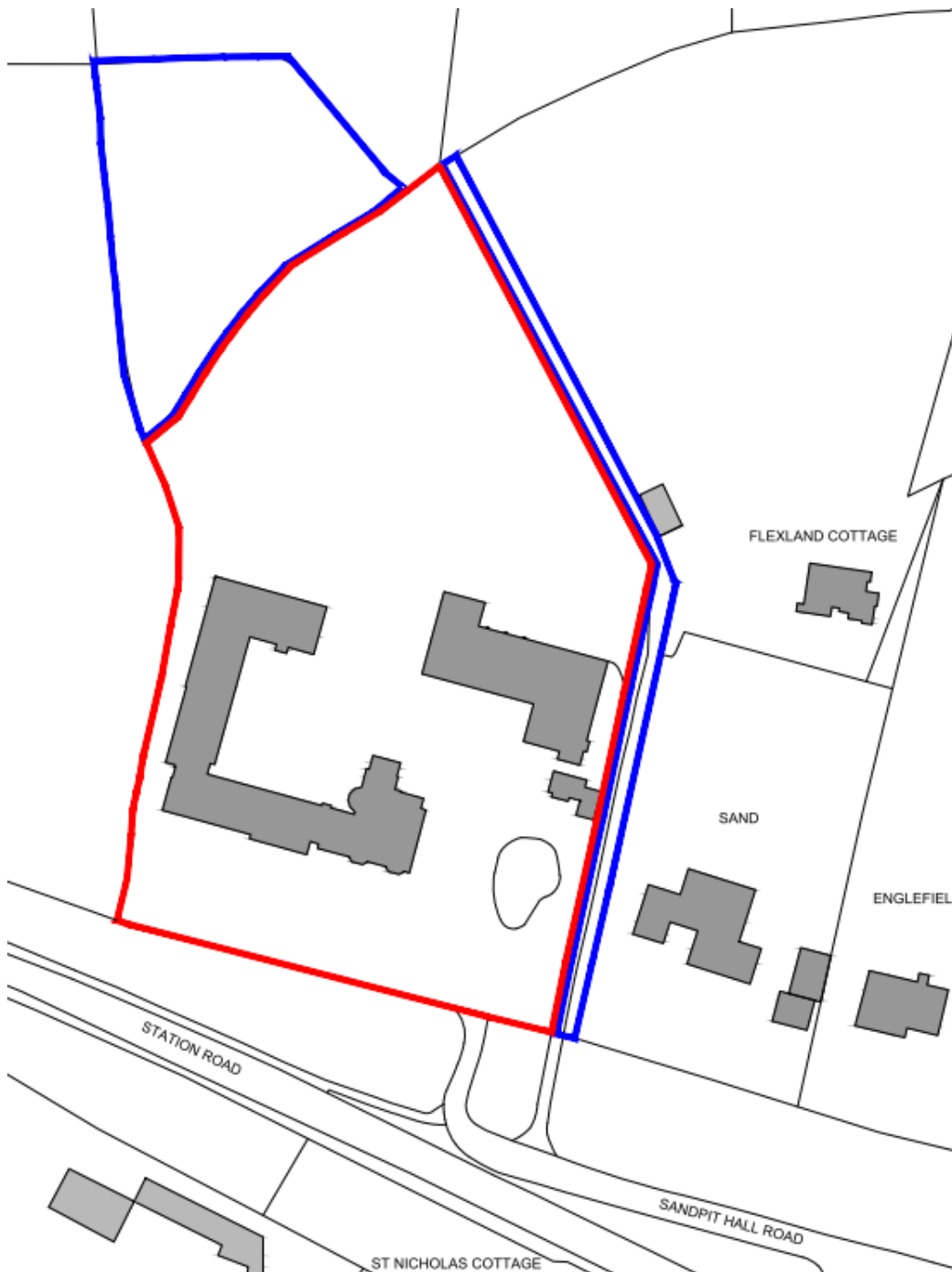
4. Safe public access to the Public Footpath 12 must be maintained at all times. If this is not possible whilst work is in progress then an official temporary closure order will be necessary. Notice of not less than 6 weeks must be given and the cost is to be borne by the applicant.
5. There are to be no obstructions to the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.
6. Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Rights of Way Group, with at least 3 weeks' notice.
7. Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way. There should be no encroachments by new fascias, soffits, gutters etc over the boundary onto the public right of way.
8. Access along a public right of way by contractors vehicles, plant or deliveries can only be allowed if the applicant can prove that they have a vehicular right. Surrey County Council's Countryside Access Group will look to the applicant to make good any damage caused to the surface of the right of way connected with the development.
9. Building Regs consent req'd DF5
10. Decision Notice to be kept DS1



<b>Title</b>	Planning Applications		<b>Page</b>	1 of 2
<b>Application number</b>	16/1123		<b>Scale @ A4</b>	1:1,000
<b>Address</b>	FLEXLANDS, STATION ROAD, CHOBHAM, WOKING, GU24 8AG		<b>Date</b>	15-02-2017
<b>Proposal</b>	<p>The erection of 8 number two bedroom and 6 number three bedroom dwellings, 14 car ports, a bin store and community pavilion, and the refurbishment of one tennis court following demolition of the existing C2 care home buildings and the removal of areas of hard surface.</p>			
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Site Location Plan



Proposed site layout

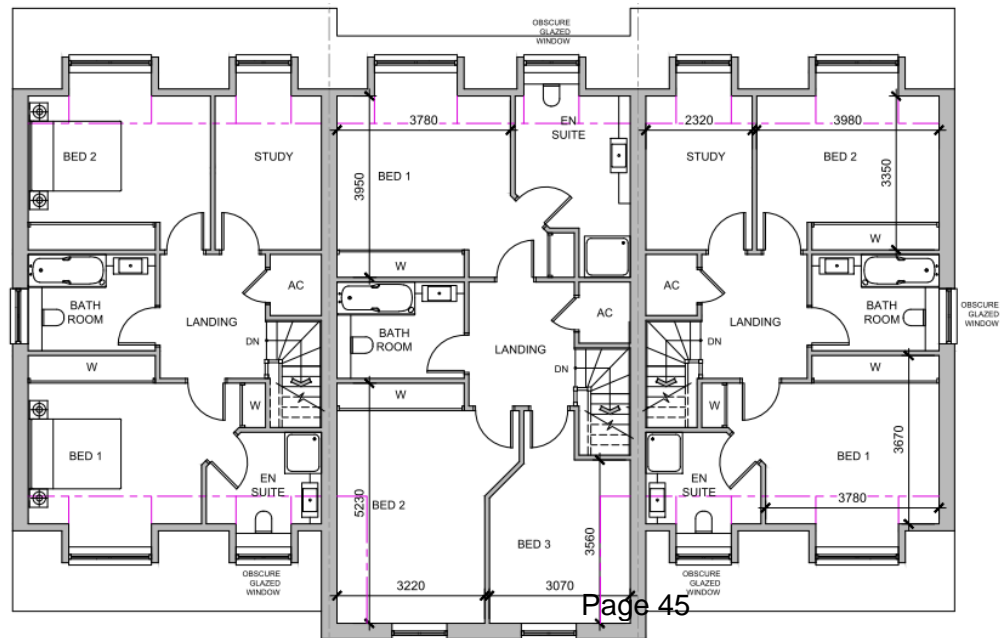
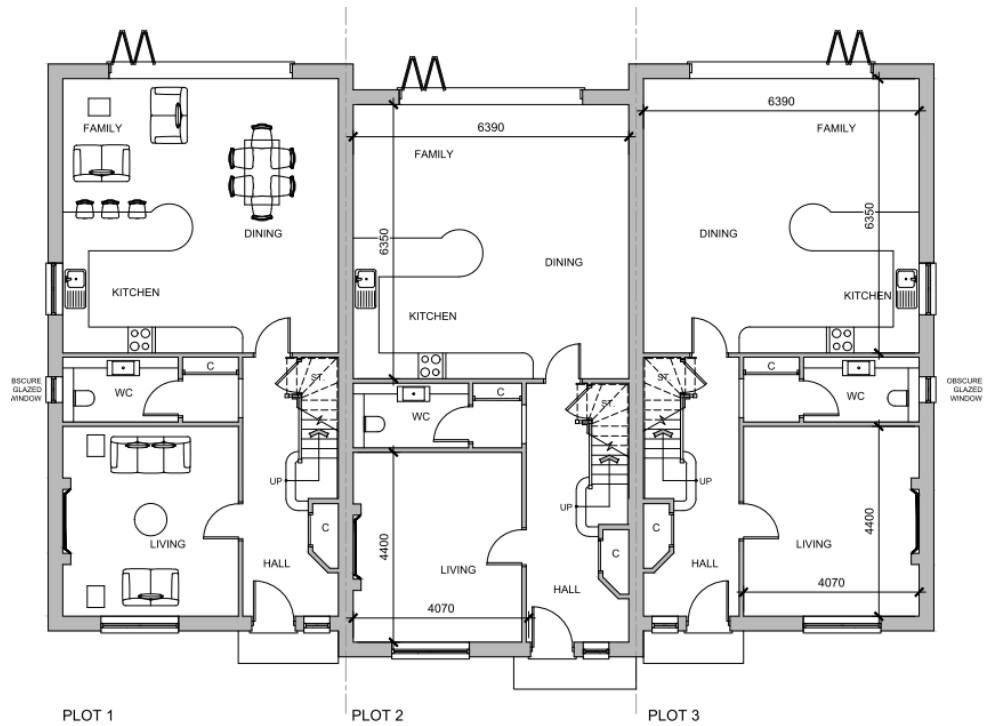




Proposed front elevations Plots 1-3



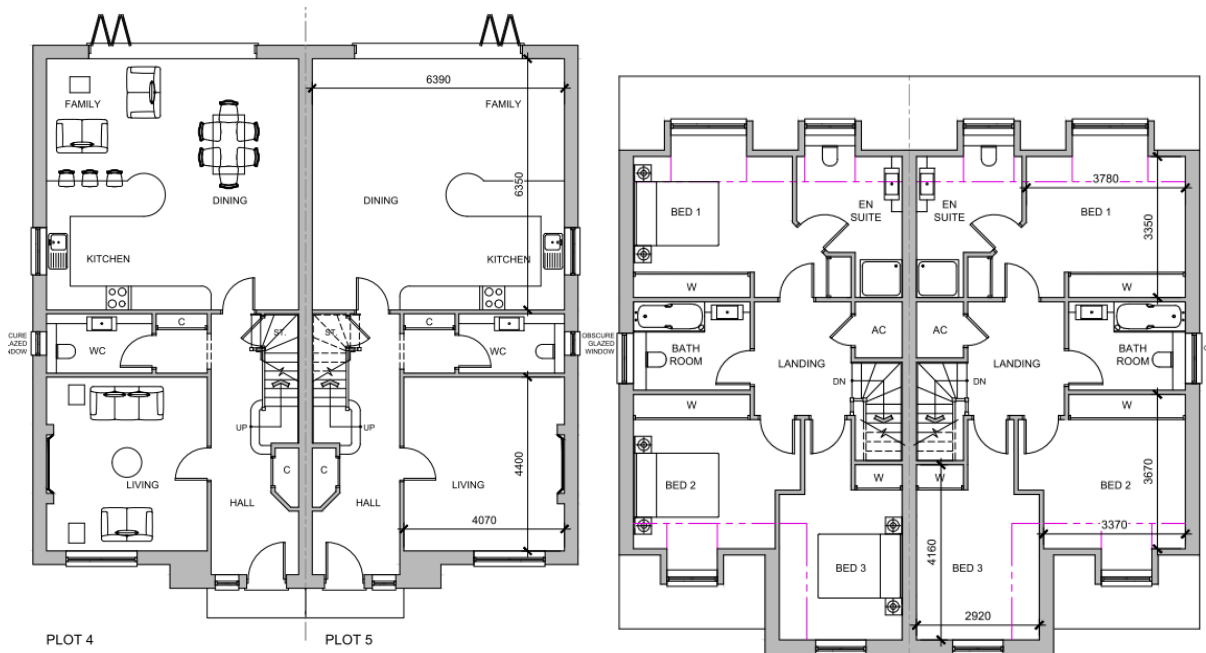
Proposed floor plans Plots 1-3 and 6-8



Proposed front elevations Plots 4-5



Proposed floor plans Plots 4-5 and 11-12



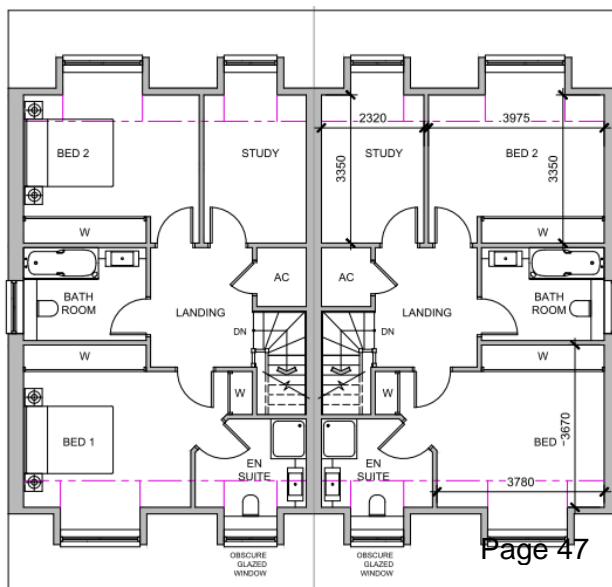
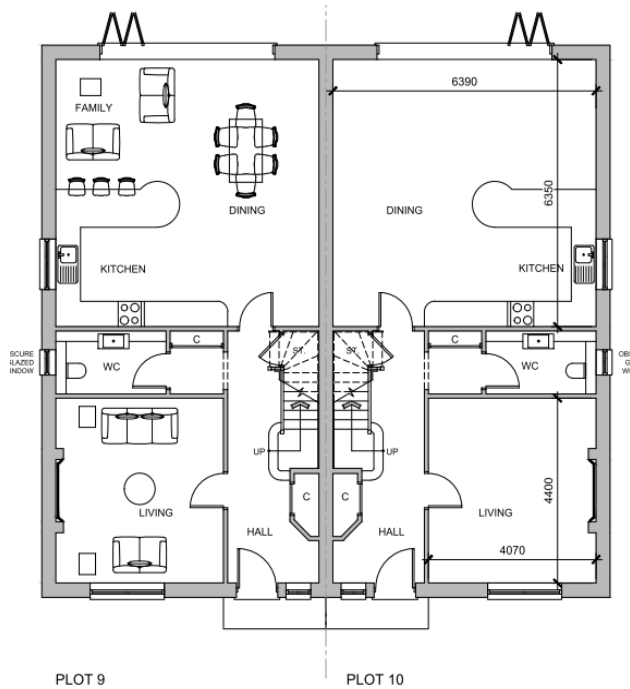
Proposed Front Elevations Plots 6-8



Proposed front elevations Plots 9-10



Proposed floor plans Plots 9-10 and 13-14





Proposed front elevations Plots 11-12



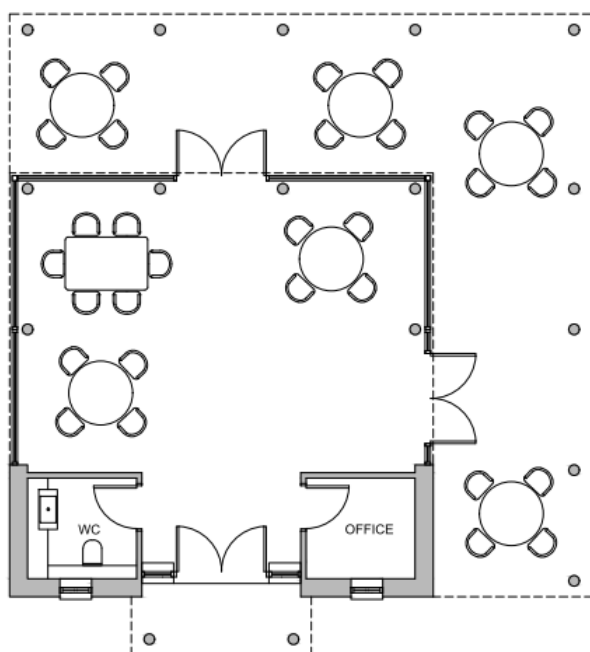
Proposed front elevations Plots 13-14



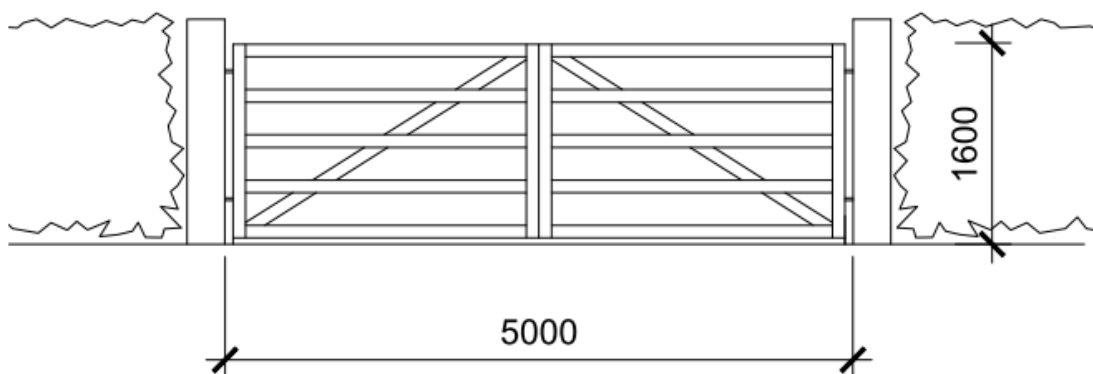
Pavilion front elevation



Pavilion floorplan



Proposed Entrance gate



Existing building – facing Station Road





Existing front car park – looking west towards Chobham



Existing former school buildings inside the site









Front of the site from Station Road



Open land to rear, looking north





2016/1114

Reg Date 01/12/2016

Windlesham

**LOCATION:** THE COTTAGE, HATTON HILL, WINDLESHAM, GU20 6AB  
**PROPOSAL:** Two detached two storey dwellings including new vehicular access following demolition of existing dwelling and garage.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr A Atkinson  
 Woodcote House School and Forays Homes (Southern) Ltd  
**OFFICER:** Ross Cahalane

**The application would normally be determined under the Council's Scheme of Delegation, however, it has been reported to the Planning Applications Committee at the request of Cllr Conrad Sturt.**

**RECOMMENDATION: REFUSE**

**1.0 SUMMARY**

- 1.1 This application seeks planning permission for the erection of two detached two storey dwellings and a new vehicular access following demolition of existing dwelling and garage.
- 1.2 This report concludes the development is inappropriate development in the Green Belt which would be harmful to it. Further harm to the openness of the Green Belt would arise as a result of the additional built form and spread of development across the site. It is also considered the development would conflict with the purposes of including land within the Green Belt. In addition, harm would arise from the development upon the Thames Basin Heath SPA.
- 1.3 Notwithstanding the Council's lack of a five year housing land supply and the enabling benefits arising from the development as outlined by the applicant - providing funding towards the improvement of Woodcote House School's facilities, officers consider that the very special circumstances presented by the applicant do not clearly outweigh the substantial harm to the Green Belt as identified. The application is therefore recommended for refusal.

**2.0 SITE DESCRIPTION**

- 2.1 The application site comprises a 0.14ha plot on the southwest side of Hatton Hill consisting of a detached two storey dwelling and a garage to the side/rear.
- 2.2 The site is within the Green Belt between the settlement areas of Windlesham Snows Ride and Windlesham village.

The adjacent streetscene of Hatton Hill comprises a number of detached and semi-detached two storey properties of varying age, size and architectural style with open land behind, including the grounds of Woodcote House School to the west. The Locally Listed Buildings of The Coach House and Hatton Hill are located to the northwest.

### **3.0 RELEVANT HISTORY**

- 3.1 None directly relevant to the application site. The applicant has made reference to a number of planning permissions for replacement dwellings granted within Hatton Hill and Westwood Road. However, as this application involves an additional dwelling they are not considered to be directly relevant to the application site. In any event, each application must be considered on its own site-specific planning merits.

### **4.0 THE PROPOSAL**

- 4.1 Planning permission is sought for the erection of two detached two storey dwellings including new vehicular access following demolition of the existing dwelling and garage.
- 4.2 The proposed dwelling 'Plot 1' would have a maximum depth of approx. 13.1m (excluding front canopy area), maximum width of 13.61m, maximum eaves height of approx. 5.2m and maximum height of approx. 7.7m (from adjacent ground level). The proposed dwelling 'Plot 2' would have a maximum depth of approx. 12.2m (excluding front canopy area), maximum width of 13.65m, maximum eaves height of approx. 5.3m and maximum height of approx. 7.6m (from adjacent ground level).
- 4.3 Both dwellings would consist of hipped pitched roof and catslide roof forms above an attached garage, with external walls consisting mainly of white render. Plot 1 would contain a tiled roof, whereas Plot 2 would contain a slate roof. Plot 1 would be served by a new vehicular access off Hatton Hill.
- 4.4 The application dwelling is currently vacant, having historically been used as staff accommodation and forms part of the estate of Woodcote House School, who are the applicants. The application form states that the above use ceased on 01 September 2015. The school, located on London Road with its grounds bordering the application site to the west, is privately run by a not-for-profit organisation and provides for around 100 boys aged between 7-13, most of which board or part-board at the same site. The proposal forms an enabling development to provide funding towards the improvement of the school's facilities, as an alternative to raising school fees or increasing the number of pupils.

### **5.0 CONSULTATION RESPONSES**

- |     |                          |  |
|-----|--------------------------|--|
| 5.1 | County Highway Authority | No objections raised on safety, capacity or policy grounds. Conditions recommended |
|-----|--------------------------|--|

- |     |                           |   |
|-----|---------------------------|---|
| 5.2 | Surrey Wildlife Trust     | No objection, subject to compliance with actions recommended within the submitted bat survey report   |
| 5.3 | Windlesham Parish Council | Comment: Councillors queried the building of 2 properties as the site is in the greenbelt. Consideration should also be given to the emerging Windlesham Neighbourhood Plan |
| 5.4 | Conservation Officer      | No objection, subject to conditions   |
| 5.5 | Arboricultural Officer    | No objection, subject to landscaping condition including retention of native species  |

## 6.0 REPRESENTATION

At the time of preparation of this report, 4 objections have been received, raising the following concerns:

- Allocation conflicts with needs for village for smaller 2 and 3 bed dwellings as set out in the draft Windlesham Neighbourhood Plan *[See section 7.3.]*
- Not convinced there is need for four bedroom houses with tiny gardens in the green belt / Increase should be no more than 30% of existing dwelling *[See section 7.3 for the relevant in-principle considerations]*
- Houses too large for plot/ Inappropriate for low density of area / Semi-rural and traditional elements of Hatton Hill would be destroyed *[See section 7.4]*
- Access and visibility on to Hatton Hill is far too dangerous / Hatton Hill not designed for current traffic and further access would be even more dangerous /Where would building contractors etc park during construction? *[See Section 7.6]*
- Some neighbours have not been informed *[Officer comment: All neighbours adjoining the application site have been consulted, in accordance with the statutory requirement.]*

## 7.0 PLANNING CONSIDERATIONS

- 7.1 The application site lies in the Green Belt and is outside of any defined settlement. The application proposed must be considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). In this case the relevant policies are Policies CP1, CP2, CP6, CP12, CP14, DM9 and DM11. The National Planning Policy Framework (NPPF) is also a material consideration. The Windlesham Neighbourhood Plan is still under early preparation and therefore very limited weight can be given to this plan at this time.
- 7.2 The main issues to be considered are:
- Principle and appropriateness of development in the Green Belt;

- Impact on character of the surrounding area and trees;
- Impact on residential amenity;
- Impact on access, parking and highway safety;
- Impact on ecology;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Other matters; and,
- Very Special Circumstances;

### **7.3 Principle and appropriateness of development in the Green Belt**

7.3.1 The Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence (Paragraph 79 of the NPPF refers). Paragraph 89 of the NPPF also states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this. Of the exceptions listed only two, namely the replacement of a building and the redevelopment of previously developed land (PDL) could be said to apply to the development proposal.

7.3.2 The NPPF is clear, however, that while replacing an existing building may not be inappropriate development the replacement has to be in the same use as the original and not materially larger than the one it replaces. The proposal seeks to demolish the existing dwelling and replace it with two separate dwellings. It is clear therefore that the stated exception of replacing one building with another cannot apply to this proposal as one building is to be replaced with two.

7.3.3 The NPPF provides a definition of PDL and this excludes private residential gardens in built up areas. In the officer's opinion the site is not PDL as it is formed by private residential curtilage in an area of built development (albeit of a lower density) and accordingly this exception does not take effect. However, even if the site could be considered to be PDL, the second limb of this exception must be satisfied. This requires the redevelopment of PDL not to have a greater impact on the openness of the Green Belt and the purposes of including land in it than the existing development.

7.3.4 It is long established that one method of assessing a proposal's impact on openness involves a comparative assessment of the size of the existing and the proposed development. In this regard it is noted that the floor area of the existing dwelling and garage amounts to approximately 103 sq. m. The proposed two dwellings would have a floor area of approximately 449 sq. m (346 sq. m above existing), which would amount to an increase of approximately 335% over the existing dwelling floor area ( $346 / 103 \times 100$ ). Such an increase is considered to be significantly greater than the existing development and would therefore have a materially greater impact on the openness of the Green Belt and the purpose of

including land within it than the existing development. The applicant accepts that the residential floorspace will be increased from existing, but contends that there will be no spread of built form from the established linear form of development adjacent to Hatton Hill and that the new development will be contained to the roadside/frontage of the site.

- 7.3.5 It is accepted that floor area is only one indicator of size and as such, it is also relevant to assess height, design, bulk and mass and the positioning and spread of the development within the site. No hard standing or volume calculations of the existing and proposed development have been provided by the applicant. It is, however, clear that there would be a significant additional presence of buildings and hard standing areas that includes further spread of development to the south, which is considered to also contribute to the harm to the openness of the Green Belt. Additionally, the proposed respective heights of the dwellings would be approx. 0.3m – 0.4m above the height of the existing dwelling. It is therefore considered that the proposed development as a whole would have a demonstrably greater impact upon the openness of the Green Belt.
- 7.3.6 In light of all the above, it is considered that the proposal does not benefit from support under Para 89 of the NPPF and is therefore inappropriate development in the Green Belt. Furthermore, owing to the substantially greater footprint and height increase and overall spread of development across the site, the proposal would be more harmful to the openness of the Green Belt and the purpose of including land within it than the existing development. The applicant has accepted within the Design and Access Statement that the proposal is contrary to Green Belt policy and has therefore outlined Very Special Circumstances which are outlined further in section 7.11, below.

#### **7.4 Impact on local character and trees**

- 7.4.1 Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The NPPF seeks to secure high quality design, as well as taking account of the character of different areas.
- 7.4.2 The application site is located near to the Locally Listed Buildings of The Coach House and Hatton Hill to the northwest. Policy DM17 of the CSDMP states that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting. The Council's Conservation Officer was therefore consulted and has commented that although the proposed development would continue the suburbanisation of this part of the village, it will not be harmful to the setting of the adjacent locally listed buildings.
- 7.4.3 The planning statement outlines a traditional design approach to the proposed dwellings, with the proposed white render external walls, low eaves levels and fenestration design attempting to reflect the respect features of the dwellings on either side. The proposed contrast of tiled and slate roof materials between the dwellings would also add interest and reflect the informal layouts of the older buildings within the streetscene.

It is considered that the proposed hipped pitched roof forms and gable end features would also respect the prevailing character of the surrounding area.

- 7.4.4 It is considered that the proposed spread of development would lead to a somewhat urban appearance. However, given the proposed plot ratios, siting of the dwellings establishing a building line set back from the highway and separation distances in relation to the surrounding established residential patterns, it is considered that this impact would not give rise to adverse harm to the character of the surrounding area. The precise landscaping details could be secured by means of a planning condition.
- 7.4.5 Policy DM9 (iv) of the CSDMP states that development will be acceptable if, inter alia, it would protect trees and other vegetation worthy of retention. A topographical survey has been provided outlining existing development and tree and shrub species and location, both within and adjacent to the site. The Council's Arboricultural Officer has been consulted and has commented that in this instance, a full arboricultural report is not necessary and given the site's rural location, has recommended a planning condition requiring provision of a landscaping plan to include retention of native species. On this basis, no objections are raised on tree impact grounds.
- 7.4.6 Given the above considerations and notwithstanding the in-principle Green Belt objection already outlined, the mass, design and appearance of the proposal is considered to sufficiently respect the character of the application site and the surrounding area including the adjacent Locally Listed Building. No objections are therefore raised on these grounds.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 (Design Principles) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 requires that the amenities of the occupiers of the neighbouring properties and uses are respected. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.5.2 The proposed single storey rear outshot to the dwelling 'Plot 1' would project approx. 3.5m beyond the rear elevation of the detached two storey dwelling 'Dominies' to the southeast, but would be sited approx. 1.7-1.8m from the shared side boundary and approx. 3.7m from the side elevation of Dominies, which contains doors but no window openings. Given the site orientation and the above juxtapositions and separation distances, it is considered that this relationship would not give rise to adverse harm to this neighbour in terms of loss of light, outlook or overbearing impact. The proposed main two storey element of Plot 1 would be set further in and away from this neighbour and is therefore not considered to be materially harmful to residential amenity.
- 7.5.3 The proposed dwelling 'Plot 2' would primarily be sited beyond the nearest rear elevation of the two storey detached dwelling 'The Coach House' to the northwest. However, given the significant separation distances between the side elevations of approx. 5.8m at single storey level and approx. 9m at two storey level, coupled with the higher ground level of this neighbour, it is considered that the proposal would

not give rise to adverse harm to amenity in terms of loss of light, outlook or overbearing impact.

7.5.4 The proposed dwelling 'Plot 2' would primarily be sited beyond the nearest rear elevation of the two storey detached dwelling 'The Coach House' to the northwest. However, given the significant separation distances between the side elevations of approximately 5.8m at single storey level and approximately 9m at two storey level, coupled with the higher ground level of this neighbour, it is considered that the proposal would not give rise to adverse harm to amenity in terms of loss of light, outlook or overbearing impact.

7.5.5 Given the significant distance to the elevations and primary amenity areas of the other surrounding neighbours, it is considered that the proposal as a whole would not give rise to adverse harm to the amenity in terms of loss of light, outlook, privacy or overbearing impact. It is therefore considered that the proposal complies with the amenity requirements of Policy DM9.

7.5.6 It is considered that sufficient outlook, natural light and private amenity areas would be provided for future occupiers of the proposed dwellings. No objections are therefore raised on these grounds.

## **7.6 Impact on access, parking and highway safety**

7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

7.6.2 An additional vehicular access off Hatton Hill is proposed, and both proposed dwellings would have an attached side garage with space at the front for additional parking and turning. The County Highway Authority has been consulted and has no objections to make on safety, capacity or policy grounds, subject to pre-occupation conditions requiring the provision of sufficient visibility zones and space within the site for parking, and a pre-commencement planning condition requiring the submission of a Construction Management Plan.

7.6.3 It is therefore considered that subject to conditions, the proposed development would not prejudice highway safety nor cause inconvenience to other highway users.

## **7.7 Impact on ecology**

7.7.1 A bat survey report has been provided, which found no evidence of roosting bats within the existing dwelling or the wider site and concludes that the site appears to be little used by breeding or resident bats of any species. Surrey Wildlife Trust has been consulted and has raised no objection, subject to compliance with actions recommended within the submitted bat survey report, which are the use of sympathetic lighting in accordance with best practice and the provision of bat boxes. It is therefore not envisaged that the proposal would give rise to adverse impact upon legally protected species.

## **7.8 Impact on infrastructure**

7.8.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal includes new Class C3 dwellings, the development would be CIL liable. However, CIL is a land charge that is only payable at commencement of works should full permission be granted. An advisory informative would be added accordingly.

## **7.9 Impact on the Thames Basin Heaths SPA**

7.9.1 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.

7.9.2 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).

7.9.3 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.

7.9.4 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £842 would be needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. This has not been paid by the applicant. The lack of financial contribution towards SAMM would be contrary to Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD.



## **7.10 Other matters**

7.10.1 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. Whilst the implementation and completion of the development, if it were approved, would result in a local financial benefit, for reasons as already outlined it has been concluded that this proposal does not accord with the Development Plan, as it would give rise to significant harm and that the above financial consideration would not outweigh this harm.

## **7.11 Very special circumstances**

7.11.1 Paragraph 88 of the NPPF states that:

*“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”*

7.11.2 The applicants have put forward a case for ‘very special circumstances’ (VSC) as outlined within the Supporting Statement and a confidential letter from the Headteacher and Board of Governors of the applicant Woodcote House School, stating that the proposed development would enable funding towards the improvement of the school’s facilities as an alternative to raising school fees or increasing the number of pupils. These improvement works would include:

- The general updating and future maintenance of the historic and more recent buildings at the school, such as the refurbishment of the main entrance hall;
- The provision of new and improved education and leisure facilities, specifically the conclusion of the classroom refurbishments and the gym/theatre building
- Continued investment in energy efficient initiatives such as LED lighting.

7.11.3 It is noted that no details have been provided of any possible alternative fundraising methods that may have been attempted/explored and no explanation has been given as to why the existing dwelling has been vacant since September 2015 and not used as rental income. Furthermore, the site has been enlarged recently through a swap of rear garden land with the detached dwelling ‘Dominies’ to the southeast (which also appears to be under the ownership of the applicant), including the removal of trees/shrubs and installation of new boundary fencing.

Although Policy DM14 of the CSDMP supports opportunities to enhance and improve community and cultural facilities within the Borough, in the absence of information to demonstrate otherwise it is considered likely that the potential financial enabling benefits accruing from the development would be relatively short-term in nature - especially in the context of the lasting harm to the openness of the Green Belt, to an extent that this harm to openness would significantly and demonstrably outweigh the benefits.

- 7.11.4 As such, it is considered that the VSC, either alone or in combination, as outlined by the applicant does not outweigh the significant and permanent harm to the openness of the Green Belt, arising from the wholly disproportionate additional spread of development as already outlined above.
- 7.11.5 It is acknowledged that the proposal can provide one net dwelling unit and that the Council currently falls short of having a 5 year housing land supply. In such an instance, the Local Plan policies relating to the supply of housing (CP1 & CP3) cannot be considered up-to-date as outlined in Paragraph 49 of the NPPF. It is also accepted that a shortage of housing land when compared to the needs of an area is capable of amounting to VSC, although the Courts have held that a lack of a five year supply does not automatically lead to a case of VSC. However, Policy CP3 of the CSDMP states that the Council will make provision for additional dwellings by promoting the use of previously developed land in settlement areas and after 2025, if insufficient sites have come forward within settlement areas, then consider release of sustainable sites in Countryside beyond the Green Belt. Although the application site is considered to be previously developed, it is in the Green Belt outside of and detached from a settlement area and not within the Countryside beyond the Green Belt or a Housing Reserve Site.
- 7.11.6 Therefore, in this instance it is not considered that the current circumstances leading to the Council's lack of five year supply provision would, in itself or in combination with the VSC case outlined by the applicant, outweigh the substantial and demonstrable harm to the openness of the Green Belt.

## **8.0 CONCLUSION**

- 8.1 The proposed development, by reason of its significant additional footprint, bulk, height and spread of development across the site, would represent an inappropriate form of development within the Green Belt, as it would result in larger buildings and an additional spread of development across the site, leading to a materially greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Additionally, in the absence of a payment or a completed legal agreement, the applicant has failed to contribute towards strategic access management and monitoring (SAMM) measures. There are no known very special circumstances, outlined by the applicant or otherwise, which either alone, or in combination, clearly outweigh the harm to the openness of the Green Belt which would arise. The application is therefore recommended for refusal.

## **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:

- 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;
- 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**

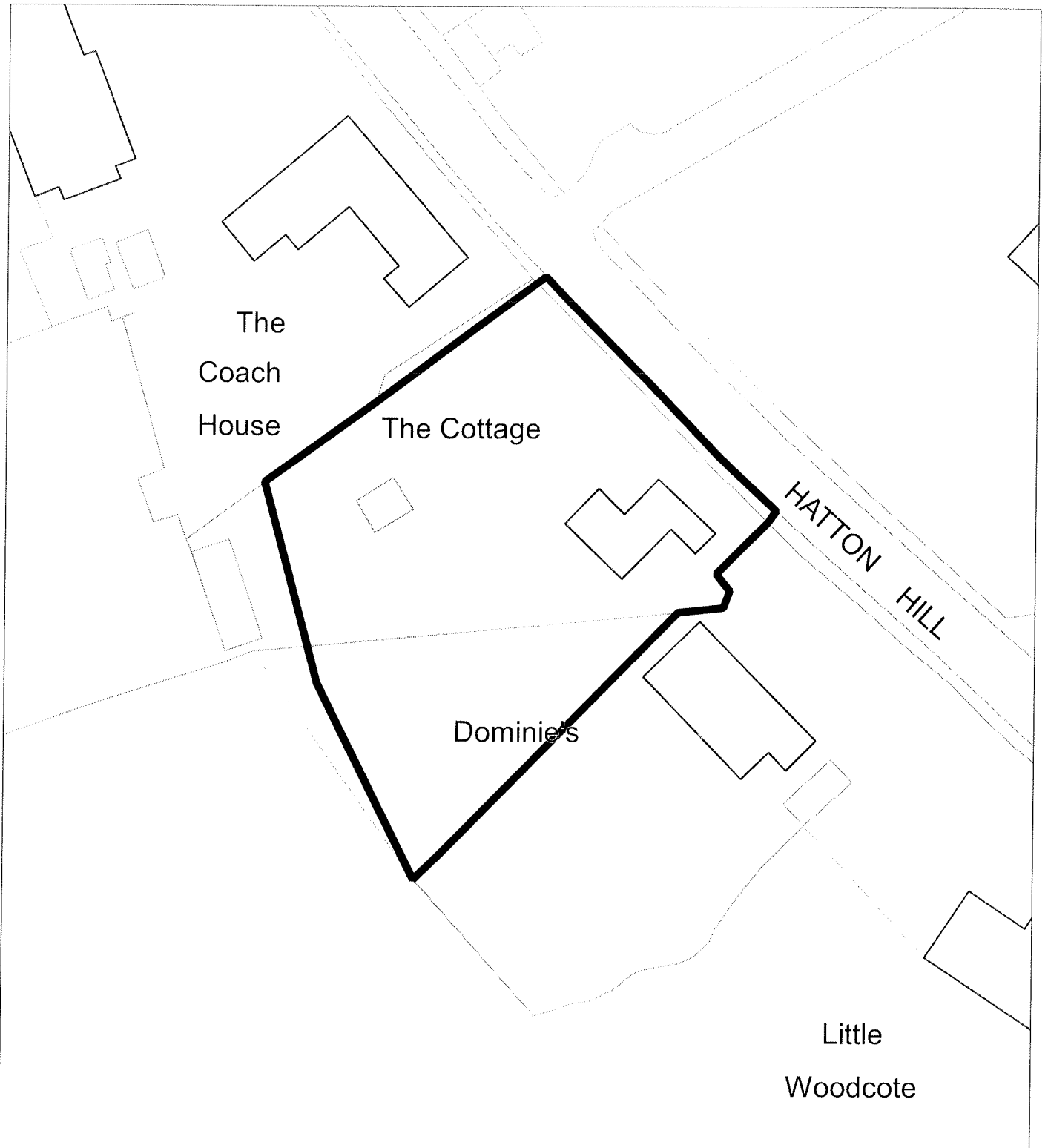
REFUSE for the following reason(s):-

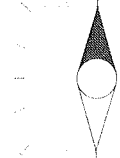

1. The proposal would be inappropriate development in the Green Belt and by reason of its significant additional footprint, floor area, bulk, height and spread of development across the site, would result in a quantum of built form that would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. There are no known very special circumstances which either alone, or in combination, clearly outweigh the inappropriateness and harm to the Green Belt. The proposal is therefore contrary to the objectives of Chapter 9 of the National Planning Policy Framework 2012.
2. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

### Informative(s)

1. Advise CIL Liable on Appeal CIL3

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<b>Title</b>	Planning Applications		<b>Page</b>	2 of 2
<b>Application number</b>	16/1114		<b>Scale @ A4</b>	1:500
<b>Address</b>	THE COTTAGE, HATTON HILL, WINDLESHAM, GU20 6AB		<b>Date</b>	15-02-2017
<b>Proposal</b>	TBC.			

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Location plan/context plan

Meters  
0 10 20 30  
1:1250  
Supplied by: Lettitude Mapping  
License: © Crown Copyright &  
rights 2018 OS 100038684  
Reference: 01044075  
Centre coordinates: 49.5104 N



Paul Hewitt R.I.B.A.  
CHARTERED ARCHITECT

Paul Hewitt R.I.B.A. Chartered Architect  
15 Hawks Dove, The Hat, Apsley, West Sussex, S

Scale: 1:1250 @ A3. Dm By: PH Date Nov'16  
Dm No: 16202/01 Rev A  
Client: WOODCOTE HOUSE SCHOOL & FORAYS LTD  
Project: **WOODCOTE HOUSE SCHOOL & FORAYS LTD**  
THE COTTAGE, HATTON HILL  
WINDLESHAM  
Drawing Title: **LOCATION PLAN - New Boundary Overlay**  
Copyright: Paul J Hewitt R.I.B.A. Chartered Architect



Proposed site layout



Scale: 1:250 @ A2 Dm By: PH Date: Sept 16  
Dwg No: 1601\_P\_03 Rev A  
Client: WOODCOTE HOUSE SCHOOL & FORAYS LTD  
Project: Development of  
THE COTTAGE, HATTON HILL  
WINDLESHAM  
Drawing Title: SITE LAYOUT  
Copyright: Paul J Hewett R.I.B.A. Chartered Architect



Paul Hewett R.I.B.A. Chartered Architect  
31 Hatfield Road, Hatfield, Hertfordshire, AL9 9QD  
01462 441111



Proposed streetscene



STREET SCENE TO HATTON HILL

Proposed elevations Plot 1



SIDE ELEVATION



SIDE ELEVATION

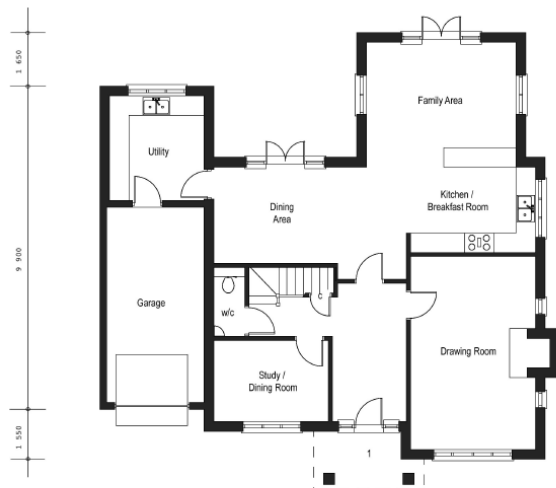


FRONT ELEVATION



REAR ELEVATION

Proposed floor plans Plot 1



GROUND FLOOR PLAN

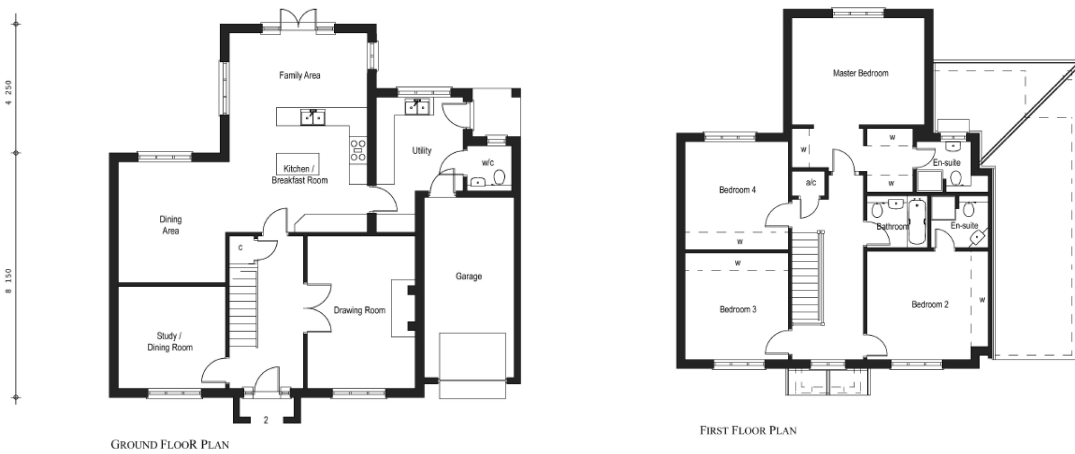


FIRST FLOOR PLAN

Proposed elevations Plot 2



Proposed floor plans Plot 2



Proposed block plan





Site Pictures

Site and streetscene facing northwest



Site entrance facing south



Facing north towards 'The Coach House'





Facing east towards new boundary with 'Dominies'



**PRB Deepcut**

Portfolio	Regulatory
Ward(s) Affected:	Deepcut & Borough wide

**Purpose**

**To advise the Planning Applications Committee that a report will be presented to the 9 March 2017 Committee meeting outlining various proposed amendments to the existing S106 agreement pursuant to planning permission 12/0546 for the comprehensive redevelopment of the PRB Site in Deepcut.**

Background

- 1 The Committee Report for planning application 12/0546 to Full Council on 17 July 2013 was accompanied by a skeleton heads of terms. The detail contained in the heads of terms was taken forward following the resolution to grant planning permission in the completed Section 106 agreement.

Current Position

- 2 The applicant team has indicated that they wish to revisit this agreement and specifically, the triggers for delivery of elements of on and off site infrastructure and mitigation. It is also proposed to amend a number of the definitions within the Section 106 and to amend some terminology within the body of the document. These changes are mainly to reflect the phased nature of the implementation of the PRB redevelopment and the need to develop those parts of the site outside of the 'wire' before those parts behind it can be developed. This would take the form of a deed of variation to the original agreement.
- 3 The decision whether or not to enter into a deed of variation is a delegated function. However in light of the scale of the development and its strategic importance to the Borough officers seek member agreement on the more substantive changes proposed.
- 4 At the time of writing this report officers are not in receipt of a finalised draft of the deed of variation. However, those changes detailed in the current draft deed which are considered to more than simply administrative or 'tidying up' in nature are set out below:

Provision	Existing trigger	Proposed trigger
<b>Education</b>		
Schedule 4 Part 1 para 7 & 8	Primary school 1 form entry (1FE) prior to 1 <sup>st</sup> occupation of 200 dwellings	1FE 350 prior to 1 <sup>st</sup> occupation of 350 dwellings
	2 form entry (2FE) prior to 1 <sup>st</sup> occupation of 750 dwellings	2FE within 24 months of occupation of 350 <sup>th</sup> dwelling

Part 2 Para 1 & 2	Nursery – prior to 1 <sup>st</sup> occupation of 200 dwellings	prior to occupation of 350 dwellings
<b>Sport England Contribution</b>  Schedule 5 Part 1 paras 1 & 2	Prior to 1 <sup>st</sup> occupation of 750 dwellings or full occupation of 2 <sup>nd</sup> phase whichever is earliest	Contribution to be paid prior to occupation of 750 <sup>th</sup> Dwelling
<b>Sports Hub</b>  Schedule 5 Part 7 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1 <sup>st</sup> phase whichever is earliest	Delivery prior to first occupation of 450 <sup>th</sup> dwelling
<b>Formal Park</b>  Schedule 5 Part 10 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1st phase whichever is earliest	Delivery prior to first occupation of 450 <sup>th</sup> dwelling
<b>Allotments</b>  Schedule 5 Part 11 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1st phase whichever is earliest	Delivery prior to first occupation of 450 <sup>th</sup> dwelling
<b>Highway improvements</b>  Schedule 6 Part 1, para 2.2, 2.6, 2.8  Red Road/The Maultway/Upper Chobham Road County Council  Deepcut Bridge Road Railway Bridge	Prior to the Occupation of the 230th Dwelling or within 24 months of Commencement of Development  Prior to the Occupation of the 230th Dwelling or within 24 months of Commencement of Development	Prior to the Occupation of the 230th Dwelling or within 48 months of Commencement of Development - whichever is sooner  Prior to the Occupation of the 230th dwelling or within 37 months of commencement of development – whichever is sooner

- 4 At the time of writing this report Surrey County Council as the Education Authority has advised that it has no objection to the proposed change to the triggers for education provision and has advised ...

*'We would not object to these changes. It gives confidence about the delivery, the fear within Surrey was that buildout would mean either a lack of development or an unsustainable school. With the buildout looking slower this gives a clear commitment to a 2FE school potentially sooner.'*

*Whilst the increase in trigger has elements of logistics planning for the school commissioning service it is felt that this is paid off by the clarity over provision of 2FE, and that demand up to that point can be met via smaller local changes.'*

- 5 A full report outlining the final version of the proposed deed of variation and officers comments (with input from SCC as the Highways Authority) will follow as soon as possible.

Options

- 5 Report to follow.

Proposal

- 6 Report to follow.

Resource Implications

- 7 None – the applicant team are bearing the cost of legal fees.

Recommendation

8. Report to follow.

Annexes: None at this time

Background Papers: None at this time

Report Author Michelle Fielder 01276 707241  
e-mail: michelle.fielder@surreyheath.gov.uk

Service Head: Jenny Rickard 01276 707351  
e-mail: jenny.rickard@surreyheath.gov.uk

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

**NOTES**

**Officers Report**

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

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

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

**How the Committee makes a decision:**

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

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

**The Committee cannot base decisions on:**

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

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

<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.