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Tuesday, 11 July 2017

To: The Members of the **Planning Applications Committee**
(Councillors: Edward Hawkins (Chairman), Nick Chambers (Vice Chairman),
Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Jonathan Lytle,
Katia Malcaus Cooper, David Mansfield, Max Nelson, 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 David Allen, Ruth Hutchinson, Paul Ilnicki, Rebecca Jennings-
Evans, Oliver Lewis and John Winterton

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, 20 July 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

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes	3 - 8

To confirm and sign the non-exempt minutes of the meeting held on 29 June 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

4	Application Number: 17/0399 - 42 Kings Road and land to rear of 40-46, West End, Woking GU24 9LW	9 - 30
5	Application Number: 16/0752 - 325 Guildford Road, Bisley, GU24 9BD	31 - 50
6	Application Number: 17/0286 - Land to the East of Bellew Road, Deepcut	51 - 76
7	Application Number: 16/0877 - Garages, Greenlands Road, Camberley	77 - 96
8	Application Number: 17/0167 - 41 Bosman Drive, Windlesham GU20 6JN	97 - 114
9	Application Number: 17/0293 - Magnolia House, Westwood Road, Windlesham, GU20 6LP	115 - 132
10	Application Number: 16/0942 - Land adjacent to 1 Whitmoor Road, Bagshot, GU19 5DQ	133 - 148

Glossary

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 29 June 2017

+ Cllr Edward Hawkins (Chairman)
+ Cllr Nick Chambers (Vice Chairman)

+ Cllr Mrs Vivienne Chapman	+ Cllr Adrian Page
- Cllr Colin Dougan	+ Cllr Robin Perry
- Cllr Surinder Gandhum	+ Cllr Ian Sams
+ Cllr Jonathan Lytle	- Cllr Conrad Sturt
+ Cllr Katia Malcaus Cooper	- Cllr Pat Tedder
+ Cllr David Mansfield	+ Cllr Victoria Wheeler
+ Cllr Max Nelson	+ Cllr Valerie White

+ Present
- Apologies for absence presented

Substitutes: Cllr Ruth Hutchinson (In place of Cllr Pat Tedder)

In Attendance: Ross Cahalane, Duncan Carty, Andrew Crawford, Jessica Harris-Hooton, Jonathan Partington and Emma Pearman

1/P Minutes

The minutes of the meeting held on the 11 May 2017 were confirmed and signed by the Chairman.

2/P Application Number: 17/0202 - Land north of Beldam Bridge Road, West End, Woking GU24 9LP

The application was for the approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission SU/16/0323 to provide for the erection of 85 dwellings into new access, landscaping and green space. (Additional plans and information recv'd 30/3/17). (Amended and additional plans, and additional information recv'd 10/5/17).

Members were advised of the following updates:

'Nine further representations raising an objection have been received making the following new objections:

- *Impact on traffic from excessive traffic speeds on Beldam Bridge Road and up to Penny Pot bridge to the east [See paragraph 7.3 of the officer report]*
- *Impact on health services [Officer comment: This would not be a reason to refuse this application]*
- *Impact on local wildlife [See paragraph 7.3 of the officer report]*
- *Impact on road maintenance [Officer comment: This is a highway matter]*

- *Impact on community spirit from in combination effect of all local housing schemes [Officer comment: This would not be a reason to refuse this application]*
- *Access onto Beldam Bridge Road is in a dangerous location [See paragraphs 7.3 and 7.6 of the officer report]*
- *Loss of green space and urbanisation [See paragraphs 7.3 and 7.5 of the officer report]*
- *Provision of access road onto land to the north and future proposals on this site [Officer comment: This application is considered on its own merits, noting the content of paragraph 7.3 of the officer report]*
- *Pavement access is to one corner of the site which will increase traffic journey as on local roads [See paragraphs 7.3 and 7.6 of the officer report]*

AMENDED CONDITIONS:

Full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority, which should built upon the provided landscape drawings CSA/2943/102 Rev. A, CSA/2943/103 Rev. A, CSA/2943/104 Rev. A, CSA/2943/105 Rev. A and CSA/2943/107, and these works shall be carried out as approved, and implemented within the planting season prior to first occupation.

The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the which should build upon the submitted Arboricultural Impact Assessment by Ian Keen Limited (Ref: JTK/8169/APP2/so) and will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction". It would be expected that the soft landscaping shall include plant material which would reflect and enhance the landscape character of the wider area as opposed to the use of high ornamental species.

All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to BS3936:1992 Parts 1 – 5: Specification for Nursery Stock. Handling, planting and establishment of trees shall be in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape. A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of ten years.

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

No development including site clearance shall take place until a detailed arboricultural method statement, with tree protection plan, has been submitted and approved in writing by the Local Planning Authority. The arboricultural method statement, which should build upon the submitted Arboricultural Impact Assessment by Ian Keen Limited (Ref: JTK/8169/APP2/so), will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction" and shall contain details of pruning or removal of trees, specification and location of tree protection fencing and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for any hard surfaces within root protection areas. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. This site supervision should include a mechanism to include a pre-commencement meeting with the Council's Arboricultural Officer (or other nominated officer) to agree the tree protection fencing and ground protection required for the duration of the construction period. All works to be carried out in strict accordance with the approved details.

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

Details of the play area scheme, including details of the safety surfacing, play equipment, surrounding fencing and seating, building upon the details shown on Drawing No. CSA/2943/106, shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the occupation of the 50th dwelling development hereby approved and retained in perpetuity.

Reason: To ensure a satisfactory play area is provided for the occupiers of the development and in accordance with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

ADDITIONAL CONDITION:

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

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

The committee noted some Members' concerns over the impact on the flood plain and properties downstream of the development resulting from drainage issues including maintenance of a draining ditch and new houses using the pumping station.

Assurances were given in terms of the surface water strategy and foul water capacity had been accepted by Surrey County Council and Thames Water. It was clarified that the development included 85 properties.

Resolved that application 17/0202 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

As this application triggered the Council's Public Speaking Scheme, Mr E Bain spoke in objection and Mr T Rumble spoke in support.

Note 2

The recommendation to approve the application was proposed by Councillor Jonathan Lytle and seconded by Councillor Robin Perry.

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:

Councillors Nick Chambers, Vivienne Chapman, Edward Hawkins, Jonathan Lytle, Max Nelson, Robin Perry and Ian Sams.

Voting against the recommendation to approve the application:

Councillors Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Adrian Page, Victoria Wheeler and Valerie White.

3/P Application Number: 17/0110 - Windlesham Garden Centre, London Road, Windlesham GU20 6LL

This application was for the outline application for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Access and layout only to be agreed.

This application would normally have been determined under the Council's Scheme of Delegation, however, it had been reported to the Planning Applications Committee at the request of Cllr Edward Hawkins.

Members were advised of the following updates:

'The legal agreement to secure affordable housing provision and SAMM and SANG payments has been finalised and signed.'

The Committee noted concerns in terms of the number of affordable houses, whether or not the location was sustainable and whether road safety concerns had been met. It was also noted that, on a development of this size, it would not normally be expected that the SANGS would be on or adjacent to the site. This would be met from within other existing SANGs provision in the Borough. Any proposed increases to the number of housing units on site would have to be the subject of a separate planning application.

Resolved that application 17/0110 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 Members declared that they had received correspondence from the applicant.

Note 2

The recommendation to approve the application was proposed by Councillor Adrian Page and seconded by Councillor Max Nelson.

Note

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 Nick Chambers, Vivienne Chapman, Edward Hawkins, Ruth Hutchinson, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Victoria Wheeler and Valerie White.

Voting against the recommendation to approve the application:

No Councillors voted against the recommendation.

4/P Application Number: 17/0293 - Magnolia House, Westwood Road, Windlesham GU20 6LP

The application was for a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building. (Additional information recv'd 19/5/17) (Additional information recv'd 1/6/17).

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

Members were advised of the following updates:

'The Chairman had requested that consideration of this application be deferred until the Committee's meeting on 20 July to enable a site visit to be held. It was noted that inability to attend the site visit would not preclude any Member's involvement in the subsequent consideration of the application.'

Resolved that application 17/0293 be deferred until 20 July 2017, to permit a site visit.

Note 1

The recommendation to approve the application was proposed by Councillor Edward Hawkins.

Note 2

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

Voting in favour of the recommendation to defer the application:

Councillors Nick Chambers, Vivienne Chapman, Edward Hawkins, Ruth Hutchinson, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Victoria Wheeler and Valerie White.

Voting against the recommendation to defer the application:

No Councillors voted against the recommendation.

Chairman

2017/0399

Reg Date 11/05/2017

West End

LOCATION: 42 KINGS ROAD AND LAND TO THE REAR OF 40-46, WEST END, WOKING, GU24 9LW

PROPOSAL: Outline application for residential development to provide 2 x one bedroom flats, 4 x two bedroom houses, 17 x three bedroom houses and 1 x four bedroom house with access from Kings Road, following the demolition of existing dwelling and associated buildings, (access, appearance, layout and scale to be determined). (Additional information recv'd 1/6/17).

TYPE: Outline

APPLICANT: Mr Hendy
Shanly Homes Limited

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to legal agreement and conditions

1.0 SUMMARY

- 1.1 This outline application relates to the erection of 23 dwellings on 42 Kings Road and land to the rear of 40-46 Kings Road at the edge of West End, including an access and landscaping. No. 42 Kings Road would be demolished to provide the access for this development. Details of appearance, access, scale and layout are for consideration under this application with landscaping retained as a reserved matter.
- 1.2 The predominant part of the application site forms a part of the West End housing reserve site and the principle for residential development has been established by the Borough's housing supply position and the appeal decision on a nearby site (SU/15/0532 - land south of 24-46 Kings Road and 6 & 9 Rose Meadow, now with reserved matters approval under SU/16/0554 and now under construction), which wraps around the rear portion of the application site. The remainder of the site falls within the settlement of West End.
- 1.3 In terms of the impact on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix and affordable housing provision, crime and the Thames Basin Heaths Special Protection Area, no objections are raised. A legal agreement is required to provide affordable housing and a SAMM contribution. With the completion of such an agreement and subject to conditions, no objections are raised to the proposal.

2.0 SITE DESCRIPTION

- 2.1 The housing part of the site relates to residential gardens to the south of Kings Road on land which is predominantly defined as Countryside (beyond the Green Belt) but has been retained as a housing reserve site. The land falls gently from north to south and the majority of the significant trees are located to site boundaries of this site. This site has previously been residential gardens. The residential development part of the site lies to the south of the residential properties 40-46 Kings Road, all of these properties falling within the settlement of West End. The access to the site would from Kings Road following the demolition of 42 Kings Road; with three dwellings provided within the

settlement and the remainder within the housing reserve site. The adjoining development site (see history below) wraps around the south portion of the application site.

- 2.2 The application site measures 0.79 hectares and falls predominantly within an area of low flood risk (Zone 1 as defined by the Environment Agency).

3.0 RELEVANT HISTORY

On the application site:

- 3.1 SU/06/0879 - Erection of 12 no. semi-detached dwellings and 10 no. detached dwellings following the demolition of existing dwellings on land at 40-46 Kings Road. The application was refused in January 2007 and subsequent appeal dismissed in August 2007.

The Inspector took the view that the appeal development was premature/piecemeal at that time awaiting a strategic review of housing requirements, would have an adverse impact on local character (noting the informal nature of development in the local area and located at the rural edge), insufficient information to assess the impact on trees, insufficient evidence of traffic impacts of development, and impact on the SPA.

Adjoining housing reserve site:

- 3.2 SU/14/0532 Outline planning application for the erection of 84 dwellings with access from Rose Meadow (access only to be considered) on land south of 24-46 Kings Road and 6 & 9 Rose Meadow. *Non-determination appeal allowed in December 2015.*
- 3.3 SU/16/0554 Approval of reserved matter pursuant to outline planning permission SU/15/0532 for (appearance, landscaping, scale and layout) for the erection of 84 dwellings with access from Rose Meadow. *Approved in February 2017 and under construction.*

4.0 THE PROPOSAL

- 4.1 The current proposal relates to the outline planning application (including the approval of appearance, access, scale and layout) for the erection of 23 dwellings following the demolition of existing dwelling providing, 2no. one bedroom flats, 4 no. two bedroom house and 17 no. three bedroom houses with its proposed access from Kings Road. The access would be provided between 40 and 44 Kings Road. The dwellings would be arranged around a main spine access road, with a short cul-de-sac to the west flank (lining with a similar short cul-de-sac on the adjoining development (see history above) with the main access road reducing in size further south.
- 4.2 The proposal would provide a two storey development in a traditional form including detailing for soldier courses, window hoods and cills, with dwellings which range in ridge height from about 8.5 metres with eaves heights of 5 metres. The proposal would provide 44 parking spaces, including drive, garage and courtyard spaces.

4.3 The application has been supported principally by:

- Planning, Design and Access Statement;
- Transport Statement;
- Drainage Statement;
- Tree Report, Arboricultural Impact Assessment and Arboricultural Method Statement; and
- Ecological Assessment.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|---|-------------------------------|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Surrey Wildlife Trust | No comments received to date. |
| 5.3 | Archaeological Officer | No comments received to date. |
| 5.4 | Arboricultural Officer | No objections. |
| 5.5 | Surrey County Council
(Local Lead Flood Authority) | Further details requested. |
| 5.6 | West End Parish Council | No objections. |

6.0 REPRESENTATION

At the time of preparation of this report, 20 representations, including one from the West End Action Group, raising an objection had been received which raise the following issues:

6.1 Principle

- The site is on safeguarded land for possible long-term development needs as a site reserved for development post 2026. The houses are not needed at this time [See *paragraph 7.4*];
- NPPF presumption in favour of development does not apply because of the need for an appropriate assessment under the Bird & habitat directive [*Officer comment: The proposal would be and under such circumstances an appropriate assessment is not required*];
- The other housing reserve site releases should not be seen as a precedent for this proposal [See *paragraph 7.4*];
- The previous shortfall in housing provision has now been met [*Officer comment: The Borough has under five years of housing supply and therefore a shortfall remains*];
- Previous scheme on the site for 22 houses refused in 2007 and appeal dismissed on

character/appearance, flooding, SPA and highway grounds [*Officer comments: This appeal was dismissed in August 2007 principally on character/SPA grounds with holding objections on trees and drainage/flood risk due to a lack of information/details. Since that decision, there have been fundamental changes in policy (e.g. see paragraph 7.4 below) and circumstances with the application site to be located adjacent to similar residential development on the housing reserve site (see history above). The appeal scheme also appeared more dense with smaller gaps between dwellings, particularly at two storey level*].

6.2 Character and Green Belt reasons

- Density is considerably greater than the existing houses in Kings Road and adjacent developments [*Officer comment: The density is comparable with Rose Meadow [SU/14/0532 & SU/16/0554] and Kings Road developments [SU/16/0679]. In addition, see paragraph 7.5*];
- Development is cramped and monotonous [*See paragraph 7.5*];
- Overdevelopment of site [*See paragraph 7.5*];
- Not in accordance with village design statement [*See paragraph 7.5*];
- Urbanisation of a semi-rural location [*See paragraph 7.5*].

6.3 Residential amenity

- Overlooking of residential properties and resulting loss of privacy [*See paragraph 7.6*];
- Impact from increased disruption, noise, dust and heavy traffic during construction with cumulative impact from other development sites [*Officer comment: There will be a method of construction statement required by condition*].

6.4 Highway and transportation matters

- Cumulative impact with other housing developments on local highway network. TRICS model underestimates traffic flows in the local area due to high levels of car ownership [*See paragraph 7.7*];
- Most of traffic from the development will follow the Beldam Bridge Road/Fellow Green route to the A322 Guildford Road (due to poor quality of road surface in Kings Road) and will add to impact on traffic flow up this roundabout junction reducing the effectiveness of any improvements to this junction gained [*Officer comment: This is a highway improvement proposed by Surrey County Council outside of the housing reserve sites proposals. In addition, see paragraph 7.7*];
- Impact of extra traffic generated by the proposal on the local highway network, including traffic movements from Kings road onto A322 Guildford Road [*See paragraph 7.7*];
- More visitor parking is required to reduce kerbside parking hindering access [*see paragraph 7.7*];
- Use of Kings Road as a “rat run” will increase, particularly if Kings Road is “made-up” for the development [*Officer comment: Such improvements to the highway of Kings Road is not proposed under this application*];

- Link road provision to other neighbouring development will result in increased use of Kings Road/A322 Guildford Road junction with proposed road width to narrow to accommodate this traffic [*Officer comment: There are no road links proposed under this application to other housing reserve sites. In addition, see paragraph 7.7*];
- Existing road in Kings Road is unmade and is not in a state to cope with extra traffic [see *paragraph 7.7*];
- Legal right of way for other developments to use Rose meadow will not be given by residents [*Officer comment: No linking vehicular access is proposed under this application and such matters are not controlled under the planning acts*];
- Kings Road should be improved to reduce highway safety risks [*Officer comment: This is not proposed under this application or required by the County Highway Authority*].

6.5 Other matters

- Cumulative impact with other housing developments on education provision [*Officer comment: The earlier housing reserve sites have been considered acceptable without any funding towards education due to the County Council's previous requests for funding not meeting the government tests, and this would not be a reason to refuse this application*];
- Impact on health service provision [See *paragraph 7.10*];
- Lack of sustainable infrastructure [See *paragraph 7.10*];
- Impact on flooding – existing Kings Road highway has been raised and causes flooding of gardens after heavy bouts of rain [See *paragraph 7.9*];
- Allocation of Chobham Meadow SANG for the proposed developments in West End is unacceptable and disregards the protection of Brentmoor Heath SPA [See *paragraph 7.8*];
- The piecemeal additions to the reserve sites is not sustainable and will have a negative impact on West End [*Officer comment: Each application is determined on its own merits*];
- Impact on flood risk [See *paragraph 7.9*];
- Impact on wildlife habitats See *paragraph 7.8*.

7.0 PLANNING CONSIDERATIONS

7.3 The following issues need to be considered with this application:

- The principle for the development;
- Impact on local character and trees;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on ecology and the Thames Basin Heaths Special Protection Area;

- Impact on land contamination, drainage and flood risk;
- Impact on local infrastructure and financial considerations;
- Impact on affordable housing provision and housing mix; and
- Impact on archaeology.

7.4 Principle of development

- 7.4.1 Policy CPA of the CSDMP sets out the spatial strategy for the Borough and acknowledges that new development in the Borough will come forward largely from the redevelopment of previously developed land in the western part of the Borough. Policy CP3 of the CSDMP sets out the scale and distribution of housing within the Borough up to 2028, which is to be provided within existing settlements up to 2026 and, if insufficient sites have come forward, then between 2026 and 2028, the release of sustainable sites within the Countryside (beyond the Green Belt), sites identified through a local plan review. As such, it is clear that the local spatial strategy would not support the release of the application site for housing.
- 7.4.2 The NPPF has a presumption in favour of sustainable development and there are three dimensions to this: economic, social and environmental; and within its series of core principles includes the proactive delivery of housing, by providing a rolling five year supply of housing (plus buffer). The economic and social benefits of the proposal have to be weighed against any environmental harm caused by the proposal. The NPPF also has within its core principles the need to recognise the intrinsic character and beauty of the countryside. However, in the balancing of these and other core principles, the need for housing is a very strong material consideration in favour of housing development, particularly where a five year supply (plus buffer) of housing cannot be demonstrated. The conclusions in paragraph 7.9 of this report regarding the acceptable impact of the proposal on the SPA would indicate that the proposal would be regarded as sustainable development and Paragraph 119 of the NPPF and Footnote 9 are not engaged.
- 7.4.3 The HLSP 2016-2021 confirms that the Borough cannot demonstrate that a five year supply of housing (plus buffer) can be currently provided for the Borough, and this position has not changed since its publication in September 2016. The application site forms a part of a housing reserve site, under Policy H8 of the Surrey Heath Local Plan 2000 (as saved), demonstrating its acceptability for release for housing at some stage.
- 7.4.4 Whilst a different conclusion has occurred for the Heathpark Wood, Windlesham housing reserve site (March 2016 refusal SU/15/0590 now subject to appeal), the circumstances for the current proposal are significantly different with a number of housing releases already on the West End housing reserve site. Following the appeal decision for SU/14/0532 (Land south of 24-46 Kings Road and 6 & 9 Rose Meadow), and other decisions under SU/16/0323 (Land north of Beldam Bridge Road), SU/14/0451 (Land south of Beldam Bridge Road) and SU/15/0594 (Land north and east of Malthouse Farm, Benner Lane), all of which fall within the same West End housing reserve site, the principle for the current proposal is considered to be acceptable, subject to the following assessment. In addition, with the residential development at land south of 24-46 Kings Road and 6 & 9 Rose Meadow under construction, the application site would be surrounded by residential development.

7.5 Impact on local character and trees

- 7.5.1 Policy DM9 of the CSDMP indicates that development should respect and enhance the local natural or historic character of the environment and provide high quality design layouts which maximise the opportunities for linkages to the surrounding area and local services. Paragraph 56 of the NPPF indicates that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 57 of the NPPF indicates that it is important to plan positively for the achievement of high quality and inclusive design for all development.
- 7.5.2 The current proposal falls below the threshold (50 dwellings) for a design review. Whilst the nearby residential development scheme (under SU/16/679 - land south of 4-14 Kings Road) was brought through the design review process, that development would provide 35 dwellings, and formed a part of the housing reserve site, extending residential development from the village to the north and west and being open to two sides (i.e. the south and east boundaries of that site). Whilst the application site falls predominantly within the housing reserve site, it would be surrounded by the development on the adjoining development site (now under construction) and would provide a much smaller number of dwellings. It is therefore considered that it was not necessary to bring the current proposal through the design review process. However, cues from the design review for other housing reserve sites has been applied, where they are relevant.
- 7.5.3 The majority of the residential development part of the application site falls outside of the character areas within the West End Village Design Statement SPD 2016 (VDS), but the access road and three of the dwellings would fall within Character Area 3 of the VDS. The VDS indicates that this Character Area has an open and rural feel with larger rear gardens and vegetation between properties. The proposed access road would have very little impact, in itself, on this Character Area, and the relationship of the proposed development with this Character Area is addressed below. The application site is fairly well contained with, as indicated in Paragraph 7.4.4, the application site to be surrounded by residential properties with the adjoining residential development site, which wraps around the application site, now under construction.
- 7.5.4 The current proposal would provide a mix of semi-detached and terraced dwellings. Two flats (plots 22/23) would be provided as an end-of-terrace unit. The terraced units would more closely reflect the terrace to be provided to the immediate west of their siting on the adjoining residential development (under SU/14/0532 and SU/16/0554), now under construction. There is also a mix of dwellings in Kings Road but they are predominantly detached and semi-detached in nature, of different ages and styles, and some with limited gaps.
- 7.5.5 The proposed layout would provide a cul-de-sac form of development, providing two smaller road branches with a connecting footpath link possible to the adjacent development site and would have one sole principal access from Kings Road. The proposed development would be located on land set back from, lower than, and behind the residential properties on, Kings Road. Views of the proposed development from Kings Road, and any other public vantage point, would be fairly limited. Its impact on this wider character area is subsequently therefore reduced.
- 7.5.6 The adjoining reserve housing layout (under SU/16/0554) is to be provided with different character areas, with different materials and landscaping provided to differentiate between these areas. By contrast, the proposed development is on a smaller site (of 0.7 hectares rather than 3.5 hectares for that adjoining site) and is considered to be too small to require different character areas. The proposed development, at variance to this scheme, has

provided variations in materials which provides variety of finish, reflecting the varied nature of dwellings within Kings Road and this approach is considered to be acceptable in this context.

- 7.5.7 The 2006 appeal scheme is noted, but since that decision, there has been significant changes in local and national policies (see Paragraph 7.4 above) and would provide a development that would be surrounded by residential properties and would provide a similar layout and density of development provided for that site. The current proposal would be seen in this new context and the same conclusions drawn by the Inspector in 2006 cannot be drawn for the current proposal.
- 7.5.8 Having regards to scale, the footprint of the proposed dwellings would not be atypical to the wider area. The current proposal would provide heights of dwellings (about 8.5 metres) comparable with those within the adjoining residential scheme. These heights may be higher than a number on Kings Road but their impact on this streetscene is more limited due to the separation distances and fall in land levels between the Kings Road frontage and the main part of the application site. The proposal also provides garages to the flank for the semi-detached dwellings (plots 1-14), with significant gaps, of about 6 metres at first floor level, between the proposed dwellings. The rear gardens would have typical depths of about 13-15 metres, which falls within the range of rear garden depth for Rose Meadow (10-25 metres) and the adjoining residential development (10-20 metres), and would therefore be acceptable in this context.
- 7.5.9 The appearance of the development would provide a traditional form and detailing with spacing provided, particularly to the properties proposed for the east side of the proposed access road, with significant gaps, as indicated in Paragraph 7.5.8 above, between the proposed dwellings. The front garden depths ranging between 2 and 4 metres, there would be opportunities for soft landscaping enhancements (which would be provided as the remaining reserved matter). The overall development would provide a similar level of spaciousness which is to be provided on the adjoining development site and is considered to be acceptable in this context.
- 7.5.10 The proposed development is acceptable in terms of its impact on local character and trees complying with Policy DM9 of the CSDMP and the NPPF.

7.6 Impact on residential amenity

- 7.6.1 Policy DM9 of the CSDMP indicates that development should provide sufficient private and public amenity space and respect the amenities of the occupiers of neighbouring properties and uses. The proposal would provide dwellings with rear gardens abutting the part of the north boundary of the site, to the rear of 40 Kings Road, with a minimum separation distance of 15 metres to the rear boundaries and 55 metres to the main rear wall to that property, which would provide an acceptable relationship between these proposed and existing dwellings, particularly where the land levels fall from those houses towards the application site. The proposed side wall of Plot 1 also faces the north boundary with a two storey level separation of 3.5 metres to this boundary and 20 metres to the main rear wall of 44 Kings Road, this relationship is also considered to be acceptable.
- 7.6.2 The proposal would also provide rear gardens abutting the east boundary of the site with a minimum separation distances (for plots 1-3) of 15 metres to the rear boundaries and 34 metres to the main rear walls to the properties in Rose Meadow. A similar relationship would be provided (for plots 4-13) to the new dwellings on the adjoining residential site, currently under construction.

- 7.6.3 To the west boundary of the application site, the side wall of the corner unit (plot 19) would be set 6.3 metres from the siting of the flank wall of the nearest residential unit (and about 2 metres for the mutual flank boundaries of these plots, which would provide an acceptable relationship between these properties. The flank wall of plot 16 would face the rear garden of a residential plot within the adjoining residential site, currently under construction. The flank wall of this proposed dwelling would be set 2 metres for the boundary of the site and 12 metres from the rear wall of this dwelling, which would provide an acceptable relationship between these proposed/approved dwellings.
- 7.6.4 The proposed dwellings would provide dwellings with flank walls (plots 12 and 13) facing the south boundary of the site, a boundary with the new residential development under construction on the adjoining site. The proposal would provide, for plot 13, a two storey separation of 5.3 metres to the boundary and 20 metres to the main rear wall of the nearest dwelling and, for plot 12, 10 metres to the mutual flank boundary and 20 metres to the main flank wall of these proposed/approved dwellings. These relationships are considered to be acceptable.
- 7.6.5 With rear garden depths predominantly between 13-15 metres, each unit would be provided with a sufficient level of private amenity space considered appropriate for the size of the units.
- 7.6.6 The proposal would provide a form of development, including an access road, which would increase the level of noise in the local area, and the comings and goings of traffic movements generated by the proposal. The closest neighbours to the proposed access are 40 and 44 Kings Road, for which a gap of about 4.8 and 6.1 metres from the flank boundaries with these dwellings is proposed, which is a level of separation which is considered to be acceptable. It is considered that the level of increase in noise would not have any significant impact on residential amenity.
- 7.6.7 As such, no objections are raised on residential amenity grounds, with the proposal complying with Policy DM9 of the CSDMP.

7.7 Impact on highway safety

- 7.7.1 The proposal would provide an access onto Kings Road, which is an un-adopted road, which for much of its length is in poor condition. Due to its closer proximity to the application site, the principal access to the site would be to the west access point on Kings Road, on the Guildford Road junction. The traffic assessment provided with the application has assessed the individual impact of the development, and the cumulative impact with nearby (housing reserve site) developments. It has concluded that the principal access onto the adopted highway network (Beldam Bridge Road/Kings Road junction) would operate within capacity and the proposal would not significantly add to the traffic on the wider highway network. The assessment also noted the sustainable location in close proximity to the A322 Guildford Road and the local bus routes and facilities.
- 7.7.2 The County Highway Authority has raised no objections to the proposal, and noting the size of the development, and likely traffic generation, it is not considered that the cumulative impact of this development along with other nearby sites is likely to have an adverse impact on highway safety.
- 7.7.3 The proposed parking provision of 75 spaces for the development would meet the parking standard. In addition, a raised table close to the site entrance would assist in reducing traffic speed within the site. As such, there are no objections to the proposal on highway safety and parking capacity grounds, with the proposal complying with Policies CP11 and DM11 of the CSDMP.

7.8 Impact on ecology and the Thames Basin Heaths Special Protection Area

- 7.8.1 The current proposal has been supported by an ecological assessment which has concluded that there is evidence of protected species on the site, with a maternity roost existing in the roofspace of the dwelling to be demolished. A mitigation strategy has been provided for which the comments of the Surrey Wildlife Trust are awaited. Subject to the comments of Surrey Wildlife Trust, there are no objections to the proposal on ecology grounds, with the proposal complying with Policy CP14 of the CSDMP.
- 7.8.2 The application site falls about 0.65 kilometres from the Thames Basin Heaths Special Protection Area (SPA). Policy NRM6 of the SEP seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of Suitable Alternative Natural Green Space (SANGS) to offset any potential harm to the SPA.
- 7.8.4 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is not included with the CIL scheme, a separate contribution of £14,172 is required. This contribution is required under a legal agreement.
- 7.8.5 On the basis of a completed legal agreement, the current proposal is considered to be acceptable in terms of its impact on the SPA, complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

7.9 Impact on land contamination, drainage and flood risk

- 7.9.1 The application site relates to former nursery land, where the applicant's report has concluded that there is no contamination on the site, but a further assessment of ground gas would be required. The Council's Environmental Services team have concluded to raise no objections, subject to the provision of such a report (by condition).
- 7.9.2 The application site falls within flood Zone 1 (low risk) and the proposal has been supported by a surface water drainage strategy. The LLFA have requested further details which have been provided and for which their comments are awaited. As such, and subject to the comments of the LLFA, there are no objections to the proposal on drainage and flood risk grounds, with the proposal complying with Policy DM10 of the CSDMP.

7.10 Impact on local infrastructure and financial considerations

- 7.10.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in 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. For example, the applicant is claiming part exemption due to the provision of affordable housing and at the time of writing the final amount of social housing relief is unknown. Informatives would be added to the decision advising the applicant of the CIL requirements.

- 7.10.2 The CIL scheme provides for funding for SANG; open space; local transport projects and pedestrian safety improvements; play areas and equipped play space; indoor sports and leisure facilities; community facilities; waste and recycling; strategic transport projects; and flood defence and drainage improvements.
- 7.10.3 The CIL scheme does not provide for education. The Council has previously considered any request for contributions towards education under Paragraph 204 of the NPPF and the PPG. The comments of the Education Authority are awaited but the experience of recent appeal decisions for other parts of the West End reserve site (SU/14/0532 and SU/15/0594) indicate that the justification previously put forward by the Education Authority was not sufficiently justified enough, individually or cumulatively, to meet the tests set out in the NPPF and PPG.
- 7.10.4 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.

7.11 Impact on affordable housing provision and housing mix

- 7.11.1 Policy CP5 of the CSDMP requires the on-site provision of 40% of dwellings (14 units) provided as affordable housing. Policy CP6 of the CSDMP also requires the Council to promote a range of housing types which reflect the need for market and affordable housing. The current proposal would provide 9 affordable housing units, secured through a legal agreement and provide a range of housing sizes, which will contribute towards the mix of new housing provided across the Borough. As such and subject to the completion of a legal agreement to secure the provision of the affordable units, no objections are raised on these grounds, with the proposal complying with Policies CP5 and CP6 of the CSDMP.

7.12 Impact on archaeology

- 7.12.1 The current proposal has been supported by a desk top archaeological study as required under Policy DM17 of the CSDMP, which concludes that there is unlikely to be any significant archaeological remains due to the site history. The comment of the Surrey County Council Archaeological Unit are awaited and subject to their comment, no objections are raised on archaeological grounds with the proposal complying with Policy DM17 of the CSDMP.

8.0 CONCLUSION

- 8.1 No objections are raised to the impact of the proposal on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure and housing mix. In relation to the provision of affordable housing, and a contribution towards SAMM, a legal agreement is required and with this provision, and subject to responses from some statutory (and other) consultees, no objections are raised on these grounds.

8.2 The proposal would integrate well with its surroundings, noting its location and the setback of development from Kings Road, and improve the character and quality of the area. As such, the application is recommended for approval, subject to the completion of a legal agreement.

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 proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

10.0 RECOMMENDATION

GRANT subject to a receipt of a satisfactory legal agreement to secure off-site ecological compensatory measures, affordable housing provision and SAMM by 4 August 2017 and subject to the following conditions:-

1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of this reserved matters.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 1321/PLN/201, 1321/PLN/202, 1321/PLN/203, 1321/PLN/204, 1321/PLN/205, 1321/PLN/206, 1321/PLN/207, 1321/PLN/208, 1321/PLN/209, 1321/PLN/210, and 1321/PLN/211 Rev. B, 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. 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 parking and garage spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

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

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

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

6. The development hereby approved shall be implemented in accordance with the Arboricultural Impact Assessment & Method Statement by ACD Environmental dated 24/04/2017 Ref: SH20983ala-ams unless the prior written approval has been obtained for the Local Planning Authority.

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. The development hereby approved shall be implemented in accordance with the Preliminary Ecological Appraisal and Bat Report by ACD Environmental dated April 2017 Ref: SH20983 unless the prior written approval has been obtained for the Local Planning Authority.

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.

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

Reason: To ensure visual and residential amenities are not prejudiced, the development encourages alternative methods of transport to the motor car and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

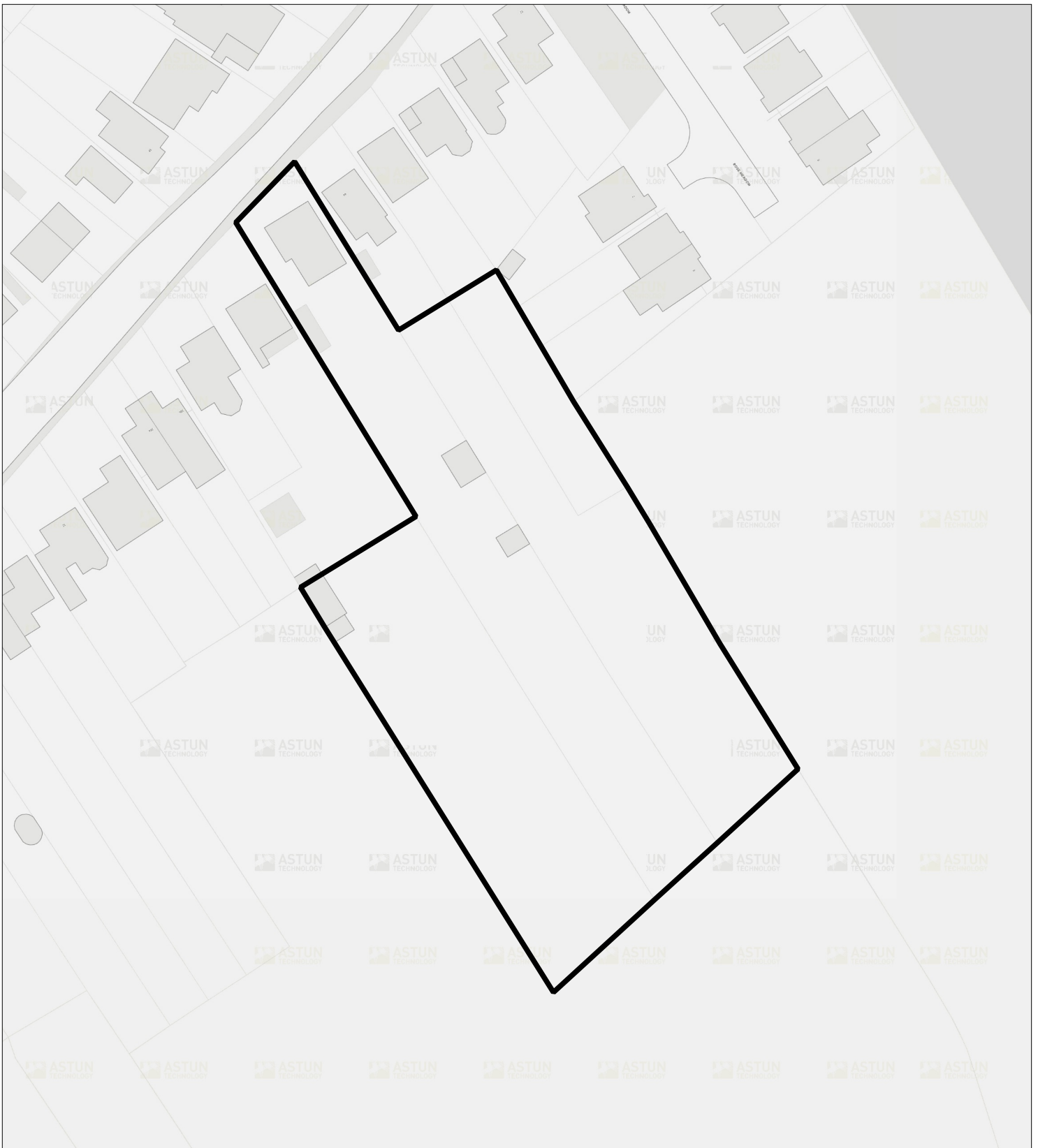
1. Building Regs consent req'd DF5
2. Party Walls (etc) Act 1996 DE3

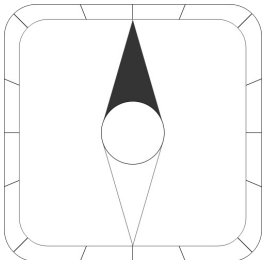

In the event that a satisfactory legal agreement has not been received by the 4 August 2017 to secure affordable housing provision and a contribution towards SAMM the Executive Head of Regulatory be authorised to REFUSE the application for the following reasons:-

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, 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).

- 2 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure affordable housing provision, the applicant has failed to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

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Title	Planning Applications			
Application number	17/0399		Scale @ A4	1:1,000
Address	42 KINGS ROAD, WEST END, WOKING, GU24 9LW		Date	29 Jun 2017
Proposal	Outline application for residential development to provide 2 x one bedroom flats, 4 x two bedroom houses, 17 x three bedroom houses and 1 x four bedroom house with access from Kings Road, following the demolition of existing dwelling and associated buildings, (access, appearance, layout and scale to be determined).			
Page 25				
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD

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Location plan



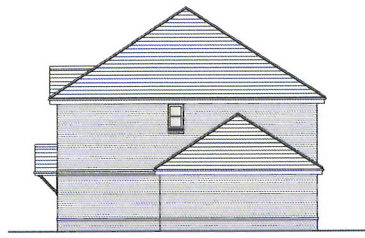
Proposed layout



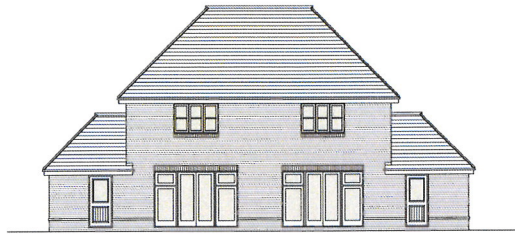
Typical elevations



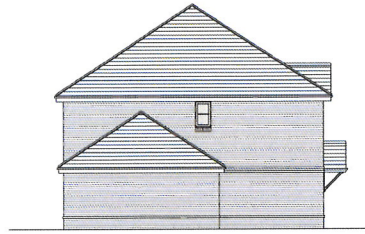
Front Elevation



Side Elevation



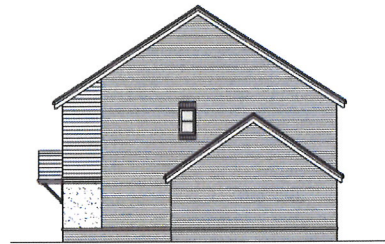
Rear Elevation



Side Elevation



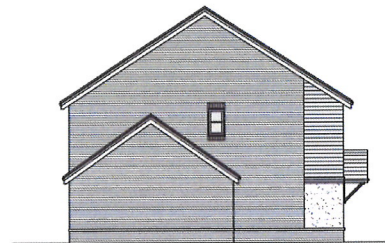
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



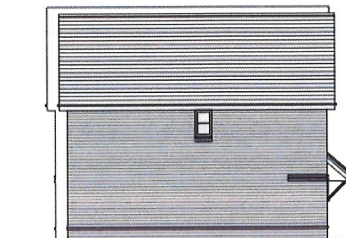
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Application site



42 Kings Road



Kings Road streetscene



2016/0752

Reg Date 04/10/2016

Bisley

LOCATION: 325 GUILDFORD ROAD, BISLEY, WOKING, GU24 9BD
PROPOSAL: Erection of 12 no. three bedroom dwellings in the form of 3 no. terraced two storey houses with accommodation in the roof with parking, landscaping and access for Foxleigh Grange following the demolition of existing building. (Additional information recv'd 23/6/17)
TYPE: Full Planning Application
APPLICANT: Mr Kirkby
 Kirkby Homes Sunningdale Ltd
OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to legal agreement and conditions

1.0 SUMMARY

- 1.1 The proposal relates to the erection of 12 houses on a former commercial site in the settlement of Bisley, with an access from Foxleigh Grange. The proposal would sit alongside and be seen as an extension to the recently completed Foxleigh Grange residential development (under permissions SU/10/0933 and SU/11/0559 on the site of the former Fox Garage, 333 Guildford Road). Planning permission was granted on the same site for alternative proposals (under permissions SU/14/1129 and SU/16/0691) approved in 2014 and 2017, respectively. This proposal has been submitted by a different developer.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character and trees, residential amenity and highway safety. The current proposal is CIL liable and would require a contribution towards SAMM, which has been received. As such, the proposal is considered to be acceptable.

2.0 SITE DESCRIPTION

- 2.1 The application site lies on the north flank of Foxleigh Grange, the recently completed redevelopment of the former Fox Garage located within the settlement of Bisley. The application site relates to the former Affordable Rentals car and van hire site, a single storey building with hardstanding across the remainder of the site. The application site has a typical width of 40 metres and a depth of 115 metres.
- 2.2 The application site includes access through the Foxleigh Grange development, which forms a part of the application site. There is an access road to the immediate north boundary (serving residential properties 321 and 323 Guildford Road and the vacant industrial building (on which a residential redevelopment was recently granted under SU/13/0327) beyond. Part of this boundary is with 323 Guildford Road.

3.0 RELEVANT PLANNING HISTORY

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

- 3.1 BGR 461 Erection of a factory. Approved in August 1951 and implemented.
- 3.2 SU/05/0696 Change of use from general industrial (Class B2) to servicing, repair and MoT testing of motor vehicles (Class B2); and as an operating centre for motor car and van hire; alterations to existing building and provision of additional parking spaces (retrospective). Approved in March 2006.
- 3.3 SU/14/0262 Erection of 13 three bedroom, two storey (with accommodation in the roof) residential dwellings with parking, cycle stores, landscaping, ancillary works and access from Foxleigh Grange following the demolition of existing buildings.
- Refused permission in July 2014 on SPA grounds (lack of SANG capacity for the scale of the development proposal), and affordable housing and local infrastructure (refused without securing mitigation through a legal obligation).*
- 3.4 SU/14/1129 Erection of 9 dwellings (including four 2 storey (with accommodation in the roof) three bedroom, three 2 storey four bedroom and two 2 storey (with accommodation in the roof) five bedroom properties) with garages, parking, cycle stores, ancillary works, landscaping and access from Foxleigh Grange following the demolition of existing buildings. Approved in April 2015.
- 3.5 SU/16/0961 Erection of 6no three bedroom dwellings (in the form of a pair of semi-detached houses and a terrace of two storey houses with accommodation in the roof) and 6 two bedroom and 3 studio flats in the form of a three storey block with parking, landscaping and access from Guildford Road following the demolition of existing building. Approved in May 2017.

4.0 THE PROPOSAL

- 4.1 The current proposal relates to the erection of 12 no. three bedroom houses in the form of 3 no terraced two storey blocks with accommodation in the roof) with parking, landscaping and access from Foxleigh Grange following the demolition of existing buildings. The proposal would provide a total of 24 parking spaces.
- 4.2 The current proposal would provide three blocks of development, lining up roughly with the Foxleigh Grove development to the south east. The frontage block would provide a block of three houses, sited slightly forward of 1-6 Foxleigh Grange, the middle block providing a block of five dwelling in line with 7-8 Foxleigh Grange and the rear block of four terraced houses aligning with 9-14 Foxleigh Grange. The proposed parking would be arranged between these blocks with access to the south east side of the site, adjacent to the existing Foxleigh Grange properties.
- 4.3 Each residential house would have a ridge height of about 9 metres, reducing to 5.1 metres at the eaves. The houses would have a front and a rear dormer each to provide roof level accommodation and, in terms of building height and design would reflect the residential properties in Foxleigh Grange.

4.4 This is the same site as that recently approved applications SU/14/1129 and SU/16/0961 but the applicant is different. All of the approved schemes, in a similar manner to the current scheme, provide three rows of residential development. The significant differences between the current proposal and these approved schemes are as follows:

- The approved 2014 scheme would provide a smaller number of dwellings than current proposed, but would include some larger dwellings.
- The approved 2016 scheme would provide a flatted block to the centre with its own access onto A322 Guildford Road, rather than using the existing access(es) from Foxleigh Grange.

Noting the access road proposed to be provided on site for approved development SU/16/0961, the current proposal more closely matches the approved development under SU/14/1129 (particularly the relationships of the front and middle blocks), which both would use the existing accesses onto Foxleigh Grange.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--|---|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Arboricultural Officer | No objections. |
| 5.3 | Environmental Health | No objections. |
| 5.4 | Surrey Police | No objections. |
| 5.4 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.5 | The Council's Viability Adviser (DixonSearle) | No objections. |
| 5.6 | Local Lead Flood Authority (Surrey County Council) | Awaiting comments on revised details. Any formal comments will be reported to the Planning Applications Committee. |
| 5.7 | Bisley Parish Council | No objections subject to this Council considering that the development would not have an adverse impact on the SPA or highway safety. |

6.0 REPRESENTATIONS

At the time of the preparation of this report, one representation had been received in support and four representations had been received raising an objection, making the following comments:

- 6.1 The applicant does not have any control over the land** [*Officer comment: This would not be a reason to refuse this application*]
- 6.2 Reports have been provided without access to the site [*Officer comment: The received reports have been assessed by the consultees*]

- 6.3 There are no marked parking spaces for visitors, leading to conditions of overflow parking on Guildford Road causing a highway safety risk [See paragraph 7.5]
- 6.4 Increase risk of accident from cars accessing Foxleigh Grange from A322 Guildford Road – right hand turn may be required [See paragraph 7.5]
- 6.5 Foxleigh Grange highway is not able to cope with extra traffic (e.g. lack of pavements) [See paragraph 7.5]
- 6.6 Wear and tear of Foxleigh Grange highway [Officer comment: This would not be a reason to refuse this application]
- 6.7 Lack of pre-application consultation [Officer comment: There is no statutory requirement to enter into pre-application consultation with neighbours for the level of development under this application]
- 6.8 Lack of a mix of dwellings [See paragraph 7.7].
- 6.9 Limitations on construction hours should be applied (if approved) [See Condition x below]

The support representation includes a number of concerns as follows:

- 6.10 Boundary should be protected [Officer comment: The boundary is shown on the submitted drawings]
- 6.11 Third party tree should be protected [Officer comment: This tree is to be retained]
- 6.12 Fence needs to be provided at site boundary [Officer comment: These details would be provided by condition. See Condition 10 below]
- 6.13 Access required for future maintenance work to side of property [Officer comment: This is not a material planning consideration]
- 6.14 Impact on flood risk [See paragraph 7.9].

7.0 PLANNING CONSIDERATIONS

- 7.1 The current proposal is to be assessed against Policies CPA, CP2, CP5, CP6, CP8, CP9, CP11, CP14, DM9, DM11 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework (NPPF). In addition, advice in the Developer Contributions SPD 2011; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Interim Affordable Housing Procedure Note 2012; and, the Planning Practice Guidance (PPG) are relevant. The main issues in the consideration of this application are:
 - Principle for the development;
 - Impact on local character;
 - Impact on residential amenity;
 - Impact on highway safety;
 - Impact on the Thames Basin Heaths Special Protection Area and CIL;

- Impact on housing mix, affordable housing provision and financial considerations;
- Impact on biodiversity; and
- Impact on flood risk and drainage.

7.2 Principle for the Development

7.2.1 Policy CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 indicates that the loss of other employment sites, such as the application site, will only be permitted where wider benefits to the community can be shown. The site is now vacant and it has previously been accepted that the site can come forward for redevelopment for non-commercial purposes. In addition, the proposal would remove a non-conforming use being the last in a group of commercial businesses (317-9, 333 and 335 Guildford Road) which have permission for redevelopment for residential purposes. It is therefore considered that the principle for the development is acceptable, complying with Policy CP8 of the CSDMP and the NPPF, subject to the assessment below.

7.3 Impact on local character and trees

- 7.3.1 The application site falls within the settlement of Bisley with part of the north flank boundary and the east (rear) boundary with the Green Belt. The current proposal would result in the loss of an industrial building and associated hardstanding (to the front and around the site) which do not positively contribute to the quality of the local character. The frontage properties within the current proposal would replicate the design and overall height of residential units on the adjoining site and would appear as an extension to that development. This would include adequate spacings to both flank boundaries and soft landscaping to the frontage and northern flank boundary.
- 7.3.2 The proposal would provide a frontage block of residential dwellings which reflect the dwellings to the site frontage, smaller than the existing frontage terrace of 1-6 Foxleigh Grange. The proposed dwellings would be set back about 11 metres from the Guildford Road front boundary of the site which would result in these properties being positioned 3.3 metres in front of 1 Foxleigh Grange, with the flank wall of Plot 3 visible from the south approach on the A322 Guildford Road to the site. However, noting the curve in the public highway, the proportion of the flank wall of Plot 3 visible, and separation provided this relationship is considered to be acceptable, and is a reduction to the approved development under SU/14/1129.
- 7.3.3 The proposed dwellings to the centre would provide five dwellings, a wider block than the front block. However, noting the level of setback and the obscuring of this part of the development by the proposed frontage properties; and, given that this block would provide a traditional form, the appearance and siting of this block is considered to be acceptable.
- 7.3.4 The proposed rear block of four terraced dwelling would be set forward about 2.3 metres of the adjoining terraced block (9-14 Foxleigh Grange), with a gap of 2 metres between these blocks. This relationship is also considered to be acceptable, and is similar to the approved developments under SU/14/1129 and SU/16/0921.

7.3.5 There are three significant trees located close to the application site, including a Leyland Cypress to the north boundary, an Ash tree close to the north east corner of the site and a Goat Willow to the close to the south east corner of the site. None of these trees are considered to be of a high enough quality for protection under a Tree Preservation Order. However, these trees (all on third party land) are not likely to be adversely impacted by the proposal and, as confirmed in the submitted tree report, it is proposed that these trees are retained. The Tree Officer has raised no objections and with the opportunity available to provide improved landscaping (including fastigate trees), no objections are raised to the proposal on tree grounds.

7.3.6 As such, it is considered that the proposed development would be acceptable in terms of its impact on local character and trees, complying with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.4 Impact on residential amenity

7.4.1 The proposed Plot 3, i.e. the southern unit within the block of dwellings proposed to the front of the development, would be located to the flank, and forward, of 1 Foxleigh Grange. This forward projection would have a very limited impact on light to the front rooms of this property, given the orientation with the proposed development to the north and with the level of separation, the loss of light would not be material. The level of separation would also limit any overbearing impact on the front of this property. The rear wall of this proposed block would not project beyond the rear wall of 1 Foxleigh Grange, and with adequate level of separation from the proposed middle block (a distance of over 34.5 metres between the main rear wall of 1 Foxleigh Grange and the front main front wall of the middle block), no adverse impact to the rear is envisaged. This is a similar relationship to that approved under SU/14/1129. No objections are raised to the impact of the proposed development on 1 Foxleigh Grange.

7.4.2 The proposed middle block would be located to the flank of 7 Foxleigh Grange. The front and rear walls of this proposed dwelling would be located principally in line with the main front and rear walls of this property and, with a similar relationship to that approved under SU/14/1129, the proposed relationship with this property is considered to be acceptable.

7.4.3 The proposed Plot 12, i.e. the southern end unit to the rear terrace, would be located to the flank of 9 Foxleigh Grange. The main front wall of this proposed dwelling property would be located about 2 metres in front of the front main wall of this neighbouring property, but noting the 1 metre set-in from the flank boundary (and 2.3 metre set-in from the flank wall of this dwelling) and with a similar relationship with the approved development under SU/14/1129, this is considered to be acceptable.

7.4.4 The ground floor windows to the flank walls of 1, 7 and 8 Foxleigh Grange are secondary windows to serve living/dining rooms with first floor windows serving secondary accommodation (bathrooms) and so any loss of light to these windows would not be a reason to refuse this application. In addition, any increase in noise and disturbance to properties in Foxleigh Grange and any other residential property needs to be considered against the former use of the site and the background noise of the A322 Guildford Road to the front of the site, and an objection on these grounds cannot be sustained.

- 7.4.5 The dwelling proposed for Plot 9, i.e. the northern end unit to the rear terrace, would be positioned close to the mutual flank boundary of no. 323 Guildford Road, which is sited immediately to the north. The main front and rear walls would not extend beyond the main front wall of the dwelling and this neighbour's single storey rear extension. The principal rear elevation of no. 323 is sited further away and so it is considered that the level of impact on this neighbour would not be significant.
- 7.4.6 The impact of the proposal on the approved development at 317-319 Guildford Road also needs to be assessed in terms of its impact on the residential amenity of future occupiers of this development (if built). The flank wall of Plot 1 (within the frontage block) would be set approximately 13 metres from the flank wall of the nearest dwelling on that development which would front Guildford Road. The flank wall of Plot 5 would be set about 14 metres from the flank wall of the nearest residential dwelling. These levels of separation, taking into consideration the height and mass of the proposal, would result in very little impact on the residential amenity of future occupiers of this development (if built).
- 7.4.7 The general level of separation between the new houses and the surrounding properties and size of rear gardens are considered to be acceptable but may be comprised by any future development which could be later provided through permitted development. In addition, there are some flank windows (either secondary or serving bathrooms) in the flank elevations of the blocks, which should be fitted with obscure glass to limit any potential loss of privacy to adjoining properties. As such, in the interests of residential amenities, it is considered prudent to remove such rights for the new dwellings by condition. This approach is also consistent with the previous approvals.
- 7.4.8 The previous use(s) of the site has allowed the contamination of land on the site, which could be harmful to its future residential use, particularly within the rear gardens. The applicant has provided a ground investigation report to support the proposal with regards to contamination that has resulted from the existing use (and former industrial uses) of the ground, for which a mediation strategy is proposed, which has been supported by the Council's Senior Environmental Health Officer who has raised no objections on these grounds.
- 7.4.9 As such, and in the same manner as the previously approved 2014 scheme, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 Highway safety and parking

- 7.5.1 The proposal would provide 21 parking spaces to serve the development, to meet parking standards. The use of the existing access from Foxleigh Grange onto Guildford Road, in a similar manner to the approved scheme SU/14/1129 and not objected to for SU/14/0262 is considered to be acceptable to the County Highway Authority, who raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway and parking capacity grounds, complying with Policies CP11 and DM11 of the CSDMP.

7.6 Impact on the Thames Basin Heaths Special Protection Area and CIL

- 7.6.1 The application site lies approximately 0.8 kilometres from the Thames Basin Heaths Special Protection Area (SPA). In January 2012, the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution

towards SANG delivery/maintenance if there is available capacity (which is available for this proposal). The proposal is CIL liable and this provision would be provided under the CIL charging scheme.

- 7.6.2 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list). These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. CIL is a land charge that is payable at commencement of works. The current proposal is CIL liable and an informative advising of this would be added.
- 7.6.3 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution of £7,896 is required for the proposed development. A legal agreement is proposed to provide this contribution and subject to this agreement being completed, or a payment provided upfront, no objections are raised on this ground.
- 7.6.4 As such, and subject to the above, the proposal complies with Policies CP12 and CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012, and the Infrastructure Delivery SPD 2014.

7.7 Impact on housing mix, affordable housing provision and financial considerations

- 7.7.1 Policy CP6 of the CSDMP requires the provision of a mix of housing delivered across the Borough. For this proposal, the proposal provides three bedroom houses which reflecting the adjoining development, in Foxleigh Grange. This approach, noting the limited number of dwelling proposed, is considered to be acceptable, complying with Policy CP6 of the CSDMP.
- 7.7.2 Policy CP5 of the CSDMP requires the provision of 40% on-site provision for affordable housing at this site (2 units). However, the applicant has provided a viability report and the Council's Viability Adviser has confirmed that, in viability terms, affordable housing (or a contribution in lieu of on-site provision) cannot be provided on this site. As such, it is concluded that affordable housing (or a contribution in lieu of on-site provision) is not required for this development and no objections are raised on these grounds, with the proposal complying with Policy CP5 of the CSDMP.
- 7.7.3 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.

7.8 Impact on biodiversity

7.8.1 The current proposal would seek the removal of existing buildings on the site and a Phase 1 and Phase 2 bat survey has been provided to support this application, which indicates that the existing buildings provide limited usage by bats. Mitigation measures are proposed include the provision of tree-mounted bat boxes in the short term with building-mounted bat tubes in the long term. Surrey Wildlife Trust previously raised no objections to the redevelopment of this site (under SU/14/1192) but their comments are awaited for the current proposal. It is therefore considered that, subject to the comments of the Surrey Wildlife Trust, the proposal is acceptable on these grounds, complying with Policy CP14 of the CSDMP and the NPPF.

7.9 Impact on flood risk and drainage

7.9.1 The proposal has been supported by a surface water drainage strategy. The LLFA have raised no objections to the proposal on these grounds, subject to conditions. The application site falls within flood Zone 1 (low risk). As such, there are no objections to the proposal on drainage and flood risk grounds, with the proposal complying with Policy DM10 of the CSDMP.

8.0 CONCLUSION

8.1 The proposed development is considered to be acceptable in relation to its impact on local character, SPA, residential amenity, biodiversity, flood risk, drainage and highway safety, subject to the completion of a legal agreement to provide a SAMM contribution. The proposal is CIL liable and an informative to that effect is proposed. As such, the current proposal is considered to be acceptable.

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: P16/10/S/101, P16/10/S/110, P16/10/S/111, P16/10/S/112 and P16/10/100, 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. 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 parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

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

5. Notwithstanding the provisions of Classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended, or any Order revoking and re-enacting that Order), no further extensions, garages or other buildings shall be erected without the prior approval in writing of the Local Planning Authority.

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

6. The development hereby approved shall be implemented in accordance with the requirements set out in Part 5 (Recommendations) of the Guildford Road Ecology 2016 Bat Survey Report by Hankinson Duckett Associates Ref. 708.1 dated September 2016 with Bat Mitigation Plan Figure 2 unless the prior written approval has been obtained from the Local Planning Authority.

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

7. The development hereby approved shall not be occupied until the existing access from the site has been permanently closed and any kerbs, verge, footway reinstated with a 3 metre wide footway constructed along the site frontage with A322 Guildford Road provided in accordance with the details to be submitted to and approved by the Local Planning Authority.

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) method for keeping the public highway clean during construction
- (h) confirmation that there will be no on-site burning during site clearance, demolition or construction phases

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

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

9. No development shall take place until a scheme to deal with the suspected contamination of land has been submitted to and approved by the Local Planning Authority. The scheme shall include:

- 1. A remediation action plan based upon the Geo-Environmental report should be established;
- 2. A "validation strategy" identifying measures to validate the planned identified remediation works;

The remediation/validation strategy shall be implemented in accordance with the approved scheme and thereafter a verification report containing substantiating evidence that the agreed remediation has been carried out shall be submitted to and approved by the Local Planning Authority prior to the occupation of the approved development.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during the development process and to make the land suitable for the development without resulting in risk to workers on site, future users of the land and occupiers of nearby land and the local environment and to comply with the National Planning Policy Framework.

10. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].

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

A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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

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

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

12. The approved development shall be implemented in accordance with the Arboricultural Report (Part 1: Tree Survey and Part 2: Arboricultural Implications Assessment) by Ian Keen Ltd. dated 9 April 2013 [Reference IJK/8388-RevA/WDC] and tree protection plan 8388/02 Rev. A received on 10 August 2016 unless the prior written approval has been obtained from the Local Planning Authority.

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.

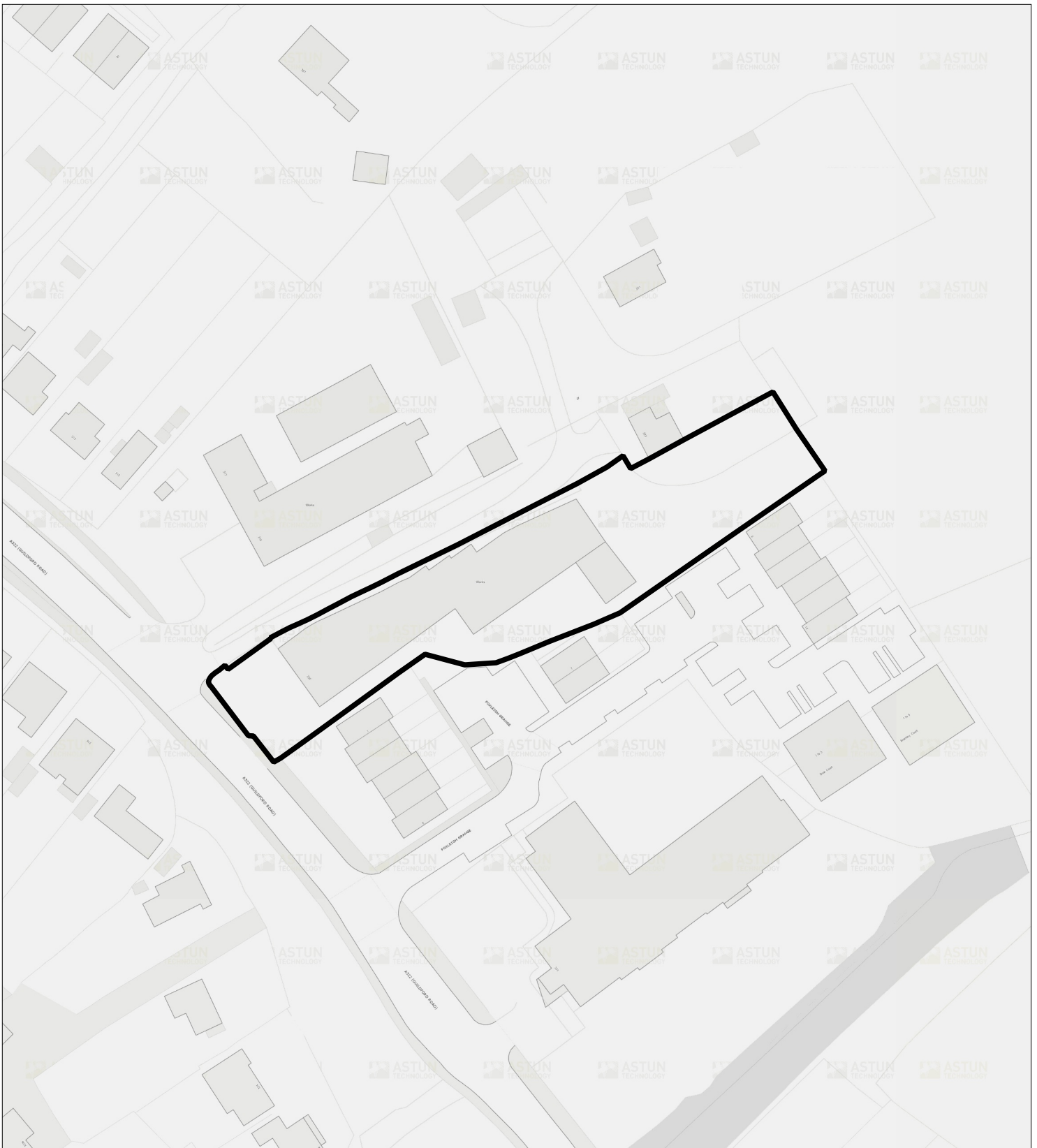
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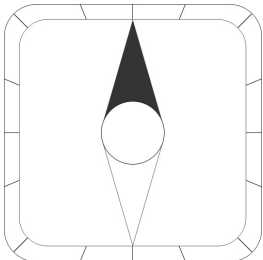

1. CIL Liable CIL1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3

In the event that a satisfactory legal agreement has not been received by the 26 July 2017 to secure a contribution towards SAMM the Executive Head of Regulatory be authorised to REFUSE the application for the following reasons:-

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, 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).

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Title	Planning Applications			
Application number	16/0752		Scale @ A4	1:1,000
Address	325 GUILDFORD ROAD, BISLEY, WOKING, GU24 9BD		Date	29 Jun 2017
Proposal	Erection of 12no. residential dwellings with associated parking and landscaping, following the demolition of the existing buildings.			
<p style="text-align: center;">Page 45</p>				
Version 3	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD	

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Location plan



Proposed layout



Typical elevations



Application site



Guildford Road frontage



Foxleigh Grange



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2017/0286

Reg Date 22/03/2017

Mytchett/Deepcut

LOCATION: LAND TO THE EAST OF BELLEW ROAD, DEEPCUT, CAMBERLEY

PROPOSAL: Application for outline planning permission, access to be considered (appearance, landscape, layout and scale reserved) for upto 12 residential dwellings. (Additional information recv'd 12/6/17). (Additional & amended information recv'd 23/6/17). (Additional information rec'd 03/07/2017).

TYPE: Full Planning Application

APPLICANT: Louise Tyzack and Alice Perry

OFFICER: Emma Pearman

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 The application site is an area of woodland, located to the east of Bellew Road, outside the settlement area of Deepcut and within the Countryside beyond the Green Belt. This is an outline application for the provision of 12 dwellings on this site, with the details of the access only to be agreed at this stage, which would be directly from Bellew Road, which is a private road. The proposal involves the felling of approximately 24 individual trees and 10 groups of trees within the woodland, however this woodland mainly comprises Scots pine plantation and as such is not sustainable in the long term. A buffer of woodland would be retained on all boundaries, particularly to the south and east between the development and surrounding dwellings.
- 1.2 Given that the site lies within the countryside and is not a housing reserve site identified by Policy H8, it is considered that its release for housing would harm the rural and intrinsic value of the countryside which should be protected. This harm needs to be balanced against the contribution the development proposal could make to the current shortfall in the five year housing land supply if planning permission were granted. It is not considered this balance falls in favour of planning permission being granted and an objection is raised. There have been no objections from the tree officer, however Surrey Wildlife Trust have objected in terms of the lack of information provided in terms of the biodiversity status of the woodland, and impact on reptiles. There has also been no legal agreement provided in respect of the provision of affordable housing or SAMM payments. The application is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is a 1.27ha area of land located on the eastern side of Bellew Road, which is a private road. The site lies approximately 200m outside the settlement area of Deepcut and is designated as Countryside beyond the Green Belt in the Surrey Heath Core Strategy Proposals Map 2012. It lies immediately south of the Princess Royal Barracks area boundary. The application site currently comprises mostly Scots pine plantation woodland, some beech and sweet chestnut trees and a smaller number of other species present as well as understorey. The gradient of the site slopes down towards the southern boundary. The site borders residential dwellings to the south and

east, with woodland to the north and Bellew Road on the western boundary. The woodland on the opposite side of the road is designated as a Site of Nature Conservation Importance.

3.0 RELEVANT PLANNING HISTORY

3.1 No planning history exists for this site.

4.0 THE PROPOSAL

4.1 The proposal is an outline application for up to 12 residential dwellings, with access only to be considered at this stage. The centre of the site is proposed to be the developable area, with a strip to the north and south and area to the east being retained as woodland. Access to the site would be directly from Bellew Road, approximately 42m south of the northern boundary and 15m approx. north of the bend in the road.

4.2 The application is in outline form with only the details of the access to be determined at this stage. The application has been supported by:

- Extended Phase 1 Ecological Assessment and Appendices;
- Transport Statement;
- Arboricultural Implications Report;
- Utilities and Servicing Statement;
- Archaeological Desk-based Assessment;
- Design and Access Statement;
- Flood Risk Assessment and Preliminary Drainage Strategy;
- Planning Statement; and
- Additional Badger Survey.

5.0 CONSULTATION RESPONSES

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

5.2 Surrey Wildlife Trust Objection – insufficient information provided at this stage in terms of the impact on reptiles, and insufficient assessment as to whether the woodland is sufficient to meet the criteria of a Habitat of Principle Biodiversity Importance.

5.3 West Surrey Badger Group Objection – insufficient information provided in terms of badgers
[Officer comment – further survey has been sent to WSBG and further response awaited].

- | | | |
|-----|----------------------------------|--------------------------------------|
| 5.4 | Council's Arboricultural Officer | No objection, subject to conditions. |
| 5.5 | SCC Archaeology | No objection, subject to condition. |
| 5.6 | Lead Local Flood Authority | No objection, subject to conditions. |
| 5.7 | Environment Agency | No response received. |
| 5.8 | Thames Water | No objection. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 38 letters of objection have been received (including on behalf of Mytchett, Frimley Green and Deepcut Society, Deepcut Neighbourhood Forum and Deepcut Liaison Group) which raise the following issues:

Principle of the development [see section 7.3]

- Already plans for excessive dwellings in Deepcut with minimal infrastructure improvement;
- Is contrary to Deepcut SPD which states danger of over-urbanisation of Deepcut which could result in coalescence of settlements and that countryside between Deepcut and urban areas to west and north will be maintained, and gap between Deepcut and Heatherside and Frimley Green;
- Core Strategy says 1,235 homes for Deepcut which have already been granted permission and this site would take numbers above that figure;
- While it was identified in the SHLAA, this was only if insufficient sites come forward within the settlement area which isn't the case;
- SLAA document does not expect it to come forward for another 6 years;
- Could lead to other applications for development on these sites between villages;
- Contrary to Deepcut SPD which seeks to preserve rural heathland and woodland;
- Site has long been recognised by Local Plans and Appeal Inspectors as being unsustainable and an effective green space dividing settlements; this application provides no effective arguments for changing this situation;
- Other places where houses can be built without cutting down trees.

Impact on character and trees [see section 7.4]

- Impact on the character of the rural area;
- Destruction of trees which filter out traffic pollution;
- Woods here are in better condition than others;
- Woodland it adjoins was subject to a previous application and Inspector determined

that development adjoining existing properties was inappropriate;

- Planning statement says that there will be only a partial clearance of trees but then says that none of the proposed dwellings or gardens would be shaded by retained trees;
- No guarantee that any trees would be retained and new dwelling owners may cut them down;
- Trees on opposite side of road are protected by a TPO so seems incongruous to let these trees be cut down;
- Would detract from architectural merit of the Sergeant's Mess;
- Size and density of development would significantly detract from secluded nature of the immediate area and its soft, green character;
- Will significantly increase number of dwellings on the road which is currently only three;
- Out of character with existing properties along Bellew Road;
- While trees individually may have little merit, as a group they provide an appealing green space which adds to the rural aspect of Deepcut;

Highways, parking and access [see section 7.5]

- Bellew Road is unfit for anything other than limited access due to condition of the road; will impact on existing residents as they will have to pay for increased damage to road;
- Conflicts with plans to close Bellew Road;
- Construction traffic would cause damage to Blackdown Road as will increased traffic from the development and this would have to be paid for by existing residents;
- Junction of Bellew Road and Lake Road is already dangerous due to bend in the road and speed of traffic from both directions; shown by fact it was converted to one-way for part of it;
- Irresponsible to grant permission until a decision is made about control of traffic in Frimley Green which will lead to traffic backing up along Lake Road;
- Conversion of offices into housing on Blackdown Road will present more traffic;
- Access will be close to a blind bend in the road.

Residential amenity [see section 7.7]

- Will have a significant, negative impact on the amenities enjoyed by current residents including loss of trees and wildlife and quiet enjoyment of properties/gardens;
- Will overlook The Pines and other surrounding dwellings, and is physically higher so will result in loss of privacy;

- Will increase traffic noise.

Ecology [see section 7.8]

- Impact on nature conservation and wildlife which would be threatened including birds, deer, badgers;
- There is birdlife and wildlife in evidence including protected nightjars;
- There are active badgers setts on the site;
- It forms part of a natural corridor for animals to pass from one wood to another;

Other issues

- Impact on infrastructure [*Officer comment: see section 7.9*];
- Will lower property values [*Officer comment: not a planning consideration*];
- Land is subject to a restrictive covenant to retain the land in its natural state and not erect any buildings [*Officer comment: covenants are not a planning consideration but a separate legal restriction*];
- Issue with surface water flooding at junction with Bellew Road and Lake Road [*Officer comment: see section 7.11*];

7.0 PLANNING CONSIDERATION

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CPA, CP2, CP5, CP6, CP8, CP12, CP14A, CP14B, DM9, DM10, DM11, DM13 and DM17. 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 in the Countryside;
- Impact on character and trees;
- Highways, parking and access;
- Affordable housing and housing mix;
- Impact on residential amenity;
- Ecology;
- Impact on the Thames Basin Heaths SPA;
- Impact on infrastructure; and
- Other matters – archaeology, flooding.

7.3 Principle of the development in the Countryside

- 7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes and to boost significantly 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. Paragraph 49 indicates that relevant policies for the supply of housing should not be considered up to date if a local planning authority cannot demonstrate a five year housing land supply. At present, Surrey Heath does not have a five year housing land supply and as stated in the five year housing supply paper the current supply is circa 3.9 years.
- 7.3.2 When allowing recent appeals in Surrey Heath, including those in West End at 24-46 Kings Road and 6 and 9 Rose Meadow, and Land to the east of Benner Lane, the Inspectors in both cases concluded that Policy CP3 of the CSDMP should be seen as out of date and that the appeals should be determined in accordance with paragraph 14 of the NPPF. Paragraph 14 states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, or where specific policies in the Framework indicate that development should be restricted.
- 7.3.3 In May 2017, the Supreme Court ruled on the issue of paragraph 49 of the NPPF and concluded that local plan policies that should be seen as out of date only included those policies which dealt with the numbers and distribution of houses, (“housing supply policies”) and not wider policies that restrict housing development for other environmental or amenity reasons. However, they concluded that if an LPA did not have a five year housing land supply, then the second part of paragraph 14 applied (as above) and as such the decision maker was entitled to reduce the weight given to other policies which restrict development, including those identifying settlement boundaries based on out of date housing numbers.
- 7.3.4 Policy CPA states that new development should be directed in accordance with the spatial strategy which directs development to previously developed land within the western part of the borough, and states that development in the countryside which results in the coalescence of settlements will not be permitted. Policy CP2 requires development to respect and enhance the quality of the urban, rural, natural and historic environments, and create sustainable communities that have easy access to a range of high quality services. Policy CP3 states that if insufficient sites have come forward within settlement areas, then areas in the countryside could be released for housing. Policy CP4 states that development in Deepcut should maintain the countryside gap between Deepcut and Heatherside, and Deepcut and Frimley Green.
- 7.3.5 This site is just under 200m south of the settlement boundary of Deepcut. The development between the settlement boundary and the site is not continuous, with a large area of woodland between the settlement boundary and the application site, and as such it could not reasonably be considered to be adjacent to the settlement. Nor is any development proposed on the sites immediately adjacent through the redevelopment of the Princess Royal Barracks site in Deepcut. Development on the site would, inevitably, reduce the open space between the settlement areas of Deepcut and Frimley Green, with the gap in this location being approximately 940m wide, and the application site being a large area of land between these settlement areas. At present there is only limited, sporadic development between the two settlement areas, mostly along Lake Road. Development on larger sites such as this, if repeated often enough in this small gap, would result in the merging of Deepcut and Frimley Green, which is contrary to Policy CPA. One

of the roles of the countryside is to prevent this merging.

- 7.3.6 While housing reserve sites in the countryside in West End (reserved under saved Policy H8 of the Surrey Heath Local Plan) were recently granted permission for housing development by the Council and on appeal, these sites were specifically reserved under this policy to meet additional housing needs, which further indicated their suitability for residential development. This application site was not identified as a housing reserve site under Policy H8.
- 7.3.7 The site is identified in the Strategic Land Availability Assessment 2016 (SLAA) as not likely to come forward in the short term given its countryside location. Paragraph 17 of the NPPF states that development should encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value, and states that the intrinsic character and beauty of the countryside should be recognised. This is supported by Policy CPA of the CSDMP as supporting paragraph 5.6 resists development that is harmful to the intrinsic character and beauty of the countryside. It is not considered at this stage that there is sufficient need to release this countryside site for housing and that its release would harm the intrinsic beauty and character of the countryside, which would not be outweighed by the provision of 12 dwellings and the contribution this would make to housing supply in the Borough.

7.4 Impact on character and trees

- 7.4.1 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.
- 7.4.2 Policy DM9 of the CSDMP 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.
- 7.4.3 The application site currently comprises an attractive area of woodland which enhances the character of Bellew Road. The woodland itself comprises mostly Scots pine plantation woodland, some beech and sweet chestnut trees and a smaller number of other species present as well as understorey. There are 88 individual trees that have been identified on the site, as well as 30 groups of trees. Of these 24 individual trees would be removed and 10 groups, with the individual trees comprising 14 category B specimens, 9 category C trees and one category U. A buffer of 10m of woodland would be retained to the southern boundary and 40m to the eastern boundary. The Tree Officer has not objected to the development at this stage, given that the Scots pine plantation trees are not sustainable in the long term and states that the removal of pernicious species and trees of poor form may provide additional planting opportunities. Replacement planting would be necessary to mitigate tree loss. The Tree Officer has also requested conditions in terms of landscaping, a site meeting and Arboricultural Method statement.
- 7.4.4 Many objections have stated that there would be nothing to protect the remaining trees, however conditions would be able to ensure that landscaping was retained and managed in accordance with the approved plan, and the Tree Officer has advised that a Tree Preservation Order could be considered for the remaining trees.
- 7.4.5 At this outline stage, little information has been provided in terms of the appearance of the built development, however there is an indicative layout plan to show how the dwellings could be accommodated. This shows two rows of four terraced houses to the front, and four semi-detached dwellings to the rear, with additional car ports/garages also provided,

though this plan does not form part of the outline permission so could change at reserved matters stage. The parameter plan submitted also shows that the built form would be mainly towards the western boundary and middle of the site, with the buffer areas retained to the south and east and a small buffer to the north. Landscaping is proposed to the front of the site, the detail of which would be provided at reserved matters stage, with trees along this boundary to be retained also.

- 7.4.6 The density would be 8.5-10.5 dwellings per hectare (dpha) and the dwellings would be up to two-storey. This is of a lower density than the average expected across the new Deepcut PRB development (30 dpha) but higher than that immediately surrounding the site. The height is similar to that expected elsewhere in the new Deepcut development, as set out in the Deepcut SPD, and similar to the mostly two-storey surrounding dwellings. While the development would be of a higher density than surrounding development, it would promote a more efficient use of the site and the increased density is not considered to be significantly harmful itself to the immediate character of the locality.
- 7.4.7 Several objections mention the land immediately to the north as being identified as unsuitable for development by a Planning Inspector. This was the Inspector's report into the Surrey Heath Local Plan 2000, who found little to commend the site for allocation for development, citing its distance from facilities and transport, and stated that the countryside was worthy of protection for its own sake. He noted that even with the plantation trees, if the site remained undeveloped the woodland would regenerate naturally and its rural appearance would be maintained. These conclusions are also considered to be relevant to the application site.
- 7.4.8 While no specific design or tree related objections are raised at this stage, the proposal would however, in line with the conclusions above, result in the loss of an attractive area of woodland countryside, and the loss of this area as a whole is not considered to be outweighed by the provision of housing in this location.

7.5 Highways, parking and access

- 7.5.1 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 and mitigate such impacts to acceptable levels can be implemented.
- 7.5.2 The proposed access from the application site is onto Bellew Road, which is a private road. Part of Bellew Road, just north of the application site and south of the Sergeant's Mess, is single track and one-way only, and there is no entry to the southern part of Bellew Road from the northern part. Bellew Road becomes Blackdown Road, another private road, as it turns a corner to the east at its northern end. Access to the proposed dwellings would therefore be from Bellew Road to the south. At present, egress from the site could be to the north or south, however as part of the wider Deepcut development, Bellew Road is proposed to be closed to through traffic with a physical barrier installed, and recent correspondence with the County Highway Authority suggests the closure would be likely to be in the location of the existing one-way section. The closure of the road, given its proposed location, is not considered to affect this application, though once the road is closed access and egress would be to the south via Bellew Road/Lake Road only.
- 7.5.3 The proposed access would be 5.5m in width with visibility splays proposed in both directions, which comply with the County Highway Authority's standing advice in terms of their size. The County Highway Authority has not objected to the proposal, subject to visibility improvements at the junction of Bellew Road and Lake Road to the south, of 30m to the left and 35m to the right, to be achieved by cutting back vegetation that has encroached onto County Highway land, and these would have to be kept permanently

clear of such vegetation.

- 7.5.4 A large number of objections have been received in respect of the impact on highways. It is acknowledged that given Bellew Road and Blackdown Road are private roads, the surface may be subject to increased damage as a result of the proposal. However this is a private matter, given that it is not an adopted highway, and not something that can be taken into account in the determination of the application, but is between the landowner and the applicant. While there are currently only three dwellings in the southern part of Bellew Road and the proposal would result in a large increase in that number and may be noticeable to residents, it is not considered that given the above conditions, this would result in any highway safety impacts, nor any significant detrimental impacts on the amenity of residents.
- 7.5.5 Parking would be a reserved matter, however the indicative Illustrative Masterplan indicates that there would be approximately 20 spaces for the 12 dwellings, and as such appears that sufficient parking could be accommodated at this stage. It is therefore considered that the proposed access and highway impacts are acceptable, subject to the above conditions.

7.6 Affordable Housing and Housing Mix

- 7.6.1 Policy CP5 of the CSDMP states that developments of 10-14 units should secure a 30% on-site provision of affordable housing, and Policy CP4 sets a target of 35% in Deepcut. The applicant's Planning Statement indicates that 4 dwellings would be proposed to be affordable, with the number and location being finalised at reserved matters stage. However, at outline stage, the Council would seek this assurance in a legal agreement, which has not been provided to date. As such, while it appears that the intention to deliver affordable housing is there, without a legal agreement there is no means to secure this, and as such the proposal is considered to be contrary to Policy CP5 at this stage.
- 7.6.2 Policy CP6 states that the Council will promote a range of housing types and tenures, and for market housing suggests that this should be approximately 10% 1-bed units, 40% 2-bed units, 40% 3-bed units and 10% 4+ bed units. The Planning Statement indicates that this may be a mix of 2-bed and 4-bed units, however it is considered that this can be determined at reserved matters stage.

7.7 Residential amenity

- 7.7.1 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 of the CSDMP 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.
- 7.7.2 The application site shares its southern boundary with the side boundary of The Pines. The applicant's parameter plan 1, which illustrates the proposed general layout of the site, shows an 11m gap between any proposed buildings and the boundary with The Pines, with The Pines a further 6m away from the boundary. The parameter plan indicates that this area adjacent to the boundary would form private gardens, and the Tree Protection Plan shows that there would be a 10m buffer approx. where the existing trees are retained along this boundary. It is noted that the application site is on a higher level than The Pines and as such, despite the distance of 17m approx. between the dwelling and any proposed buildings, there may be issues in terms of overlooking. However, the final layout would be determined at reserved matters stage, and at that stage a fuller assessment upon amenity can be completed. As such the impact on amenity is considered acceptable at this stage.

7.7.3 The parameter plan shows that there will be a much wider band of woodland retained at the rear of the site, where it borders Lothlovian (The Coach House) and Leighton Holme. In addition, both these properties appear to be at least 20m from the boundary of the application site. As such it is considered unlikely that there would be any significant adverse impacts upon these dwellings, however it will be considered further at reserved matters stage when the final layout and elevation plans of the dwellings are available.

7.7.4 While a number of objections have been received in respect of the impact on amenity, it is noted that there may be an increase in general noise and disturbance from the new dwellings over and above the very quiet nature of the existing road. However it is not considered that the provision of these dwellings would result in such significant adverse impacts on amenity in terms of noise, that refusal of the application would be warranted on these grounds.

7.8 Ecology

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 site is close to the Richmond Hill SNCI (not within it as the applicant's report states) which is on the other side of Bellew Road. The applicant submitted an Extended Phase 1 Ecological report with the application. This assessed the site for protected species and concluded that the site had potential to support nesting birds, bats and stag beetles. Surrey Wildlife Trust has been consulted and has objected due to insufficient information to establish whether the site meets the criteria for being a deciduous woodland Habitat of Principle Importance, and a lack of mitigation and compensation for the loss of the woodland and as such it is not clear that the proposal would not result in a loss of biodiversity. It is noted that the applicants have proposed only bat and bird boxes as mitigation/enhancement, which does not appear to be sufficient for the loss of a large number of trees, although appropriate landscaping with suitable species could also provide some mitigation. Surrey Wildlife Trust have also objected to the fact that no reptile surveys have been undertaken and as such insufficient evidence has been provided on which to assess the impact on reptiles. SWT also state that a bat roost assessment should be carried out prior to development taking place and recommendations in terms of landscape and ecology management, breeding birds, and sensitive lighting.

7.8.3 West Surrey Badger Group were also consulted and objected on the basis that further surveys to establish the presence or otherwise of badgers should be undertaken, having found evidence of badgers themselves on the site. The applicant has subsequently carried out a further badger survey which concluded that the two setts on site are outlier setts and infrequently used, however one of these will be affected by the development. The West Surrey Badger Group and Surrey Wildlife Trust have been re-consulted on this additional badger survey. Further comments have been received from the Surrey Wildlife Trust, who have stated that while the further survey was welcome the proposed development will still result in the loss of feeding grounds for these badgers which the survey has not addressed, and as such further information on this should be submitted prior to commencement of development. This could be secured by condition.

7.8.4 However at the present time it is still considered that insufficient information has been provided in terms of the woodland and reptiles, and as such it is not clear that the development would not result in a net loss of biodiversity.

7.9 Impact on Infrastructure

7.9.1 Policy CP12 of the CSDMP 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.

7.9.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more, and all new dwellings are CIL liable no matter what their size and as such, this development would be CIL liable at the rate of £180 per m² of floorspace. Any affordable housing element would not be CIL liable. Informatives would be added to the decision advising the applicant of the CIL requirements.

7.10 Impact on the Thames Basin Heaths SPA

7.10.1 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).

7.10.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 750m 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 (or a separate SANGS charge if not CIL liable). There is currently sufficient SANG available to be allocated to this development and it would be CIL liable.

7.10.3 The dwellings would also be liable to the SAMM charge, which is payable per dwelling. While the unit sizes of dwellings and therefore the amount of SAMM is not known, the Council would seek a legal agreement to provide the SAMM at outline stage. To date none has been provided.

7.10.4 It is therefore considered that the proposal does not provide sufficient mitigation for the impact of new residential development on the SPA, and as such is contrary to Policies NRM6, CP14B and the Thames Basin Heaths Avoidance Strategy SPD.

7.11 Other matters

7.11.1 Policy DM10 of the CSDMP states that new development should reduce the volume and rate of surface water run-off through the incorporation of appropriately designed SuDS at a level appropriate to the scale and type of development. The site lies within Flood Zone 1 so has a low risk of flooding. The applicant has submitted a Flood Risk Assessment which has been reviewed by the Local Lead Flood Authority. They have not objected, subject to conditions for detailed drawings of the drainage elements and calculations to be submitted at reserved matters stage.

7.11.2 Policy DM17 of the CSDMP requires that application sites over 0.4ha submit an Archaeological Desk-based assessment. The applicant has submitted an assessment that has been reviewed by the County Archaeologist. They have not objected, but consider that contrary to the applicant's report, the status of the site in archaeology terms should be classified as unknown rather than having low potential for archaeological finds. They have recommended a condition to secure a scheme of archaeological work, prior to development commencing.

8.0 CONCLUSION

8.1 The proposal is considered to be harmful to the rural and intrinsic nature of the countryside which should be protected for its own sake. This harm is not considered to be outweighed by the provision of 12 dwellings. It is also considered that insufficient information has been provided in respect of the impact on reptiles and assessment of the woodland in terms of whether it meets the criteria for a Habitat of Principle Biodiversity Importance. No legal agreement has been provided in respect of the need to secure affordable housing and SAMM payments at this stage. On this basis, it is recommended that the application is refused.

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

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

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

10.0 RECOMMENDATION

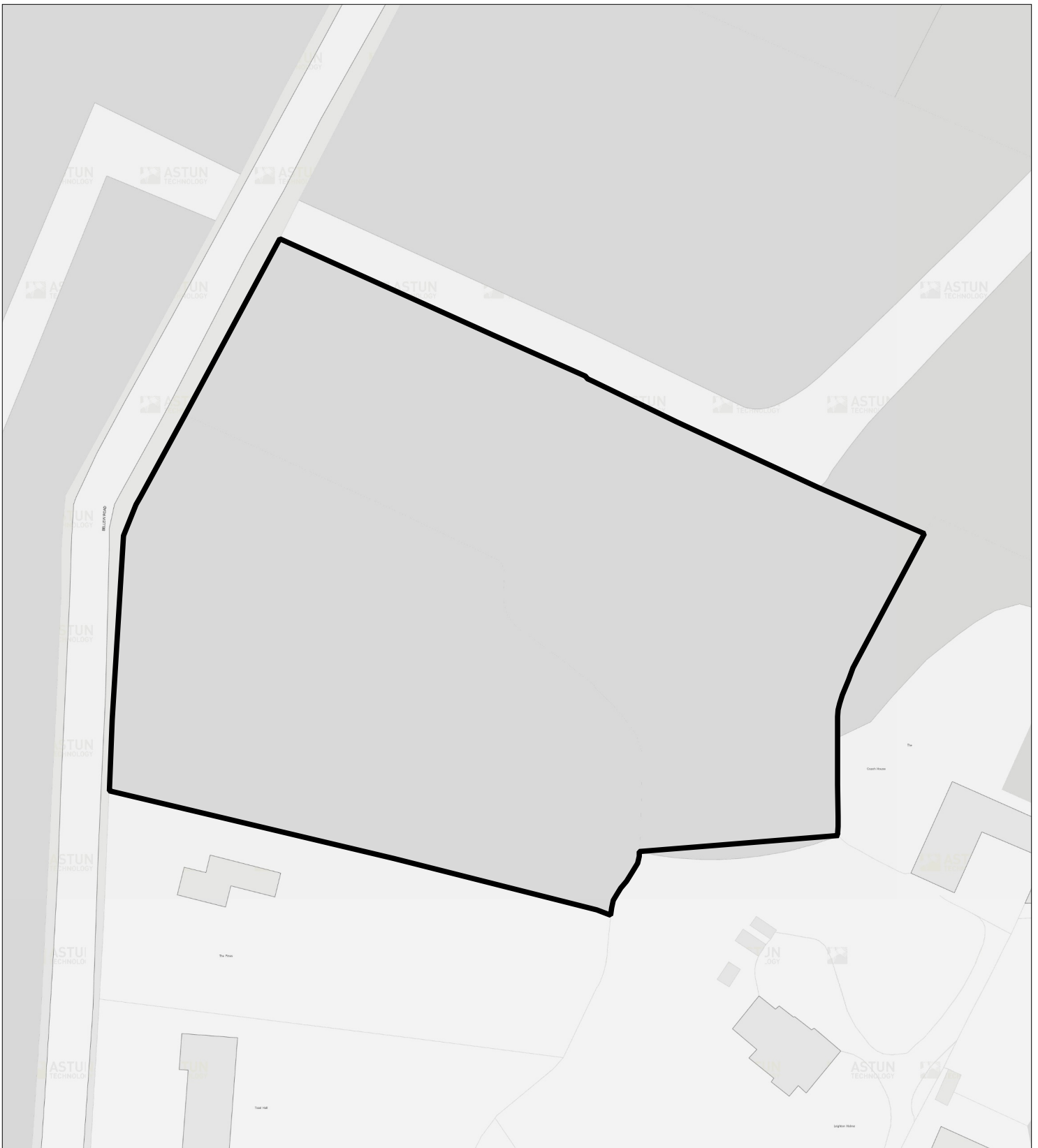
REFUSE for the following reason(s):-

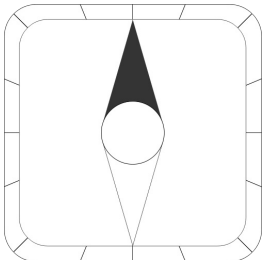

1. The site is within the Countryside beyond the Green Belt and permanent development for housing should only be granted in exceptional circumstances. Its release would harm the intrinsic character and beauty of the countryside and would conflict with the spatial strategy and Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2012.
2. The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority the presence or otherwise of reptiles which are protected species, and the extent that they may be affected by the proposed development. Insufficient information has also been provided to establish whether the site meets the criteria for a Habitat of Principle Biodiversity Importance and for the Local Planning Authority to establish whether the development will result in a loss of biodiversity overall. The proposal is therefore contrary to paragraph 99 of ODPM Circular 06/2005, Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.
3. In the absence of a completed legal agreement to secure on-site provision of affordable housing, the proposal fails to comply with Policies CP4 and CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.
4. In the absence of a completed legal agreement to secure payment of SAMM (Strategic Access Management and Monitoring), the proposal may cause harm to the Thames Basin Heaths Special Protection Area and fails to comply with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, the Thames Basin Heaths SPA Supplementary Planning Document and the NPPF.

Informative(s)

1. Advise CIL Liable on Appeal CIL3

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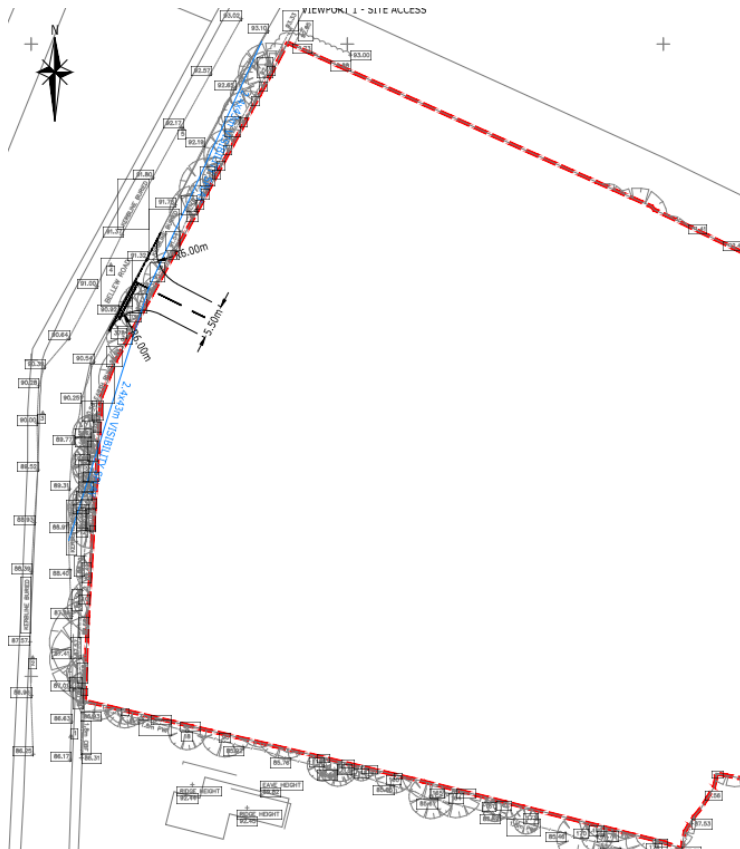
Title	Planning Applications			
Application number	17/0286		Scale @ A4	1:1,000
Address	LAND TO THE EAST OF BELLEW ROAD, DEEPCUT, CAMBERLEY		Date	29 Jun 2017
Proposal	Outline application for the erection of up to 12 dwellings (Class C3)			
Page 65				
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD

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Location plan



Detailed access plan showing its proposed location (for approval at this stage)








Draft illustrative masterplan (indicative only, not for approval at this stage)



Parameter plan (indicative only)



Key	
	Application Boundary
	Proposed residential road
	Proposed private structural landscape
	Proposed shared landscape
	Proposed developable area

Existing site – view from Bellew Road looking north-east



Views in the site looking north-east



Approximate location of proposed access



Looking south to boundary with The Pines



Fence on boundary with The Pines



Houses along Bellew Road



Junction of Bellew Road and Lake Road



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2016/0877

Reg Date 11/10/2016

Watchetts

LOCATION: GARAGES, GREENLANDS ROAD, CAMBERLEY, SURREY
PROPOSAL: Erection of a pair of semi detached three bedroom dwelling houses with associated parking and access following demolition of existing garages. (Additional Plan Rec'd 11/10/2016). (Amended Info - Rec'd 21/03/2017). (Amended plans recv'd 13/6/17).
TYPE: Full Planning Application
APPLICANT: Mr Taylor
OFFICER: Mr N Praine

This 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 Lewis.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks redevelopment of an existing garage block located to the south western side of Greenlands Road. The site falls within the settlement area and Flood Zone 3a (high risk). The proposal would provide a pair of semi-detached three bedroom dwelling houses with associated parking and access following demolition of the existing garages. Each dwelling would have off street parking for two vehicles to the front of each property. The development is not considered to result in adverse harm to the character of the area, residential amenity, ecology, flood risk or the safe operation of the highway/parking and is acceptable in all other regards. The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises an existing forecourt area laid to hardstanding. The northern western and south eastern sides of the site are bounded by garage blocks, these blocks measure a maximum footprint of 28m long by 5m wide and 2.5m in height to the north western side; and a maximum footprint of 21m long by 5m wide and 2.5m in height to the south eastern side. The site is bounded by a railway to the south western side and residential properties to the remaining boundaries.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4.0 THE PROPOSAL

- 4.1 The current planning application relates to the erection of a pair of semi-detached three bedroom two storey dwelling houses with associated parking and access following demolition of the existing garages. The proposed dwellings would have 3 bedrooms each with off street parking for two vehicles to the front of each property. The proposed dwellings would have a pitched roof with maximum height of 8.0m, maximum width of 5.5m (each) and maximum depth of 10m. The access will remain as existing (off Greenlands Road).
- 4.2 As the proposal lies within Flood Zone 3a in accordance with Environment Agency advice a Flood Risk Assessment has been submitted in support of the application.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objection subject to conditions.
- 5.2 Environmental Health Officer No objection subject to conditions.
- 5.3 SHBC Housing Needs Officer Supports proposal.
- 5.4 Environment Agency No objection subject to conditions.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 10 representations of objection and no letters of support have been received. Furthermore one petition with 85 signatures objecting to the scheme has been submitted. The expressions of objection raise the following concerns:
- Negative impact upon vehicular access, parking and emergency access all during construction and after the development is completed [*Officer comment: See paragraph 7.5 below*];
 - Concerns about noise pollution and dust pollution [*Officer comment: The Environmental Health Officer has considered the application and in his consultation response, see para 5.2 above, raises no objection. See also paragraph 7.9.3 below*];
 - Concern about flooding [*Officer comment: See paragraph 7.6 below*]

7.0 PLANNING CONSIDERATION

- 7.1 The application site falls within the settlement of Camberley and Flood Zone 3a. The application site is also designated as an 'Intense Terrace' according to the Western Urban Area Character Supplementary Planning Document 2012. As such, the current proposal is to be assessed against Policies CPA, CP2, CP3, CP11, CP12, CP14, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Policy NRM6 of the South East Plan 2009 along with advice contained in the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2012 and the National Planning Policy Framework is also relevant.

7.2 The main issues to be considered are:

- Impact on the character of area;
- Impact on residential amenity;
- Parking and highway safety;
- Impact upon flood risk;
- The impact of the development on infrastructure;
- The impact of the development on the Thames Basin Heaths Special Protection Area; and,
- Other matters.

7.3 Impact on the character of area

7.3.1 Policy DM9 of the Surrey Heath Core Strategy advises that development will be acceptable where it achieves high quality design and layouts that respect and enhance the local character of the environment. Particular regard is given to scale, materials, bulk and massing. Policy DM9 underpins the specific character measures set out within the Western Urban Area Character SPD. Within the SPD the application site falls within the Historic Routes character area.

7.3.2 Principle IT1 of the Western Urban Area Character Supplementary Planning Document 2012 advises that new development should reflect the existing character of the area including high quality hard and soft landscaping. The proposals are two-storey with appropriate plot widths, spacing and landscaping addressing both the street and surrounding dwellings. Likewise the actual designs of the proposal takes its design cues, in terms of height, width and detailed design from the surrounding architecture both to the north and south. The siting of the proposal at the end of the cul-de-sac allows for a setback behind the building line without harm to the streetscape. Therefore the design response is considered to be in accordance with IT1.

7.3.3 The proposal would therefore comply with the general design principles of Policy DM9 of the Core Strategy and the specific requirements of the Western Urban Area Character SPD.

7.4 Impact on residential amenity

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

- 7.4.2 There are no primary facing windows proposed as part of the scheme facing the properties in Bain Avenue and subject to conditions to control the glazing of 1st floor secondary windows, no objections are raised on privacy grounds. The proposal is also sited and separated (minimum 12m) so that it would not be overbearing or overshadowing to the garden areas or front and rear windows of the properties in Bain Avenue. Therefore it is considered that there would be no adverse impact on the amenities that the occupants of these dwellings currently enjoy.
- 7.4.3 There are no primary facing windows proposed as part of the scheme facing 36 Greenlands Road and subject to conditions to control the glazing of 1st floor secondary windows, no objections are raised on privacy grounds. The proposal would extend approximately 6.7m beyond the principal rear wall of 36 Greenlands Road, however it is noted that a single storey rear extension of approximately 3m exists at this dwelling, the proposal is also separated by approximately 3m from the shared boundary, is orientated to the north west and the proposal replaces a block of garages which currently extend the full depth of number 36 Greenlands Road's garden, the proposal would remove this current unneighbourly relationship. For these reasons it is considered that the proposal would not be overbearing or overshadowing to the garden areas or primary windows of 36 Greenlands Road. Therefore it is considered that there would be no adverse impact on the amenities that the occupants of these dwellings currently enjoy.
- 7.4.4 The remaining dwellings are adequately separated or sited to ensure the existing level of amenity is retained. It is also considered that the amount of garden land proposed to serve the proposed dwelling houses would be appropriate for the size of the dwellings as proposed. As such, it is considered that the current application complies with the amenity principles contained in Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies.

7.5 Parking and highway safety

- 7.5.1 There are currently 20 garage spaces and 5 open parking spaces which are to be lost as part of this planning application. Local residents have understandably raised concerns about this loss of parking and the possible impact it may have. In anticipation of this, the applicant has submitted a Transport Statement (TS) to address these concerns. The TS has reviewed the existing parking capacity within a 200m radius of the application site to include parts of Wood Road, Newlands Road, Mayfield Road, Bain Avenue and Greenlands Road. The TS identifies that the survey area does not comprise a controlled parking zone (CPZ) and in calculating the number of existing parking spaces, it discounts all vehicle crossovers and kerb space within 7.5 metres of junctions and kerb space where it is too narrow to park on both sides of a road. The TS undertook surveys during the evenings to identify peak demand and it therefore identified 115 street parking opportunities within the survey area. Again using this parking survey methodology the TS identifies the average on street parking 'stress' within the identified survey at peak times is 70% (an average of 80 cars have been observed to be parked leaving 35 free spaces during the surveys). Therefore the TS concludes that 25 lost spaces as part of this application could be offset within these free spaces.

- 7.5.2 The Surrey County Council Highway Authority has considered the proposal and in their consultation response are satisfied and raise no objection to the proposal. That said, local residents challenge the detail and methodology of the TS considering the local parking stress to be much greater than what the TS suggests and in their opinion parking is very much beyond saturation point. Therefore and notwithstanding the argument set out at paragraph 7.5.1 above, the applicant also advances that the garages are in excess of 40 years old and only 2.2 metres wide. On this basis it is difficult to use them for car parking on a day-to-day basis. Indeed modern garages are constructed to at least 3 metres internal dimensions, in width, as greater safety requirements and comfort expectations of the motor industry, have caused cars to become wider than they were when these garages were originally built, both in terms of the overall dimensions of the vehicles and the size of the car doors which has an impact when attempting to get out of a car once it is in the confines of a garage. Taking the width of these garages into account it is considered that there is little tolerance for a car to enter and exit these existing garages and further limited room to open a car door and for a person to physically climb out once inside. Therefore the garages are much less likely to be used for the parking of vehicles. Additionally from his own experience the Council's own Housing Needs Officer working with the applicant (a housing association) has observed that these older garages tend to be used for storage rather than the parking of vehicles.
- 7.5.3 Furthermore the applicant owns the garages so letting details are available for these garages and the TS considers the letting details and the distance the tenants live from the site in order to help the LPA understand the impacts of this proposal. The letting details reveal of the 20 garages on the site, 18 are currently rented out. Of these 18 garages only two of are rented out to people living within the parking study area. Therefore the impacts of the proposal are considered to be further reduced by this evidence.
- 7.5.4 Taking all the above information into account and given the proposal provides 2 parking spaces for each unit, the County Highway Authority has also undertaken its own assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied with the methodology used within the TS and that the application would not have an adverse material impact on the safety and operation of the adjoining public highway or parking. The County Highway Authority therefore has no objections subject to conditions and informatives.
- 7.5.5 In summary, the loss of the garage block and parking area are not considered to result in adverse material harm to the safe operation of the highway network and parking standards. The proposed development therefore complies with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.6 Impact upon flood risk

- 7.6.1 The application site lies within Flood Zone 3a (high risk). Apart from the functional floodplain (Zone 3b) land within Flood Zone 3a has the highest probability of flooding i.e. a 1 in 100 or greater annual probability of river flooding. Residential dwelling houses are classed as 'more vulnerable' within the EA's Table 2: Flood risk vulnerability classification and such development is only permitted in the high risk flood zone when the Exception Test is passed. To pass the Exception Test it must be demonstrated that the development would provide wider sustainability benefits to the community; remain safe for the lifetime of the development without increasing flood risk elsewhere; and, seek to

reduce flood risk overall. Before the Exception Test has been considered the Planning Authority must first be satisfied that the Sequential Test is passed i.e. ensure that a sequential approach is followed to steer new development to areas with the lowest probability of flooding.

- 7.6.2 The applicant has undertaken evidence in support of the Sequential Test which has been submitted with the application. This evidence identifies seven potential sites but concludes that these seven potential sites are not sequentially preferable to the application site as each is constrained which include environmental constraints (SPA, contaminated land etc), lack of availability and existing consents for general market housing. Furthermore, the Strategic Housing Market Assessment recognises that there is a recognised shortfall in the provision of affordable housing in the area, which will need to be addressed through the provision of affordable housing on multiple sites. It is therefore considered that the proposal passes the Sequential Test.
- 7.6.3 Turning to the Exception Test and firstly sustainability credentials the site scores highly being on previously developed land within the settlement area. Such a development in this location will provide community benefit. Secondly, the applicant has demonstrated that the development will be safe. The applicant's FRA provides sufficient information to show satisfactory routes of safe access and egress are achievable and if minded to approve this can be secured by condition. It is a material consideration that the EA supports the development and with necessary safeguards including setting of floor levels within the dwellings to account for climate change and other flood resistance measures, all subject to condition, the development would be safe for its lifetime. Thirdly, the applicant proposes surface water drainage measures across the site and off site. It is noted that the site is already completely laid to hardstanding and garage buildings, the proposal would also reduce the amount of hardstanding across the site. Beyond this and for a development of this size it would not be possible to reduce flood risk further and consequently it is considered that the proposal passes the Exception Test.
- 7.6.4 On the basis of the above the proposal would satisfy the requirements of the NPPF and Policy DM10 of the CSDMP.

7.7 The impact of the development on infrastructure

- 7.7.1 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.
- 7.7.2 The CIL Charging Schedule came into force on 1 December 2014 and details of infrastructure projects that are to be funded through CIL are outlined in the Regulation 123 list, which includes open space, transport projects, pedestrian safety improvements among others. These projects do not have to be related to the development itself. 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 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.

7.7.3 This development is not CIL liable as it is for Affordable Housing and the necessary exemption forms have been submitted. An informative regarding CIL will be added. It is therefore considered that the proposal would be in accordance with Policy CP12, the Infrastructure Delivery SPD and the NPPF in this regard.

7.8 The impact of the development on the Thames Basin Heaths Special Protection Area

7.8.1 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 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).

7.8.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths. 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, and as stated above this development is not CIL liable.

7.8.3 The development is however liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL. This proposal is liable for a SAMM payment of £1316 which takes into account the existing floor space and this has been paid in full by the applicant.

7.8.4 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.

7.9 Other matters

7.9.1 Paragraph 120 of the NPPF states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The applicant has submitted a Contamination Report. The Environmental Health Officer has not objected but has recommended conditions to ensure further work is carried out to establish the extent of the contamination and remediation measures implemented, all to be agreed with the LPA. It is therefore considered the proposal is acceptable in this respect, subject to the proposed conditions.

7.9.2 An ecological survey, written by a qualified ecologist, has been submitted as part of this application and the methods of the survey accord with current good practice guidelines. Surveys of this type are valuable in terms of helping to determine whether or not wildlife particularly species with special legislative protection are likely to be present in the locality and if so whether they might be affected by development. The survey concludes that general wildlife including statutorily protected and notable species would not be adversely affected should the development proposals be implemented. No objections are therefore raised on these grounds.

7.9.3 In respect of noise, the Senior Environmental Health Officer notes the maximum sound level from the adjacent railway line exceeds current guidelines at the site of the proposed dwellings and requires specialist acoustic glazing in the elevation facing the railway line. In addition, to reduce the outdoor living area noise levels to acceptable levels the boundary fence should be acoustic grade. Both of these matters can be controlled via planning condition and subject to the imposition of this condition the Senior Environmental Health Officer raises no objection in respect to noise.

8.0 CONCLUSION

8.1 The proposal would provide a pair of semi-detached three bedroom dwelling houses with associated parking and access following demolition of the existing garages. The proposed dwellings would have 3 bedrooms each with off street parking for two vehicles to the front of each property. The development is not considered to result in adverse harm to the character of the area, residential amenity, ecology, flood risk or the safe operation of the highway and is acceptable in all other regards. The application is therefore recommended for approval.

9.0 RECOMMENDATION

GRANT subject to the following conditions:-

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

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

2. 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 unless otherwise agreed in writing with the Local Planning Authority.

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.

3. 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. Thereafter the parking area shall be retained and maintained for its designated purpose.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are required to meet the objectives of the NPPF (2012) and to satisfy the Surrey Heath Core Strategy and Development Management Policies Document (2012) Policy DM11.

4. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are required to meet the objectives of the NPPF (2012) and to satisfy the Surrey Heath Core Strategy and Development Management Policies Document (2012) Policy DM11.

5. The proposed development shall be built in accordance with the following approved plans: 13123 P.003 - B, 13123 P.004, 13123 P.005, 13123 P.006, 13123 P.007 and 13123 P.008 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.

6. All hard and soft landscaping works shall be carried out in accordance with submitted drawing 13123 P.003, unless otherwise agreed in writing with the Local Planning Authority.

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. The development, hereby approved, shall be implemented in accordance with the recommendations of the Extended Phase 1 Habitat Survey. Any deviation from the requirements of the report must be agreed in writing by the Local Planning Authority prior to the changes being undertaken.

Reason: To ensure the protection of protected species in accordance with the National Planning Policy Framework

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

1. Site Characterisation

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

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

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

(ii) an assessment of the potential risks to:

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

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

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

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

9. Prior to first occupation the following shall be implemented:

1. A 1.8 metre minimum height acoustic fence providing a minimum of 5dB reduction is required on the site boundary with the railway line to reduce outdoor daytime noise in the proposed garden area to within acceptable levels.

2. Specialist acoustic glazing providing a minimum Rw of 43dB to be installed on window openings of the elevation overlooking the railway.

Thereafter the fence and glazing shall be retained unless otherwise agreed in writing by the Planning Authority.

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

10. Before first occupation of the development hereby approved the all first floor flank bathroom windows shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times unless otherwise agreed in writing of the Local Planning Authority.

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

11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref GWS-BWB-EWE-XX-RP-EN-0001_FRA Rev P3 27/04/17 and the following mitigation measures detailed within the FRA:
 1. Finished flood levels are set no lower than 60.94 metres above Ordnance Datum (AOD).
 2. Flood mitigation scheme as detailed in Section 3 of the FRA and Existing and Proposed Site Levels dwg GWS-BWB-EWE-DR-XX-00-0001 P2 28.04.17 S2 Rev P2, and Proposed Site Layout dwg 13123-P.003-B Sep 2016 Rev B 17/05/2017

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: This condition is sought in accordance with paragraphs 102 and 103 of the National Planning Policy Framework (NPPF) to prevent flooding elsewhere by ensuring that storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants for the lifetime of the development

Informative(s)

1. The applicant is reminded of the affordable housing declaration on the completed CIL Exemption Claim form.

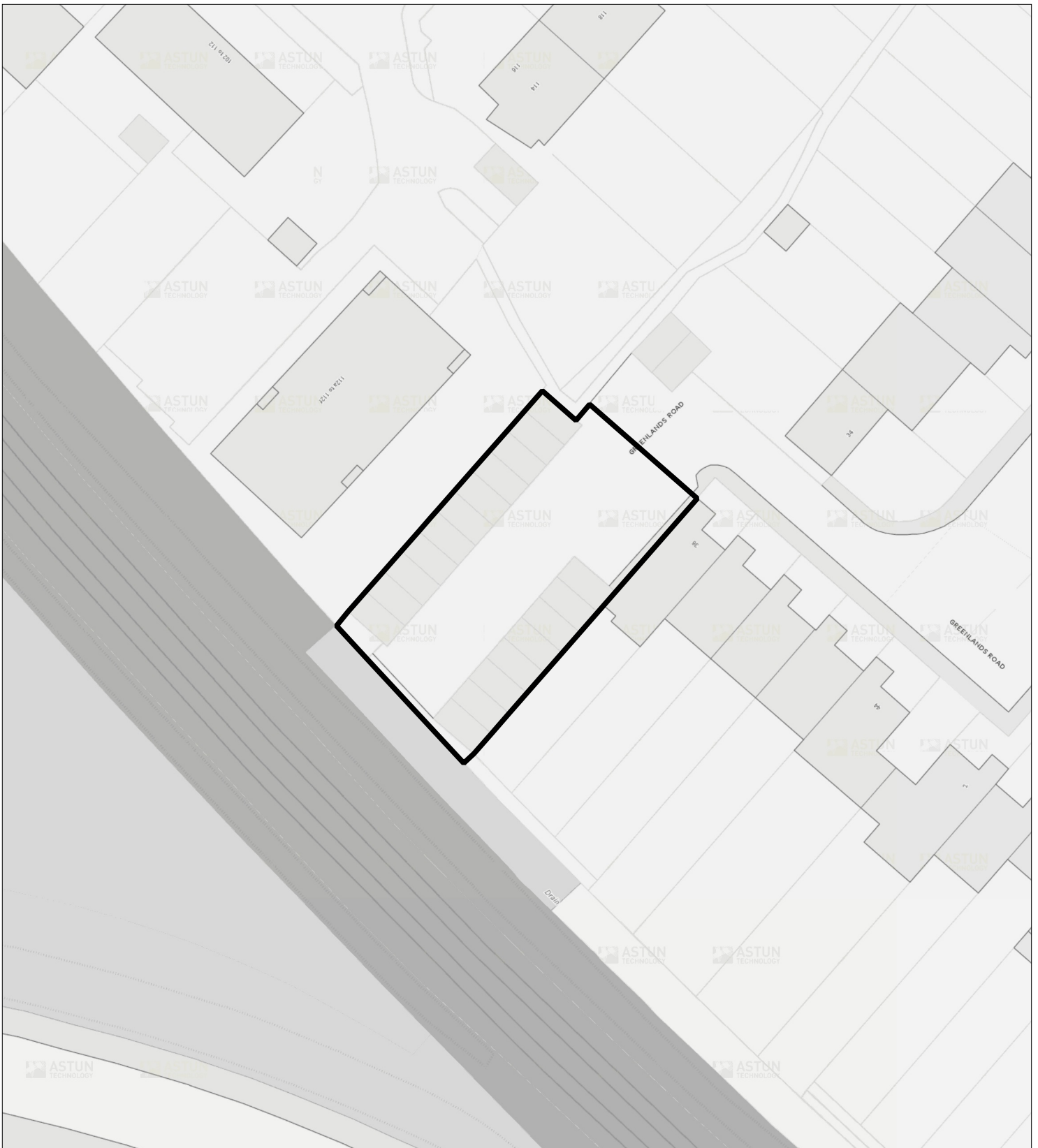
The Planning Authority will notify you in writing as soon as practicable, confirming the amount of exemption granted. If the development commences.

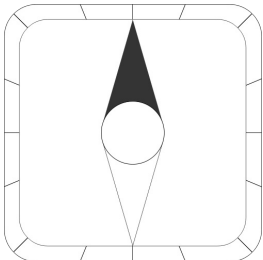

Before commencing the development, you must submit a CIL Commencement Notice to the Planning Authority. This must state the date on which the development will commence, and the Planning Authority must receive it on or before that date. Failure to submit the Commencement Notice in time will immediately mean the development is liable for the full levy charge.

2. Decision Notice to be kept DS1
3. Building Regs consent req'd DF5
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority (0300 200 1003) before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage 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).

6. 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.

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Title	Planning Applications			
Application number	16/0877		Scale @ A4	1:500
Address	GARAGES, GREENLANDS ROAD, CAMBERLEY, SURREY		Date	29 Jun 2017
Proposal	Erection of a pair of semi detached three bedroom dwelling houses with associated parking and access following demolition of existing garages. ***Additional*** Plan P.008 - Rec'd 11/10/2016).			
<p style="text-align: center;">Page 91</p>				
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD

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Location plan



Indicative streetscene



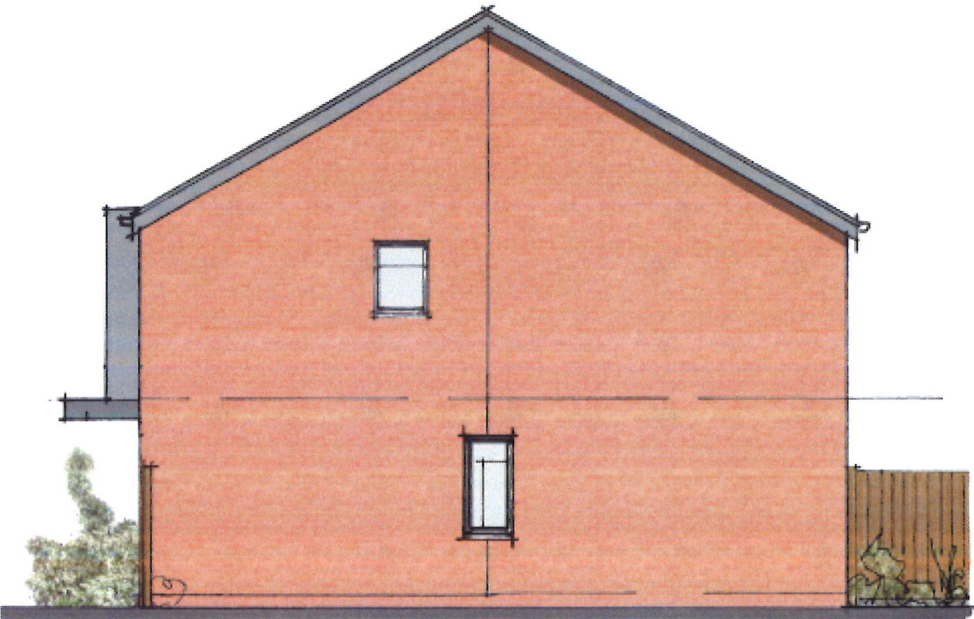
Proposed site layout



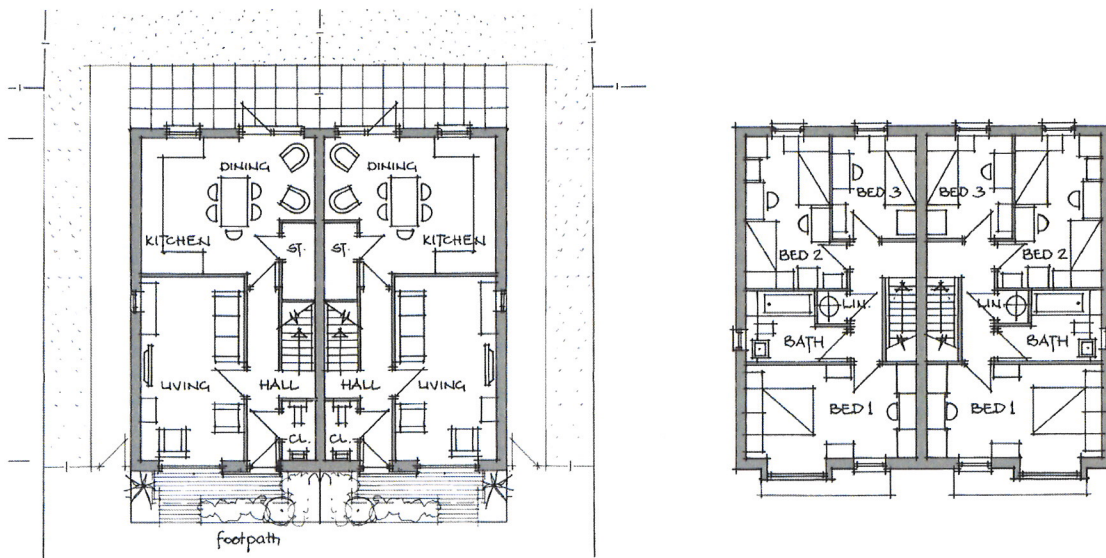
Proposed elevations - front



Proposed elevations – side



Proposed floor plans



Site photos

Garage block and dwellings in Bain Avenue



Garage Block and railway beyond



38 Greenlands Road



2017/0167

Reg Date 07/03/2017

Windlesham

LOCATION: 41 BOSMAN DRIVE, WINDLESHAM, GU20 6JN
PROPOSAL: Division of existing 4 bedroom dwelling to form 2 two bedroom dwellings with associated parking and garden space.
TYPE: Full Planning Application
APPLICANT: Mr G Bertram
 John Charles Property Investments
OFFICER: Mr N Praine

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

RECOMMENDATION: GRANT subject to conditions and subject SANGs and SAMM liability being secured

1.0 SUMMARY

- 1.1 This application is for the division of an existing property, shown as 4-bedroom on the plans, into two 2-bedroom properties. The existing property has a large extension to the northern side and it is proposed to convert this extension to a separate property. The proposal will not give rise to any additional built development and given its design and secluded location within the road it is not considered that there would be any significant harm to character. The proposal is also considered acceptable in other regards. It is considered that a condition can be imposed to prevent segregation of the front driveway area which would prevent it being obvious externally that it was divided.
- 1.2 This proposal has similarities with the appeal proposal allowed at 49 Bosman Drive in January 2017 (see annex 1). Given the conclusions of this report including the materiality of this appeal decision, this application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the northern side of Bosman Drive, and is bordered by the A30 London Road to the north, within the settlement area of Windlesham as identified by the Surrey Heath Core Strategy Proposals Map. The property is semi-detached with 39 Bosman Drive attached to the south, though most surrounding dwellings are detached, other than two other pairs of semi-detached dwellings to the east. The property has an area of hardstanding to the front which is bordered by tall vegetation to the eastern boundary, and a fence with mature trees to the northern boundary.

3.0 RELEVANT PLANNING HISTORY

3.1 Decisions at the application site

SU/89/0746 - Erection of first floor side extension – approved – 11/09/89

3.2 Decisions on adjoining land at number 49 Bosman Drive

SU/16/0320 – Division of existing four-bedroom dwelling to form two 2-bedroom dwellings with associated parking and garden space.

Officers recommended approval but the application was refused 01/07/2016 by the Planning Committee for the following reason:

1. *The sub-division of the site to create a separate additional dwelling would result in a density of use that would be inappropriate development, not in keeping with the established neighbourhood and harmful to the character of the area, contrary to Policies CP2 and DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

The applicant appealed against this decision (reference APP/D3640/W/16/3154360) and on the 11th January 2017 the appeal was allowed with the Planning Inspector concluding the proposal would not alter the appearance of the property and the resulting increase in the density of housing would be of no material harm to the overall character of this area [Paragraph 19]. For completeness a copy of this appeal is attached as Annex 1.

4.0 THE PROPOSAL

- 4.1 This proposal is for the division of the existing dwelling into two 2-bedroom dwellings. No external changes are proposed apart from a fence dividing the garden area into two. The existing hardstanding to the front is not proposed to be divided but will provide a parking area for both dwellings.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|------------------------------------|--|
| 5.1 | Surrey County
Highway Authority | No objection. |
| 5.2 | Windlesham Parish
Council | Objection - inappropriate development of the site and not in keeping with the established neighbourhood. |

6. REPRESENTATION

- 6.1 At the time of preparation of this report 3 letters of objection have been received which raise the following issues:
- Will change the character of the road - [see section 7.3]
 - Would be overlooking and loss of privacy - [see section 7.4]
 - Not enough parking already - [see section 7.5]

- Will increase the cars parked at the property which may result in parking on the street and increased risk of accidents - *[see section 7.5]*
- Developer only doing this for profit *[Officer comment: Not a planning consideration]*
- Impact on utility services and drains *[Officer comment: Not a planning consideration this would be covered by Building Control; additionally the extension would already be connected to utility services].*

7.0 PLANNING CONSIDERATION

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

7.2 The main issues to be considered are:

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

7.3 Principle of the development and impact on character

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. The Framework is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. In this case, the proposal would result in an additional residential unit, which accords with the aims of the Framework.

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

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

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

- 7.3.5 Bosman Drive features almost exclusively detached properties, other than three sets of semi-detached properties on the northern end, of which 39 & 41 Bosman Drive is one (see paragraph 3.2 above). The extension to number 41 Bosman Drive is already in place, having previously been permitted through a planning application as set out in paragraph 3.1 above, and is not in itself considered to cause any harm in character terms. As such the issue is whether converting that existing extension to a separate dwelling will cause any harm to character.
- 7.3.6 Changing this extension into a separate dwelling would result in a row of terraced properties in this location which is not a feature seen anywhere else in the road apart from at number 49 Bosman Drive (see paragraph 3.2 above). Similar to number 49 this current proposal would not be obvious from the exterior as the extension is set off Bosman Drive and enjoys mature screening to the north and east boundaries. Furthermore, visually the proposal would not appear any different from the front than it does at present. The size of the proposed dwelling would not appear significantly different from that of the other semi-detached properties in the road. The front door on the side elevation would not be visible from the street and nor would the fence dividing the rear garden so it would not be obvious that this is a separate dwelling. Additionally a condition could be imposed to prevent any segregation of the front driveway area which would make it more obvious that it was separate.
- 7.3.7 With regard to the issues raised by local residents, it is not considered that dividing one larger dwelling into two smaller dwellings would cause such a noticeable increase in occupancy such that it would overcrowd or spoil the character of the area. With regard to the plot size, the current rear garden is larger than that of the surrounding dwellings and as such the rear gardens of both new properties would not be significantly different in size from those of surrounding dwellings. The plot is already supporting the extension and as such this application will not result in any additional built development on the site resulting in a cramped development or any greater overdevelopment than has already occurred.
- 7.3.8 In addition the Planning Inspector when considering the very similar SU16/0320 planning application (see paragraph 3.2 above and Annex A) at number 49 Bosman Drive stated in his decision letter that:

“Although this proposal would provide for just a single additional dwelling, and its contribution to housing supply would be small, this would nonetheless be a positive social benefit. Although there would be some conflict in relation to the existing character of this area, there would be little harm as a consequence of this development. Any adverse impacts of arising from this proposal would not significantly and demonstrably outweigh the benefits of this additional dwelling. This would mean that this proposal should be supported under the presumption in favour of sustainable development as set out in the Framework” [Para 17].

Indeed in his conclusion the Planning Inspector considered that:

“The proposal would not alter the appearance of the property and the resulting increase in the density of housing would be of no material harm to the overall character of this area”. [para 19]

- 7.3.9 It is therefore considered that the principle of the development is acceptable, and given that there would be no change in the external appearance of the buildings from existing, and the secluded location of the dwelling which would not result in an obvious terrace of properties, it is considered that there would not be any significant harm to the character of the area caused by the proposal, and as such it is considered to be in line with Policies

CP6 and DM9. Given the strong presumption in favour of sustainable development and to boost significantly the supply of housing, it is considered that the development would be supported by the NPPF.

7.4 Impact on residential amenity

- 7.4.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.4.2 The nearest neighbour is 39 Bosman Drive which is attached to 41 on the southern side. Converting 41 into a smaller dwelling would not result in any change to the amenities of the occupiers of number 39, given that there is no additional built development. Changing the existing extension into a separate dwelling also would not give rise to any additional impacts on amenity from existing. The situation in terms of overlooking to the properties to the rear or front would not change from existing and would not result in a usual pattern of overlooking between neighbouring dwellings.
- 7.4.3 It is considered that sufficient amenity space would be provided for the occupiers of both new properties, and this amenity space would not be significantly different in size from that of surrounding dwellings. It is not considered that the intensification of the residential use and associated possible increase in occupancy is such that it would give rise to harm in terms of noise or activity.
- 7.4.4 It is therefore considered that the proposal is acceptable in terms of amenity and in line with Policy DM9 and the NPPF in this regard.

7.5 Highways, parking and access

- 7.5.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.5.2 There is a shared front driveway at the property up from the road which opens out to a parking area. The applicant has demonstrated on the block plan that there is space for at least four cars on to park on this driveway to the front of the property, and it is proposed that this area would be shared between the two properties. There will be no change to the driveway area from existing. Concern has been raised about an increase in the number of cars parked on the road as a result of the proposal. However, the County Highway Authority's parking standards require 1.5 spaces per unit for 2-bedroom houses and by providing 2 spaces per unit this would be in excess of the required amount. It is also considered that a condition can be imposed to ensure the retention of this area for parking only. Concern has been raised about the level of parking with the new development. However, it is considered that a family house of this size could have several cars associated with it and it is not necessarily the case that two 2-bedroom houses would result in a larger number of cars.

- 7.5.3 The Planning Inspector when considering the very similar SU16/0320 planning application (see paragraph 3.2 above and Annex 1) at number 49 Bosman Drive stated in his decision letter that:

“The increase in general domestic activity and traffic movements generated by two two-bedroom houses, compared to a four bedroom house, would not be sufficient to result in material harm to the living conditions of neighbouring occupants. The proposal would not generate a sufficiently greater amount of vehicular movements to be contrary to the interests of the safety or convenience of existing road users. Enough on-site spaces would be provided such that this proposal would not be likely to cause a significantly greater incidence of on-street parking.” [Para 11].

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

7.6 Impact on infrastructure and the Thames Basin Heaths SPA

- 7.6.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. However, conversion of one dwelling into two does not give rise to any CIL liability given that there is no increase in floorspace.
- 7.6.2 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the SHCS states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.6.3 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided and there is currently sufficient SANG available.
- 7.6.4 Further to an Executive resolution on the 12th July 2016 an interim SANGs charge of £112.50 per sqm of floorspace will be levied to cover maintenance and management of SANGs for residential development from which CIL cannot be levied. This is to ensure that residential development provided can meet the requirements of the Conservation of Habitats and Species Regulations 2010 by contributing to the management and maintenance of SANGs. In this case 88sqm of development is subject to the change of use (88 x £112.5) = £9,900 liability.

- 7.6.5 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. In this case, this proposal is liable for a SAMM payment of £224 which takes into account the existing floorspace.
- 7.6.6 If the payment is received by the statutory expiry date (28th July 2017) the proposal will comply with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD. In the event the payments are not received by this date the application will be refused.

8.0 CONCLUSION

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

9.0 RECOMMENDATION

The Executive Head of Regulatory to be authorised to GRANT permission subject the collection of SANGs and SAMM liability and 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: 1702 p104, 1702 p100, 1702 p104 and 1702 p105 unless the prior written approval has been obtained from the Local Planning Authority.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, fences or walls shall be erected under Schedule 2, Part 2, Class A of that Order other than along the existing boundaries defining the curtilage of 41 Bosman Drive as shown in red on the Location Plan received 22.2.17 and along the boundary between the rear gardens of the two new dwellings as shown on the Proposed Ground Floor Plan received 22.2.17 without the prior approval in writing of the Local Planning Authority.

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

4. The parking area to the front of the properties as shown on the Block Plan 1702 p100 received 22.02.17 shall be retained as such at all times unless the prior approval has been obtained in writing from the Local Planning Authority.

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

Informative(s)

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

In the event that collection of SANGs and SAMM liability has not been secured by 28th July 2017, the Executive Head of Regulatory be authorised to REFUSE for the following reason:

1. In the absence of a contribution or 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 and SANGS (Suitable Alternative Natural Green Space) contributions, 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).



Appeal Decision

Site visit made on 28 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th January 2017

Appeal Ref: APP/D3640/W/16/3154360

49 Bosman Drive, Windlesham, Surrey GU20 6JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gareth Bertram against the decision of Surrey Heath Borough Council.
 - The application Ref 16/0320, dated 5 March 2016, was refused by notice dated 5 July 2016.
 - The development proposed is subdivision of existing 4-bedroom property to create two x 2-bedroom dwellings.
-

Decision

1. The appeal is allowed and planning permission is granted for subdivision of existing 4-bedroom property to create two x 2-bedroom dwellings at 49 Bosman Drive, Windlesham, Surrey GU20 6JN in accordance with the terms of the application, Ref 16/0320, dated 5 March 2016, subject to the conditions set out in the Schedule attached to this decision.

Main Issue

2. The main issue in this case is the effect on the character and appearance of the area.

Reasons

3. No 49 is one of a pair of semi-detached houses and has been extended laterally to increase from a two-bedroom to a four-bedroom dwelling. This pair of houses is sited perpendicular to the estate road, adjacent to where the cul-de-sac ends at a hammerhead. Access to these semi-detached houses is from the northern arm of the hammerhead and No 49 is the furthest of the pair from the road.
 4. The modern houses in the surrounding estate are of a similar design, scale and density and comprise medium-sized, predominantly detached houses which are quite compactly arranged and set back slightly from the street with small front gardens. Other than its perpendicular siting and the fact it is semi-detached, No 49 is similar in scale and design to the surrounding houses.
 5. The appeal property is situated on the northern edge of this estate, where its boundary runs up to the side of the main A30 London Road. In this location Bosman Drive turns east as a cul-de-sac to run parallel with the A30, and there are two further semi-detached pairs of houses to the west of the appeal property which are similarly positioned. This arrangement provides No 49 with
-

a relatively secluded position, whereby its side boundary abuts the A30 to the north and it does not face directly onto the estate road.

6. No 49 is partly screened by a tall leylandii hedge along the boundary with the facing houses on the opposite side of the drive. The layout also provides No 49 with a reasonably wide garden to the rear, which is well-screened by mature trees and vegetation, from both the A30 at the side and from the next pair of semi-detached dwellings west and to its rear.
7. The appellant has undertaken work, partially completed but which has currently ceased, to convert the extended part to the northern side of No 49 into a separate dwelling. This is the subject of the appeal, and the scheme proposed would turn the existing four bedroom dwelling into a couple of two-bedroom houses. The existing pair of semi-detached houses would therefore become a short terrace of three dwellings.
8. The back garden of No 49 has already been divided into two by a close-boarded timber fence. The resulting back gardens would be of an adequate size to serve the two dwellings created. The space to the front of No 49 would provide four car parking spaces sited against the far boundary, which would be adequate to serve the proposed two dwellings. The additional house would be accessed from an existing door on the end elevation. There would be no change to the external appearance of the property and the new dwelling created would be in a relatively secluded position towards the edge of the housing estate and not visually prominent in the street scene.
9. Policy DM9 of the Core Strategy and Development Management Policies 2012 (CSDMP) sets out a number of design principles which it seeks new development to achieve. The policy requires, *inter alia*, the design of new development to respect and enhance local character, paying particular regard to a number of issues which include density. CSDMP Policy CP2 deals with sustainable development and design. This requires that developments ensure that all land is used efficiently provided this is within the context of the surroundings and respects and enhances the quality of the urban environment.
10. Whilst relatively secluded the Council believes the proposal would be visible in the street scene, where a terrace of three houses would be out of keeping with the surrounding mainly larger, detached houses, with the narrower plots disrupting the rhythm of the prevailing arrangement. The Council's reason for refusal, reflecting a concern expressed by a number of nearby residents, is that the development would be out of character as a result. In failing to respect and enhance local character in this regard I find there would be some degree of conflict with the aims of policies DM9 and CP2.

Other Matters

11. Consideration has been given to the further concerns raised by the Council and interested parties. The increase in general domestic activity and traffic movements generated by two two-bedroom houses, compared to a four bedroom house, would not be sufficient to result in material harm to the living conditions of neighbouring occupants. The proposal would not generate a sufficiently greater amount of vehicular movements to be contrary to the interests of the safety or convenience of existing road users. Enough on-site spaces would be provided such that this proposal would not be likely to cause a significantly greater incidence of on-street parking.

12. That the Council conditioned the approved side extension not to become a separate dwelling, and also that this proposal might establish a precedent for further such developments, should not prevent this proposal being assessed on its individual merits. The position of the proposed dwelling is such that there would be no material harm to the living conditions of any neighbouring occupiers due to overlooking or loss of privacy.
13. A number of other concerns are raised which cannot be taken as valid planning considerations. These include effects on property values and the prestige of the area, the social class of future occupiers, the works having originally started without consent and any internal changes that have or may be made to the property. Any temporary noise, disturbance or disruption arising from the building works would not comprise a reasonable planning objection. Furthermore, there is no evidence that this proposal could not be adequately served by existing utilities, such as drainage.
14. Mitigation for the effects on the Thames Basin Heaths Special Protection Area would be addressed by the funds already collected through the Community Infrastructure Levy and the contribution already made by the appellant towards Strategic Access Monitoring and Maintenance.

Planning Balance

15. The appellant has referred to the Council not currently having a five-year housing supply, which is undisputed. CSDMP policies DM9 and CP2 both set out design criteria which can influence development decisions, as in this case. Consequently these policies are relevant to the supply of housing and, under paragraph 49 of the National Planning Policy Framework (the Framework), should not be considered up-to-date.
16. In such cases, the presumption in favour of sustainable development set out in paragraph 14 of the Framework is invoked. Where relevant development plan policies are out-of-date this would mean granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
17. Although this proposal would provide for just a single additional dwelling, and its contribution to housing supply would be small, this would nonetheless be a positive social benefit. Although there would be some conflict in relation to the existing character of this area, there would be little harm as a consequence of this development. Any adverse impacts of arising from this proposal would not significantly and demonstrably outweigh the benefits of this additional dwelling. This would mean that this proposal should be supported under the presumption in favour of sustainable development as set out in the Framework.

Conditions

18. Consideration has been given to the conditions suggested by the Council. In addition to the standard time limit for commencement, it is necessary a condition specifies the approved plans which the development should accord with, in the interests of certainty. A condition is necessary to remove specific permitted development rights in order to control any fencing sub-dividing the area at the front of the dwellings, in the interests of character and appearance. The exceptional circumstances would not exist to support a condition that

further removed permitted development rights for extensions, additions or outbuildings.

Conclusion

19. The proposal would not alter the appearance of the property and the resulting increase in the density of housing would be of no material harm to the overall character of this area. For the reasons given, having taken account of all other matters raised, I conclude that the appeal should be allowed.

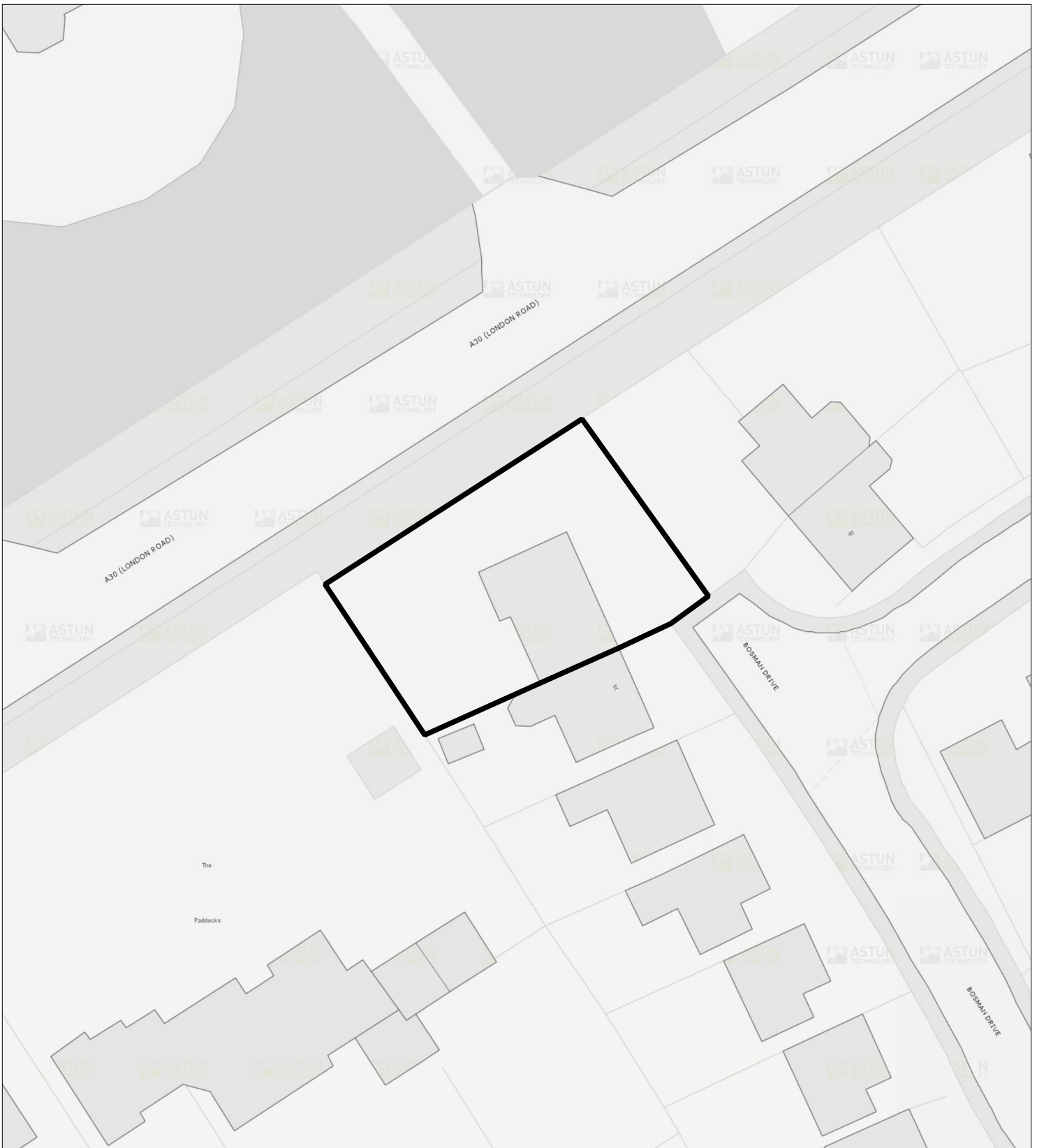
Jonathan Price

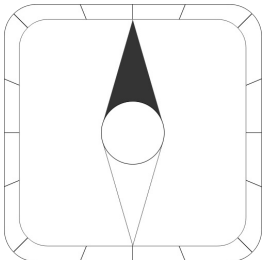

INSPECTOR

Schedule of Conditions
Appeal Ref: APP/D3640/W/16/3154360
49 Bosman Drive, Windlesham, Surrey GU20 6JN

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location and block plan 1550 P110A, Proposed Ground Floor Plan 1550 P104A, Proposed First Floor and Roof Plan 1550 P105A, Proposed Elevations 1550 P106A.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, fences or walls shall be erected under Schedule 2, Part 2, Class A of that Order other than along the existing boundaries defining the curtilage of 49 Bosman Drive as shown in red on the Location and block plan 1550 P110A and along the boundary between the rear gardens of the two new dwellings as shown on the Proposed Ground Floor Plan 1550 P104A, without the prior approval in writing of the Local Planning Authority.
- 4) The parking area to the front of the properties as shown on Location and block plan 1550 P110A shall be retained as such at all times unless the prior approval has been obtained in writing from the Local Planning Authority.

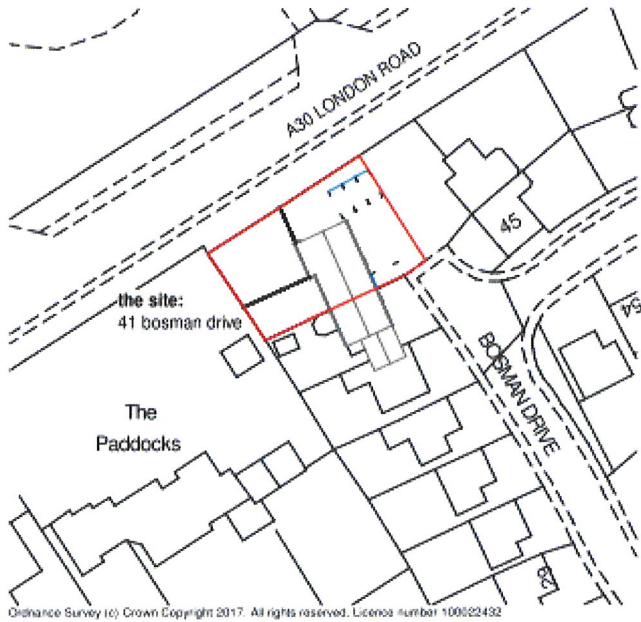
---End of Conditions---



Title	Planning Applications			
Application number	17/0167		Scale @ A4	1:500
Address	41 BOSMAN DRIVE, WINDLESHAM, GU20 6JN		Date	29 Jun 2017
Proposal	Subdivision of the existing dwelling to create two 2-bedroom properties with parking and amenity space			
Page 109				
Version 3	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD	

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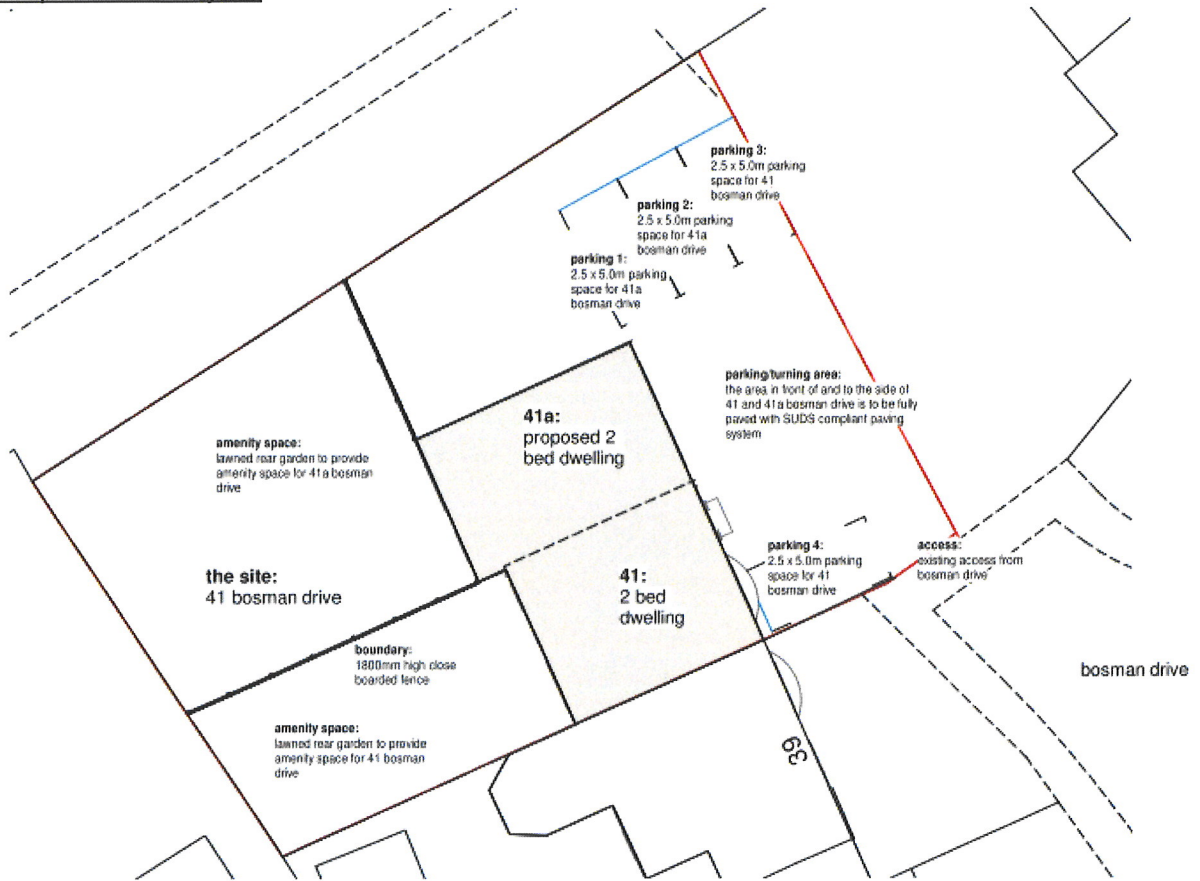
Location plan



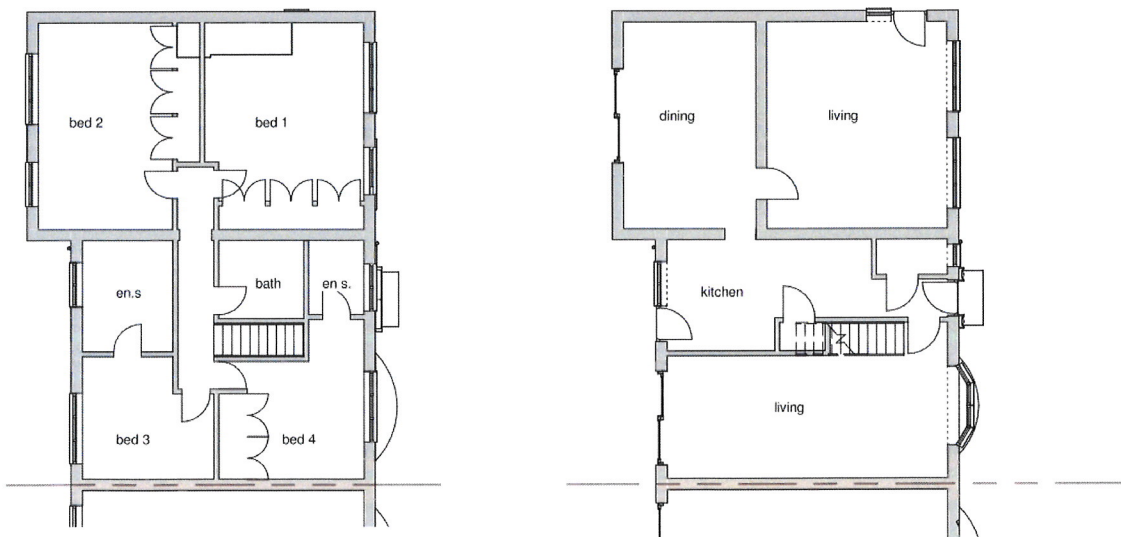
Existing and proposed elevations (no change)



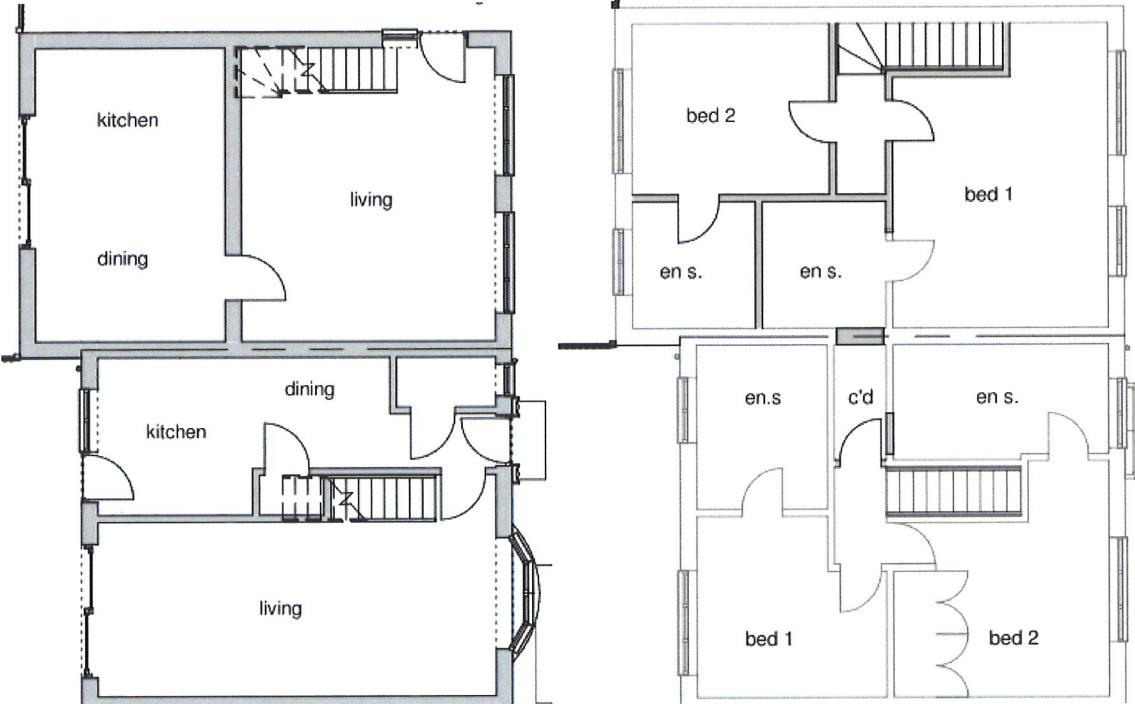
Proposed site layout



Existing floor plans



Proposed floor plans



Site photos

Front elevation



Rear elevation



Street view



2017/0293

Reg Date 20/04/2017

Windlesham

LOCATION: MAGNOLIA HOUSE, WESTWOOD ROAD, WINDLESHAM, GU20 6LP

PROPOSAL: Detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building. (Additional information recv'd 19/5/17) (Additional information recv'd 1/6/17).

TYPE: Full Planning Application

APPLICANT: Mr M Sandiradze

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.

UPDATE

This application was presented to the Planning Applications Committee on 29 June 2017 with a recommendation to refuse planning permission. The following is a written update:

Members resolved to defer the application for a site visit at the request of the Chairman of the Planning Applications Committee. Since then, one neighbouring letter of support has been received, commenting that the proposal is not an extensive addition and will present a far superior and more compact visual appearance than the current house.

PREVIOUS COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 29 JUNE 2017.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.
- 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. It is considered 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 is to the north of the settlement of Windlesham and also within the Metropolitan Green Belt. The application property comprises of a detached two storey dwellinghouse on a large plot. Neighbouring properties in the area are detached two storey dwellinghouses on large plots that vary in design, age and type.

3.0 RELEVANT PLANNING HISTORY

- 3.1 BGR/4477 Erect one house with double garage.
Decision: Granted (1964 - implemented)
- 3.2 SU/2008/0992 Erection of a replacement two storey dwelling following demolition of existing.
Decision: Withdrawn
- 3.3 SU/2011/0844 Certificate of Lawful Development for the proposed erection of a single storey side extension, two storey rear extension and conversion of existing roof space along with the insertion of rooflights in the rear of the building.
Decision: Agreed (not implemented)
- 3.4 SU/2010/0456 Certificate of Lawfulness for the proposed erection of two outbuildings.
Decision: Agreed (not implemented)
- 3.5 SU/2012/0323 Certificate of Lawful of Proposed Development for the erection of two outbuildings.
Decision: Split decision (not implemented)
- 3.6 SU/2013/0520 Permitted Development Prior Notification for the erection of a single storey rear extension to a depth of 8 metres beyond the original rear wall of the dwelling house with a ridge height of 4 metres.
Decision: Prior Approval (not implemented)
- 3.7 SU/2013/0555 Application for a Lawful Development Certificate for the proposed erection of a single storey side and rear extension, single storey rear extension, hip to gable roof conversion, insertion of 2 dormer windows, conversion of roofspace to habitable accommodation and insertion of 5 rooflights.
Decision: Agreed (implemented – foundations started)
- 3.8 SU/2013/0581 Creation of a Basement.
Decision: Refused
- 3.9 SU/2013/0797 Erection of gates, boundary fencing and creation of access (part retrospective).
Decision: Granted (fencing implemented only)
- 3.10 SU/2014/0462 Certificate of Lawful Proposed Development for the erection of an outbuilding.
Decision: Refused

3.11 SU/2014/1040 Application for a Lawful Development Certificate (Proposed) for the erection of an outbuilding.

Decision: Agreed (implemented but not complete)

3.12 SU/2016/0188 Application for a Lawful Development Certificate for the proposed erection of a detached pool/gym building.

Decision: Withdrawn

3.13 SU/2016/0268 Application for a Certificate of Lawful Development for proposed erection of an outbuilding to serve as a garage for 4 vehicles.

Decision: Agreed (implemented but not complete)

3.14 SU/2016/1046 Detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.

Decision: Granted (not implemented)

4.0 THE PROPOSAL

4.1 Permission is sought for the erection of a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.

4.2 The proposed dwelling would consist of a flat roof with parapet wall, and would have a maximum depth of approx. 15.2m (excluding front portico), maximum width of approx. 32.4m (reducing to approx. 24.1m at first floor level), maximum eaves height of approx. 8m and maximum roof height of approx. 8.7m from adjacent ground level. The proposal would utilise the existing vehicular access off Westwood Road.

4.3 The proposal is similar in design to the dwelling approved under 16/1046 but would be larger in size by virtue of the single storey wings and increased two storey depth.

5.0 CONSULTATION RESPONSES

5.1 Windlesham Parish Council No objection.

5.2 Council Highway Authority No objection raised.

5.3 Surrey Wildlife Trust Awaiting comments [See Section 7.6].

6.0 REPRESENTATION

6.1 At the time of preparation of this report no representations have been received.

7.0 PLANNING ISSUES

7.1 The application site falls within the Metropolitan Green Belt, detached from the settlement area of Windlesham as outlined in Policy CPA of the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). Policies DM9, DM11 and CP14A of

the CSDMP are material considerations in the determination of this application. The national guidance contained in the National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application. The main issues to be considered are:

- Impact on Green Belt;
- Impact on character of the surrounding area;
- Impact on residential amenities of neighbouring properties;
- Impact on highway safety;
- Impact on ecology;
- Impact on local infrastructure; and,
- Very Special Circumstances.

7.2 Impact on Green Belt

7.2.1 Paragraph 79 of the National Planning Policy Framework 2012 (NPPF) states that;

“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”

Paragraph 87 of the NPPF continues to advise that:

“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”

7.2.2 Paragraph 89 of the NPPF states that:

“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt”.

The applicant contends that the current proposed replacement dwelling would not be materially larger than the unimplemented replacement dwelling approved under 16/1046. However, the relevant listed exception at paragraph 89 is:

“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”

As such, to assess the impact upon the Green Belt the starting point must be to consider the current proposal against the existing development on the site, not the 16/1046 approved dwelling.

7.2.3 The NPPF does not contain specific percentage figures for replacement buildings in the Green Belt. However, 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. As outlined in the officer's report for the extant 16/1046 replacement dwelling scheme (see Annex 2), it is also acknowledged that further extensions to the existing dwelling could be added under permitted development, which forms an additional material consideration to be addressed below.

7.2.4 The following table summarises the floor area and footprint of the existing dwelling comparing this with the relevant cumulative floorspace and footprint figures above the existing/original dwelling, including the part-implemented single storey side and rear extensions granted certificates under 13/0520 and 13/0555:

Floorspace

Existing	16/1046 approved dwelling	Lawful extensions (13/0520 + 0555)	Current proposed dwelling
333 sq. m	527 sq. m (+ 58.3%)	527 sq. m (+ 58.3%)	685 sq. m (+ 105.7%)

Footprint

Existing	16/1046 approved dwelling	Lawful extensions (13/0520 + 0555)	Current proposed dwelling
237 sq. m	293 sq. m (+ 23.6%)	290 sq. m (+ 22.4%)	407 sq. m (+71.7%)

7.2.5 The combined GIA arising from the existing dwelling and the abovementioned lawful and part-implemented extensions matches the GIA of the 16/1046 unimplemented replacement dwelling scheme, which was considered to amount to very special circumstances. However, as demonstrated in the table above the current proposed dwelling would have a significantly greater impact upon the openness of the Green Belt in terms of additional floorspace and footprint. This additional increase in width, depth and bulk is considered to nullify the benefits arising from approval 16/1046 which consolidated built form on the site compared to the existing dwelling. Additionally, the proposed dwelling would be up to approx. 0.5m higher than the dwelling proposed for demolition.

7.2.6 No volume calculations of the proposed extensions have been provided by the applicant and it is acknowledged that the abovementioned lawful extensions would have a significant volume. However, given the significant additional footprint, bulk and height above the existing development on site as outlined above (including the implemented lawful extensions), it is considered that the proposed replacement dwelling does not benefit from support under Para 89 of the NPPF and is therefore inappropriate development in the Green Belt. Furthermore, owing to this substantially greater footprint, bulk and height, the proposal would be more harmful to the openness of the Green Belt than the existing dwelling and implemented lawful extensions.

7.2.7 Although the applicant maintains that the proposal is policy compliant in the Green Belt, notwithstanding this Very Special Circumstances are put forward within the Planning Statement and are outlined further in section 7.8, below.

7.3 Impact on character of the surrounding area

7.3.1 Policy DM9 (Design Principles) of the CSDMP continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework seeks to secure high quality design, as well as taking account of the character of different areas.

7.3.2 The proposed dwelling would be widely visible from public vantage points when viewed from the vehicular entrance area. However, the current proposal would still retain significant separation distances from the site boundaries and views further to the northeast along Westwood Road would be largely restricted by screening within and along the front boundary and along the highway verge. As such, it is considered that although the proposed roof forms and fenestration design forming an international neo classical style would vary significantly from the simpler post-war architecture of the existing dwelling, it would not give rise to adverse harm to the character of the surrounding area. Additionally, the proposed significant distances to the site boundaries would be sufficient to avoid a cramped or overdeveloped appearance.

7.3.3 Therefore, whilst the proposal would be harmful to Green Belt openness, in visual amenity terms the proposed development would sufficiently respect the character of the site and the surrounding area in accordance with Policy DM9 of the CSDMP.

7.4 Impact on residential amenities of neighbouring properties

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

7.4.2 The current proposed replacement dwelling would have an additional two storey depth to the rear but would remain sited at significant distance of approx. 3m from the rear garden side boundary of the detached dwelling Springwood House (marked as Heyho Place on the site plan). Given the significant separation distance to all boundaries, it is considered that the proposal would not lead to adverse harm to the amenity of the above neighbour and other surrounding neighbours in terms of loss of light, outlook, privacy or overbearing impact, in compliance with Policy DM9.

7.5 Impact on highway safety

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

7.5.2 The proposal would utilise the existing vehicular access off Westwood Road which leads to a large parking area. The County Highway Authority (CHA) has been consulted and has no comments to make on safety, capacity or policy grounds. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

7.6 Impact on ecology

7.6.1 Policy CP14A seeks to conserve and enhance biodiversity within Surrey Heath, and states that development that results in harm or loss of features of interest for biodiversity will not be permitted.

7.6.2 No ecological survey information was provided under the 16/1046 scheme, as the proposal site is not located within any local or statutory areas of ecological conservation and the existing dwelling appears to have been constructed in the 1960s and contains no weatherboarding or hanging tiles. As such, having regard to the Criteria for Bat Surveys in the Planning Process as outlined by the Surrey Bat Group it was considered unlikely that the proposal would affect existing bat roosts.

7.6.3 A preliminary ecological appraisal has been submitted as part of the very special circumstances case for the current application (see Section 7.8 below). As this was only received on 01 June, no response has been received from Surrey Wildlife Trust. The ecological appraisal concludes that the site was found to be of overall low ecological value, with no evidence of protected species recorded on the site and limited habitat suitability for any species of wildlife, other than some potential bird nesting habitat. Due to the low ecological value of the site, no specific mitigation measures are considered necessary; however, a number of general ecological mitigation and enhancement measures have been recommended. The proposed enhancement measures include provision of soft landscaping species of known wildlife value to provide enhanced habitat for nesting birds and invertebrates and an availability of berries and nectar through every season of the year.

7.6.4 On the basis that the Trust still considers that the submitted ecology information adequately demonstrates that there is no significant risk to legally protected species, no objections are raised on ecology grounds. If the Trust subsequently raises objection, an update will be provided.

7.7 Impact on local infrastructure

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014, and came into effect on the 1st December 2014. An assessment of CIL liability has therefore been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in new build Gross Internal Area (GIA) of more than 100 sq. m.

7.7.2 The proposed development is CIL liable, as the calculated new build GIA would be over 100 sq. m. However, the applicant has applied for the self-build exemption, which is subject to conditions as outlined in the CIL Regulations. An advisory informative will be added, should an appeal be submitted and allowed by the Planning Inspectorate.

7.8 Very Special Circumstances

7.8.1 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.”

7.8.2 It is contended in the Planning Statement that as the proposed dwelling is not materially larger than the one it replaces, in policy terms it is not necessary to consider whether there are very special circumstances. That said, it is also stated that there are planning benefits which this proposal offers that are equivalent in evidential weight to very special circumstances, and can be summarised and assessed in turn below:

(i) The proposal continues to offer a high quality design. The addition of the wings provides a high quality and symmetrical design;

(ii) The proposal will be a low carbon development (the Design and Access Statement refers); and,

(iii) The proposal provides a materially important improvement of the ecology and landscape on site by advancing a landscape scheme and an ecology report from a nationally recognised consultant.

7.8.3 Policy DM9 of the CSDMP and the NPPF both require new development to be of a high quality design in order to be acceptable and therefore, the design merits of the proposal cannot be considered to amount to VSC. The design as approved under 16/1046 is also symmetrical and therefore, the current proposed symmetrical approach is not considered to possess any additional particular design merit or provide any additional enhancement to the character of the surrounding area than what has already been approved. The low carbon benefits arising from the proposed replacement dwelling are noted. However, again such benefit would be similar to the 16/1046 scheme already approved. Finally, Policy CP14A of the CSDMP requires development to conserve and enhance biodiversity within Surrey Heath and therefore, the potential ecological benefits as outlined are also prerequisite requirements for development to be policy-compliant and thus cannot reasonably amount to VSC.

7.8.4 As such, it is considered that the VSC, either alone or in combination, as outlined by the applicant does not outweigh the inappropriateness and harm of the development in the Green Belt as already outlined above.

8.0 CONCLUSION

8.1 The proposed replacement dwelling, by reason of its significant additional footprint, bulk and height, would result in a materially larger dwelling than the existing development it replaces (including implemented lawful extensions), constituting an inappropriate form of development within the Green Belt which would also be prejudicial to its openness. 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 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:

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

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

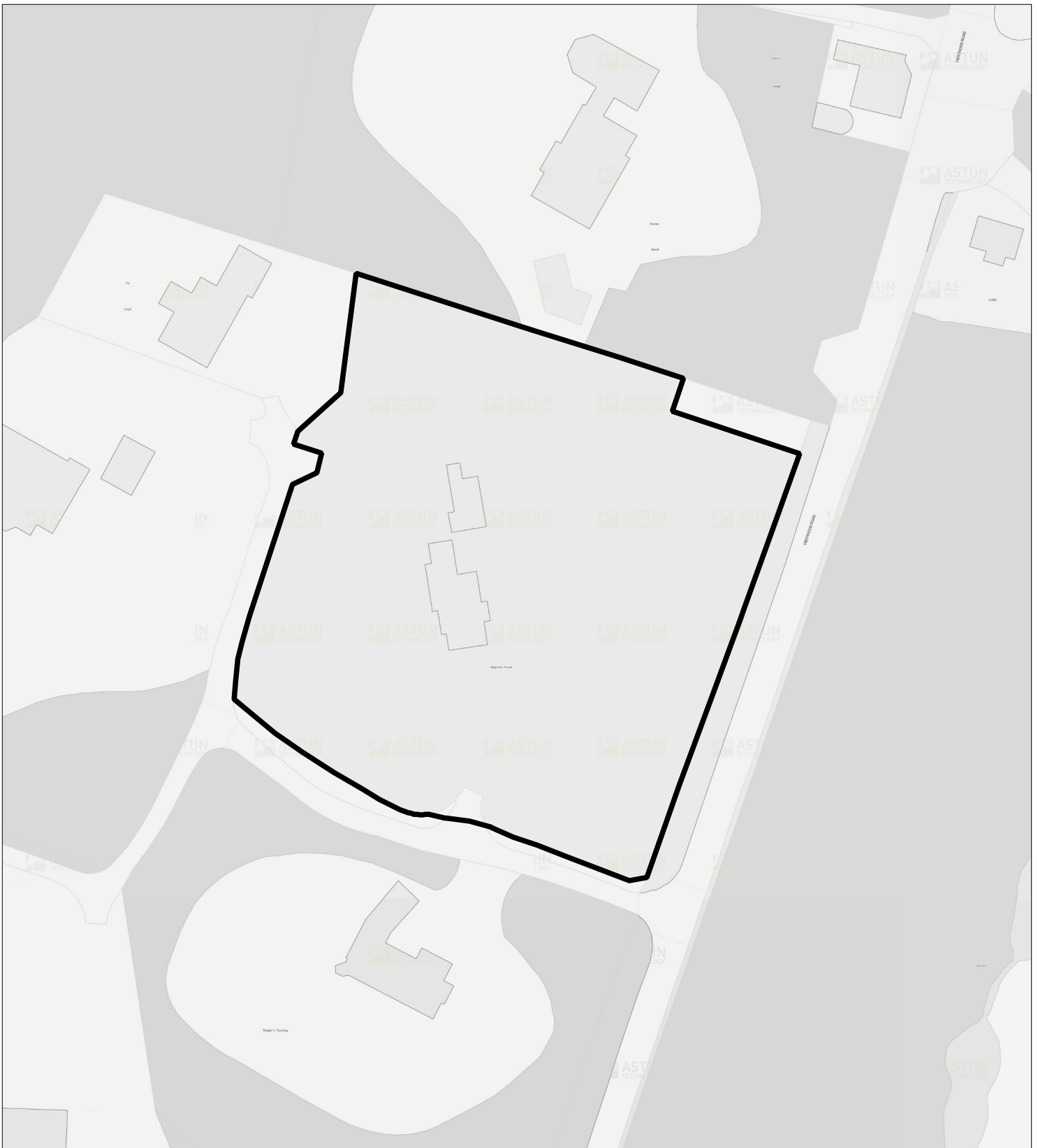
1. The proposed replacement dwelling, by reason of its significant additional footprint, bulk and height, would result in a materially larger dwelling than the existing development it replaces (including implemented lawful extensions), constituting an inappropriate form of development within the Green Belt which would also be prejudicial to its openness. There are no known very special

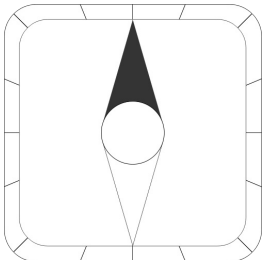

circumstances, outlined by the applicant or otherwise, which either alone, or in combination, clearly outweigh the harm to the Green Belt which would arise. The proposal is therefore contrary to the objectives of Chapter 9 of the National Planning Policy Framework 2012.

Informative(s)

1. Advise CIL Liabale on Appeal CIL3

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Title	Planning Applications			
Application number	17/0293		Scale @ A4	1:1,000
Address	MAGNOLIA HOUSE, WESTWOOD ROAD, WINDLESHAM, GU20 6LP		Date	29 Jun 2017
Proposal	Demolition and replacement of a detached family house.			
Page 125				
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD

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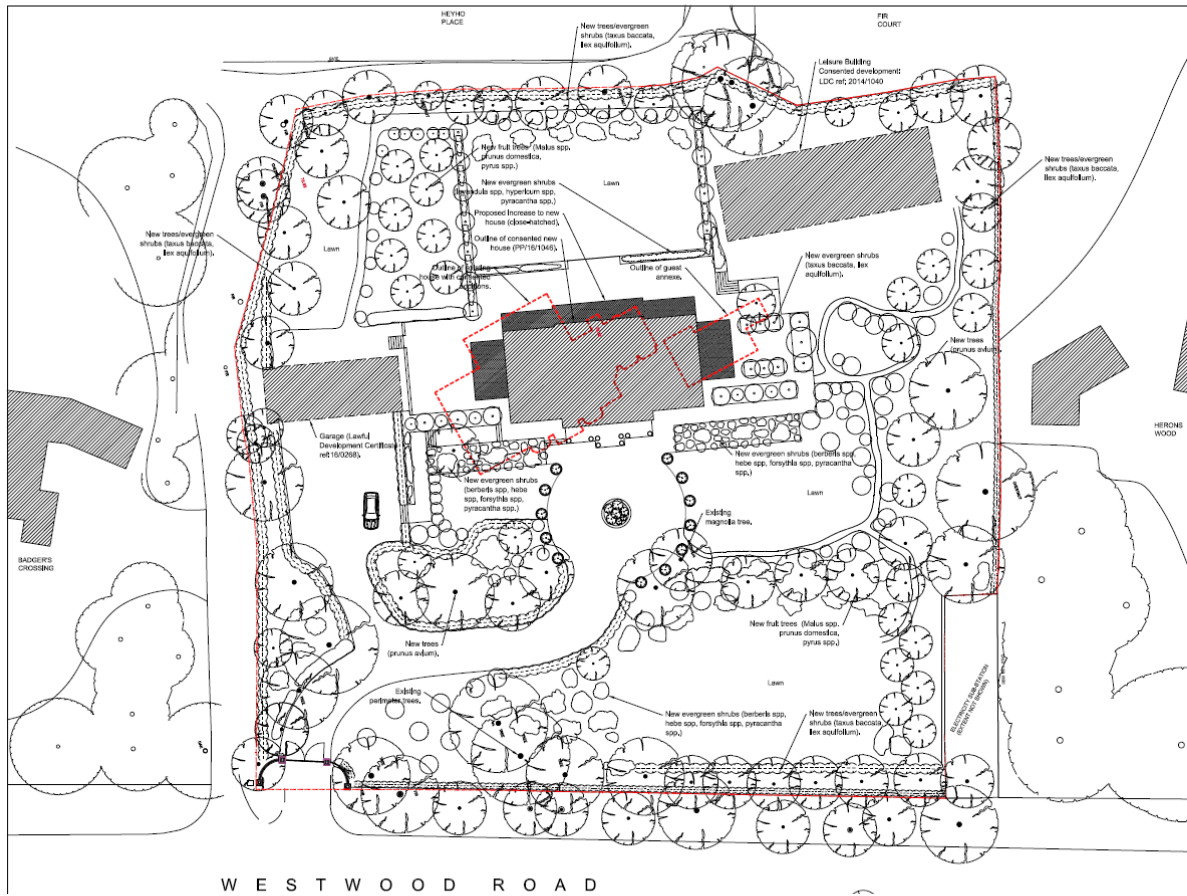
Location plan



Indicative streetscene



Proposed site layout



Proposed elevations – front and rear

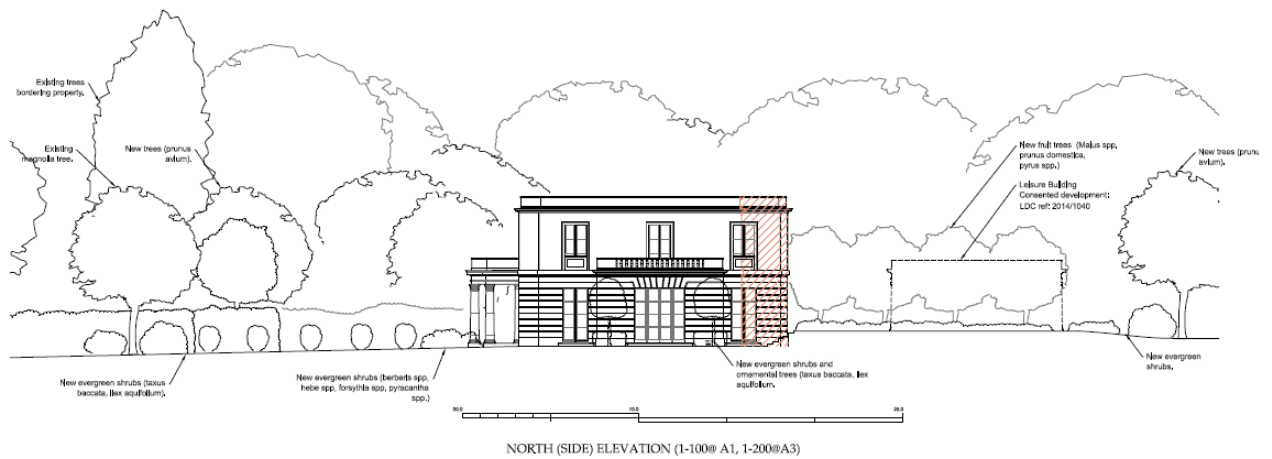


EAST (FRONT) ELEVATION (1-100@A1, 1:200 @ A3)

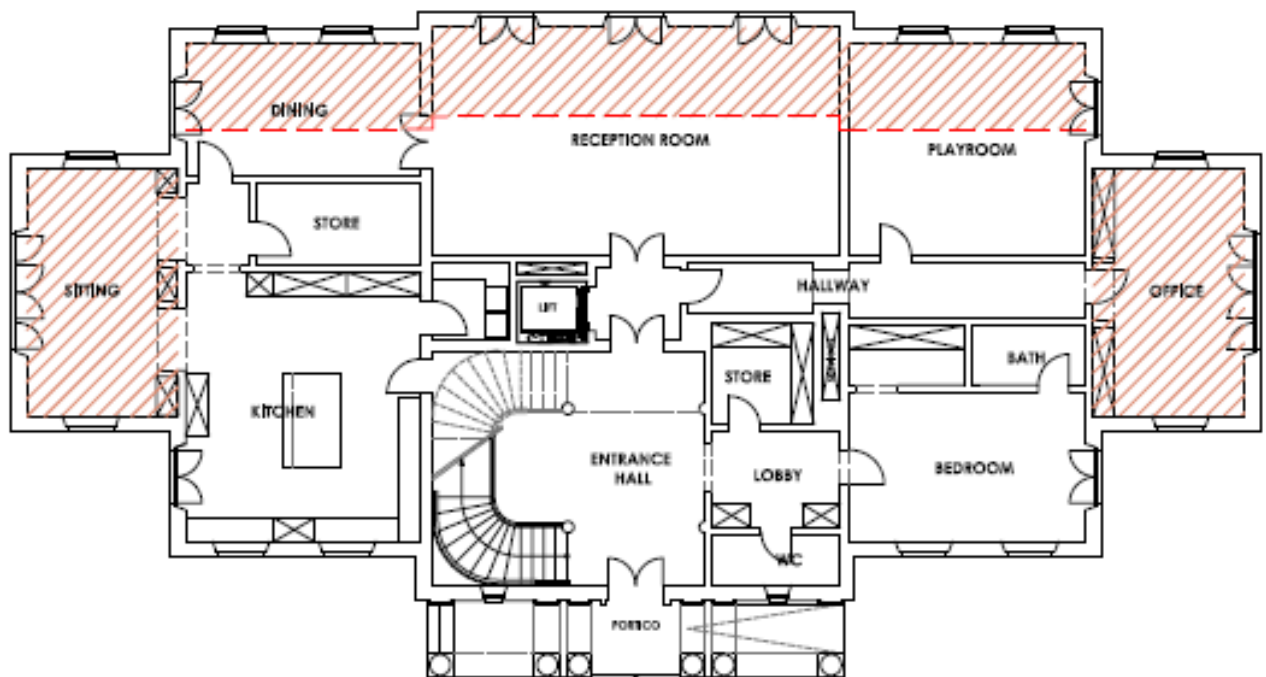


WEST (REAR) ELEVATION (1-100@A1, 1:200 @ A3)

Proposed elevations – side

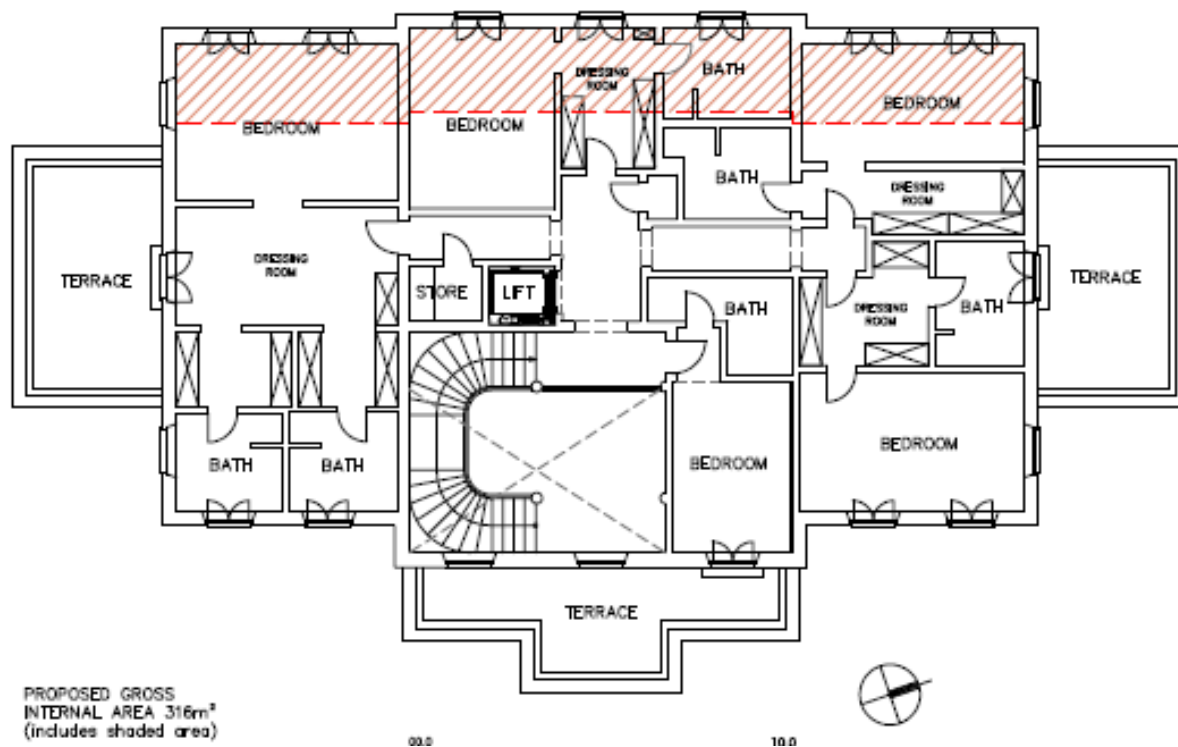


Proposed ground floor



PROPOSED GROSS
INTERNAL AREA 369m²
(Includes shaded areas)

Proposed first floor



Site photos

Existing dwelling



Existing annexe/garage



Rear elevation



Entrance driveway



Site frontage with Westwood Road



2016/0942

Reg Date 04/11/2016

Bagshot

LOCATION: LAND ADJACENT TO 1 WHITMOOR ROAD, BAGSHOT, GU19 5QE

PROPOSAL: Erection of 18no. residential dwellings (to include 8no. three bedroom, 6no. four bedroom and 4no. five bedroom units) in a mix of semi-detached and terraced form with parking, landscaping and access.

TYPE: Full Planning Application

APPLICANT: Bugler Homes Ltd

OFFICER: Duncan Carty

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 This application relates to the erection of 18 dwellings following the demolition of existing buildings. The site lies within the settlement of Bagshot, with its (east) flank and rear boundary with the A322 Guildford Road and junction 3 of the M3 motorway, which is in the Green Belt.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on residential amenity, for the occupiers of adjoining and nearby properties, and highway safety. However, the current proposal would provide a form of development which would have an adverse impact on local character and includes the provision of residential curtilages within 400 metres of the SPA and falls outside of the catchment for any adopted SANG and as such cannot mitigate its impact on the SPA. In addition, the proposal would provide a layout which would provide poor living conditions for future residents due to noise impact from the A322 Guildford Road and M3 motorway. The application is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site falls within the settlement of Bagshot. The site lies to the south of Whitmoor Road, on the outside of a bend in the road with its (east) flank and rear boundary with the A322 Guildford Road and junction 3 of the M3 motorway, which is in the Green Belt. Whitmoor Road is principally a spine road serving the residential estates built since the 1980's in this part of Bagshot.
- 2.2 The 0.58 hectare site is roughly triangular in shape and currently contains a series of buildings within the site, including a vacant three bedroom cottage, which are to be demolished. The existing principal access to the site is from the access drive to 1 Whitmoor Road with a secondary access from A322 Guildford Road. There are a number of trees and tree groups on, or at the boundaries of, the site, none of which are protected under a Tree Preservation Order. There is a 2.2 metre high (approximate) brick wall to the Whitmoor Road frontage and a post and rail fence to the boundary with the A322.
- 2.3 The application site includes an access from Whitmoor Road, close to a bend in the road. To the west of the site is 1 Whitmoor Road and properties in Weston Grove, with properties in Elizabeth Avenue lying on the opposite side of Whitmoor Road. The south west part of the site falls within 400 metres of the Thames Basin Heaths Special Protection Area.

3.0 RELEVANT PLANNING HISTORY

Relevant planning history is listed below. The site has previously included a caravan site (long vacated) and a dwellinghouse (which pre-dates 1948) with associated outbuildings.

- 3.1 BGR5133 Established use of land for car storage and siting of a residential caravan (on a part of application site). Approved in August 1965.
- 3.2 SU/14/0712 Erection of 15 two storey terraced and semi-detached dwellings and 2 two storey buildings to comprise a total of 12 one and two bedroom flats with the creation of a new access onto Whitmoor Road. Withdrawn in September 2014.
- 3.3 SU/15/0141 Outline application for the erection of 10 dwellinghouses following the demolition of existing dwellinghouse and outbuildings (access and layout to be considered). Approved in July 2015.

4.0 THE PROPOSAL

- 4.1 The proposal relates to the erection of 18 dwellings following the demolition of existing buildings, including one dwelling and its associated outbuildings. The proposed dwellings would comprise 8 no. three bedroom, 6 no. four bedroom and 4 no. five bedroom units. The application proposal would provide a cul-de-sac layout with the dwellings arranged in a mix of detached (Plots 1-4), semi-detached (Plots 5-14) and terraced dwellings (Plots 15-18) some with integral garages arranged around the access road, accessing directly from Whitmoor Road. Both of the existing accesses to the site would be removed. Four of the rear gardens (for Plots 1-4) are positioned in the south west part of the site (i.e. within 400 metres of the SPA).
- 4.2 The proposed access would be centrally located along the Whitmoor Road boundary. Within the site, the access road would split into two parts, one running south (towards the boundary with the M3 junction) and one running east (towards the A322 Guildford Road). Plots 1-4 are positioned on the south west side of the access road, with Plots 5-10 south facing, and positioned to front onto the east spur of the access road. The remaining dwellings (Plots 11-18) are on the north east side of access road. The rear of Plots 1-4 faces the side boundary of 1 Whitmoor Road., The rear of Plots 5-10 face Whitmoor Road with the rear of Plots 11-18 facing A322 Guildford Road.
- 4.3 The proposed dwellings would have a modern design, with a traditional gable roof shape, with the gables being forward/rear projecting and the eaves/valleys to the side. The main external material would be brick but with wood cladding and feature brick detailing and metal clad side dormer feature. Modern window/door styling and design and external flues are additional features of the proposed dwellings. The dwelling would typically have a ridge height of about 9 metres, reducing to 5.5 metres at the eaves/valleys.
- 4.4 Each proposed property would have garage and driveway accommodation, providing two spaces per unit. Further visitor parking (8 spaces) is to be provided to the ends of both arms of the cul-de-sac. A 2.4 metre high acoustic fence is proposed to the A322 boundary.

4.5 This application has been supported by:

- Planning Statement;
- Design and Access Statement;
- Transport Statement;
- Tree Survey and Report;
- Geo-Environmental Risk Assessment;
- An Appropriate Assessment;
- Air Quality assessment;
- Sustainable Drainage Systems Strategy;
- Noise Information; and
- Viability Appraisal.

The assessment in Paragraph 7.0 below has taken into consideration the content of these reports.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|-------------------------------------|---|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Tree Officer | No objections. |
| 5.3 | Senior Environmental Health Officer | An objection is raised on the impact on future residents from external noise (A322/M3). |
| 5.4 | Natural England | An objection is raised on SPA grounds (lack of SANG availability). |
| 5.5 | Local Lead Flood Authority | No objections. |
| 5.5 | Windlesham Parish Council | Raise an objection to access, increased traffic and highway issues. |

6.0 REPRESENTATIONS

At the time of preparation of this report, no representations have been received in support of the proposal and two representations, including an objection form the Bagshot Society, have been received raising an objection for which the following issues are raised:

- | | |
|-----|--|
| 6.1 | Proposal is too dense [See <i>Paragraph 7.3</i>]. |
| 6.2 | The proposed access onto Whitmoor Road has been moved to a more dangerous position than was to be provided for the approved outline scheme SU/15/0141 [<i>Officer comment: The proposed access is in the same position as the access that was to be provided for the approved outline scheme</i>]. |

- 6.3 The details of the speed reduction scheme required by condition for the approved outline scheme SU/15/0141 have not been indicated [See *paragraph 7.5*].
- 6.4 Access onto a traffic blackspot [See *paragraph 7.5*].

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site falls within the settlement of Bagshot. The site may have previously provided some employment use but it is considered that the site has been long vacated. The current proposal is to be assessed against the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG); as well as Policies CPA, CP2, CP5, CP8, CP9, CP11, CP14, DM9, DM10, DM11, DM12 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and Policy NRM6 of the South East Plan 2009 (as saved) (SEP). In addition, advice in the Thames Basin Heaths Special Protection Area Delivery Framework 2009 (TBHSPADF); Infrastructure Delivery SPD 2014; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (TBHSPD); the Infrastructure Delivery SPD 2014 (IDSPD); and the Interim Affordable Housing Procedure Note 2012 (IAHPN) are also relevant.
- 7.2 The main issues in the consideration of this application are:
- Impact on local character;
 - Impact on residential amenity;
 - Impact on highway safety;
 - Impact on the Thames Basin Heaths Special Protection Area;
 - Impact on land contamination, flooding and drainage;
 - Impact on affordable housing provision and housing mix; and
 - Impact on local infrastructure.

7.3 Impact on local character

- 7.3.1 Policy DM9 of the CSDMP requires development to respect and enhance the local character paying particular regard to scale, materials, massing, bulk and density. The application site falls within the settlement and has been the subject of a recent outline planning permission for a residential redevelopment for which the proposed access and layout has been approved (SU/15/0141). This permission would provide 10 dwellings on the site. The housing developments in this part of the settlement are principally detached dwellings on medium sized plots, particularly on the adjoining residential development in Butler Road and Weston Grove. The layout for this approved development would provide detached and semi-detached dwellings with garages to the side providing a spacious form of development which reflected its edge of settlement location and the character of nearby properties in Butler Road and Weston Grove.
- 7.3.2 In contrast to the approved scheme (SU/15/0141), the current proposal would provide a mix of dwellings including two blocks of terraced properties. One of these blocks is at the site entrance (plots 5-8) and would be clearly visible from Whitmoor Road. The second block (plots 15-18) would be visible, at a distance, from the proposed site access but would be clearly visible from the A322 Guildford Road. The frontage to these blocks, in providing parking to the front, also provides narrower soft landscaped strips.

- 7.3.3 Other dwelling blocks, especially between plots 12-13, are relatively narrow and could, when viewed more obliquely, also appear as a terraced block. As such, noting its location at the settlement edge, the form of the development is considered to provide an overdevelopment of the site, and would be accentuated by the three storey form of these dwellings (the top floor proposed within the roofspace) which would be out of character with its immediate surroundings and settlement edge location.
- 7.3.4 It is noted that with the exception of 1-7 Whitmoor Road, to the immediate west of the application site, the residential properties (including those within Butler Road, Elizabeth Avenue and Kemp Court) predominantly back onto Whitmoor Road, with a small number being orientated so that a principal side wall face this highway. There is therefore limited activity to this part of the Whitmoor Road frontage, which is principally punctuated by cul-de-sac accesses. This characteristic is reflected in the current proposal (and the approved scheme SU/15/0141), with the proposal accessing off Whitmoor Road and none of the proposed residential units proposed to be facing Whitmoor Road. However, and at variance to the approved scheme, the location of the block of terraced properties (plots 5-8) at the proposed site entrance, and visible in the streetscene, accentuates the overdevelopment of the site raised in paragraphs 7.3.2 and 7.3.3 above.
- 7.3.5 The proposed development would include dwellings which have a modern styling, but in a traditional built form. The size of the application site, and the characteristics of the immediate area and streetscene, lends itself to a design solution which could provide a departure from the character of local properties. In this local context, the proposed design for the dwellings is considered to be acceptable.
- 7.3.6 The land east and south of the application falls within the Green Belt. The nearest residential development to the east is located to the east of the A322 dual carriageway on the old Guildford Road. These properties are set a minimum of 100 metres from the application site, front onto this highway and are low density in nature. The proposed development would not be expected to reflect this character because of this separation distance. However, for the reasons set out above, the proposal would provide a dense and cramped form of development that is not compatible with its location at the settlement's edge.
- 7.3.7 The current proposal would result in the loss of a vacant residential property and associated outbuildings which, along with the land itself, are in poor condition and do not positively contribute to the quality of the local character. However, any redevelopment ought to take the opportunity to genuinely improve the character and quality of the area. It is considered for the reasons set out above that the proposal would be an overdevelopment of the site and would not, in itself, contribute positively to local character.
- 7.3.8 There are a number of significant trees located within and at the boundaries of the application site, none of which are considered to be of a high enough quality for protection under a Tree Preservation Order. A number of trees are to be removed to facilitate the development, but these are of a low quality and/or significance. The Tree Officer has raised no objections on tree grounds and, as such, no objections are raised to the proposal on tree grounds.
- 7.3.9 As such, it is considered that the proposed development does not satisfactorily integrate into its context nor improve the character of the area, providing an overdevelopment of the site, failing to comply with Policy DM9 of the CSDMP and the NPPF.

7.4 Impact on residential amenity

- 7.4.1 The proposed house to serve Plot 4 would be located close to the rear boundary of 10 Weston Grove, sited to the south west, with a minimum separation distance of 18.3 metres between rear wall of this dwelling and with the main flank wall of the proposed dwelling. This relationship is considered to be acceptable. Plots 12-18 face towards the flank boundary and rear corner of 10 Weston Grove. With the minimum level of separation (of 27 metres to the boundary of this dwelling), it is considered that this relationship is considered to be acceptable.
- 7.4.2 The rear gardens for Plots 1-4 face the flank boundary of 1 Whitmoor Road sited to the west. The level of separation ranges between 15 and 36 metres, with the level of separation increasing to the rear of this residential plot. This relationship is considered to be acceptable.
- 7.4.3 The proposed development is set sufficient distance from any other nearby or adjoining residential property to have no material effect.
- 7.4.4 The applicant has provided an acoustic information and noise contours which the recommendations include the use of acoustic trickle ventilation and uprated glazing to the properties and a 2.4 metre acoustic fence is proposed to the boundary with the A322 to reduce the impact of road noise from the A322 and M3 to new residential properties. However, the new dwellings have been orientated so that for Plots 10-18, these face or adjacent to the A322 and it is considered that the layout would result in an adverse impact on future residential amenity for future occupiers of this dwellings from the effect of road noise from their rear gardens. The Council's Senior Environmental Health Officer has raised an objection on this ground.
- 7.4.5 As such, an objection is raised on residential amenity grounds, with the development failing to comply, in this respect, with Policy DM9 of CSDMP.

7.5 Impact on highway safety

- 7.5.1 The new access would be provided onto Whitmoor Road. The proposed access would be on the outside of a bend in the road with for which an adequate level of visibility can be provided. The proposal would also result in the removal of the existing access onto the dual carriageway A322 Guildford Road which is to the benefit of the flow of traffic and highway safety on this part of Guildford Road, which is located close to the Motorway M3 junction 3.
- 7.5.2 The proposal would provide at least two parking spaces to serve each dwelling within the development, to meet parking standards. The County Highway Authority raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway safety grounds, complying with Policies CP11 and DM11 of CSDMP.

7.6 Impact on the Thames Basin Heaths Special Protection Area

- 7.6.1 The application site partly lies within 0.4 kilometres of the Thames Basin Heaths Special Protection Area (SPA). In January 2012, the Council adopted the TBHSPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity. The proposal is CIL liable and this provision would normally be provided under the CIL charging scheme.

- 7.6.2 Policy CP14 of the CSDMP indicates that *"developments of 10 or more net new dwellings will only be permitted within the identified catchment areas of SANGs."* The approved scheme under SU/15/0141 provided a net gain of nine dwellings and therefore did not need to fall within the catchment of any specific SANG within the Borough. However, as the application site falls outside of any catchment of any SANG and with the current proposal, providing a net gain of 17 dwellings in this location, an objection is raised by Natural England on this ground. Following the refusal of a recent residential proposal (SU/16/0642 – 24 & 26 London Road, Bagshot), the use of a Grampian condition is considered to an unacceptable approach because of the lack of certainty of compliance with this condition before such a permission would expire (i.e. three years from the date of permission) and the imposition of such a condition would therefore be unreasonable, not meeting the test for imposing conditions as set out in Paragraph 204 of the NPPF.
- 7.6.3 For the approved scheme SU/15/0141, all of the residential gardens would be located beyond the 400 metre SPA buffer with that land being retained as open space. However, as indicated above, part of the proposed residential curtilages (part of rear gardens for Plots 1-4) falls within 400 metres of the SPA. In such locations, Policy CP14 of the CSDMP indicates that no net new residential development will be permitted. The TBHSPD confirms that the 400 metre buffer *"addresses the most acute effects of urbanisation such as litter, fire setting and cat predation. It is neither reasonable nor enforce able to prevent people from keeping cats. Nor is it possible to prevent litter spread or fire setting, the latter is largely associated with young children playing on the heathland. As a result Natural England has advised that no net new residential development should be permitted within 400 metres of the Thames Basin Heaths SPA."*
- 7.6.4 The applicant has indicated that with all of the dwellings located outside of the 400 metre buffer, the proposal would not provide net new residential development within this buffer area. However, Paragraph 4.5 of the TBHSPADF indicates that the 400 metre distance is measured *"as the crow flies from the SPA perimeter to the point of access on the curtilage of the dwellings"*. This approach has been upheld on appeal for APP/D3640/W/16/3155300 (SU/16/0261 - Land at Salisbury Terrace) where a development providing curtilage access to new net dwellings (rather than the footprint of the proposed dwellings) fell within 400 metres of the SPA was dismissed on this, and other, grounds.
- 7.6.5 Whilst, there are no proposed accesses for the rear gardens for Plots 1-4 onto adjoining land (within the buffer), there can be no guarantees that such accesses would not be provided in the future. In the particular case of Plot 1, the flank boundary of the rear garden is with Whitmoor Road to which future access, i.e. within the 400 metre SPA buffer, could be provided. Whilst the applicant indicated in their appropriate assessment their willingness to limit future accesses, by condition or legal agreement, it is not considered to meet the government tests for imposing such restrictions.
- 7.6.6 Paragraph 4.5 of the TBHSPADF indicates that *"in exceptional circumstances the 400 metre distance may be modified by local authorities to take account of physical obstructions to cat movement and human access."* The applicant has indicated that the M3 Motorway provides a physical barrier to cat movement and human access. However, there has been no evidence provided to confirm that motorways are a complete barrier to cat movement. As such, the motorway is not considered to provide a barrier sufficient to result in conditions for new net residential development to be provided within 400 metres of the SPA without adversely affecting the integrity of the SPA.

- 7.6.7 The applicant has also suggested, in their appropriate assessment that the provision of a cat proof fence to the site boundary (side/rear boundary for Plots 1-4). However, it is not considered for the same reasons as set out in Paragraph 7.6.4 above, that such a provision could be permanently provided, meeting the government tests for imposing conditions (or other restrictions) and provide fence which would not have an adverse impact on local character or residential amenity.
- 7.6.8 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution is required through an upfront payment or a planning obligation to secure this contribution, which has not been received to date.
- 7.6.9 As such, an objection to the proposal on these grounds is raised with the proposal failing to comply with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the National Planning Policy Framework and advice in the TBHSPD and the TBHSPADF.

7.7 Impact on land contamination, flooding and drainage

- 7.7.1 The proposal has been supported by a land contamination report which concludes that there is no contamination on this site. No objections have been raised by the Environmental Health Officer on these grounds. The proposal is therefore considered to be acceptable on these grounds.
- 7.7.2 The proposal would fall within an area of low flood risk (Zone 1 as defined by the Environment Agency). As such, the proposal is considered to be acceptable on flood risk grounds.
- 7.7.3 The LLFA have considered the impact of the proposal on surface water drainage and considered the proposal to be acceptable. No objections are therefore raised to the proposal on surface water grounds.
- 7.7.4 As such, no objections are raised on land contamination, flooding and drainage grounds, with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

7.8 Impact on affordable housing provision and housing mix

- 7.8.1 The proposal would deliver 17 (net) residential dwellings and accordingly, the provision of 4 affordable housing units within the scheme would be required to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012. The applicant has provided a viability report which concludes that due to the viability of the proposal, a contribution towards affordable housing cannot be provided. In the light of the above, therefore, no contributions are sought in respect of affordable housing.
- 7.8.2 Policy CP5 of the CSDMP requires a range of housing sizes. The current proposal would provide a mix of 8 no. three bedroom, 6 no. four bedroom and 4 no. five bedroom units. This mix would not strictly comply with the requirements set out in the table supporting Policy CP5 but noting the amount of development proposed and its edge of settlement location, it is considered that the mix is acceptable with the proposal complying with Policy CP5 of the CSDMP.

7.9 Impact on local infrastructure

- 7.9.1 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list) which would include open space, local and strategic transport projects, pedestrian safety improvements, play areas and equipped play spaces, indoor sports and leisure facilities, community facilities, waste and recycling, and flood defence and drainage improvements. These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. This Council charges CIL on residential and retail developments where there is a net increase in floor area (of such uses). However, the proposed amount of floorspace has not been provided (this will be determined at the reserved matter stage) and an estimation of the amount of CIL liability cannot therefore be undertaken. CIL is a land charge that is payable at commencement of works. An informative advising of this is to be added.
- 7.9.2 It is therefore considered that the proposal would not have an adverse impact on infrastructure delivery and complies with Policy CP12 of the CSDMP, the IDSPD and the NPPF.

8.0 CONCLUSION

- 8.1 The proposed development is considered to be acceptable in relation to its impact on residential amenity, for the occupiers of adjoining and nearby properties; affordable housing provision; housing mix; land contamination; drainage and flood risk, and highway safety. However, the proposal is considered to be unacceptable due to the impact on local character; residential amenity, from noise from the A322 Guildford Road and M3 on living conditions for future residents; and the proposal would have an adverse impact on the integrity of the SPA. As such the application is recommended for refusal.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT)

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

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

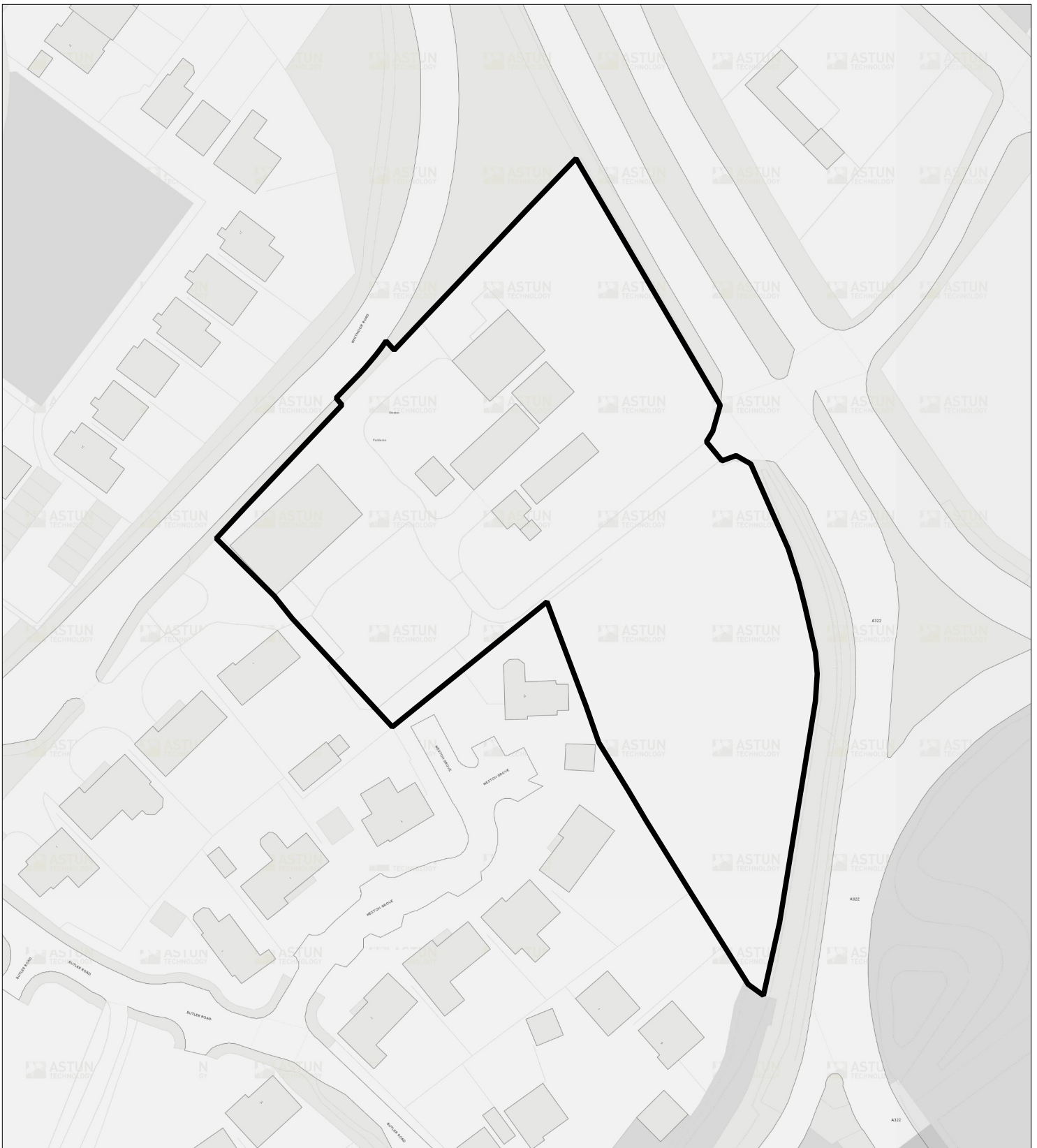
10.0 RECOMMENDATION

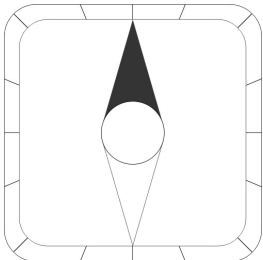

REFUSE for the following reason(s):-

1. The proposed development, by reason of the number and mix of dwellings along with the layout, coupled with the provision of terraced blocks, would result in a cramped and dense form of development forming poor relationships with the pattern of surrounding development, which would not integrate with its surroundings or reflect its edge of settlement location; providing an over development of the site, failing to sufficiently respect and enhance the local character and failing to comply with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012.
2. The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation).
3. The proposed development, by reason of its layout including the orientation of proposed dwellings and proximity to the A322 Guildford Road and M3 Motorway, would result in noise conditions, particularly in the rear gardens of dwellings proposed for Plots 10-18, inclusive, as shown on layout drawing PR77.03 leading to conditions of noise disturbance harmful to residential amenity of the future occupiers of these dwellings, which could not be sufficiently mitigated, failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Advise CIL Liable on Appeal CIL3



Title	Planning Applications			
Application number	16/0942		Scale @ A4	1:1,000
Address	LAND ADJACENT TO 1 WHITMOOR ROAD, BAGSHOT, GU19 5QE		Date	29 Jun 2017
Proposal	Erection of 18no. residential dwellings (to include 8no. three bedroom, 6no. four bedroom and 4no. five bedroom units) in a mix of semi-detached and terraced form with parking, landscaping and access.			
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017		Author: DMD

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Location plan



Proposed layout



Typical elevations



PROPOSED FRONT ELEVATION



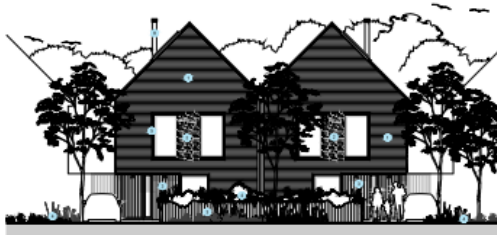
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



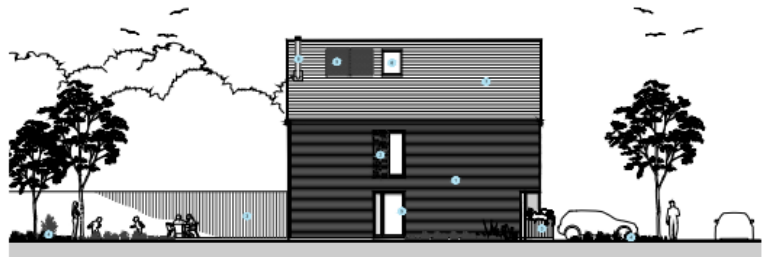
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

Application site



Road frontage onto Whitmoor Road



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

NOTES

Officers Report

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

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

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

How the Committee makes a decision:

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

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

The Committee cannot base decisions on:

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

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

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