



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

Department: Democratic and Electoral Services
Division: Corporate
Please ask for: Eddie Scott
Direct Tel: 01276 707335
E-Mail: democratic.services@surreyheath.gov.uk

Friday, 15 June 2018

To: The Members of the **Planning Applications Committee**
(Councillors: Edward Hawkins (Chairman), Valerie White (Vice Chairman), Nick Chambers, 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 and Victoria Wheeler)

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, Knoll Road, Camberley, GU15 3HD on **Tuesday, 26 June 2018 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 of Previous Meeting	3 - 6

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 10 May 2018

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: 17/0427- Chobham Adventure Farm, Chobham, Woking, GU24 8BY *	7 - 28
5	Application Number: 17/0540 - Tiffanys (Formerly Longacres), Station Road, Chobham, Woking, GU24 8AX *	29 - 48
6	Application Number: 17/0524 - Tiffanys (Formerly Longacres), Station Road, Chobham, Woking, GU24 8AX *	49 - 68
7	Application Number: 18/1043 - Wyvern House, 55 Frimley High Street, Frimley, Camberley, GU16 7HJ *	69 - 94
8	Application Number: 17/0889 - Land Adjacent to 1 Whitmoor Road, Bagshot, GU19 5QE	95 - 120
9	Application Number: 18/0292 - Land rear of the Parade, Frimley	121 - 144

*** indicates that the application met the criteria for public speaking**

Glossary

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 10 May 2018

+ 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

*Cllr Victoria Wheeler was present from midway through Minute 72/P

Officers Present: Duncan Carty, Michelle Fielder, Jessica Harris-Hooton, Eddie Scott

71/P Minutes of Previous Meeting

The minutes of the meeting held on 5 April 2018 were confirmed and signed by the Chairman.

72/P Application Number: 18/0180- 123 London Road, Bagshot

The application was for the installation of external lighting at a recently opened drive-thru coffee shop. The application was an alternative lighting scheme to the scheme refused planning permission (under SU/17/0705), which was subject of enforcement action and was now subject to appeal.

This application would normally be determined under the Council's scheme of Delegation. However, it was reported to the Planning Applications Committee at the request of the Executive Head of Regulatory.

Members were advised of the following updates:

"Two representations have been received in support (including one from the Bagshot Matters Residents' Association) with the following comments:

- The height of the lighting being proposed is far more acceptable than the existing lighting;
- Support the proposal, subject to the clear understanding the existing lighting will be removed permanently;

- Proposal appears to address the concerns since the site has been operating and it is a matter for regret that this matter was not resolved sooner;
- The excising lighting was designed on an assumption that the site falls within a “suburban environmental” zone and that this should be reviewed to avoid further undesirable creep of intrusive light pollution and nuisance.

The applicant has requested an amendment to proposed Condition 4 to allow four of the bollards to remain lit one hour before and one hour after the opening hours to allow safe passage for staff (with three located to the front of the building and one to the side of the building and close to the edge of the rear patio) and one (on the rear patio) to operate under a motion sensor. A revised drawing has been provided which indicates which bollards are to be so lit.

The Council’s Senior Environmental Health Officer supports this suggested amendment and Conditions 2 and 4 are proposed to be amended as below.

AMENDED CONDITIONS:

2. The proposed development shall be implemented in accordance with the following approved plans: 16572/E/500 Rev. P7 and 2402 PL110 Rev. D unless the prior written approval has been obtained from the Local Planning Authority.

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

4. The external lighting hereby approved shall only be illuminated during the approved hours of operation (as limited by Condition 5 of planning permission SU/15/0872) for the coffee shop/drive thru business on the site, with the exceptions being the four bollards indicated on Drawing No. 16572/E/5000 Rev. P7 to be lit for an extra hour before the opening of the café unit and an extra hour after the closure of this unit and one bollard on the rear patio also indicated on Drawing No. 16572/E/5000 Rev. P7 to operate under a motion sensor, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interest of residential amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.”

The officer recommendation to grant the application was proposed by Councillor Valerie White and seconded by Councillor Katia Malcaus Cooper, and put to the vote and carried.

RESOLVED that application 18/0180 be granted subject to the conditions as set out in the report and planning updates of the Executive Head - Regulatory.

Note 1

In accordance with Part 4, Section D, Paragraph 18 of the Constitution, Cllr Victoria Wheeler did not vote on the application as she was not present for the whole consideration of the item.

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 grant the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder and Valerie White.

73/P Application Number: 18/0224- 33 Upper Park Road, Camberley

The application was for the erection of a part two storey, part three storey building with accommodation in the roof space to provide 8 No. one bedroom and 2 No. two bedroom flats for the learning disabled with associated accommodation following the demolition of existing building.

Members received the following updates on the application:

“The County Highway Authority has raised no objections to the proposal, subject to conditions. Two of these suggested conditions have been provided within the officer report and a third suggested condition is added below.

A complaint has been received about the position of the building in respect of its minimum distance to a flank boundary (with 29-31 Upper Park Road), which should provide a minimum 1 metre gap. This has been checked by the Corporate Enforcement team who have confirmed that the minimum gap is between 0.9 and 1 metre which is within allowable tolerances.

A landscaping scheme has been agreed for the approved scheme SU/16/0691. As such, Condition 5 is to be amended as below.

AMENDED CONDITION:

5. The hard and soft landscaping for the development shall be provided in accordance with the details provided and approved for planning permission SU/16/0691 on 8 May 2018. 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.
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.

ADDITIONAL CONDITION

The development hereby approved shall not be occupied unless and until at least two of the available parking spaces, provided under Condition 8 above, have been provided with a fast charge socket (current minimum requirements – 7kw Mode 3 with Type 2 connector – 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved by the Local Planning Authority and shall thereafter retained in perpetuity.

Reason: In the interests of promoting sustainable development and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework and advice within the Surrey County Council “Vehicular and Cycle Parking Guidance - January 2018”.

The officer recommendation to grant the application was proposed by Councillor Nick Chambers and seconded by Councillor Mrs Vivienne Chapman, and put to the vote and carried.

RESOLVED that the application 18/0224 be granted subject to the conditions as set out in the report and planning updates of the Executive Head – Regulatory.

Note 1

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 grant the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

Chairman

2017/0427

Reg Date 07/06/2017

Chobham

LOCATION: CHOBHAM ADVENTURE FARM, BAGSHOT ROAD,
CHOBHAM, WOKING, GU24 8BY

PROPOSAL: Provision of outdoor play equipment. (Additional Plans recv'd
31/08/2017.) (Additional Information rec'd 01/11/2017 &
02/11/2017.) (Additional plan recv'd 25/5/18).

TYPE: Full Planning Application

APPLICANT: Mr Chapman

OFFICER: Duncan Carty

This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Tedder because of concerns that the proposal is unneighbourly and provides play equipment on an area allocated for animal provision.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This part retrospective application relates to Chobham Adventure Farm which is currently an indoor and outdoor children activity centre comprising play frames and slides. The site previously formed part of a horticultural nursery. The site lies on the south side of Bagshot Road, west of the settlement of Chobham and located in the Green Belt. This part retrospective application relates to the retention of outdoor play equipment and provision of further equipment on the site.
- 1.2 There is no objection to the proposal in respect of local character and highway safety. However, the proposed equipment would be harmful to the Green Belt and residential amenity with there being no very special circumstances to outweigh the identified harm. As such, the application is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The 0.28 hectare site falls within the Green Belt. The site lies to south and south west of residential properties, Prestons and Strawcock Field, respectively, with open land to the rear. The south boundary of the site is relatively open and the north and west boundaries are defined by hedging and trees.
- 2.2 The application site currently has a reception building which is open to the public with the space predominantly containing children's play equipment together with a café and first floor space for children's parties. There is also a seated outdoor patio area on the western end of the building. The land to the west of this building, the subject of this application, is used for outdoor play and contains a series of frames and slides. In addition, there is currently a further building under construction, located at the south western end of the site which is intended to be used as an animal building. However, currently there are no animals on the site and there have been no animals on the site since the business first opened to the public late 2016.

- 2.3 The site previously formed part of a former nursery site, known as The Horticultural Nursery. The site is accessed from the south side of Bagshot Road from a historical access which served the nursery. The parking for the use is provided by an extensive area of unauthorised hardstanding located adjacent to the access. There is also unauthorised signage by the entrance and an unauthorised car wash facility adjacent to the car park (refused application SU/17/0735).

3.0 RELEVANT PLANNING HISTORY

- 3.1 SU/14/0325 - Erection of two replacement buildings to provide new reception and animal buildings ancillary to a wider use of the site as a farm park. This application was approved in July 2014.
- 3.2 Whilst this approval represented inappropriate development in the Green Belt it was approved under very special circumstances (VSC). The reasoning included the need to provide the reception building now (for commercial viability reasons); employment, tourism and economic benefits; support from the local business community; educational benefits; and the comparative size of the development (when compared to all other structures which have previously been on the site); of which, it was considered that the employment, tourism and economic benefits and educational benefits had most weight to outweigh the identified harm. In the light of the VSC a series of restrictive conditions were imposed on this consent including condition 9 which restricted the use to be principally as a farm park and with a café, childrens' play area and party rooms ancillary to this.

Appended to this report is the officer's report for 14/0325 which sets out the VSC reasoning in full and a copy of the approved layout plan. This layout plan shows the authorised car parking area for 20 cars and intended use for the outdoor areas.

- 3.3 SU/14/1033 - A minor material amendment (MMA) to planning permission SU/14/0325 to allow alterations to the siting of the reception and animal buildings. Approved in January 2015.
- 3.4 This MMA allowed the reposition of the previously approved buildings five metres further to the west (i.e. overlapping with the siting as approved under SU/14/0325). Similar conditions to limit the activity and use imposed on permission SU/14/0325 were re-imposed for this permission. This approved development, however, has been partly implemented and not wholly in accordance with the approved plans. Whilst the reception building has been provided, the animal building was under construction at the time of the last officer site visit (in February 2018) and the applicant has confirmed that this building is expected to be open to the public by the end of July 2018. The approved floor plans for the reception building indicated the part use of the ground floor for educational benefits from agricultural themes. However, this has not been provided and the indoor play frame has been extended into this area, at variance to the approved plans.
- 3.5 Conditions 2 (materials), 3 (landscaping), 4 (ecological management plan), 7 (SuDS) and 12 (Company Management Plan) were pre-start conditions whereby these details had to be approved before commencement of development and use. Conditions 2, 3, 4 and 7 were discharged on 2nd September 2015. It would appear that details were never submitted for condition 12. However, 14/1033 did not carry forward condition 12. In relation to condition 3 and the landscaping plan, cross section drawings for the artificial bund were

still required. Again, these details were never received. The 14/0325 approved layout plan indicated a series of animal paddocks in front of the animal barn but this was subsequently reduced by this landscaping plan. The landscaping plan also permitted the outdoor seating area adjacent to the reception building.

The landscaping plan approved by condition 3 is also appended to this report.

- 3.6 The application site forms a part of a wider site for which the following planning history, which had a different applicant, is relevant:
- SU/17/0735 – Siting of store, container store and hardstanding for car washing facility (retrospective). Refused in April 2018.

4.0 THE PROPOSAL

- 4.1 This part retrospective proposal relates to the provision of outdoor play equipment. This equipment includes:
- An outdoor play frame (up to 5.7 metres high) including two zip wires and multi-level platforms (partly covered);
 - Small play area equipment (including platforms, play house, parallel ropes, balancing beams and stilts, up to 3 metres in height);
 - Bouncy pillows (trampolines) up to 0.2 metres in height;
 - Sand pit and play frame up to 3 metres in height;
 - Astroturf tube slide (5 metres high; with a 2 metre fence to act as screening to the north boundary)
 - Outdoor seating area (with sail roofing fabric on posts up to 3.35 metres high over);
 - Animal viewing area (reduced from approved scheme); and
 - Landscaping.

The astroturf slide is the only element of the current proposal that has not been provided. The proposal also includes some land raising/lowering works to fit with the provided equipment.

- 4.2 The applicant has been given opportunities during the processing of this application to provide further justification and to amend the scheme. Further information relating to this is provided in section 7 of this report.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections.

- | | | |
|-----|------------------------|---|
| 5.2 | Chobham Parish Council | An objection is raised on the grounds of overdevelopment of the site; and impacts on drainage, residential amenity and highway safety. Concern is raised about reduction in the size of the animal paddocks and lack of educational benefits (as proposed for the approved development) and compliance with conditions imposed on the approved development. |
| 5.3 | Environmental Health | No objections. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, five representations of objection raising the following objections:
- Approved use by farm and domestic animals for education/leisure would be a quieter use of land [*See paragraph 7.5*].
 - Retrospective nature of the proposal [*Officer comment: This would not be a reason to refuse this application*].
 - Overdevelopment, and intensification of use, of the site [*See paragraphs 7.3 - 7.7*]
 - Unneighbourly [*Officer comment: If minded to approve limitations on hours of operation would be imposed*].
 - Impact from noise [*See paragraph 7.5*]
 - Loss of privacy [*See paragraph 7.5*]
 - Main attraction as a play facility and not a farm park [*See paragraph 7.3*]
 - Traffic impacts [*See paragraph 7.6*]
 - Comparisons with other farm park are in more rural locations and have less residential impacts [*Officer comment: The comparison of the application site with other farm parks can be helpful in assessing the current proposal to a degree; but it is noted that these farm parks are very different proposals and have different surroundings*]
 - Unneighbourly arrangement [*See paragraph 7.5*]
 - Lack of a noise report [*Officer report: This has been subsequently provided and addressed in the report below*]
 - Impact on openness of the Green Belt [*See paragraphs 7.4 and 7.7*]
 - Inappropriate development in the Green Belt [*See paragraphs 7.4 and 7.7*]
 - Inadequate parking facilities to cater for expected number of visitors (particularly during holiday peaks) [*See paragraph 7.6*]
 - Authorised increase in the size of the car park [*Officer comment: As indicated in Paragraph 4.3 above, the extended car park is unauthorised*]

- Right of way sought by applicant over Brook Lane [*Officer comment: There is no proposal, as a part of this application, for such an access to be provided. However, the ownership or control over land would not be a material planning consideration*]
- Loss of privacy from slide [*See paragraph 7.5*]
- Impact of noise on welfare of animals [*Officer comment: This would be a matter for the animal protection agencies*]
- True noise readings (at holiday peak) have not been taken [*Officer comment: In dependant readings were taken by Environmental Health during the summer holiday and they have been able to estimate the peak noise levels*]
- Monitoring of the maximum number of visitors to the park (condition compliance) [*Officer comment: This matter is being addressed separate from this application*]

6.2 At the time of preparation of this report, 43 representation, and one petition with 225 signatures, in support making the following comments:

- It will bring added custom to the area and provide job opportunities
- Excellent customer for the business concerned
- Greater support of local jobs
- Enhancing the local economy
- The site had remained derelict for many years
- Wider benefit to the community by attracting visitors to Chobham village and high street
- It will become an all year round destination from this play area provision
- Much needed offering for children
- Supporting local family business rather than multi-nationals
- Allows children to play in a safe and friendly area

7.0 PLANNING CONSIDERATION

7.1 The application is considered against Policies CP1, CP11, CP12, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP); and the National Planning Policy Framework (NPPF). Advice within the national Planning Practice Guidance is also relevant.

7.2 Planning approval 14/0325 (as amended by 14/1033) is a material consideration. It is therefore first necessary to review this site background in order to understand the rationale for originally permitting development within the Green Belt, and to consider whether this part retrospective application is operating within the original intent of this consent. If it is not then it is further necessary to consider what harm it causes and whether there is a justifiable reasoning to grant it. Therefore the main issues to be addressed are as follows:

- Site background;
- Impact on the Green Belt;
- Impact on residential amenity;
- Impact on highway safety; and,
- Consideration of very special circumstances.

7.3 Site background

7.3.1 Approval 14/0325 was presented by the applicant as a small scale farm park and whilst being inappropriate and harmful development in the Green Belt was allowed on very special circumstances with main weight afforded to the employment, tourism and economic benefits and educational benefits (as detailed in section 3 above). Paragraph 7.5.12 of the officer's report stated the following:

'...robust planning conditions need to be added to ensure that the use of the site remains principally as a farm park, most akin to its rural location. Officers remain concerned if the use of the premises was actually more of a children's play centre, which could otherwise be located in any urban location, and so it is necessary to control the floor areas of the buildings to ensure this does not occur. The future intensification of the site is also a concern and so conditions are required to control the visitor numbers and to ensure that the buildings are not sub-divided to be used by separate businesses.'

7.3.2 A series of conditions were subsequently imposed including condition 9 which states the following:

9. The proposed development shall be used principally as a farm park and for no other purpose and no expansion of the floorspace provided on drawing nos. 322/06 and 322/09 hereby approved for the ancillary cafe, childrens' play area and childrens' party rooms shall be undertaken without the prior planning permission. None of these elements shall be provided as separate businesses to the predominant farm park use of the site. [Officer underlining]

Reason: To prevent an overdevelopment of the site to the detriment of the residential amenities of the area and to ensure that the development does not prejudice policies for the preservation of the Green Belt and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Approved layout drawing no. 322/09 for the reception building, referred to by condition 9 above, annotated a sizeable agricultural display area which was intended as an educational area for children. This has never been provided. Moreover, without any animals on the site (i.e. the primary farm park use), in the officer's opinion, the current on site use is in effect operating without planning permission and in breach of condition 9. The use is operating as a children's play centre, precisely the type of use that concerned officers and one which the Planning Authority sought to avoid.

- 7.3.3 Whilst the applicant intends for the animal farm building to be in use by July 2018 the extent of the outdoor space used by animals has still been significantly reduced from the 2014 permission, which included an extensive paddock area. The landscape plan, pursuant to condition 3 of permission SU/14/1033, included some limited small outdoor play provision including a small play area, trampolines and sand pit areas as well as an outdoor seating area and landscaping. Although this landscape plan reduced the use of the outdoor space as space for the animals/petting farm from originally envisaged, nevertheless, it did still provide outdoor animal pens. Hence, together with the animal barn, there remained an acceptable balance between the outdoor play and animal/education areas. This landscape plan effectively set the baseline as to the limit of acceptable outdoor play use.
- 7.3.4 However, the extensive play equipment installed and proposed as part of this submission is within an area that was expected to provide an outdoor petting farm. The area of land intended for the outdoor petting farm element has been much reduced and has not been provided to date. It should also be noted that the applicant has been provided several opportunities during the course of this application to redress the balance, for example, by providing the education space within the main reception building and by deletion of the astroturf slide. The assessment that follows in paragraph 7.4 – 7.7 below needs to be considered against this context.

7.4 Impact on the Green Belt

- 7.4.1 Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt; with a number of exceptions. These exceptions include provision of appropriate facilities for outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In the High Court decision *R (Save Woolley Action Group Ltd.) v Bath and North East Somerset Council* [2012] EWHC 2162 (Admin), which followed earlier similar rulings, gave a wider definition of a building to include "any structure or erection". In the officer's opinion the definition of a "building" in this context can include the proposed play equipment. In the event that this opinion is incorrect then this proposal must be inappropriate development which, by definition, is harmful to the Green Belt.
- 7.4.2 As already explained, whilst allowed on VSC the originally approved development and use were considered to be inappropriate development and caused significant harm to openness due to the substantial increase in size of the buildings over the size of the buildings that previously stood on this site. The approved development represented a 15.7% increase in floorspace and 107% increase in volume.
- 7.4.3 This proposal now further spreads development on the site having an urbanising effect on the land. The play equipment for the smaller play areas and the cushions (trampolines) are much smaller in scale (being no greater than 3 metres in height and limited in width/depth and mass) and it is considered that these elements of the proposal would not, individually or cumulatively, have an adverse impact on openness. Moreover, this equipment is located in the areas indicated for such use on the approved landscape plan (see paragraph 7.3.3 above). In addition the sails over the seating area form a part of a light structure with views underneath and have a limited impact on openness.
- 7.4.4 However, in the officer's opinion it is the much larger play frame (up to 5.75 metres in height and much greater in width/depth and mass) added to the west and the proposed slide (up to 7 metres in height and a length of 30 metres), that has an adverse impact on openness.

- 7.4.5 The farm park site is set back from the highway with some screening to the north boundary and the influence of the existing buildings reducing the impact from the public domain. However, the size of these additional structures has a significant impact on openness. In the Court of Appeal decision for *Turner v Secretary of State for Communities & Local Government* EWCA Civ 466 [2016], the openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion, such as from the public domain, does not in itself mean that there is no impact on openness.
- 7.4.6 It is therefore considered that the proposal would be inappropriate development in the Green Belt and be harmful to its openness. It is therefore necessary to consider whether any very special circumstances exist but before doing this it is necessary to consider whether any other harm arises from the impacts on residential amenity and the highway.

7.5 Impact on residential amenity

- 7.5.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure 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.
- 7.5.2 The proposal has been supported by a noise report. The Senior Environmental Health Officer has indicated that the report demonstrates that the outdoor play facility operates to a rating level of about 2 decibels above the approved scheme from the nearest residential property and that this increase in noise within the gardens of adjoining properties does not exceed the relevant external amenity noise level that would have been expected as a result of its use and that the addition of the astroslide would not increase the noise levels to an unsatisfactory level. Such a rated level of noise is an indication that the facility has a limited impact on neighbouring properties and no objections are raised on these grounds. In addition, the hours of operation are controlled by Condition 5 of planning permission SU/14/1033 for the site to be open to the public between 10:00 and 19:00 hours only.
- 7.5.3 The existing structures are set some distance from any residential boundary and, noting their size and the level of vegetation at such boundaries, have a limited impact on residential amenity. However, the proposed astroturf slide, which would be positioned within 8 metres of the site boundary with the rear garden of Prestons, at a height of 5 metres, with screening which would be required to a height of about 2 metres above (i.e. 7 metres above ground level) would have an unneighbourly and over-dominant impact upon the residential amenities of the occupier of this dwelling including their enjoyment of the rear garden. Whilst some soft landscaping is provided to this boundary, there are gaps in this location and, even if provided (e.g. by condition), cannot be secured in perpetuity.
- 7.5.4 As such, the proposal is considered unacceptable on these grounds, failing to comply with Policy DM9 of the CSDMP.

7.6 Impact on highway safety

- 7.6.1 The proposal supports a facility which has resulted in traffic generation near to the site accessing the shared access point onto Bagshot Road. The County Highway Authority has, however, raised no objections to the proposal indicating that it would not have a material impact on the safety and operation of the adjoining public highway. As such, and with no evidence to the contrary no objections are raised on highway safety grounds

with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF. Aside from highway safety the existing car park is unauthorised and this is further considered in paragraph 7.7.1 below.

7.7 Very Special Circumstances

7.7.1 Paragraphs 87 and 88 of the NPPF indicates:

“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except on very special circumstances. 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 its inappropriateness, and any other harm, is clearly outweighed by other considerations.”

Section 7.4 this report has indicated the harm to the Green Belt by reason of inappropriateness and the impact upon openness. Other harm from the impact of the astro-slide upon residential amenities is identified in section 7.5.

7.7.2 During the course of this submission the applicant has provided the following summarised arguments to justify the proposal:

- (i) The existing use could be best described as a "farm park in the process of phased implementation," which is typical of most farm parks in the country. It was always the intention to provide indoor and outdoor animal areas as well as indoor and outdoor play areas. The layout of the site has necessitated that the development be implemented in the order that it has but the end result will be a farm park. The animal building started construction in February 2018 and is expected to be completed by July 2018, and the website shows that this is a key element of this attraction;
- (ii) There is no clear definition of a farm park but there are a number of farm attractions nationally which have a mix of animals, farm-based educational interpretation/activities, indoor play, outdoor play and catering;
- (iii) The provision of outdoor play equipment would be considered to be essential to the operation of the main use of the site as a farm park and is an integral part of the proposal;
- (iv) The farm park represents a split between 76% play and 24% animal provision which compares favourably with other farm parks (ranging between 34% animal provision at Godstone Farm with 13% at Hobblers Heath);
- (v) The play areas have been designed to a high quality with natural materials used to complement the built form of the farm park and use and soften the appearance of the play equipment;
- (vi) The play equipment would be appropriate facilities for outdoor sport and recreation (with this view supported by an appeal decision at Hobblers Heath (APP/F5540/W/16/3160453) in Hounslow; and
- (vii) A letter from the soft play company who installed the indoor play facility indicating the educational benefits of the soft play facility including through play of the animal matching shapes panel, red tractor, vegetable patch, animal; rockers, sheep pen ball trap, cow-print slide and duck print quackers.

- 7.7.3 In respect of point (i), in the officer's opinion the provision of an animal building, in itself, would not fully address the imbalance between play and animal/education accommodation. As already explained, the loss of the outdoor animal pens/runs has not been adequately addressed by the applicant and this accommodation has not been shown on the landscape drawings provided for this application. Neither has the applicant shown a willingness to redress the balance as part of this submission. Concern has been raised to the balance between the farm park and outdoor play elements and it is considered that the additional larger outdoor play equipment tips the balance away from its approved use and one of the principal benefits which formed an important very special circumstance which supported the originally approved development.
- 7.7.4 For points (ii) – (iv) it is accepted that some play equipment is a normal part of a farm park provision and the Planning Authority has always accepted this. The application site has different characteristics and is in a different location with very different planning histories from other national farm park sites. Hobblers Heath, for example, related to redevelopment of a golf course and the sites are not directly comparable. Each site and proposal therefore has to be considered on its own planning merits. Officer concerns remain that the amount of play equipment under this application remains more akin to a play centre in a settlement location than a farm park. The definition of a 'farm park' assumes that animals would be the principal attraction and take up the larger proportion of the site; and, the approval, including condition 9, stipulated that play equipment should only be ancillary.
- 7.7.5 Turning to point (v) the quality of the outdoor equipment is not disputed but the visual quality of the attraction should be an expectation, in any event, and so this cannot be said to be a VSC to outweigh Green Belt harm.
- 7.7.6 For point (vi) there are also appeal examples whereby inspectors have considered outdoor equipment such as this to be harmful to the Green Belt. Again each proposal has to be considered on its own merits and there no weight is given to this argument.
- 7.7.7 Finally, for point (vii) the applicant has provided insufficient justification to support this. These arguments are considered to be weak and do not explain why such a facility could not be provided elsewhere, outside of the Green Belt. No explanation or details have been given, or the area of space to commit to this.
- 7.7.8 Officers support local businesses but this support should not be at the expense of the Green Belt or residential amenity. This support for local businesses is the reasons why officers went back to the applicant on several occasions. Regrettably, these negotiations have not resolved the situation to the satisfaction of officers.
- 7.7.9 Either individually or cumulatively, in the officer's opinion the arguments above do not outweigh the identified harm to represent VSC.

7.8 Other matters

- 7.8.1 The proposed use was approved with 20 parking spaces within the site. The applicant has provided a much greater parking area predominantly on land outside of the farm park site on land which has a lawful nursery use. The applicant has estimated this accommodation can cater for 400 people and indicated that this is the lawful use of this land. This is disputed and no lawful development certificate has been provided to regularise this provision. The expediency for taking enforcement action is therefore currently being considered.

- 7.8.2 The approved development has been provided in phases with the animal building to be provided by July 2018. The report has indicated that the imbalance between the play and animal/education provision in the farm park and has questioned whether the use remains as a farm park. As already explained the approved layout had not been provided, with the indoor play area expanded into the educational area on the ground floor of the reception building. In addition, an ice cream kiosk has been provided within the outdoor play area and there is a lack of external animal pens/runs. All of these matters are also being considered as to whether there it is expedient to take enforcement action.
- 7.8.3 There have been complaints concerning signage at the site access. This signage is unauthorised and requires formal consent. However, this is an area of special control and advertisements have had an urbanising effect upon the rural character and the Green Belt. As such, this signage is unlikely to be supported by the Local Planning Authority. Their removal is currently being sought; and if this is not forthcoming, then consideration will be given to the expediency of taking enforcement action (see Informative 1).

8.0 CONCLUSION

- 8.1 The current proposal is considered to be acceptable in terms of its impact on highway safety. However, the proposal is considered to be unacceptable in terms of its impact on residential amenity and the Green Belt. The application is therefore recommended for refusal.

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

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

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

10.0 RECOMMENDATION

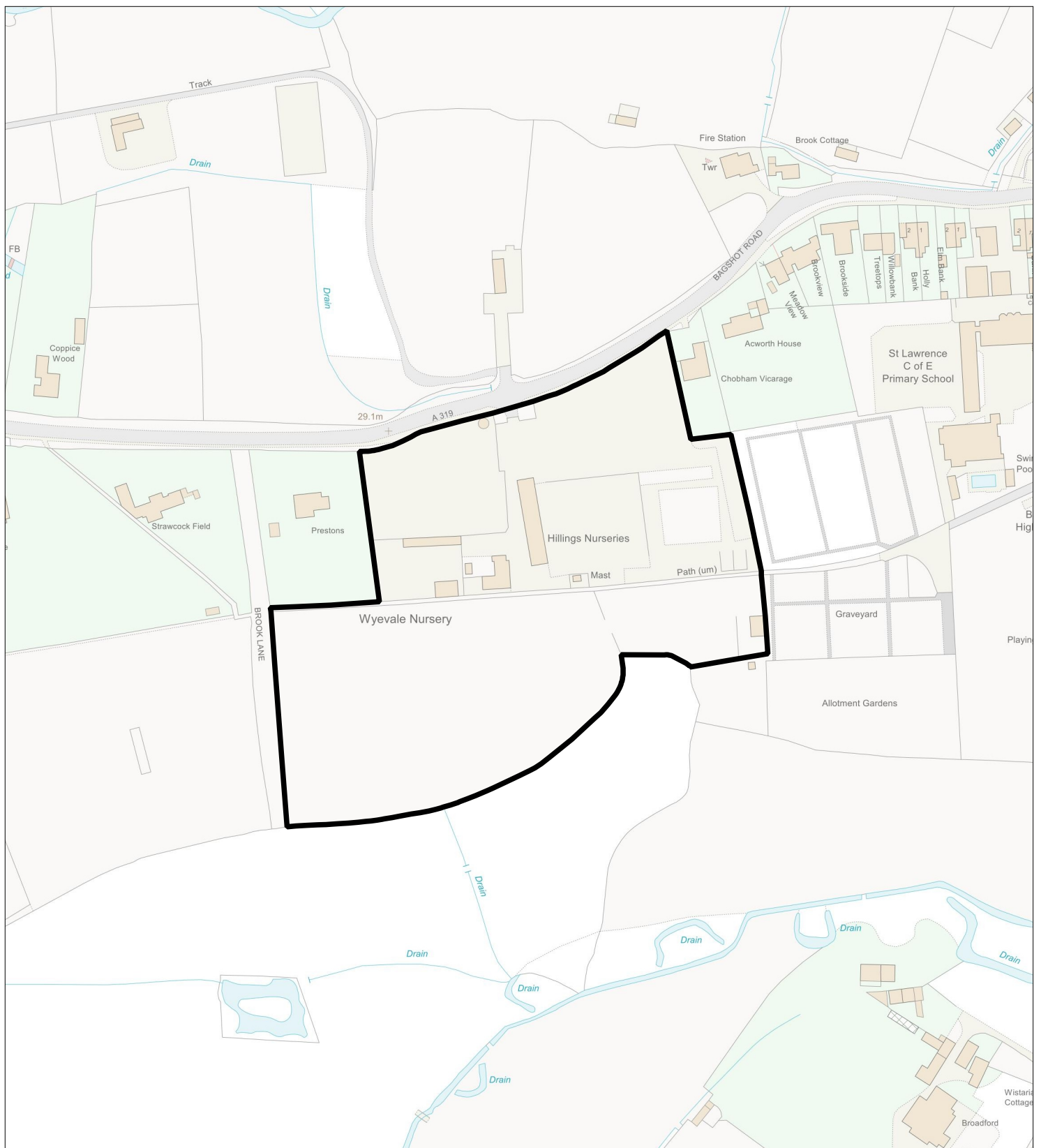
REFUSE for the following reason(s):-

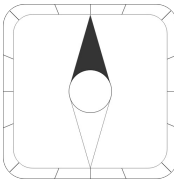


1. The large play frame (and proposed astroturf slide) by reason of their height, mass and spread of development, represents inappropriate and harmful development in the Green Belt; and, alone and in conjunction with the other outdoor play equipment results in a quantum of built form harmful to the openness of the Green Belt. The use is more akin to a children's activity centre and does not comply with the authorised use and permissions 14/0325 and 14/1033. Very special circumstances do not exist which clearly outweigh the substantial harm to the Green Belt and the residential amenity harm given in reason 2 below.

2. The proposed astroturf slide, due to its height and proximity to the northern site boundary, would result in an unneighbourly and dominant form of development harmful to the residential amenities of the occupiers of the adjoining dwelling Prestons including their enjoyment of the rear garden, contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Signage to support the business has been provided at the site access. The applicant is strongly advised to remove the unauthorised signage without delay as the display of an unauthorised advert is an offence under section 224 of the Town and Country Planning Act 1990 (as amended) and can result in prosecution.

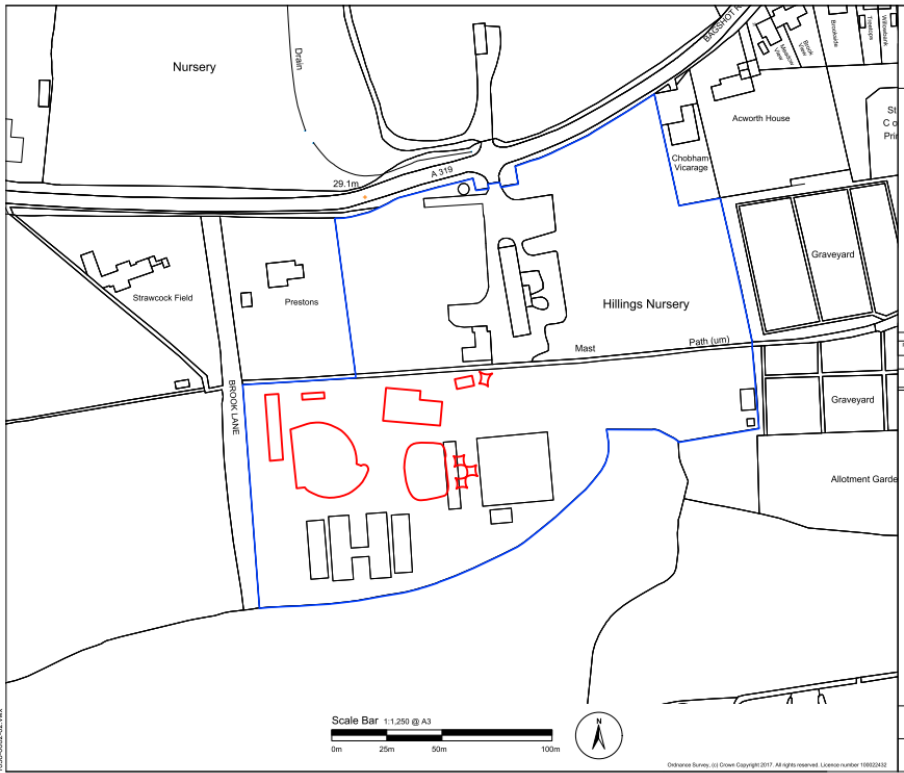


Title	Planning Applications			
Application number	17/0427	  0 10203040 m	Scale @ A4	1:2,500
Address	CHOBHAM ADVENTURE FARM, BAGSHOT ROAD, CHOBHAM, WOKING, GU24 8BY		Date	04 Jun 2018
Proposal	Part Retrospective planning application for outdoor play equipment at Chobham Adventure Farm.			
Version 3 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2018 Author: DMD				

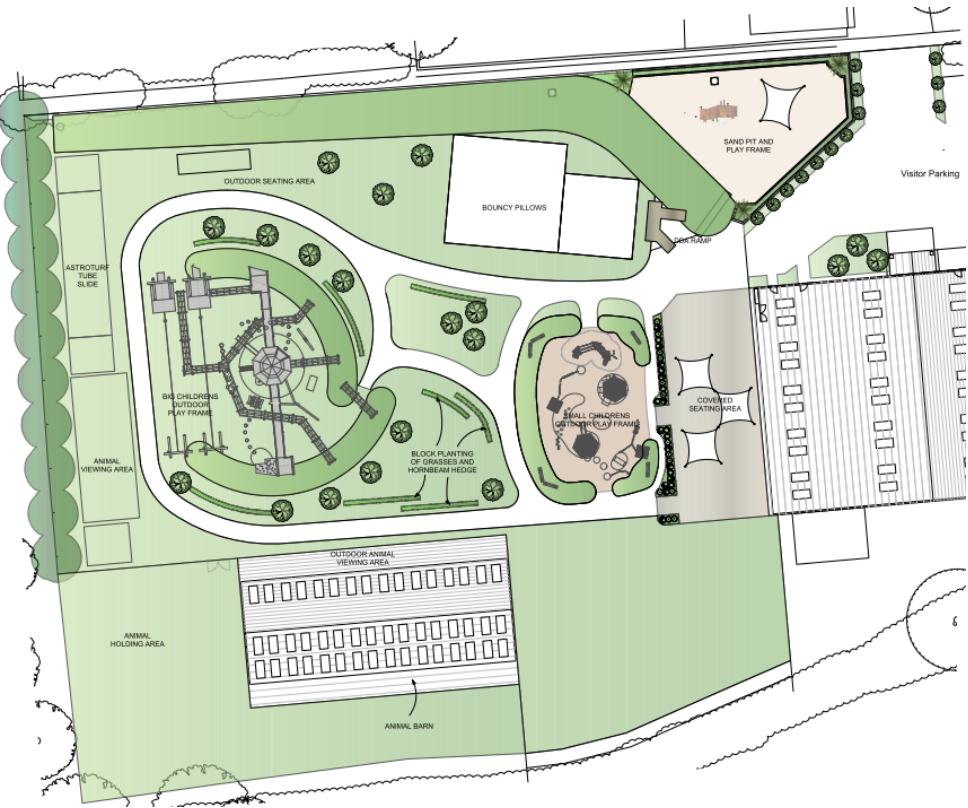
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17/0427 – CHOBHAM ADVENTURE FARM, BAGSHOT ROAD, CHOBHAM

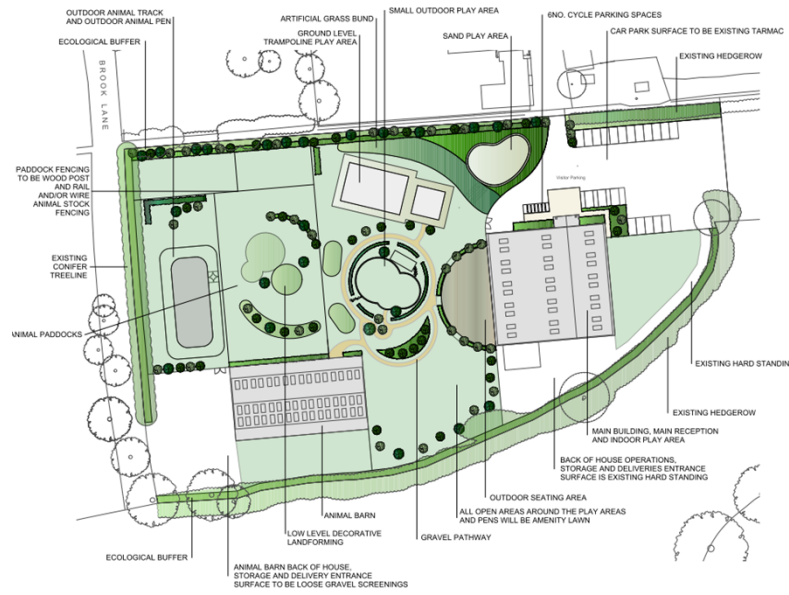
Location plan



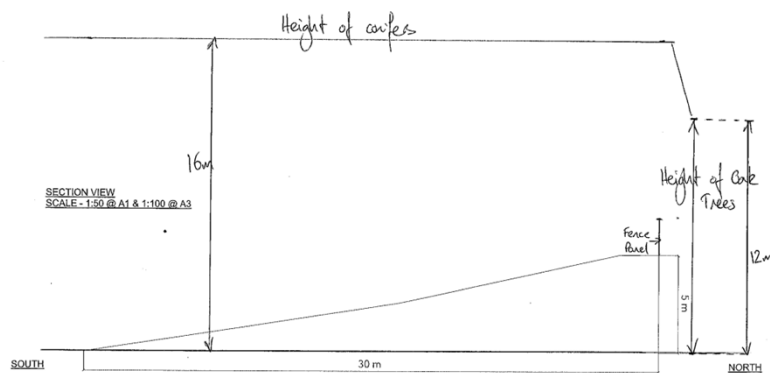
Proposed site layout



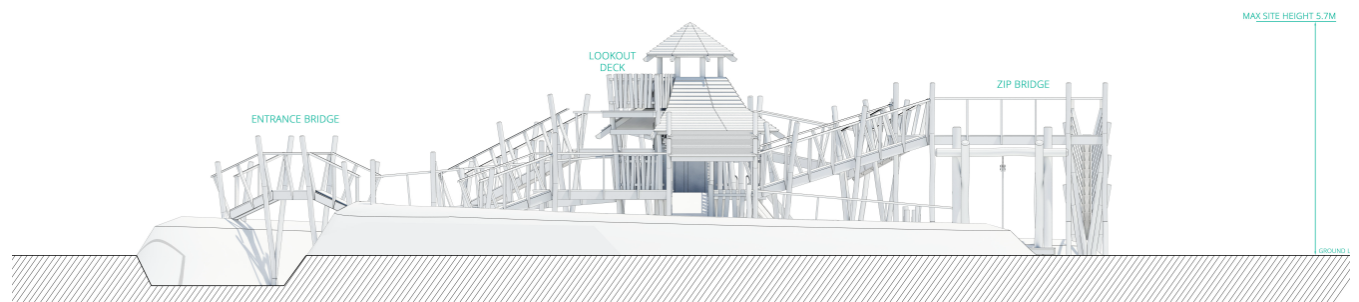
Approved landscape plan

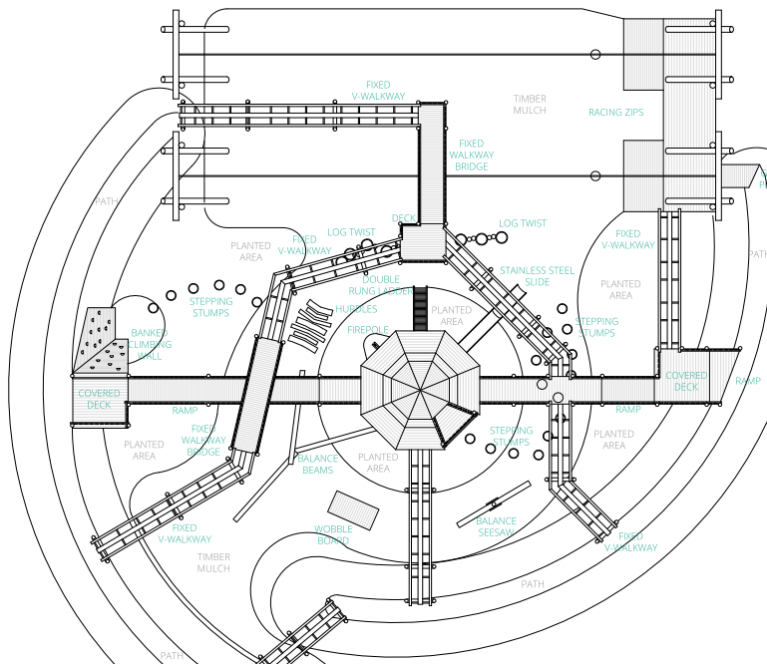


Elevations for astroslide

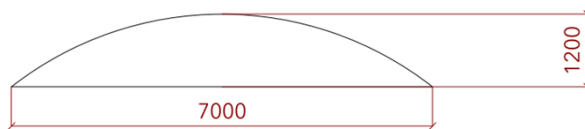
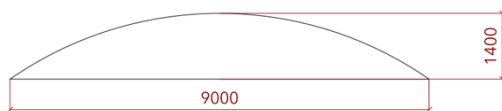


Elevations and plan for large play frame

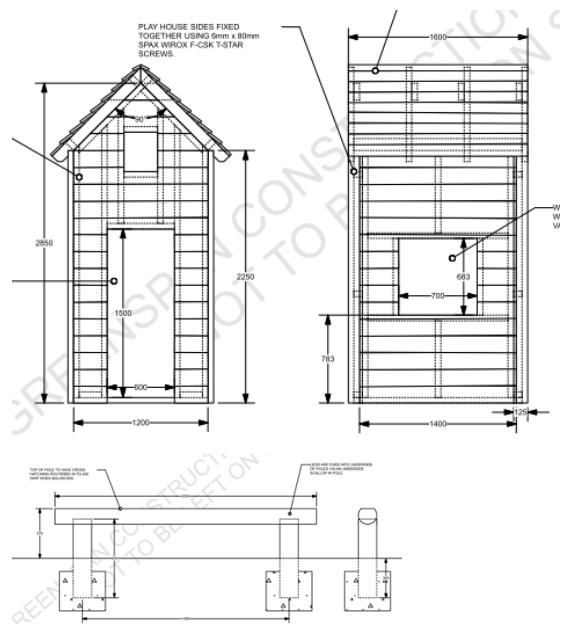


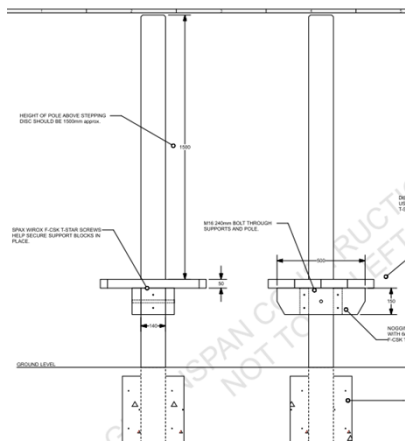


Elevations for bouncy pillows



Elevations for smaller play equipment





Site photos

Reception building



Animal building



Large play frame



Siting of astroslide



Smaller play equipment



Sand pit



Bouncy pillows



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2017/0540

Reg Date 02/08/2017

Chobham

LOCATION: TIFFANYS (FORMERLY LONGACRES), STATION ROAD, CHOBHAM, WOKING, GU24 8AX

PROPOSAL: Erection of replacement stables, along with the provision of a sand school and parking, following the demolition of existing stables. (Additional information recv'd 29/9/17 & 18/10/2017) (Amended Description/Additional Information Rec'd 02/11/2017) (Amended info rec'd 06/11/2017) (Amended/Additional Plan and Change of Description rec'd 01/12/2017) (Amended plan & description change 07/12/2017) (Additional information recv'd 05/04/2018). (amended plans rec'd 07/06/2018)

TYPE: Full Planning Application

APPLICANT: Mr & Mrs Burrell

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

UPDATE

- (i) The application was reported to the Planning Applications Committee meeting on 5 April 2018, where it was resolved by Members that this application was deferred to allow the submission of drainage details for consideration and a Member site visit. The original committee report is provided at the end of this update.
- (ii) In relation to the required drainage details a drainage plan for the wider site, incorporating development under application SU/17/0540, has been provided for both applications which includes:
 - a perforated drainage pipe to be provided within the outdoor school collecting surface water which flows through the outdoor school sub-base which connects to a pipework network including downpipes from the roof of the indoor school and stables which would flow towards the existing drainage ditch close to the north boundary of the application site (adjacent to Broadford Lane);
 - a sub-base for the outdoor school structure (development under application SU/17/0540); and
 - a twinwall 450mm drainage pipe from the boundary of Oakhurst to take surface water drainage from that site to connect to and flow north along an existing drainage ditch which links into the existing drainage ditch close to the north boundary of the site (adjacent to Broadford Lane).

These details would ensure that the surface water drainage from the application site and any excess surface water drainage from Oakhurst would flow into the existing drainage network. These arrangements are considered to be acceptable to the Council's Drainage Engineer, subject to the provision by condition of additional details, e.g. levels and restriction control chambers at the pipework junction close to the pipework outlet towards the north boundary of the site.

- (iii) In addition, the applicant has provided the following amendments:
- a reduction in the number of stables from 8 to 6 to include two larger stables to be used for foaling and/or larger horses;
 - a rationalisation of the hardstanding, to the south west of the stable building and including a reduction in the number of car spaces from 8 to 4 and provision of 2 horse box spaces in front of the north east elevation of the stables, rather than providing lorry spaces either side of this stable building and moving of the muck heap to the north west of the stable building (i.e. to a greater distance from the north west boundary); and
 - further information from the applicant about the existing facility they rent elsewhere in the Borough.
- (iv) The changes to the proposed development will reduce the activity/use and reduce the spread of development for which there would be minor benefits to the openness of the Green Belt and these amendments also would be acceptable in terms of its impact on character and residential amenity. The County Highway Authority has raised no objections to these amendments in respect of the impact on highway safety and parking capacity.
- (v) The applicant has confirmed that they currently rent a yard with a 16 stable facility which has a secure tack room, tea making area, small paddock, 20 by 40 metre outdoor area which is very wet in winter, and no indoor arena facility. The yard was leased because there was safe off road hacking available from the yard; but this is now not the case with country lanes and roads becoming increasingly unsafe, due to the volume of traffic (vehicles, cyclists and pedestrians). The existing facilities are inadequate for their needs. There are a number of livery yards in the Chobham area but none provide the facilities required for the specialised needs of the applicant.
- (vi) The changes above would lead to amendments to Conditions 2 (to reflect the change to the approved drawings), 6 (to reflect the changes to the parking arrangements), 8 (to reflect the reduction in the number of horses at the site from 8 to 6), Condition 9 (to reflect the need to change the use of any part of the stable accommodation) and from the update, Condition 11 (to provide further details building upon the drainage scheme provided). These revised conditions will be provided on the update.
- (vii) As such, the application is recommended for approval.

ORIGINAL COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 5 APRIL 2018 AND UPDATE (ANNEX 1) RELATED TO THAT MEETING

This application would normally be determined under the Council's Scheme of Delegation, but is linked to application SU/17/0524 which is being considered elsewhere on this Agenda.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site relates to a currently vacant equestrian centre within the Green Belt. The proposal is to provide a replacement stables and sand school for a private equestrian use.

- 1.2 Noting the overall level of increase in built form, the proposal would be harmful to the openness of the Green Belt and would therefore be inappropriate development. However, very special circumstances for this elite equestrian operation of the site have been received and the proposal supports outdoor recreation to support equestrian competition at national and international levels. The proposal is considered to be acceptable in Green Belt and character terms.
- 1.3 In addition, there are no objections raised on highway safety, ecology, flood risk or residential amenity grounds. The proposal is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to 0.5 hectares, but forms only a small part of a larger site of about 2 hectares, and is sited within the Green Belt to the east of the Green Belt settlement of Chobham. It is located on the south side of Station Road behind, but associated with, the residential dwelling, Tiffanys (formerly Longacres). Access to the site is either through the residential property or from an access road, an unadopted lane and bridlepath, running to the west of the residential property, Tiffanys.
- 2.2 The existing site comprises an existing vacant stable building providing 6 stables (with foaling block, tackroom, feed stores) comprising a total of 223 square metres of accommodation, located to the north east with paddocks to the south and west. The land is relatively open, but bounded by trees and other vegetation on most boundaries. The residential properties St Nicholas, St Nicholas Cottage and The Ridings lie to the north of the wider site and residential property, Tiffanys, with Oakhurst and Oriel Cottage to the south. The sites falls within flood zone 2 (medium risk).

3.0 RELEVANT HISTORY

- 3.1 SU/82/0454 Replace existing stables and erect additional stables and associated buildings.

Approved in November 1982 and implemented.

Condition 3 of this permission limited the use of the buildings for the accommodation of horses kept incidental to the personal enjoyment of the applicant not used for livery or other commercial purposes.

- 3.2 SU/17/0524 Erection of an indoor riding school. Application is being reported elsewhere on this Agenda.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide replacement stables along with the provision of a sand school with parking following the demolition of existing stables. The new stable building would have a gable roof over to a height of about 5.4 metres at the ridge, falling to 2.6 metres at the eaves, having a width of 33.7 metres and a depth of 10.9 metres. The proposed building would provide 367 square metres of accommodation, to a maximum height of 5.4 metres, reducing to 2.4 metres at the eaves, and would be timber clad. The building would include eight stables, two washbays (one including a solarium), rug, feed and haylage stores, tearoom and W.C.

- 4.2 The proposed stable building would be located on the south west side of a new yard area located close to the north west site boundary and the access from the unadopted Broadford Lane. Within the yard, there would be three lorry/horse box spaces, eight car spaces and areas for shavings, a muck heap and space for recycling and waste bins.
- 4.3 The proposal would result in the loss of existing stable buildings on the site, which are currently arranged around a yard located in the north west corner of the site. The existing stable accommodation has a floorspace of 223 square metres, with buildings up to a ridge height of about 3.2 metres, reducing to 2.4 metres at the eaves. The existing accommodation including six stables and a foaling box, as well as storage facilities.
- 4.4 The proposal has been amended during the consideration of this application, including the removal of the proposed two bedroom dwelling for staff.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------------|---|
| 5.1 | County Highway Authority | No objections received. |
| 5.2 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.3 | County Footpaths Officer (SCC) | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.4 | Environment Agency | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.5 | Chobham Parish Council | An objection is raised on residential amenity, character, Green Belt, flooding and highway safety. Concerns were also raised about its future commercial operation, impact on trees and established rights. |
| 5.6 | Council's Equine Adviser | No objections to the proposal (in its amended form). |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 9 representations raising an objection (with some additional objections for SU/17/0524 incorporating objections/concerns about this proposal), and no representations supporting the proposal, had been received. The representations raising an objection raise the following issues:
- No safe highway access, particularly the moving of large trucks down an access road which is along a bridlepath, with an access onto Station Road and close to the Sandpit Hall Road junction, with slow moving heavy vehicles being a danger to other road users. The bridlepath has no vehicular access. [See *paragraph 7.5*]
 - No legal right to use bridlepath for vehicular access [Officer comment: *This is not a planning matter*]
 - Cumulative impact with the proposal under SU/17/0540 [Officer comment: *These are not relevant to the current proposal and are addressed under that application*]

- Impact of the provision of two large riding schools instead of current position (two grazing horses) [*See paragraph 7.3*]
- The site falls within the floodplain [*See paragraph 7.8*]
- Lack of pre-app engagement by applicant [*Officer comment: There is no statutory duty to undertake such engagement*]
- The use for third party (commercial) uses as indicated in the planning statement [*See paragraph 7.3*]
- The impact of surface water run-off and existing ditches [*See paragraph 7.8*]
- Very little land would be available on the site for suitable pasture for turnout of the horses [*See paragraph 7.3*]
- The size of the development is out of proportion with nearby buildings [*See paragraph 7.3*]
- The development is very unneighbourly and intrusive [*See paragraph 7.4*]
- The loss of privacy from riders viewing onto adjoining rear gardens [*Officer comment: This relationship currently exists and therefore no significant change is expected*]
- The amount of accommodation (along with the development under application SU/17/0540) is excessive for personal use [*See paragraph 7.3*]
- Does not comply with Policy DM3 [*See paragraph 7.3*]
- Application indicates a light industrial use on the site for which there is no planning history [*Officer comment: The site has been most recently used for equestrian purposes*]
- Current low level of use of stabling on the site [*Officer comment: This is noted. However, the site could accommodate six stables in the existing accommodation*]
- Traffic movements that would be generated by training of third party horses and riders [*Officer comment: This is a private equestrian centre only*]
- Impact on the bridlepath surface, which is a private unadopted lane [*Officer comment: This is not a material planning consideration*]
- Loss of amenity and endangering of walking groups/ramblers, horse riders, cyclists and dog walkers using the lane/bridlepath and disruption of access to dwellinghouse [*See paragraph 7.5*]
- Impact of size and scale of development on a quiet residential area with increased noise levels and disturbance [*See paragraphs 7.3 and 7.4*]
- Clarity of access required [*Officer comment: The access would be provided from Broadford Lane*]
- Grazing land does not meet the minimum 1 acre per horse requirement [*See paragraph 7.3*]
- The Footpaths Officer should be notified [*Officer comment: See paragraph 5.3 above*]

7.0 PLANNING CONSIDERATIONS

7.1 The proposal relates to equestrian development in the Green Belt. The relevant policies relating to the above proposal are Policies CP1, CP2, CP9, CP11, DM3, DM9, DM10, DM11, DM10, DM12 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) and the National Planning Policy Framework (NPPF). Advice in the *Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* by DEFRA (2009) and Planning Practice Guidance (PPG) is also relevant. The proposal is not CIL liable.

7.2 The main issues in the consideration of this application are:

- Impact on the Green Belt and local character;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on trees;
- Impact on ecology; and
- Impact on flood risk.

7.3 Impact on the Green Belt and local character

7.3.1 The proposal relates to the redevelopment of a site within the Green Belt. Paragraph 89 of the NPPF indicates that the construction of new buildings is inappropriate development with the exceptions including appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case, of the five purposes set out in Paragraph 80 of the NPPF, the only relevant purpose is *"to assist in safeguarding countryside from encroachment."*

7.3.2 Policy DM3 of the CSDMP supports equestrian related development provided that where replacement buildings are justified they ought to be well related to existing buildings and are not materially larger than the buildings to be replaced; and, the overall size, siting and scale of development should not be harmful to the character and openness of the Countryside.

7.3.3 The facilities would provide a materially larger stable building (65% increase) on the site and a sand school which would spread development across the site and would have an adverse impact on the openness of the Green Belt. It is noted, however, that the grouping of the existing stables spreads out, from views around the site and beyond and the proposal would provide a more compact form. The form of the building (as an American Barn) and its design is typical of agricultural buildings in rural locations, and therefore would not appear out of place. Whilst the development would not impact on countryside encroachment, the impact on openness would result in inappropriate development.

7.3.4 Paragraph 87 and 88 of the NPPF indicates that:

"As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations."

7.3.5 The applicant has provided the following very special circumstances to support the proposal:

- to support the applicant and her daughter involved in showjumping and dressage at competition level at national/international levels and training of horses for this purpose;
- to provide modern facilities and accommodation for their elite horses; and
- to avoid using nearby country lanes/bridle paths for safety reasons.

The need to support the training for national/international level competitions

7.3.6 The applicant and their daughter have six horses; of which four are at competition level, and they have two further horses, one of which is retired from competitions. The applicant has trained horses for national and international level competitions for show jumping, cross-country and dressage. Whilst the provision is for eight horses, this would provide flexibility for the applicant if they were to train more horses. The conditions for the keeping of elite horses requires all facilities to be undercover providing a barn-style structure with a central corridor rather than the open stabling currently provided. This results in an increase in floorspace and volume of development.

7.3.7 The training and keeping of elite horses needs specialist care and requires a good standard, and range of, facilities. In this respect, an indoor arena clearly helps support their training. The applicant, who owns and lives in the residential property, Tiffanys, on the adjoining residential plot, currently rents equestrian accommodation elsewhere in the Chobham ward and wishes to bring their horses onto this adjoining, and currently vacant, equestrian site and provide facilities which can accommodate their specialised needs.

This is considered to provide significant weight.

To provide modern facilities for the keeping of elite horses

7.3.8 The Council's Equine Adviser has indicated that the replacement stable building is an appropriate size for its intended use. The DEFRA code of practice set out minimum stable size for horses, which the current proposal does not exceed. The central walk way, at 3.5 metres width, is a suitable width for day-to-day operations. The height of the building (at eaves level) would allow satisfactory headroom for the horses to be stabled without risk from respiratory infection in accordance with the DEFRA code of practice. In addition, the roof height with a 25 degree angle of roofslope, would not provide an excessively high roof profile for the proposed stable building.

7.3.9 As the horses on the site will be competition horses and have strict dietary arrangements, they will only be turned out in the paddocks for 4-5 hours a day, and only for six months in a year. The horses will be stabled overnight. Two tackrooms and wash rooms (including one with a solarium), washing area, feed and haylage stores as well as a staff tea room will be provided. External storage of haylage and bedding (shavings) will be predominantly provided, with some limited storage provided within the building, for ease of access. The proposal also provides storage for saddles etc., and it is noted that for competition horses, a range of saddles (e.g. for dressage, jumping, etc. purposes) is required. The proposal provides a tea room and toilet facilities for staff employed to take care of the horses. This forms a small part of the accommodation and is an adjunct to the remainder of the accommodation within the building. This level of accommodation is considered to be acceptable.

It is considered that these factors weigh strongly in favour of this proposal.

To avoid using nearby country lanes/bridle paths for safety reasons

- 7.3.10 The applicant has advised that the proposal would allow the training of horses to be retained on the application site without the need to train on local lanes and bridle paths; which can be a safety risk. Whilst these benefits are noted, it is considered that this factor should be afforded limited weight.

Other Green Belt matters

- 7.3.11 Paragraph 90 of the NPPF indicates the other forms of development are also not inappropriate in the Green Belt where they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt, including engineering operations. These operations include the provision of the arena, which would not, in itself, have any significant impact on the openness of the Green Belt, but with the spread of development encroaching into the open part of the countryside.
- 7.3.12 The proposal would provide a yard area for parking and open haylage storage. This hardstanding area is located in the place of the existing stables and yard and would not significantly extend into the countryside or have any material impact on the openness of the Green Belt.
- 7.3.13 The existing ménage measures 40 by 20 metres and the proposed ménage is to be 60 by 40 metres, and would be positioned much closer to the existing/proposed built form. The Council's Equine Adviser accepts that this would be a standard size for a ménage as seen on a private yard, and will provide adequate space for necessary showjumping and dressage training carried out by the applicant and her daughter. Overall, the outdoor ménage is considered to be an appropriate equestrian facility for a private competition yard of this size.

Conclusion

- 7.3.14 It is therefore considered that given the combined arguments presented in paragraphs 7.3.5-7.3.10 above there are very special circumstances to outweigh the Green Belt harm. The proposal complies with Policy DM3 of the CSDMP and the NPPF.

7.4 Impact on residential amenity

- 7.4.1 The nearest residential properties are St Nicholas to the north flank and Oakhurst to the south flank. The proposed stable building, although higher than existing, would be located further from this residential curtilage. In addition, there are trees on the north site boundary and the residential curtilage for this property is set on the opposite side of the intervening bridle path. No objections are therefore raised on the proposed development on residential amenity grounds complying with Policy DM9 of the CSDMP.

7.5 Impact on parking and highway safety

- 7.5.1 The parking arrangements are as existing (although it is noted that 8 parking spaces are proposed, as well as 3 lorry/horse box spaces for SU/17/0540). The proposal is proposed to be a private facility and, in itself, is not expected to material increase traffic movements. The County Highway Authority has raised no objections, indicating that *"the application [proposal] would not have a material impact on the safety and operation of the adjoining public highway."* The proposed development is considered to be acceptable on parking and highway safety grounds complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

7.6 Impact on trees

- 7.6.1 There are no protected trees on, or close to, the site. However, the proposal would result in some demolition and construction works within close proximity to major trees. The application has been supported by a tree report which indicates that the stable building would set further from the retained trees and works in closer proximity (i.e. within the RPA of retained trees) will relate to demolition works and hardstanding areas only. The Council's Arboricultural Officer raises no objections to the proposal, subject to the recommendations in the arboricultural report. As such, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP.

7.7 Impact on ecology

- 7.7.1 The current proposal has been supported by an ecological survey, which concludes that there were no protected species affected by the development. The comments are awaited for the Surrey Wildlife Trust and no objections are therefore raised on these grounds, subject to their comments.
- 7.7.2 As such, and subject to the above, the proposal is considered to be acceptable in terms of its impact on ecology, complying with Policy CP14 of the CSDMP and the NPPF.

7.8 Impact on flood risk

- 7.8.1 The current proposal provides development within Zone 2 (medium risk) of the floodplain. The development, as outdoor recreation, would be defined as "water-compatible" development by the PPG; such development is considered to be appropriate in such locations. However, the comments of the Environment Agency are awaited and subject to their comments, no objections are raised on these grounds, with the proposal complying with Policy DM10 of the CSDMP.

8.0 CONCLUSION

- 8.1 The proposed development is considered to be inappropriate development for which very special circumstances are required to outweigh the harm from the impact on the openness of the Green Belt and impact on encroachment into the countryside. The very special circumstances put forward by the applicant outweigh the harm the development has on the Green Belt. The proposal is also acceptable in terms of its impact on character, trees, residential amenity, ecology, flood risk, parking and highway safety. The application is therefore recommended for approval.

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

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

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

c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

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: 1608/PL105, 1608/PL106 and 1608/PL100 received on 1 June 2017 and 1608/PI102 Rev. B received on 7 December 2017, 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 the Green Belt to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall only be used as private stabling for horses and shall not be used for any livery or other commercial purposes.

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

5. The proposed development shall be implemented in accordance with the BS5837 Arboricultural Impact Assessment by Tamla Trees [Ref 02779Rv2] dated November 2017 and received on 6 November 2017, subject to the submission and approval of revised details at Paragraph 5.4.3 of the report and implementation prior to the commencement of development (including any site clearance and/or demolition works), 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.

6. The car parking facilities shall be provided in accordance with the details shown on drawing no.1608/PL102 Rev. B received on 6 November 2017 and shall be retained in perpetuity unless the prior written approval has been obtained from the Local Planning Authority.

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.

7. There shall be no external lighting provided within the application site unless the prior written approval has been obtained from the Local Planning Authority.

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

8. The premises hereby approved shall be used for equestrian purposes only and shall have no more than 8 horses at the site any given time.

Reason: To maintain control over the approved development and to protect the Green Belt and to comply with Policy DM3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. There shall be no changes to the use of the accommodation as shown on approved drawing 1608/PL105 received on 1 June 2017 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: To maintain control over the approved development and to protect the Green Belt and to comply with Policy DM3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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Annex 1

5 April 2018

Planning Applications Committee Update

Item No.	App no. and site address	Report Recommendation
5 Page 53	17/0540 Tiffanys, Station Road, Chobham	GRANT subject to conditions

The Surrey Wildlife Trust has raised no objections to the proposal.

The Council's Arboricultural Officer has formally raised no objections.

The Council's Drainage Engineer has raised no objections subject to the imposition of a condition requiring the approval of drainage details by condition.

Further comments have been received from objectors summarised as follows:

- Impact on drainage and watercourses [see Condition 11 below]
- Material increase in traffic on bridleway [see Paragraph 7.5 of the officer report on the agenda]
- Request moving the dung heap and menage [Officer comment: The relationship if these elements are considered to be acceptable and, if required, would require amended drawings and is likely to need a re-notification process to be undertaken]

In the light of the officer recommendation have requested the following conditions/limitations:

- Safe access to the bridleway at all times [Officer comment: This is a matter for the County Council Footpaths Officer]
- Damage to the bridleway, during construction and after, to be made good by the applicants [Officer comment: This is a private matter and the bridleway is outside the application red line site]
- No operation of megaphones or loudspeakers [Officer comment: This application relates to a private equestrian use only and therefore it is not considered that this restriction is required]
- No burning of material from the demolition process [Officer comment: See proposed Condition 10 below]
- Tree Preservation Order for the retained oak at the site entrance [Officer comment: This is a matter for the Council's Arboricultural Officer to consider and if taken forward, to be progressed through TPO legislation]

AMENDED CONDITION

5. The proposed development shall be implemented in accordance with the BS5837 Arboricultural Impact Assessment by Tamla Trees [Ref 02779Rv2] dated November 2017 and received on 6 November 2017, subject to the submission and approval of revised details at Paragraph 5.4.3 of the report and implementation prior to the commencement of development (including any site clearance and/or demolition works), unless the prior written approval has been obtained from the Local Planning Authority. No development shall commence until digital photographs have been provided by the retained Consultant and

forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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

PROPOSED CONDITIONS

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

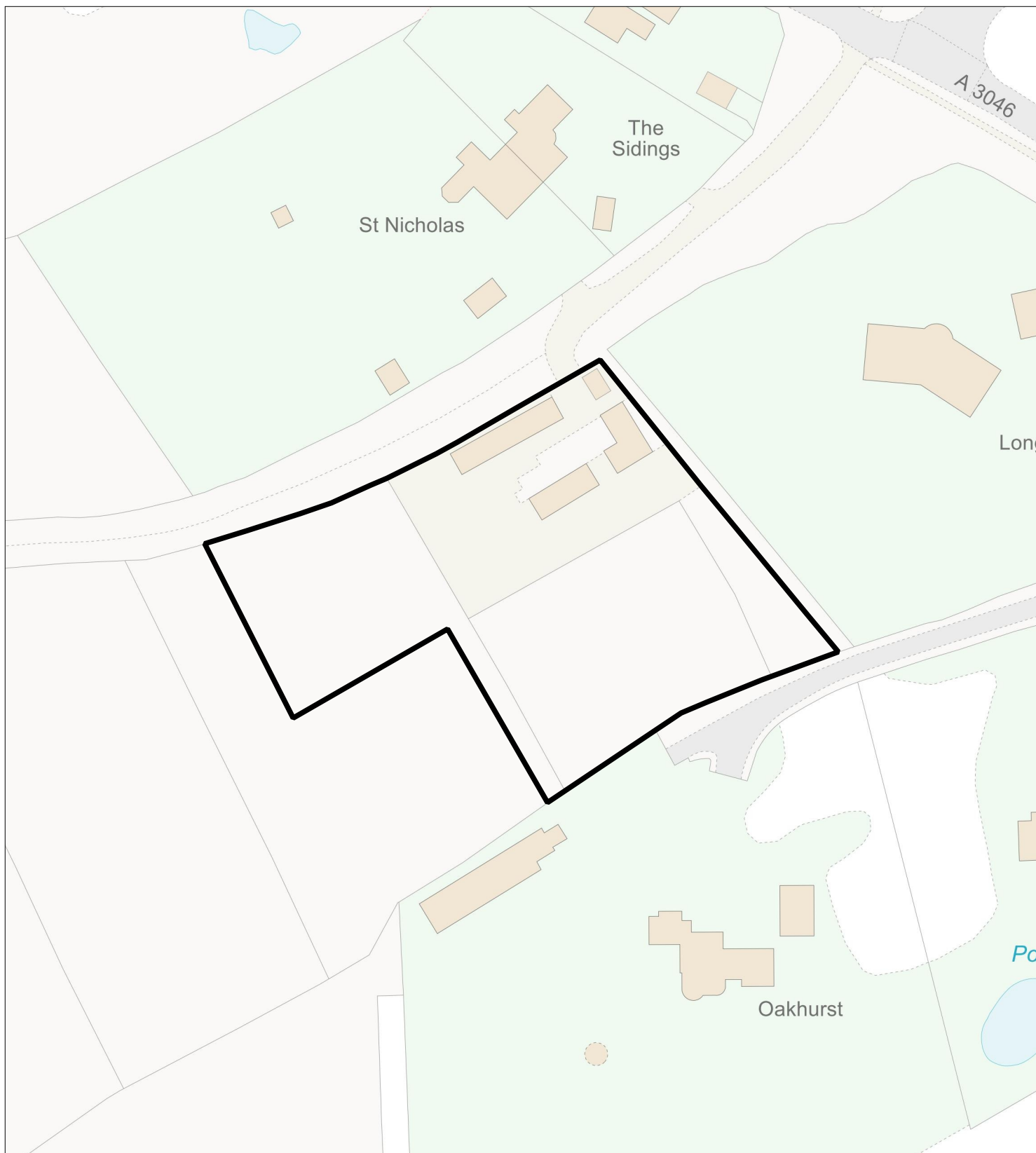
- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) confirmation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

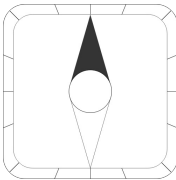
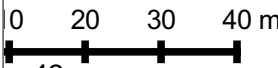

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety or residential amenities; 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

11. No development shall take place until full details of surface water drainage systems and foul water drainage system are submitted and approved in writing by the LPA. The surface water drainage system details to include attenuation of 1:100 year event at 40% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

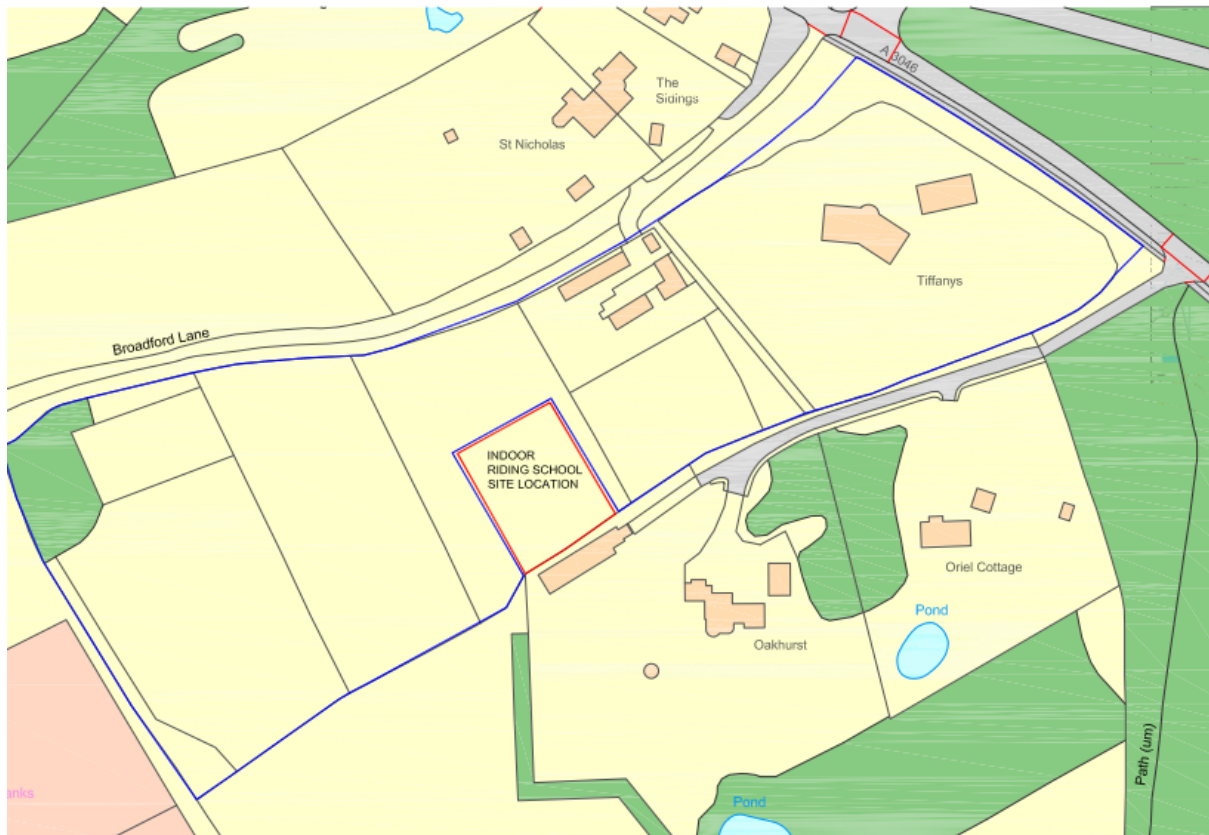


Title	Planning Applications			
Application number	17/0540	  Page 43	Scale @ A4	1:1,000
Address	LONGACRES, STATION ROAD, CHOBHAM, WOKING, GU24 8AX		Date	04 Jun 2018
Proposal	Renovation of the existing equestrian facility - the demolition of the existing stables and the construction of new stables and yard with associated accommodation.			
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2018		
		Author: DMD		

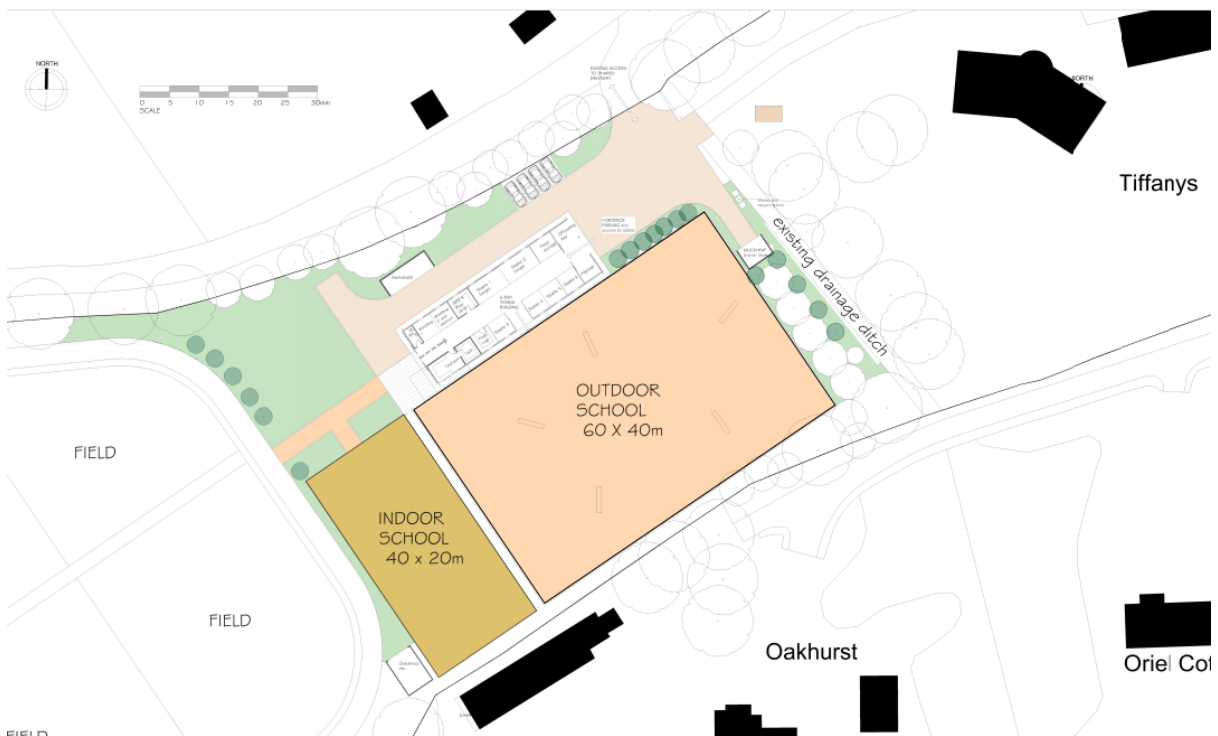
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17/0540 – TIFFANYS, STATION ROAD, CHOBHAM

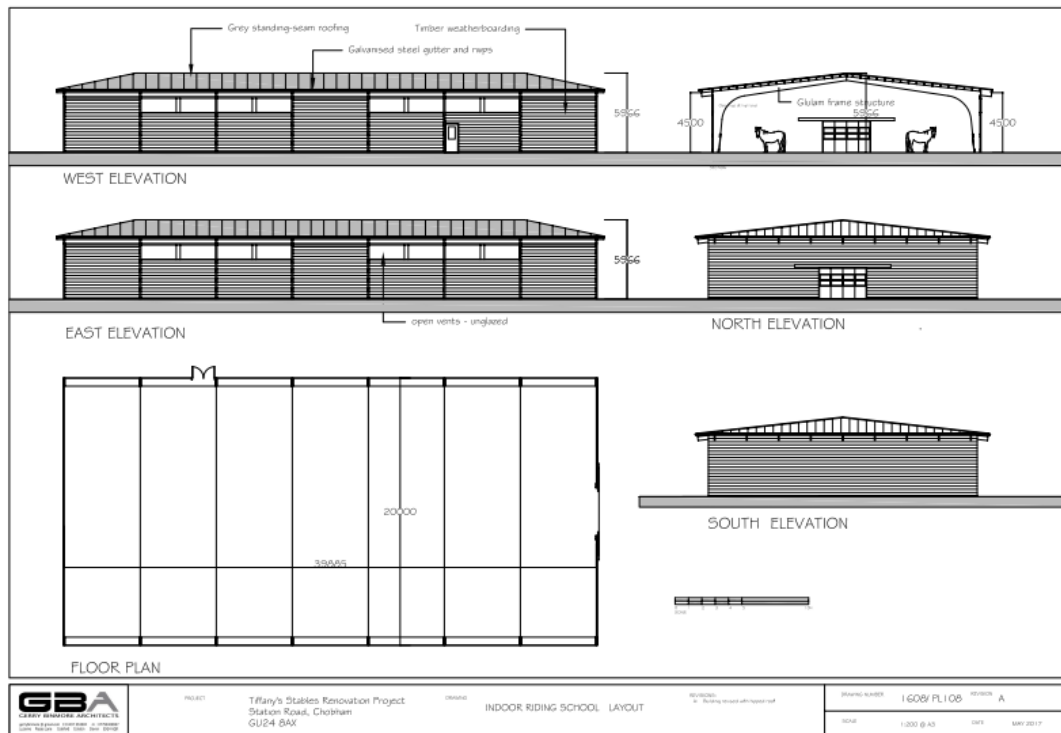
Location plan



Proposed site layout



Elevations and floor plan



Site photos

Existing stables



View towards west of site



View towards south of site



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2017/0524

Reg Date 13/06/2017

Chobham

LOCATION: TIFFANYS (FORMERLY LONGACRES), STATION ROAD, CHOBHAM, WOKING, GU24 8AX

PROPOSAL: Erection of an indoor riding school. (Additional information recv'd 29/9/17 & 18/10/2017) (Amendment to Description - Rec'd 02/11/2017) (Amended info rec'd 06/11/2017) (Amended/Additional Plan and Change of Description - Rec'd 01/12/2017) (Additional information recv'd 05/04/2018) (amended & additional plans rec'd 07/06/2018)

TYPE: Full Planning Application

APPLICANT: Mr & Mrs Burrell

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

UPDATE

- (i) The application was reported to the Planning Applications Committee meeting on 5 April 2018, where it was resolved by Members that this application was deferred to allow the submission of drainage details for consideration and a Member site visit. The original committee report is provided at the end of this update.
- (ii) In relation to the required drainage details a drainage plan for the wider site, incorporating development under application SU/17/0540, has been provided for both applications which includes:
 - a perforated drainage pipe to be provided within the outdoor school collecting surface water which flows through the outdoor school sub-base which connects to a pipework network including downpipes from the roof of the indoor school and stables which would flow towards the existing drainage ditch close to the north boundary of the application site (adjacent to Broadford Lane);
 - a sub-base for the outdoor school structure (development under application SU/17/0540); and
 - a twinwall 450mm drainage pipe from the boundary of Oakhurst to take surface water drainage from that site to connect to and flow north along an existing drainage ditch which links into the existing drainage ditch close to the north boundary of the site (adjacent to Broadford Lane).

These details would ensure that the surface water drainage from the application site, and any excess surface water drainage from Oakhurst would flow into the existing drainage network. These arrangements are considered to be acceptable to the Council's Drainage Engineer, subject to the provision by condition of additional details, e.g. levels and restriction control chambers at the pipework junction close to the pipework outlet towards the north boundary of the site.

- (iii) In addition, the applicant has provided the following amendments:
- the proposed indoor school has been provided with a hipped roof which has reduced the maximum height of the building from 6 to 4.8 metres in close proximity to the boundary with Oakhurst; and
 - further information from the applicant about the existing facility they rent elsewhere in the Borough.
- (iv) This amendment to the proposed development reduces the massing of the approved development and there are therefore minor benefits to the openness of the Green Belt. In addition, the proposal would be acceptable in terms of its impact on character and residential amenity, with noted improvements to the relationship with the reduction in maximum roof height close to the boundary with Oakhurst.
- (v) The applicant has confirmed that they currently rent a yard with a 16 stable facility which has a secure tack room, tea making area, small paddock, 20 by 40 metre outdoor area which is very wet in winter, and no indoor arena facility. The yard was leased because there was safe off road hacking available from the yard; but this is now not the case with country lanes and roads becoming increasingly unsafe, due to the volume of traffic (vehicles, cyclists and pedestrians). The existing facilities are inadequate for their needs. There are a number of livery yards in the Chobham area but none provide the facilities required for the specialised needs of the applicant.
- (vi) The changes above would lead to amendments to Condition 2 (to reflect the change to the approved drawings and, from the update, Condition 7 (to provide further details building upon the drainage scheme provided). These revised conditions will be provided on the update.
- (vii) As such, the application is recommended for approval.

ORIGINAL COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 5 APRIL 2018 AND UPDATE (ANNEX 2) RELATED TO THAT MEETING

This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Tedder. This application should be read in conjunction with SU/17/0540 reported elsewhere on this Agenda.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site relates to a currently vacant equestrian centre within the Green Belt. The proposal is to provide a private indoor riding school building.
- 1.2 Noting the size of the proposed indoor school, the proposal would be harmful to the openness of the Green Belt and would therefore be inappropriate development. However, very special circumstances for this indoor school exist including the need to provide this facility to support the training of elite equestrian horses and riders supporting outdoor recreation. The proposal is considered to be acceptable in Green Belt and character terms.

- 1.3 In addition, there are no objections raised on highway safety, ecology, flood risk or residential amenity grounds. The proposal is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to 0.1 hectares, but forms only a small part of a larger site of about 2 hectares, and is sited within the Green Belt to the east of the Green Belt settlement of Chobham. It is located on the south side of Station Road behind, but associated with, the residential dwelling, Tiffanys (formerly Longacres). Access to the site is either through the residential property or from an access road, an unadopted lane and bridlepath, running to the west of the residential property, Tiffanys.
- 2.2 The wider existing site comprises an existing vacant stable building with storage and a foaling box, located to the north east and paddocks to the south and west. The land is relatively open, but bounded by trees and other vegetation on most boundaries. The residential properties St Nicholas, St Nicholas Cottage and The Ridings lie to the north of the wider site and residential property, Tiffanys, with Oakhurst and Oriel Cottage to the south. The site falls within flood zone 2 (medium risk).

3.0 RELEVANT HISTORY

- 3.1 SU/82/0454 Replace existing stables and erect additional stables and associated buildings.

Approved in November 1982 and implemented.

Condition 3 of this permission limited the use of the buildings for the accommodation of horses kept incidental to the personal enjoyment of the applicant not used for livery or other commercial purposes.

- 3.2 SU/17/0540 Erection of replacement stables, along with the provision of a sand school and parking, following the demolition of existing stables. Application is being reported elsewhere on this Agenda.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide a 40 by 20 metre indoor riding school building on a currently vacant equestrian site. The building would have a gable roof over to a height of 6 metres at the ridge, falling to 4.8 metres at the eaves. The building would be timber clad and located close to the south flank boundary, with Oakhurst, and would be located south west of the existing stables proposed to be redeveloped as a new private equestrian centre with a sand school and replacement stables (as a part of application SU/17/0540).
- 4.2 Insufficient information had been originally provided by the applicant to support this application. The officer explored this with the applicant who has provided further justification. This justification includes evidence of the specific equestrian needs of the applicant and a letter has been received from the Sporting Excellence Programme Manager for British Showjumping. The application has also been supported by the previous site owner who has indicated previous unauthorised commercial uses/activities on the site which

are given limited weight.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------------|---|
| 5.1 | County Highway Authority | No objections received. |
| 5.2 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.3 | County Footpaths Officer (SCC) | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.4 | Environment Agency | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.5 | Chobham Parish Council | An objection is raised on residential amenity, character, Green Belt, flooding and highway safety. Concerns were also raised about its future commercial operation, impact on trees and established rights. |
| 5.6 | Council's Equine Adviser | No objections to the proposal on the basis that the proposal would support indoor training throughout the year to prepare for national and international competitions. |
| 5.7 | Local Lead Flood Authority | No comments received to date. Any formal comments will be reported to the Planning Applications Committee |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 16 representations raising an objection and no representations supporting the proposal had been received. The representations raising an objection raise the following issues:
- Objections to elements of the proposal under application SU/17/0540 [*Officer comment: These are not relevant to the current proposal and are addressed under that application*]
 - No safe highway access, particularly the moving of large trucks down an access road which is along a bridlepath, with an access onto Station Road and close to the Sandpit Hall Road junction, with slow moving heavy vehicles being a danger to other road users. The bridlepath has no vehicular access [See paragraph 7.5]
 - No legal right to use bridlepath for vehicular access [*Officer comment: This is not a planning matter*]
 - Cumulative impact with the proposal under SU/17/0540 [See paragraph 7.3]
 - Impact of the provision of two large riding schools instead of current position (two grazing horses) [See paragraph 7.3]
 - The site falls within the floodplain [See paragraph 7.8]
 - Lack of pre-app engagement by applicant [*Officer comment: There is no statutory duty to undertake such engagement*]
 - The use for third party (commercial) uses as indicated in the planning statement [See

paragraph 7.3]

- The impact of surface water run-off and existing ditches [*See paragraph 7.3*]
- Very little land would be available on the site for suitable pasture for turnout of the horses [*See paragraph 7.3*]
- The size of the development is out of proportion with nearby buildings [*See paragraph 7.4*]
- The development is very unneighbourly and intrusive [*See paragraph 7.4*]
- The loss of privacy from riders viewing into adjoining rear gardens [*Officer comment: This relationship currently exists and therefore no significant change is expected*]
- The amount of accommodation (along with the development under application SU/17/0540) is excessive for personal use [*See paragraph 7.3*]
- Does not comply with Policy DM3 [*See paragraph 7.3*]
- Application indicates a light industrial use on the site for which there is no planning history [*Officer comment: The site has been most recently used for equestrian purposes*]
- Current low level of use of stabling on the site [*Officer comment; This is noted. However, the site could accommodate six stables in the existing accommodation*]
- Traffic movements that would be generated by training of third party horses and riders [*Officer comment: This is a private equestrian centre only*]
- Impact on the bridlepath surface, which is a private unadopted lane [*Officer comment: This is not a material planning consideration*]
- Loss of amenity and endangering of walking groups/ramblers, horse riders, cyclists and dog walkers using the lane/bridlepath and disruption of access to dwellinghouse [*See paragraph 7.5*]
- Impact of size and scale of development on a quiet residential area with increased noise levels and disturbance [*See paragraphs 7.3 and 7.4*]
- Clarity of access required [*Officer comment: The access would be provided principally from Broadford Lane*]
- Grazing land does not meet the minimum 1 acre per horse requirement [*See paragraph 7.3*]
- The Footpaths Officer should be notified [*Officer comment: See paragraph 5.3 above*].

7.0 PLANNING CONSIDERATIONS

- 7.1 The proposal relates to equestrian development in the Green Belt. The relevant policies relating to the above proposal are Policies CP1, CP2, CP9, CP11, DM3, DM9, DM10, DM11, DM10, DM12 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) and the National Planning Policy Framework (NPPF). Advice in the *Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* by DEFRA (2009) and Planning Practice Guidance (PPG) is also relevant.

The proposal is not CIL liable.

7.2 The main issues in the consideration of this application are:

- Impact on the Green Belt and local character;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on trees;
- Impact on ecology; and
- Impact on flood risk.

7.3 Impact on the Green Belt and local character

7.3.1 The proposal relates to the redevelopment of a site within the Green Belt. Paragraph 89 of the NPPF indicates that the construction of new buildings is inappropriate development with the exceptions including the appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case, of the five purposes set out in Paragraph 80 of the NPPF, the only relevant purpose is *"to assist in safeguarding countryside from encroachment."*

7.3.2 The indoor school would provide a large building on the site which would spread development across the site in an area currently devoid of built form and would have an adverse impact on the openness of the Green Belt. Although the proposed building is large, its design and construction is similar to other agricultural or equestrian buildings commonly found within the open countryside and Green Belt. The development would therefore impact on countryside encroachment and the impact on openness would result in inappropriate development.

7.3.3 The proposal would provide facilities to support outdoor recreation which on face value would not appear to be appropriate facilities, noting the scale of the proposed building and that it supports the use by the applicant and their daughter only. It would appear that these facilities would also be inappropriate in terms of its proposed use.

7.3.4 Paragraph 87 and 88 of the NPPF indicates that:

"As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations."

7.3.5 In support of this application and at the request of officers, the applicant has provided the following very special circumstances:

- the specific needs of the applicant and her daughter and their wider operation to train elite horses;
- the need to provide indoor training facility; and
- minimum size of indoor school.

The specific needs to train for national/international show jumping and dressage competitions

- 7.3.6 The applicant and their daughter have six horses; of which four are at competition level, and they have two further horses, one of which is retired from competitions. The applicant has trained horses for national and international level competitions for show jumping, cross-country and dressage; including eventing at the Badminton horse trials, Burghley, Windsor, Blenheim and Boekelo. The world number one eventer, Andrew Nicholson, and the Chef d'Equipe for the Gold Medal Olympic Dressage Team, Major Richard Waygood MBE, have ridden their horses for competitions. Deborah Burrell, the applicant, has ridden at national and international events. Chloe Burrell, the applicant's daughter, has also competed at national/international levels and is the current Junior National Dressage Champion. She has ridden in the Armed Forces show jumping team at the Royal Windsor Horse Show. The proposal also has the support of Corrine Bracken, the Sporting Excellence Programme Manager for British Showjumping.

Given the international level of competition and this importance, it is considered that this should be given greater weight.

The need to provide an indoor training facility

- 7.3.7 The applicant has advised that the training and keeping of elite horses needs specialist care and requires a good standard, and range of, facilities. In this respect, an indoor arena clearly helps support their training. Elite horses are naturally highly strung and skittish; and can be easily distracted or affected by poor weather conditions. To maintain their alertness and calmness, an indoor school has its benefits. In better weather conditions, the proposed outdoor arena can be used for show jumping but the indoor school would still be used for dressage. The arena would also be used during peak summer conditions to keep the horses cooler during training.
- 7.3.8 In addition, to keep such horses in best condition they need to be exercised a minimum of six days a week. They are also prone to injury and conditions need to be carefully monitored to reduce such risks. Horse injuries have serious implications for their competition value: for example ligament damage can put a horse out of competition for a year and knee injuries can mean the end of a competition career.
- 7.3.9 The Council's Equine Adviser has also indicated that the proposed indoor school will allow all-the-year round training for dressage competitions, and a smaller area for showjumping training. The applicant needs to continue training throughout the year to prepare for competitions and, in particular, her daughter when she is competing for the school (Gordon's School) or at national or international competitions.

It is considered that these factors weigh strongly in favour of the proposal.

The minimum size of an indoor school

- 7.3.10 The indoor school building, measuring 40 by 20 metres, which would allow both to train at the same time. This is the minimum size for an indoor school as recommended in the DEFRA Code of Practice and would allow use for show jumping or dressage and would limit the harm to horses from being ridden on tight turns.

This should be given significant weight.

Conclusion

- 7.3.11 For the above reasoning the proposal would represent inappropriate and harmful development in the Green Belt. However, in the officer's opinion, the combined arguments presented in paragraphs 7.3.5 - 7.3.10 above constitute very special circumstances to outweigh the identified harm. As such, no objections are raised on Green Belt policy grounds with the proposal complying with Policy DM3 of the CSDMP and the NPPF.

7.4 Impact on residential amenity

- 7.4.1 The nearest residential property is Oakhurst with the proposed building positioned close to a swimming pool building in the curtilage of this dwelling. The proposed building would be higher than this swimming pool building but it would not result in any significant loss of amenity noting the distance of the swimming pool from the mutual boundary, the orientation of the building with its main windows in the elevation facing away from this mutual boundary and the level of separation to the dwelling within that plot. It is therefore considered that there would not be any significant impact on the amenity of the occupiers of this dwelling because of this relationship. The proposal is significantly set away from any other adjoining or nearby residential property to have any significant impact. No objections are therefore raised to the proposed development on residential amenity grounds complying with Policy DM9 of the CSDMP.

7.5 Impact on parking and highway safety

- 7.5.1 The parking arrangements are as existing (although it is noted that 8 parking spaces are proposed, as well as 3 lorry/horse box spaces for SU/17/0540). The proposal is proposed to be a private facility and, in itself, is not expected to material increase traffic movements. The County Highway Authority has raised no objections, indicating that *"the application [proposal] would not have a material impact on the safety and operation of the adjoining public highway."* The proposed development is considered to be acceptable on parking and highway safety grounds complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

7.6 Impact on trees

- 7.6.1 There are a number of trees on the site boundaries, or close to the site, but none of these trees are protected under a Tree Protection Order. However, the proposal would not result in any construction works for this development being undertaken within close proximity to major trees. The Council's Arboricultural Officer has raised no objections to the proposal on these grounds. As such, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP.

7.7 Impact on ecology

- 7.7.1 The current proposal has been supported by an ecological survey, which concludes that there were no protected species affected by the development. The comments are awaited for the Surrey Wildlife Trust and no objections are therefore raised on these grounds, subject to their comments.
- 7.7.2 As such, and subject to the above, the proposal is considered to be acceptable in terms of its impact on ecology, complying with Policy CP14 of the CSDMP and the NPPF.

7.8 Impact on flood risk

- 7.8.1 The current proposal provides development within Zone 2 (medium risk) of the floodplain. The development, as outdoor recreation, would be defined as "water-compatible" development by the PPG; such development is considered to be appropriate in such locations. However, the comments of the Environment Agency are awaited and subject to their comments, no objections are raised on these grounds, with the proposal complying with Policy DM10 of the CSDMP.

8.0 CONCLUSION

- 8.1 The proposed development is considered to be inappropriate development in the Green Belt. Very special circumstances have been put forward by the applicant which have been considered cumulatively to provide significant benefits which outweigh the harm the development would have on the Green Belt. The proposal is also acceptable in terms of its impact on character, trees, residential amenity, ecology, flood risk, parking and highway safety. The application is therefore recommended for approval.

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

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

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

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: 1608/PI101, 1608/PI104 and 1608/PI108 received on 1 June 2017 and 1608/PI102 Rev. B received on 6 November 2017; 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 the Green Belt to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall only be used as an indoor riding school to support the private stabling of horses on the wider site, outlined in blue on the site location plan, and shall not be used for any livery or other commercial purposes.

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

5 April 2018

Planning Applications Committee
Update

Item No.	App no. and site address	Report Recommendation
6 Page 67	17/0524 Tiffanys, Station Road, Chobham	GRANT subject to conditions

The Surrey Wildlife Trust has raised no objections to the proposal.

The Council's Arboricultural Officer has formally raised no objections.

The Council's Drainage Engineer has raised no objections subject to the imposition of a condition requiring the approval of drainage details by condition.

Further comments have been received from objectors summarised as follows:

- Impact on drainage and watercourses [see *Condition 7 below*]
- Material increase in traffic on bridleway [see *Paragraph 7.5 of the officer report on the agenda*]
- Request moving the riding school [Officer comment: *The relationship of these elements are considered to be acceptable and, if required, would require amended drawings and is likely to need a re-notification process to be undertaken*]

In the light of the officer recommendation, further representations (from previous respondents) have requested the following conditions/limitations:

- Safe access to the bridleway at all times [Officer comment: *This is a matter for the County Council Footpaths Officer*]
- Damage to the bridleway, during construction and after, to be made good by the applicants [Officer comment: *This is not a material planning consideration and the bridleway is outside the red line application site*]
- No operation of megaphones or loudspeakers [Officer comment: *It is not considered that the proposal, being a private equestrian operation requires this level of control. If there were any future concerns this could be considered under Environmental Health legislation*]
- No burning of material from the demolition process [Officer comment: *See proposed Condition 5 below*]
- Tree Preservation Order for the retained oak at the site entrance [Officer comment: *This is a matter for the Council's Arboricultural Officer to consider and if taken forward, to be progressed through TPO legislation*]

During further consideration of the application and concerns about the retention of the building beyond the cessation of the specialised nature of its proposed use, it is considered prudent to grant a five-year limited period permission so that the need for the building can be reviewed at that time.

PROPOSED CONDITIONS

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

details of:

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

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

Reason: The condition above is required in order that the development should not prejudice highway safety or residential amenities; 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.

6. The permission shall be for a limited period expiring on the 6 April 2023 when the building and works hereby permitted shall be removed and the land reinstated, to the reasonable satisfaction of the Local Planning Authority

Reason: In order to maintain control over the development, to review the specialised need for the development and to protect the openness of the Green Belt and to comply with the National Planning Policy Framework.

7. No development shall take place until full details of surface water drainage systems and foul water drainage system are submitted and approved in writing by the LPA. The surface water drainage system details to include attenuation of 1:100 year event at 40% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

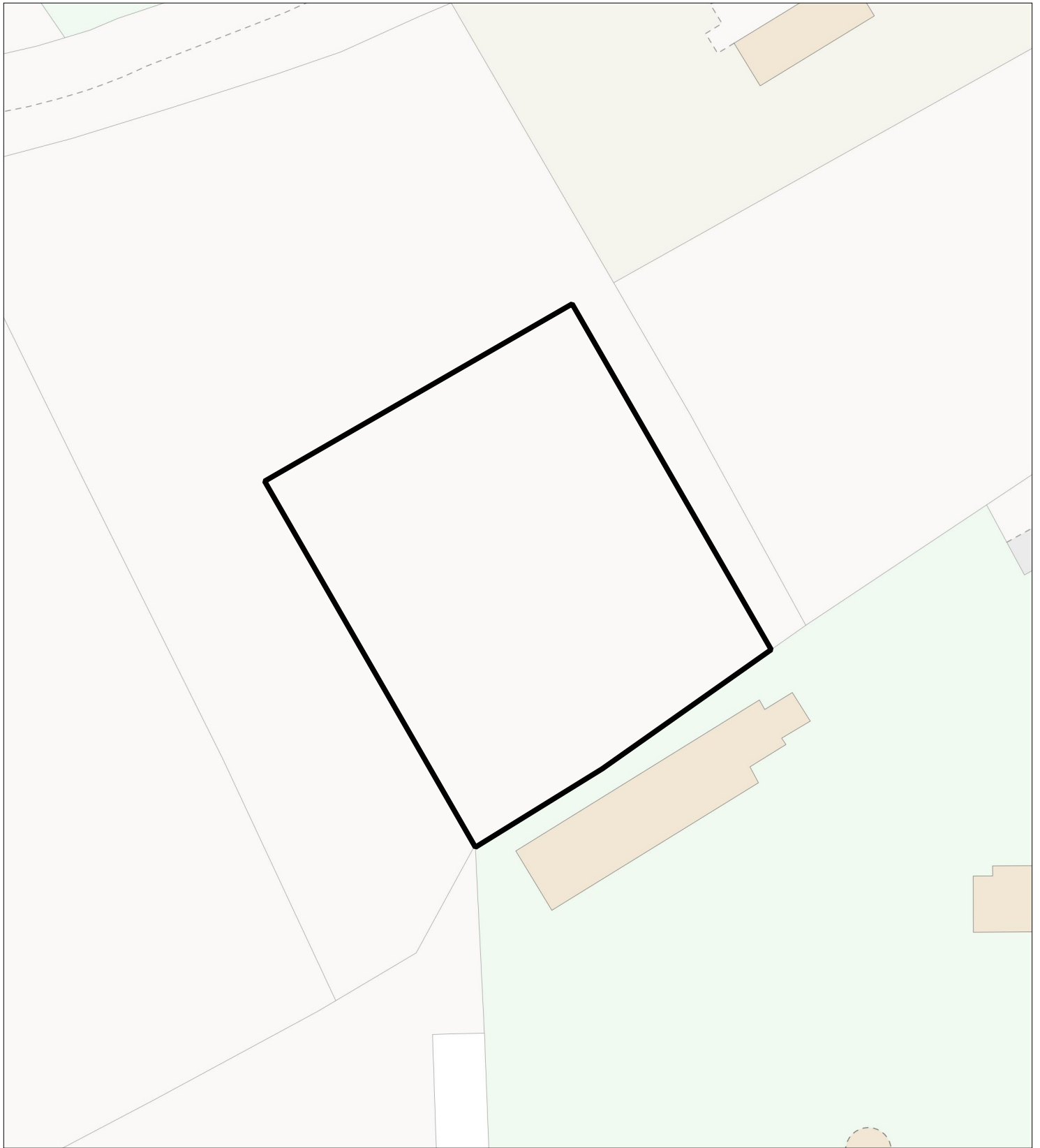
8. The proposed development shall be implemented in accordance with the BS5837 Arboricultural Impact Assessment by Tamla Trees [Ref 02779Rv2] dated November 2017 and received on 6 November 2017, subject to the submission and approval of revised details at Paragraph 5.4.3 of the report and implementation prior to the commencement of development (including any site clearance and/or demolition works), unless the prior written approval has been obtained from the Local Planning Authority. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

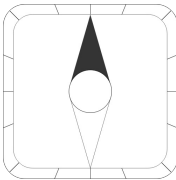


Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

9. Details of the recommended further works set out in Paragraph 7.3 of the preliminary

Ecological Appraisal by Drummond Ecology shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to any site clearance or demolition works relating to the development hereby approved.
Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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Title	Planning Applications			
Application number	17/0524	 	Scale @ A4	1:500
Address	LONGACRES, STATION ROAD, CHOBHAM, WOKING, GU24 8AX		Date	04 Jun 2018
Proposal	The construction of a new Indoor Riding School			
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2018		
		Author: DMD		

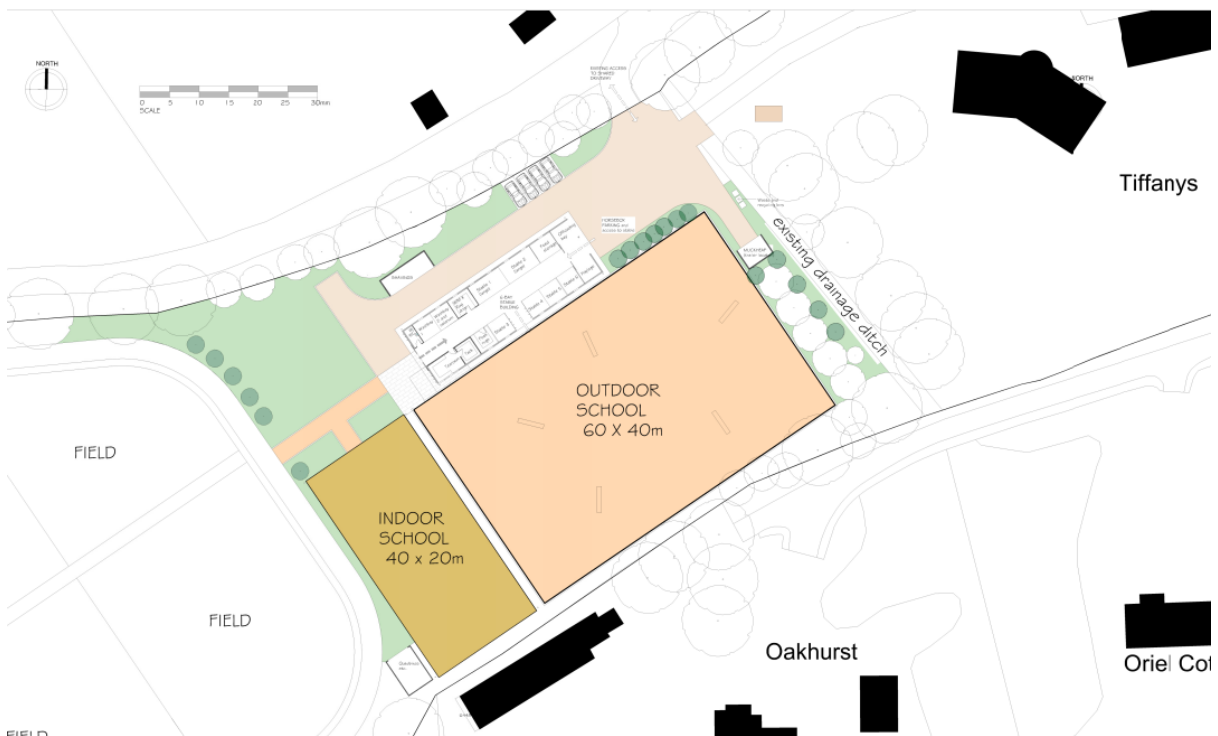
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17/0540 – TIFFANYS, STATION ROAD, CHOBHAM

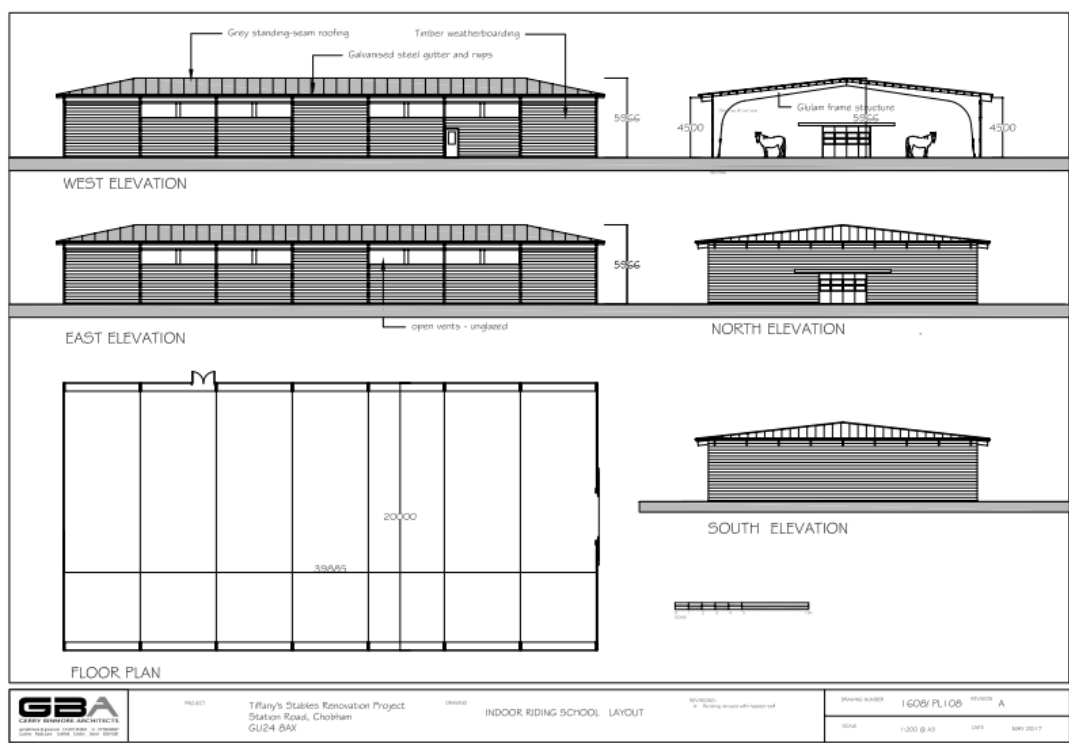
Location plan



Proposed site layout



Elevations and floor plan



Site photos

Existing stables



View towards west of site



View towards south of site



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2018/0143

Reg Date 28/02/2018

Frimley

LOCATION: WYVERN HOUSE, 55 FRIMLEY HIGH STREET,
FRIMLEY, CAMBERLEY, GU16 7HJ

PROPOSAL: Second floor extension including dormer windows above and within existing roof space to facilitate conversion of existing offices (Class B1) to 48 flats (37 one bed, 10 two bed and 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close. (Amended info rec'd 02/03/18), (Amended cil form rec'd 05/03/18), (Amedned plans rec'd 01/06/18 & 04/06/18).

TYPE: Full Planning Application

APPLICANT: Mr Kaplan
Wyvern Development Holdings Ltd

OFFICER: Ross Cahalane

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a second floor extension including dormer windows above and within the existing roof space to facilitate conversion of the existing offices (Class B1) to 48 flats (37 one bed, 10 two bed and 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close. The existing building benefits from extant Prior Approval (17/1011) for full conversion of the existing building to 35 flats.
- 1.2 The current proposal would provide an additional 13 flats in a highly sustainable location. However, this development noticeably adds to the upper floor bulk of the building, which already sits taller than the surrounding dwellings. It is considered that the number of units, together with the proportion and quantum of built form and layout in relation to the size of the site, would result in a density of development that would unacceptably intensify and over develop the existing site, at odds with and harmful to the established character and appearance of the surrounding area. It is also considered that insufficient amenity space would be provided for future occupiers of the proposed additional flats, and that the additional proposed Unit 46 on the third floor would provide an unacceptably deficient level of outlook for future occupiers.
- 1.3 Although the applicant has expressed willingness to secure a provide a Section 106 legal agreement to secure a financial contribution towards Affordable Housing and SAMM, this has not been provided to date and therefore must form additional reasons for refusal as set out in Policies CP5 and CP14B of the CSDMP and Policy NRM6 of the South East Plan 2009.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises a three storey office block located at the junction of Frimley High Street (B3411) and the residential cul-de-sac of Maybury Close. The building contains pitched and crown roof forms hipped at each side, with the lower two storey form (where the second floor extension is proposed) containing a flat roof form contained within parapet walls. The external elevations mainly contain sand-coloured brick and the overall design and layout is typical of office buildings built in the late 1980s/early 1990s. The site benefits from a parking area accessed via Maybury Close.
- 2.2 The site is within settlement area of Frimley. The surrounding area is mixed in character as although it is near to the High Street and District Centre area of Frimley containing shopping parades up to three storeys in height, Maybury Close is residential containing two storey detached and semi-detached dwellings and detached and semi-detached bungalows. Further piecemeal residential estates surround the other site boundaries - two storey/single storey terraced/mews dwellings are located to the northwest and to the southwest, and the layout changes to two storey semi-detached/detached to the south/southeast. More residential development is located across Frimley High Street, along with a public car park and recreation area. Frimley Rail Station is located further to the southwest.

3.0 RELEVANT PLANNING HISTORY

- 3.1 SU/1988/0626 Construction of a three-storey office building with associated highway improvements, car parking and landscaping.
Decision: Granted (implemented)
- 3.2 SU/2007/0014 Installation of front entrance lobby.
Decision: Granted
- 3.2 SU/2016/1131 Application for Prior Approval under schedule 2, part 3 (Class 0) of the General Permitted Development Order for the conversion of existing offices (Class B1 to 35 residential units with associated parking.
Decision: Granted
- 3.4 SU/2017/1011 Application for Prior Approval under Schedule 2, Part 3, Class (O) of the General Permitted Development Order for the conversion of existing offices (Class B1) to 35 residential units with associated parking.
Decision: Granted

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the erection of a second floor extension including dormer windows above and within the existing roof space to facilitate conversion of existing offices (Class B1) to 48 flats (37 one bed, 10 two bed and 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close. The current proposal would contain 35 identical flat layouts as approved under 17/1011 across the existing ground, first and second floors. As before, no external alterations are proposed here.
- 4.2 The proposed second floor extension would include a crown roof form with dormer windows above and would have an integrated fenestration design, height and hipped side elevation, with an additional maximum height of approx. 5.1m (sited approx. 13.9m above adjacent ground level). This would provide four additional one-bed flats.
- 4.3 The proposed dormer windows across the building would all contain flat roof metal-clad external materials to contain enclosed balconies with front balustrades. They would all be flush to the eaves with surface height of approx. 2.9m set just below the existing maximum roof height. The dormer widths would range between approx. 2.7m-5.5 and would facilitate nine additional flats (one 3-bed, two 2-bed and six 1-bed).
- 4.4 All of the 48 proposed units would provide market housing. A viability appraisal report has been provided by the applicant, which seeks to demonstrate that the proposed scheme would be unviable if it provided Affordable Housing.
- 4.5 The two existing vehicular accesses to the site off Maybury Close (currently in/out) would be retained as part of a modified parking and circulation layout within the site. The supporting statement advises that this would provide 39 parking spaces for the proposed 48 flats, including 3 designated as disabled spaces. Storage space for 14 bicycles is also proposed, along with two communal bin storage areas. Grassed areas are proposed immediately around the building, some of which will replace the existing hardstanding area.
- 4.6 Amended plans have been received to alter the internal layout of Unit 43 and to provide three skylights and increase the south-west dormer window width serving Unit 46 (all on the third floor).

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--|--|
| 5.1 | Surrey County Council Highway Authority: | No objection raised, subject to conditions [See Section 7.6] |
| 5.2 | Environment Agency: | No objection raised [See Section 7.7] |
| 5.3 | Council Environmental Health Officer: | No objection raised [See Section 7.5] |

5.4	Surrey County Council Lead Local Flood	No objection raised [See Section 7.7]
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6.0 REPRESENTATION

6.1 At the time of preparation of this report, 26 objections have been received, raising the following concerns:

- What is the demand for one-bed flats?
- Why not leave the space as offices?
- Number of flats should be reduced with increased number of bedrooms

[Officer Comment: See Sections 7.3 and 7.10]

- Overdevelopment of site
- Not in keeping with current style of housing
- Density in area is already high with recent flat conversions nearby

[Officer Comment: See Section 7.4]

- Loss of light from roof extension
- Proposed units are too small
- Impact on air quality
- Rooftop green space should be encouraged

[Officer Comment: See Section 7.5]

- Increased vehicle movement on and off the site
- Site unable to accommodate increased parking needs – overspill on to Maybury Close and surrounding areas. Children will not be able to play on street.
- Access from Maybury Close to Frimley High Street will be dangerous and increased pedestrians crossing – no traffic light or other controls in place and accidents have occurred. Junction needs to be improved.
- Space should be made for access from Station Road instead
- Maybury Close footpaths narrower than as stated on plans
- Transport Statement uses Census figures from 2011 – does it take into account recent surrounding development?
- Figures in Transport Statement are incorrect
- Actual number of office parking spaces used in recent years much lower

- Surrounding Infrastructure already overloaded
[Officer Comment: Refer to Section 7.6]
- What type of housing is proposed – private, social or for hospital employees?
[Officer Comment: See Section 7.10]
- Workers on site
[Officer Comment: The site has extant consent for conversion to 35 flats]
- Neighbouring property has Right to Light
[Officer Comment: This is a private civil matter outside of the remit of planning legislation]
- Insufficient neighbour notification
[Officer Comment: All surrounding neighbours were notified in accordance with the statutory requirement]
- Looks like an attempt to maximise profit with no regard to community or environment
- Site has parking agreed for 61 spaces so developer should be encouraged to provide more parking
[Officer Comment: Each application must be considered on its own planning merits).

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located in Frimley, a settlement area as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The site is also within the “Intense Terrace” Character Area as defined under the Western Urban Area Character Supplementary Planning Document (WUAC SPD). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP8, DM9, DM10 and DM11 of the CSDMP, the WUAC SPD and the NPPF. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted in September 2017 and therefore forms an additional material consideration in the determination of this application.
- 7.2 The main issues to be considered are:
- Principle of development;
 - Impact on character of the host building and surrounding area;
 - Impact on amenities of neighbouring properties and future occupiers;
 - Impact on access, parking and highway safety;

- Impact on flood risk;
- Impact on local infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Affordable Housing and;
- Other matters.

7.3 Principle of the development

- 7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. The application site is within a defined settlement area of Frimley and it is considered that the proposal would be a sustainable form of development, being within this settlement area and very close to Frimley District Centre and its rail station and bus links. Although the proposal would lead to the loss of office accommodation, the site is outside of a Core Employment Area and benefits from extant Prior Approval (17/1011) for full conversion of the existing building to 35 flats.
- 7.3.2 The principle of additional residential development in this location is therefore considered acceptable, subject to the other planning considerations as outlined below.

7.4 Impact on character of the host building and surrounding area

- 7.4.1 Policy DM9 (Design Principles) promotes high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density (DM9 ii and iii). The National Planning Policy Framework also seeks to secure high quality design, that also takes account of the character of different areas. Development which fails to integrate into its context, promote or reinforce local distinctiveness and fails to take the opportunity to improve the character and quality of the area and the way it functions should be refused (paragraphs 59, 61 and 64 of the NPPF). Policy DM9 (iii) of the CSDMP also requires the provision of sufficient public and private amenity space.
- 7.4.2 The site is also within the “Intense Terrace” Character Area as defined under the WUAC SPD, which also covers the Bridgemoor estate to the southwest. Guiding Principle IT1 for the ‘Intense Terraces’ character area states that new development should pay particular regard to the following criteria:
- (a) Provision of high quality hard and soft landscaped space around buildings. Provision of large scale soft landscaping elements such as swathes of low level planting and, where practicable, mature trees will be expected. Particular attention should be paid to publicly visible space to the side and front of buildings.*
 - (b) Use of high quality architectural design and detailing to articulate and break up the building mass and provide visual interest*
 - (c) High quality hard and soft landscaping to be provided in parking areas*
 - (d) Maintenance and retention of existing green space around buildings*

Guiding Principle IT2 states that:

Development that intensifies the existing building mass without providing softening elements in the form of landscaping and articulation of facades will be resisted.

- 7.4.3 The site is also surrounded by other WUAC SPD Character Areas - Frimley High Street and the northern side of Maybury Close is within the Historic Routes Character Area (Commercial Nodes Sub-area) and the southern side of Maybury Close and the other estates beyond are within the Post-War Open Estates Character Area. The Guiding Principles of the Commercial Nodes Sub-area reflects the mixed function and historical context of Frimley High Street containing buildings of up to three storey, whereas the Guiding Principles of the Post-War Open Estates Character Area expect lower heights and retention of space between buildings to reflect the suburban scale and open characteristics of the area. This mix of character designations in the vicinity is reflective of the mixed character of the area and in such settings, development of the scale proposed is expected to respect all surrounding built form and character areas and not just the context of the Character Area in which the site sits in.
- 7.4.4 Principle 7.4 of the Residential Design Guide (RDG SPD) advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted unless it can be demonstrated that the proposals would make a positive contribution to the streetscape and that where a building has been designed to reflect traditional forms and styles, a flat roof should not be used to span overly deep buildings.
- 7.4.5 The proposed second floor extension would be sited above an existing flat roof and parapet, which is flanked by the main three storey form to the north and an additional floor with a hipped roof along the southern side elevation. The maximum height and eaves level would be the same as these existing adjoining features and the crown roof form would span the same depth as the existing crown roof. It is therefore considered that the extension would integrate well within the form and articulation of the existing building to avoid an incongruous impact upon the surrounding area.
- 7.4.6 A number of third floor dormer windows are proposed along each elevation and whilst there are examples of dormers of varying design in the vicinity, there are no other examples at third floor level. However, no overall height increase is proposed and the smaller proposed dormer widths would be modest in comparison to the roof form of the building as a whole. The larger proposed dormers would be more prominent and bulky, but would still be set within the sides of the existing roof form. Given the proposed scale set within the existing roof form and the varied building heights and roof forms in the vicinity, in this instance it is considered that the proposed dormers would not lead to an over-dominant or incongruous addition to the host building and surrounding area. A planning condition could be imposed to ensure that the proposed external materials are appropriate for the character of the surrounding area.

- 7.4.7 Principle 6.4 of the RDG SPD advises that:

Housing development should seek to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area. Residential developments in higher intensity locations (Camberley town centre and centres along the B3411) will be expected to be supported by generous green infrastructure provision.

Paragraph 6.12 further expands on this by stating that:

High quality, denser development at locations which are sustainably located will be encouraged, provided they are supported by adequate green infrastructure. This could include pocket parks, roof gardens, green walls, community gardens and communal amenity space. Such locations are likely to include Camberley Town Centre and the string of town and neighbourhood centres along the B3411 [this includes Frimley High Street].

- 7.4.8 Some of the existing parking area adjacent the southern side elevation would be replaced by an open grassed area, and the existing grassed and landscaping areas around the other building elevations and the highway boundaries would be retained. The applicant is willing to accept a landscaping condition to facilitate this. However, this proposed landscaping is limited to areas immediately adjacent the building and surrounding highways and is therefore not of sufficient size or layout to function as green infrastructure to relieve the additional development and intensity of use. Although no objections have been raised by the County Highway Authority in respect of the proposed provision of 39 spaces for 48 flats (see section 7.6 below), the lack of provision of a dedicated parking space for each flat (which include two and three-bed units) is another indicator of an over-intensive use of the site.
- 7.4.9 It is accepted that the 35 residential units are consented under 17/1011 and the individual designs of the proposed extension and dormers are considered acceptable. However, this development noticeably adds to the upper floor bulk of the building, which already sits taller than the surrounding dwellings and therefore widely visible from the surrounding mix of character areas which are all of a lower height and density. It is therefore considered that the proposed number of units, together with the site layout (with no communal amenity space and insufficient parking spaces) and the overall quantum of built form, would result in a density of development that would unacceptably intensify and over develop the existing site at odds with and harmful to the surrounding established character areas of the Western Urban Area Character Area.
- 7.4.10 As such, the proposal would fail to respect and improve the character and quality of the surrounding area, contrary to Policy DM9 (iii) of the CSDMP, Guiding Principles IT1 (a) and IT2 of the WUAC SPD and Principle 6.4 of the RDG SPD. It is not considered that the social and economic benefits of providing 13 additional units within a sustainable location would outweigh the harm to the character of the area and the living standards of future occupiers as identified above.

As outlined in Section 5 below, the proposal would also fail to provide sufficient private amenity space for the additional units, contrary to Principles 8.5 and 8.6 of

the RDG SPD and representing a further indicator of an over-intensive use of the site.

7.5 Impact on amenities of neighbouring properties and future occupiers

- 7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the Draft Residential Design Guide SPD states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Paragraph 8.4 of the RDG SPD advises that a minimum distance of 20m is this Council's generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship). It is also stated here that extra separation may be needed where there are significant changes in level between buildings, or where new development is greater than 2 storeys in height.
- 7.5.2 The proposed second floor extension and dormers above would be sited approx. 21m from the rear elevations of the terraced bungalows of Nos 40-42 Bridgemoor to the southwest, with a public walkway from Frimley High Street and a drainage stream sited in between. This meets the minimum 20m separation quoted above, but there would be significant height difference between the proposed second/third floor development and these neighbouring bungalows. However, given the existing first and second floor elevations at same proximity which benefit from lawful residential use under 17/1011, it is considered that the proposed extension and dormers would not lead to adverse harm in terms of loss of privacy.
- 7.5.3 The siting of the proposed extension to Nos 40-42 Bridgemoor would restrict any potential loss of sunlight to early morning during the spring and summer months. It is considered that the orientation, existing built form and separation distances would be sufficient to avoid adverse harm in terms of loss of light, outlook or overbearing impact.
- 7.5.4 The proposed westernmost dormer would be sited approx. 15m from the side elevation of the two storey side elevation of the end-terrace dwelling of No. 38 Bridgemoor. However, this elevation contains no windows. The proposed north-western dormers would be sited at least 30m from the elevations of the maisonette dwellings of Burrell Road on the other side of Frimley High Street. The proposed northernmost dormer would be sited at a similar distance towards the Frimley High Street premises and not directly towards the two storey detached dwelling No. 1 Maybury Close to the northeast. The proposed eastern dormers facing the front elevations of the two storey semi-detached dwellings of Nos 2 & 3 Maybury Close would be at a distance of approx. 24m, which is considered sufficient to avoid adverse harm in terms of loss of privacy. Given the existing built relationships and separation distances, it is considered that no adverse impact would arise upon these neighbours in terms of loss of outlook, privacy or overbearing impact.
- 7.5.5 It is considered that the proposed development as a whole would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid adverse harm to neighbouring amenity.

- 7.5.6 Principle 8.5 of the RDG SPD advises that flatted developments should provide outdoor amenity space for each unit. In flatted developments, communal open space will be expected. This should be: connected to the building; easily accessible to all residents; screened from public view; free of vehicles; located to receive sunlight for a substantial part of the day, and; actively overlooked to provide surveillance and security. No communal amenity space is proposed. It is accepted that the existing building can be lawfully converted to 35 flats and is within walking distance from Burrell Road recreation ground. However, this is on the other side of Frimley High Street and the lack of an assisted pedestrian crossing point in the vicinity would hamper accessibility for children. The Design and Access Statement highlights another area to the north as being a further amenity space. However, this land actually forms part of an Army Cadet training centre and is therefore not open to the public. Frimley Lodge Park is also highlighted to the southeast, but this is an approx. 35 minute walk from the application site. Although part of this walk is via public footpaths, the adjacent land comprises private fishing lakes and is therefore also not publically accessible.
- 7.5.7 Principle 8.6 of the RDG SPD advises that unless conservation, privacy or heritage issues negate against the use of balconies, all flats above ground floor should be provided with balconies which: are a minimum of 1.5m deep; are wider than their depth, and; provide for privacy – screens, recesses and orientation are potential design solutions to provide for this. None of the four proposed second floor one-bed flats (Units 36-39) within the side extension contain balconies, but all nine of the proposed third floor flats would be served by external balcony space served by the dormers. Principle 8.6 also advises that predominantly north facing balconies with no access to sunlight during the year, or balconies in close proximity to adjoining main roads which will be materially affected by noise and air pollution will not be considered to have fulfilled the obligation to provide outdoor amenity space for flat occupants. The four proposed balconies on the north and north-west elevations (facing B3411 Frimley High Street) serving one 3-bed (Unit 41) and two 1-bed flats (Units 40 and 48) therefore cannot be counted as private outdoor amenity space. This means that seven of the proposed 13 additional units do not meet the RDG private amenity space criteria.
- 7.5.8 The lack of appropriate amenity areas for the proposed additional development, being within a site constrained by the existing built form and limited surrounding open space, is considered to form an unacceptably intensive use of the site as it would fail to provide adequate amenity space for future occupiers.
- 7.5.9 Many of the proposed units do not comply with the national technical housing standards in terms of their internal living space. However, all these units already benefit from consent under 17/1011. The additional 13 proposed units on the second and third floors would all comply with the minimum floor areas as set out in the technical housing standards.
- 7.5.10 Principle 8.2 of the RDG SPD advises that all habitable rooms in new residential development should maintain at least one main window with an adequate outlook to external spaces where nearby man-made and natural features do not appear overbearing or visually intrusive. Amended plans have been received to alter the

internal layout of Unit 43 on the third floor which is now considered to provide sufficient outlook for future occupiers. The living area of Unit 46 (also on the third floor) is now served by three skylights and a 0.8m wide window opening in the corner. An identical opening serves the adjacent bedroom as the proposed dormer splits across these rooms. Although these alterations would improve natural light received to the living area and the outlook for the bedroom, it is still considered that the limited window size and its positioning within a corner alcove in relation to the overall living area depth, would lead to an unacceptably deficient level of outlook for future occupiers of Unit 46 contrary to Policy DM9 of the CSDMP and Principle 8.2 of the RDG SPD.

- 7.5.11 A noise report has been provided and the Council's Senior Environmental Health Officer (EHO) has raised no objection, commenting that the industrial and commercial sources have been adequately assessed and the impact upon future occupiers would be minimal. The EHO acknowledged the recommendation to provide windows that attenuate surrounding traffic noise, but has not recommended a planning condition as this was not a legislative requirement for the extant 17/1011 scheme. The EHO has raised no other objections to the proposal.

7.6 Impact on access, parking and highway safety

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 The transport statement advises that the proposed residential use includes the provision of 39 marked off-street parking spaces within the site. The existing separate vehicular access and egress vehicle access points from Maybury Close will be maintained to provide access for all cars, servicing and refuse vehicles. To quantify the anticipated trip provision arising from the proposed development, the TRICS database has been utilised to indicate the peak hour and daily person and vehicular trip rates. The Transport Statement concludes that the proposed residential development would lead to a reduction in both peak hour and daily traffic movements when compared to the potential office use capacity of the existing building.
- 7.6.3 Concerns have been raised by neighbours in respect of lack of parking provision, the data provided within the Transport Statement and the existing site access adjacent a junction with Frimley High Street and Station Road, and in the case officer's opinion these concerns have some validity. However, in the absence of evidence to dispute the findings of the transport statement, the County Highway Authority (CHA) has raised no objections on safety, capacity or policy grounds, subject to conditions including the pre-occupation provision of on-site car and cycle parking and electric vehicle charging sockets. No objections can therefore be raised on grounds of highway safety, capacity or policy.

7.7 Impact on flood risk

- 7.7.1 The majority of the application site falls within Flood Zone 1 and an area of low risk from surface water flooding, which are the lowest probability categories for flooding. However, the southern part of the site containing the parking area is located within

Flood Zones 2 and 3a and an area of high risk from surface water flooding.

- 7.7.2 A flood risk and drainage technical note has been provided by the applicant, which correctly identifies the above flood risks and concludes that flood compensation strategies will not be required. It is also stated that a dry access and egress route can always be maintained in all storm events up to a 1 in 1000 year return period, as the main entrance will be retained as existing and is situated within Flood Zone 1.
- 7.7.3 The Environment Agency and the Surrey County Council as the Lead Local Flood Authority have raised no objection. No land level alterations are proposed meaning that the ground floor finished floor levels of the building will remain above the 1 in 100yr flood extent plus appropriate allowance for climate change, and the proposed car parking will be in an area that is already a hard surface car park for the office.

7.8 Impact on local infrastructure

- 7.8.1 The Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal includes additional dwellings and floorspace, the development is CIL liable. CIL is a land charge that is payable at commencement of works but does not apply to the consented 17/1011 scheme for 35 units as this does not involve any floorspace increase. An informative advising of this will be added, should an appeal be submitted to and allowed by the Planning Inspectorate.

7.9 Impact on the Thames Basin Heaths SPA

- 7.9.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule.
- 7.9.2 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the SHCS states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.9.3 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for proposals of 100 units or above) or, provided that sufficient SANG is available and can be allocated to the development, provide a financial contribution towards SANG, which is now

collected as part of CIL. There is currently sufficient SANG available.

- 7.9.4 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance an estimated payment of £19,144 is needed for all proposed 48 units. Although the applicant has expressed willingness to secure a Section 106 legal agreement, the lack of financial contribution towards SAMM would be contrary to Policy CP14B and Policy NRM6 of the CSMP and the Thames Basin Heaths SPD, and therefore must form an additional reason for refusal.

7.10 Affordable Housing and housing mix and type

- 7.10.1 Policy CP5 of the CSDMP requires a 30% on-site provision of affordable housing for proposals of 10-14 net units such as that proposed (when discounting the extant 17/1011 Prior Approval scheme for 35 flats). This approach is applied because the applicant could lawfully implement this consent without any affordable housing provision. Therefore it is necessary to consider whether the additional 13 units should attract any affordable housing liability.
- 7.10.2 A viability appraisal report has been provided by the applicant, which concludes that the proposed scheme would be unviable if it provided Affordable Housing. The Council's Viability Consultant has formally reviewed this report and has identified a number of potential construction cost savings. Following negotiation, the applicant has offered to provide a financial contribution of £75,000 towards Affordable Housing. As the range of figures provided by both the applicant and the Council's Viability Consultants are finely balanced and sensitive to variation, in this instance the Viability Consultants have recommended that this offer be accepted and secured through a legal agreement.
- 7.10.3 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. This application proposes 37 one bed, 10 two bed and 1 three bed units. However, the extant 17/1011 consent would provide a similar flat size mix of 26 one bedroom flats, eight two bedroom flats and one three bedroom flat. Given this along with the sustainable location near to Frimley District Centre and rail station, no objection is raised in respect of the proposed housing mix.

8.0 CONCLUSION

- 8.1 It is considered that the proposed number of units, together with the proportion and quantum of built form and layout in relation to the size of the site, would result in a density of development that would unacceptably intensify and over develop the

existing site, at odds with and harmful to the surrounding established character areas of the Western Urban Area Character Area. It is also considered that insufficient amenity space for future occupiers of the proposed additional flats, and that the additional proposed Unit 46 on the third floor would provide an unacceptably deficient level of outlook for future occupiers. The proposed development is therefore contrary to Policy DM9 (iii) of the CSDMP, Guiding Principles IT1 (a) and IT2 of the WUAC SPD and Principles 6.4, 8.2, 8.5 and 8.6 of the RDG SPD. Although the applicant has expressed willingness to secure a Section 106 legal agreement to secure a financial contribution towards Affordable Housing and SAMM, this has not been provided to date and therefore must form additional reasons for refusal as set out in Policies CP5 and CP14B of the CSDMP and Policy NRM6 of the South East Plan 2009.

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;
- c) Have suggested amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal by reason of the number of units, together with the increased quantum of built form and low proportion of landscaping and amenity space in relation to the size of the site, would result in an unrelieved and hard urban form of development with a density that would unacceptably intensify and over develop the existing site, at odds with and harmful to the established character and appearance of the area including the Intense Terraces Character Area and adjoining character areas. As such, the proposal would fail to respect and improve the character and quality of the area, contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, Guiding Principles IT1 (a) and IT2 of the Western Urban Area Character Supplementary Planning Document 2012, Principle 6.4 of the Residential Design Guide

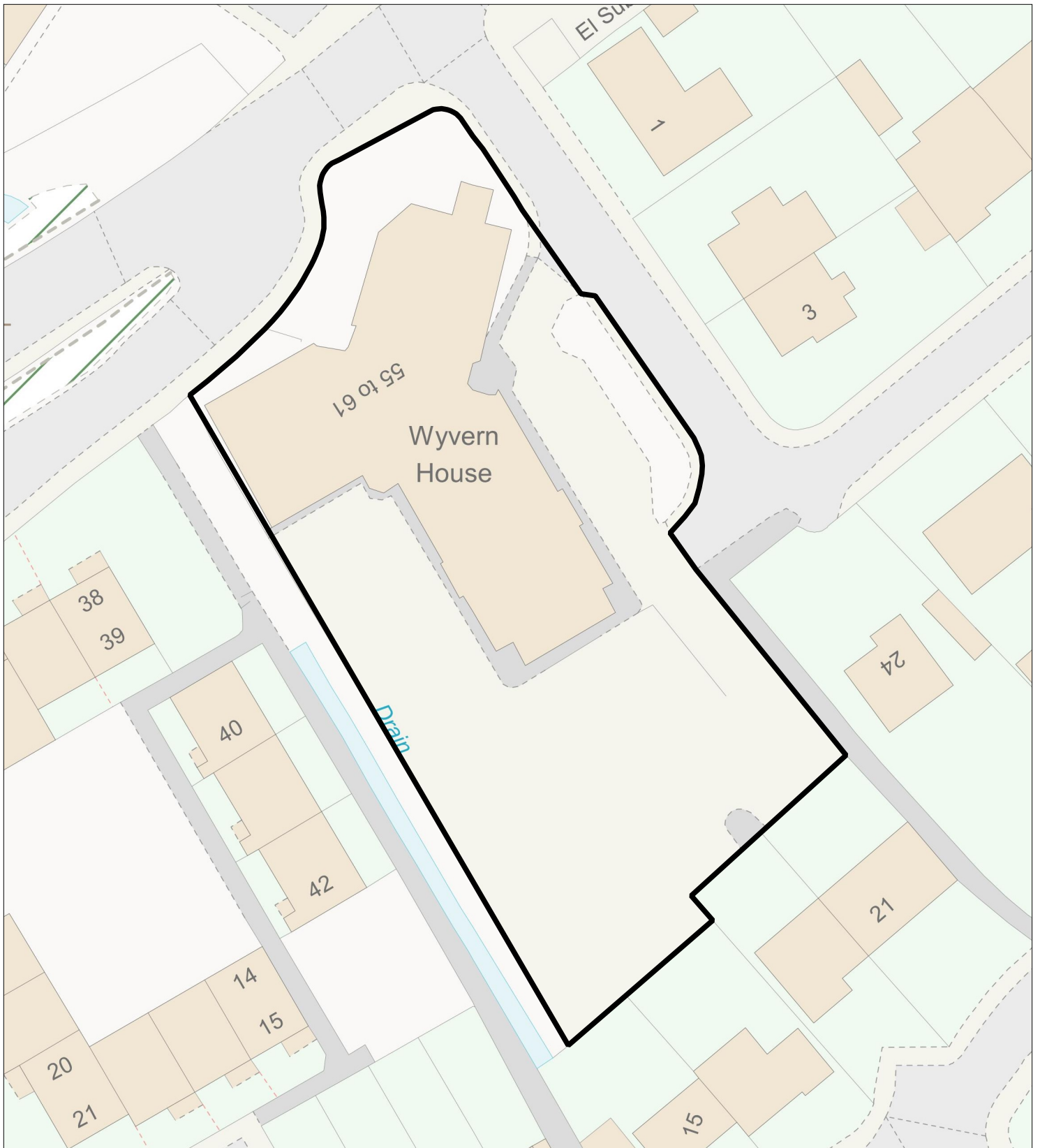
Supplementary Planning Document 2017 and the National Planning Policy Framework 2012.

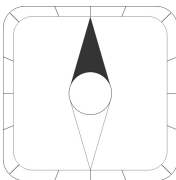
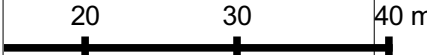

2. The proposal would provide no communal amenity space and for Units 40-41 and Unit 48, the balconies would be north facing and be a poor quality private amenity space. As such the proposal would fail to provide sufficient and usable amenity space for future occupiers, with limited alternative facilities in walking distance, contrary to Policy DM9 (iii) of the CSDMP, Principles 8.5 and 8.6 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2012.
3. The proposed Unit 46, by reason of its limited living area window size and its positioning within a corner alcove in relation to the overall living area depth, would provide an unacceptably deficient level of outlook for future occupiers contrary to Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, Guiding Principle 8.2 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2012.
4. 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.
5. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

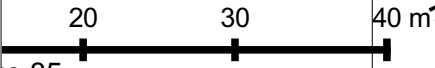
Informative(s)

1. Advise CIL Liable on Appeal CIL3

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Title	Planning Applications			
Application number	18/0143	 	Scale @ A4	1:500
Address	WYVERN HOUSE, 55 FRIMLEY HIGH STREET, FRIMLEY, CAMBERLEY, GU16 7HJ		Date	04 Jun 2018
Proposal	Proposed extension and conversion of the second floor and roof space, with change of use of building from B1 (office) to C3 (residential), to form 48 units comprising of: 37 one bedroom units and 10 two bedroom units and 1 three bedroom unit with associated parking, cycle stores. bin stores. access with landscaping details.			
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2018		
		Page 85 Author: DMD		



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18/0143 - WYVERN HOUSE, 55 FRIMLEY HIGH STREET, FRIMLEY, CAMBERLEY, GU16 7HJ

Location Plan



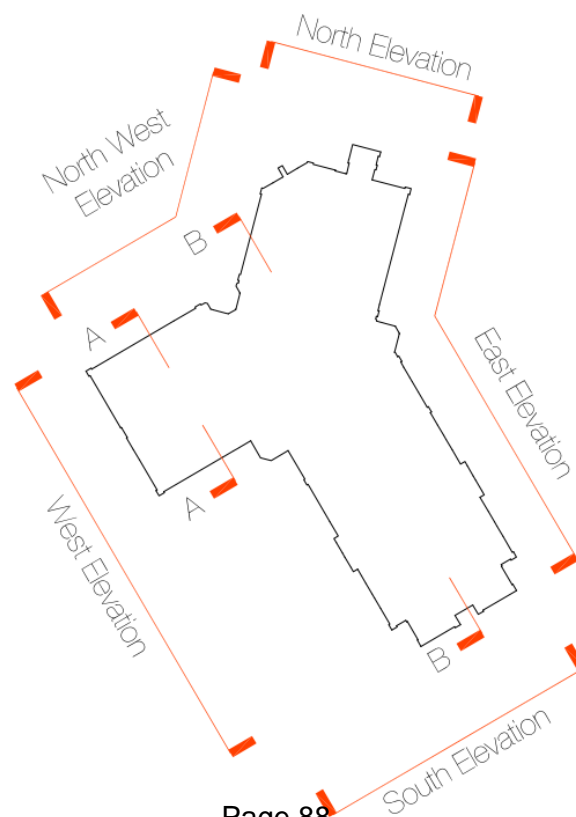
Proposed ground floor plan and site layout



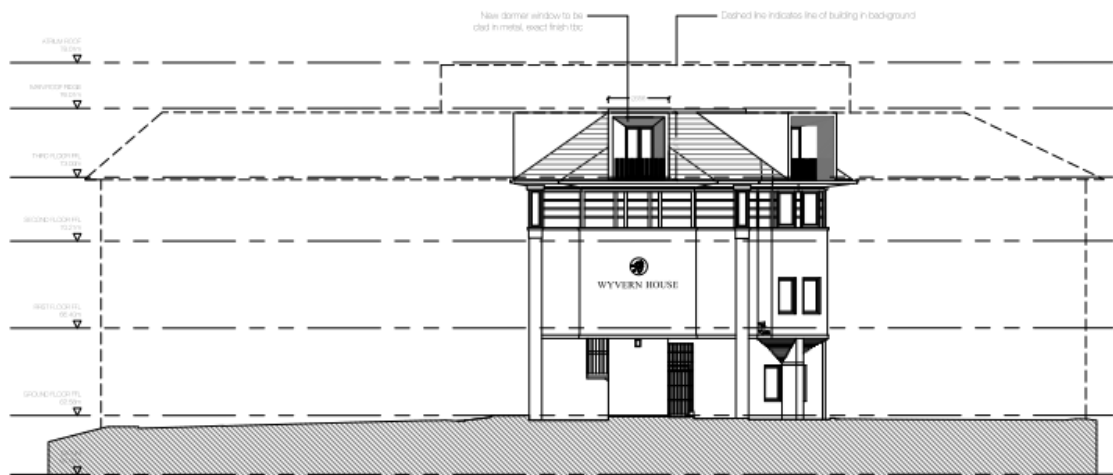
Proposed west and south elevations



KEY PLAN:



Proposed north-west, north and east elevation



Proposed second floor extension plan



Proposed third floor plan



Site photos

Elevations facing Maybury Close



Elevations facing Frimley High Street



Elevations facing Bridgemoor and Rail Station



Car park facing Bailey Close



Car park facing Maybury Close



2017/0889

Reg Date 04/10/2017

Bagshot

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

PROPOSAL: Erection of 16no. residential dwellings with associated car and cycle parking and landscaping with access from Whitmoor Road. (Amended information recv'd 12/10/17).

TYPE: Full Planning Application

APPLICANT: Bugler Homes LTD

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions and a legal agreement

1.0 SUMMARY

- 1.1 This application relates to the erection of 16 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 local character, residential amenity, for the occupiers of adjoining and nearby properties and the new development, highway safety, housing mix and local infrastructure. Subject to the completion of a legal agreement to secure contributions towards SAMM and affordable housing provision elsewhere in the Borough, no objections are raised on the impact on the Thames Basin Heaths Special Protection Area (SPA), and affordable housing provision. The application is therefore recommended for approval.

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 hoarding 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. This permission remains extent with the requirement to provide the (remaining) reserved matters application by July 2018.
- 3.4 SU/16/0942 Erection of 18 no. residential dwellings (to include 8 no. three bedroom, 6 no. four bedroom and 4 no. five bedroom units) in a mix of detached, semi-detached and terraced form with parking, landscaping and access.

This application was reported to the Planning Applications Committee with a recommendation to refuse the application on the grounds of:

- the impact on the character of the area with this proposal providing a number of units and layout at odds with the character of the area;
- the impact on the Thames Basin Heaths Special Protection Area (SPA) by providing some units with curtilages within 400 metres of the SPA and in a location out of the catchment of any adopted SANG; and
- the impact from noise from the proximity to the A322 and M3 on amenity for future residents.

However, the application was withdrawn on the day of Committee in July 2017.

4.0 THE PROPOSAL

- 4.1 The proposal relates to the erection of 16 dwellings following the demolition of existing buildings, including one dwelling and its associated outbuildings. The proposed dwellings would comprise 6 no. three bedroom and, 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, 2, 9 and 16), with integral single garages, and semi-detached (Plots 3-8 and 10-15) dwellings some with parking arranged principally to the front and side of the plots. Both of the existing accesses to the site would be removed. Amenity land, outside of the residential curtilages and part of the access road 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 located along the Whitmoor Road boundary, close to the north west corner of the site. Within the site, the access road would take a 90 degree turn just within the site and then running parallel with Whitmoor Road (towards the boundary with the A322 Guildford Road) and then a second 90 degree turn running parallel with the A322 Guildford Road (towards the M3 junction). Plots 1-2 are positioned to, and front onto, the east side of the access road, before it takes the first sharp turn into the site. Plot 9 lies on the outside of this bend and Plots 3-8 front the north side of this part of the access road; after which the remaining dwellings (Plots 9-16) are on the west side of this part of the access 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 driveway accommodation, providing two spaces per unit; except three spaces each for Plots 1, 2 and 9. A 2.4 metre high acoustic fence is proposed to the A322 boundary.
- 4.5 The current proposal follows the withdrawal of application SU/16/0942. The principal differences between the two schemes are as follows:
- reduction in the number of units from 18 to 16;
 - provision of a landscape buffer between the proposed dwellings and 1 Whitmoor Road to provide greater separation and so that none of the dwellings, or their curtilages, fall within 400 metres of the SPA;
 - breaking-up of the terraces so that the units are either semi-detached or detached properties;
 - the dwellings have been re-orientated so that the majority of the rear gardens are shielded from the road noise (from the A322/M3) by their respective gardens;

- the dwellings at the east corner of the access road are orientated so that the front walls face the access road, side onto Whitmoor Road, rather than orientated so that they face away from Whitmoor Road with side walls facing the access road; and
- a re-position of the vehicular access point on Whitmoor Road, closer to the north west corner of the site.

4.6 This application has been supported by:

- Planning Statement;
- Design and Access Statement;
- Transport Statement;
- Geo-Environmental Risk 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, subject to conditions.
5.2	Tree Officer	No objections. subject to conditions.
5.3	Council's Environmental Health Officer	No objections, subject to conditions to mitigate the impact of noise and air quality from nearby highways upon future residents.
5.4	Natural England	No objections on the basis that the site falls within the catchment of the new deliverable SANG (at Windlemere Golf Club).
5.5	Local Lead Flood Authority	No objections, subject to conditions.
5.6	Council's Viability Consultant	No objections, on the basis of a contribution towards affordable housing provided elsewhere in the Borough.
5.7	Housing Officer	No objections, on the basis of a contribution towards affordable housing provided elsewhere in the Borough.

- | | | |
|-----|---------------------------|--|
| 5.8 | Windlesham Parish Council | Raise an objection to an overdevelopment of the site and there are known highway issues at this site with the proposal doubling the density of the surrounding built-up area. There are concerns regarding the integrity of the vehicle data provided. |
|-----|---------------------------|--|

6.0 REPRESENTATIONS

At the time of preparation of this report, one representation has been received in support of the proposal (subject to traffic calming measures included in the development due to the high speed of vehicles on Whitmoor Road), and two representations, including an objection from the Bagshot Society, have been received raising an objection for which the following issues are raised:

- 6.1 Overdevelopment [See *Paragraph 7.3*].
- 6.2 The proposed access onto Whitmoor Road would be too close to the bend in Whitmoor Road and requires traffic calming [*Officer comment: The proposed access is further from this bend on the road than the position of the access proposed for both the approved outline scheme SU/15/0141 and withdrawn scheme SU/16/0942. In addition, see Paragraph 7.5*].
- 6.3 Construction workers parking to be on site and not on adjoining streets [*Officer comment: The method of construction statement required by condition would agree details of construction traffic parking*].
- 6.4 Area of site to be undeveloped has no access point [*Officer comment: The details of access would be required to be considered as a part of a wider landscaping condition*].
- 6.5 Access to New Road roundabout needs to be widened to allow for two lines of joining traffic [*Officer comment: It is not considered that the amount of traffic generated would justify this provision*].
- 6.6 Impact on traffic on local road network particularly with high levels of traffic already on these roads [See *Paragraph 7.5*].
- 6.7 Loss of privacy, which could be exacerbated by the loss of trees at the site [See *Paragraphs 7.3 and 7.4*].

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 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 CP1, 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 Residential Design Guide SPD 2017 (RDG); Infrastructure Delivery SPD 2014; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (TBHSPD); the Infrastructure Delivery SPD 2014 (IDSPD); the Interim Affordable Housing Procedure Note 2012 (IAHPN) and the Written Ministerial Statement (WMS) are also relevant.

- 7.2 Extant planning approval SU/15/0141 is a material consideration. However, less weight should be afforded to SU/16/0942 given that it was withdrawn. Nevertheless, for both proposals, no objections were raised to these schemes on residential amenity for the occupiers of nearby or adjoining properties; highway safety; land contamination, flooding and drainage; affordable housing and housing mix; and local infrastructure. In addition, no objections were raised to SU/15/0141 on residential amenity for future occupiers; local character or the SPA.

The main issues in the consideration of this application are:

- Impact on local character and trees;
- 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 and trees

- 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. Principle 6.4 of the RDG indicates that housing development should seek the highest density possible without compromising local character, the environment or the appearance of the area. Principle 7.3 of the RDG indicates that buildings will be expected to integrate well into its surrounding context. Principle 7.4 of the RDG indicates that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 of the RDG indicates that proposal should not introduce roof forms on residential development that diverge from the prevailing character. Principle 7.8 of the RDG indicates that architectural detailing should be used to create attractive buildings that positively contribute to the character and quality of an area. Buildings which employ architectural detailing that is unattractive or low quality will be resisted.

- 7.3.2 The application site falls within the settlement and has been the subject of outline planning permission for a residential redevelopment for which the proposed access and layout has been approved (SU/15/0141). That 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

dwelling 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.

- 7.3.3 In contrast to the approved scheme (SU/15/0141), the withdrawn proposal (SU/16/0942) would have provided a greater mix of dwellings including two blocks of terraced properties. One of these blocks would have been located at the site entrance and would be clearly visible from, and backing onto, Whitmoor Road. The second block would have been visible, at a distance, from the proposed site access but would have been clearly visible from the A322 Guildford Road. The frontage to these blocks, in providing parking to the front, also would have provided narrower soft landscaped strips. It was considered that the proposed form of development would have been an overdevelopment of the site which would have been out of character with its immediate surroundings and settlement edge location.
- 7.3.4 The current proposal would provide a similar design and scale of development to the withdrawn scheme but providing a smaller number of dwellings (reduced from 18 to 16) and with the building blocks more broken up with the aforementioned terraces replaced with groups of semi-detached units and located behind the retained 3 metre approx. high front boundary wall (except where the new access is proposed). The dwellings serving the nearest plots (1 and 2) to the proposed access would front onto the access road, and side onto Whitmoor Road which, with land on the west (opposite) side of this access remaining open, would improve the relationship of the site with this highway.
- 7.3.5 The rear of the dwelling for Plots 3-8 would face Whitmoor Road, but would be located behind the front boundary wall and, for some, heavy soft landscaping in front of this wall. The dwellings for Plots 9-16 would face A322 Guildford Road, across the access road, which improves the relationship of the development, when compared to the withdrawn scheme, with this highway. The proposed dwellings would similarly provide a relatively higher density scheme but with land between the proposed dwelling plots and the west site boundary (i.e. with properties in Whitmoor Road and Weston Grove) remaining open, and a drop in the overall proposed dwelling numbers, improved spaciousness would be provided. In addition, with a general increase in plot width, the proposal would provide improved soft landscaping opportunities to the front, and in some cases to the side, of these dwellings.
- 7.3.6 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 earlier approved and withdrawn schemes) with the proposal accessing off Whitmoor Road and none of the proposed residential units proposed to be facing Whitmoor Road.
- 7.3.7 The proposed development would include dwellings which have a modern styling (in a similar manner to the withdrawn scheme), but in a traditional built form/shape.

The size of the application site, and the characteristics of the immediate area and streetscene as well as the landscape buffer, 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, in a similar manner to the withdrawn scheme, to be acceptable.

- 7.3.8 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 and different context.
- 7.3.9 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. It is considered that, in this context, it is clear that this proposal would take the opportunity to genuinely improve the character and quality of the area.
- 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.
- 7.3.10 As such, it is considered that the proposed development would satisfactorily integrate into its context and improve the character of the area, complying with Policy DM9 of the CSDMP, the RDG and the NPPF.

7.4 Impact on residential amenity

- 7.4.1 Policy DM9 of the CSDMP indicates that development should provide adequate amenity space and respect the amenities of neighbouring properties and uses. Principle 8.1 of the RDG indicates that development should be provided with a reasonable amount of privacy to habitable rooms and sensitive outdoor amenity spaces and development which would have a significant adverse effect on the privacy of neighbouring properties will be resisted. Principle 8.3 of the RDG indicates that new dwellings should be provided with good quality daylight and sun access and developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.4 of the RDG provides minimum outdoor amenity standards for dwellings.
- 7.4.2 The proposed house to serve Plot 9 would be located close to the rear boundary of 10 Weston Grove, sited to the south west, with a minimum separation distance of 8.3 metres between rear wall of this dwelling and the rear boundary of this property, with the rear wall of this dwelling angled away from the rear wall of the proposed dwelling with a minimum built separation of about 24 metres. This relationship is considered to be acceptable. Plots 12-16 face towards the flank boundary of 10 Weston Grove. With the minimum level of separation (of 22 metres to the flank boundary of this dwelling), it is considered that this relationship is acceptable.

- 7.4.3 The houses to serve Plots 1-2 face the flank boundary of 1 Whitmoor Road sited to the west. The level of separation is about 20 metres, with the front walls of these proposed dwellings facing the front garden of this property. This relationship is considered to be acceptable.
- 7.4.4 The side wall of the house to serve Plot 1 and the rear walls of Plots 3-8 face Whitmoor Road and the rear gardens, and rear walls beyond, of properties in Elizabeth Avenue. The side wall to serve Plot 1 would be set about 15 metres from the rear boundary and 26 metres from the rear wall of these properties. The rear walls of Plots 3-8 would be set about 24 metres from the rear boundary and 38 metres from the rear wall of these properties. These levels of separation would reduce any material impact on the residential amenities of the occupiers of these dwellings. The proposed development is set sufficient distance from any other nearby or adjoining residential property to have no material effect.
- 7.4.5 The applicant has provided 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. The orientation of the proposed dwellings, with the gardens predominantly facing away from the A322 and M3, it is considered that the layout would result in a satisfactory environment for future occupiers of these dwellings from the effect of road noise from their rear gardens. The size of the rear gardens for the proposed dwellings would meet the minimum requirements for outdoor amenity space standards.
- 7.4.6 Air quality for future occupiers would also be acceptable, subject to the closing of a ground floor window for the dining room/kitchen serving Plot 16, controlled by condition. The Council's Senior Environmental Health Officer has raised no objections on this basis. It is considered reasonable to secure the closure of this window, on the basis that this room is served by another window in the side elevation which can provide adequate ventilation to this room.
- 7.4.8 As such, no objections are raised on residential amenity grounds, with the development complying, 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, located close to the north west corner of the site. The proposed access would be provided where an adequate level of visibility can be provided. The earlier schemes (SU/15/0141 and SU/16/0942) located the access closer to the bend in the road; and the new location, further from this bend in the road, would be a minor improvement in highway safety terms. 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, subject to conditions, including the provision of a pedestrian crossing across Whitmoor Road, to the site frontage,

which will improve the sustainability of the development and would assist in lowering traffic speeds on Whitmoor Road. It should also be reiterated that County raised no objections to the previous application SU/16/0942 which was for more dwellings and provided an access from a position closer to the bend in the road. 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 between 0.3 and 0.7 kilometres (approx.) of the Thames Basin Heaths Special Protection Area (SPA), with all of the residential curtilages to be located outside of the 0.4 kilometre buffer. 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 adopted and provided SANG and with the current proposal, providing a net gain of 16 dwellings in this location, an objection has previously been raised by Natural England on this ground, where there has been no certainty of a SANG coming forward within the lifetime of the planning permission (i.e. 3 years - as per the withdrawn scheme SU/16/0942).
- 7.6.3 However, with the more recent approval of the new SANG at Windlemere Golf Club (SU/16/1207) and transfer of the SANG land to this Council, there is a much greater level of certainty in the delivery of a SANG (which this site would fall within the catchment) to this Council and Natural England has raised no objections to the proposal. As such, and with a condition applied to not allow the commencement of the development ahead of the allocation towards this SANG, with the development not to be occupied before the delivery of the SANG, and receipt of SANG contributions (through CIL), no objections are raised to the proposal on this ground.
- 7.6.4 The applicant has indicated, in a similar manner to the approved scheme under SU/15/0141, 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. As such, these arrangements are considered to be acceptable.
- 7.6.5 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. The applicant is willing to enter into a legal agreement to secure this payment and, such to the completion of such an agreement, no objections are raised on this ground.

- 7.6.6 As such, no objections to the proposal are raised on these grounds with the proposal complying 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, subject to conditions. 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 15 (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 limited contribution towards affordable housing can be provided. In the light of the above, therefore, a contribution is to be sought in respect of off-site affordable housing provision and provided by a legal agreement. This approach has been agreed with the Council's Viability Adviser and Housing Officer. Subject to the completion of an acceptable legal agreement, no objections are raised to the proposal on this ground.
- 7.8.2 Policy CP5 of the CSDMP requires a range of housing sizes. The current proposal would provide a mix of 6 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, and in a similar manner to the withdrawn scheme, it is considered that the mix is acceptable.

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 development and it is estimated for this development to be around £550,000. 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.

7.10 Other matters

- 7.10.1 It is considered prudent to remove permitted development, including roof, extensions and outbuildings, for the future occupiers of the proposed dwellings. This is on the basis of the relatively narrow plots, to limit the impact on such developments to adjoining occupiers of dwellings within the development; and, to limit the impact of dormer-type roof extensions in the rear elevation of Plots 3-8 which would be highly visible in the streetscene (Whitmoor Road).

8.0 CONCLUSION

- 8.1 The proposed development is considered to be acceptable in relation to its impact on local character and trees; residential amenity; housing mix; land contamination, drainage and flood risk; highway safety and local infrastructure. Subject to the completion of a legal agreement to secure contributions towards SAMM and off-site provision of affordable housing elsewhere within the Borough, no objections are raised to the current proposal. As such the application is recommended for approval.

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

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

10.0 RECOMMENDATION

In the event that a satisfactory legal agreement has not been received by 24 July 2018 to secure contributions towards SAMM and off-site affordable housing provision, the Executive Head of Regulatory be authorised to APPROVE the application for the following reasons:-

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: PR77.02 Rev. E, PR77.03 Rev. E, PR77.04 Rev. E, PR77.05 Rev. C, PR77.06 Rev. D and PR77.08 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. No development shall take place until written approval has been obtained for the Local Planning Authority that an appropriate Suitable Alternative Natural Green Space (SANGS) has been secured so as to avoid any significant effects of the development on the Thames Basin Heaths Special Protection Area. No dwelling shall be occupied before written confirmation has been obtained from the Local Planning Authority that the works required to bring the SANGS up to an acceptable standard have been completed.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the National Planning Policy Framework and advice within the Thames Basin

5. The garage and 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.

6. Notwithstanding the provisions of Classes A, B, C 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 local character and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Residential Design Guide Supplementary Document 2017.

7.
 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 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 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.

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

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

9. A Landscape Management Plan, including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development, or any phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

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 the National Planning Policy Framework.

10. The development hereby approved shall be implemented in accordance with the recommendations set out in the Energy Statement by NRG Consulting dated September 2017 (Ref: ES/WP/201709 - BC) unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interests of sustainability and energy efficiency and to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. No development hereby permitted shall not take place until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:
1. A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS;
 2. The results of infiltration testing completed with BRE Digest: 365;
 3. Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change storm events) during all stages of the development (Pre, Post and during);
 4. Details drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how the will be protected from blockage;
 5. Details of how runoff (including any pollutants) for the development site will be managed during construction;
 6. Details of the management and maintenance regimes and responsibilities for the drainage system; and
 7. A plan showing the exceedance flows and how property on and off site will be protected.

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on and off site.

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

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on and off site.

13. The development hereby approved shall not be occupied until the proposed vehicular access onto Whitmoor Road and provided with visibility zones of 2.4 by 43 metres in both directions in accordance with a scheme to be submitted to and approved by the Local Planning Authority; and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 metres height above adjoining carriageway level.

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.

14. A scheme to ensure that the existing vehicular access from the site onto the A322 Guildford Road shall be permanently closed and any kerb, verge, footway fully reinstated including the continuation of the crash barrier and the removal of the cul-de-sac sign shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby approved.

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.

15. A scheme to provide an uncontrolled pedestrian crossing including tactile paving across Whitmoor Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the development hereby approved.

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.

16. The development hereby approved shall not be occupied unless and until each dwelling is provided with 1 fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved by the Locals Planning Authority.

Reasons: For sustainable reasons and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and advice within the Vehicular and Cycle Parking Guidance January 2018.

17. 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) measures to prevent the deposit of material on the highway;
- (f) hours of construction; and
- (g) confirmation that no on-site burning of material will occur during the site clearance, demolition and construction phases of this development

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 amenities 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.

18. The ground window in the front elevation of Plot 16, as indicated on approved drawing PR77.03 Rev. E, shall be fixed and remain non-openable in perpetuity.

Reason: In the interest of residential amenity for future occupiers and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

19. Details of the window and ventilation openings in bedrooms and habitable rooms for the development hereby approved shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the first occupation and retained thereafter in perpetuity.

Reason: In the interest of residential amenity for future occupiers and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

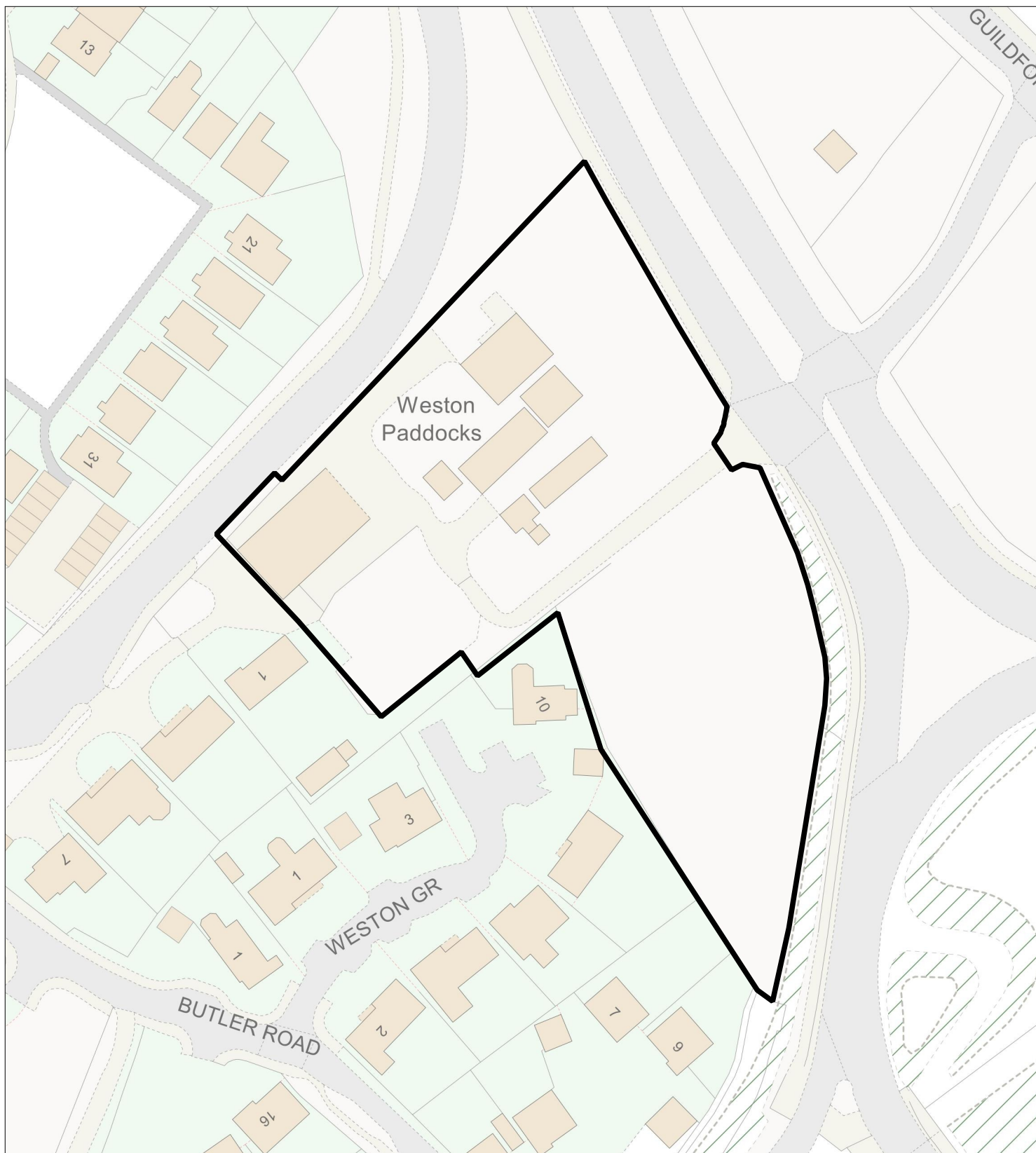
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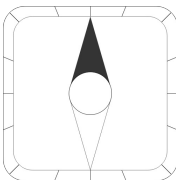
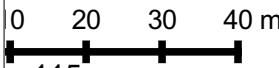

1. Decision Notice to be kept DS1
2. Party Walls (etc) Act 1996 DE3
3. Building Regs consent req'd DF5
4. CIL Liable CIL1
5. If proposed site works affect an Ordinary Watercourse, the Surrey County Council, as Lead Local Flood Authority, should be contacted to obtain pro written consent. If there are any further queries please contact the Sustainable Drainage and Consenting team on suds@surreycc.gov.uk.
6. HI(Inf)12 (Highway) HI12
7. The permission hereby granted shall not be construed as authority to carry out works on the highway.

The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

8. HI(Inf)14 (Highway) HI14
9. Details of the highway requirements necessary for inclusion in any application seeking approval of details reserved by conditions above may be obtained from the Transportation Development Control Division of Surrey County Council.

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Title	Planning Applications			
Application number	17/0889		Scale @ A4	1:1,000
Address	LAND ADJACENT TO 1 WHITMOOR ROAD, BAGSHOT, GU19 5QE		Date	04 Jun 2018
Proposal	Demolition of existing buildings and redevelopment of the site to provide 16 residential units (use class C3) with associated car and cycle parking and landscaping			
Page 115				
Version 3		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2018		Author: DMD

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17/0889 – LAND ADJACENT TO 1 WHITMOOR ROAD, BAGSHOT

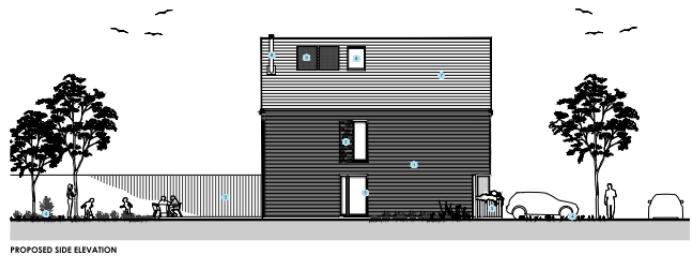
Location plan



Proposed site layout



Typical elevations



Site photos

Whitmoor Road



Existing buildings



View towards south of site



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2018/0292

Reg Date 11/04/2018

Frimley

LOCATION: LAND REAR OF, THE PARADE, FRIMLEY, CAMBERLEY
PROPOSAL: Erection of four buildings to comprise 3 detached four bedroom dwelling houses and 2 semi-detached three bedroom dwelling houses with associated carport's/garages, parking and access and alterations to existing car park/service areas.
TYPE: Full Planning Application
APPLICANT: Mr Richmond-Dodd
 Laimond Property investment Company Limited
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 Cllr Ian Sams. This is because of the need to consider access and egress, overlooking and loss of car parking.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The proposal is for a total of 5 dwellings i.e. the erection of four, two storey buildings to comprise 3 detached four bedroom dwelling houses and 2 semi-detached three bedroom dwelling houses with associated carports/garages, parking and access. The proposal relates to the carpark to the rear (south side) of The Parade in Frimley. As well as the existing formal carpark, the site also includes a triangular piece of land which has part implemented planning consent for a carpark extension. This proposal seeks to overcome the 2016 refusal (16/0631) which was dismissed on appeal. A copy of the Inspector's decision letter is appended as Annex 3.
- 1.2 The proposal is considered acceptable. In terms of its impact on ecology, character, residential amenity and tree grounds no objections are raised. Likewise the County Highway Authority has not objected and it is not considered that the proposal would cause any significant amenity issues in terms of parking or access. It is therefore recommended that permission should be granted, subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site is loosely triangular shaped and is located on the southern side and to the rear of the Parade Frimley High Street within the settlement area of Frimley. The north western side of the site comprises a long established formal parking area for 13 parking spaces. The south eastern side of the site comprises a part implemented but not completed carpark extension *[see paragraph 3.3 below]*.

- 2.2 The site is bordered by residential properties to the east, south and west and an electricity substation to the north with the Frimley High Street Parade beyond. There are fences and some mature landscaping on the boundaries of the site with the residential properties and a steel palisade fence defines the boundary with the electricity substation. The site lies within a “Commercial Nodes” character area as defined within the Western Urban Area Character SPD 2012.

3.0 RELEVANT PLANNING HISTORY

- 3.1 SU/01/0132 Change of use of land ancillary to electricity sub-station to surface car park with ancillary works. *Approved in June 2001.*
- 3.2 SU/06/0122 Renewal of planning permission SU/01/0132 for the change of use of land ancillary to electricity sub-station to surface car park with ancillary works. *Approved in May 2006.*
- 3.3 SU/15/0083 Change of use of land to provide a car park extension with associated development. *Approved in May 2015 and part implemented.*
- 3.4 SU/16/0631 Outline application for the erection of 7 No. residential dwellings, with vehicular access, car parking with alterations/reduction to existing public car park/servicing areas (all matters reserved) – refused December 2016 in respect of harm to the character of the area, insufficient appropriate ecological information and lack of affordable housing.

Following this refusal an appeal was submitted with the Planning Inspectorate on the 13th June 2017 with the following reference APP/D3640/W/17/3177807. On the 3rd November 2017 the Planning Inspectorate dismissed the appeal and a copy of the Inspector's decision letter is appended as Annex A. This appeal was dismissed for the following summarised reasons.

- The principle of development was found to be acceptable as was the impacts upon the general character of the area [paragraph 21]
- The Inspector found the likely close proximity of new dwellings to the boundaries of the land would be likely to cause overlooking of neighbouring properties which would result in harm to the living conditions of these neighbouring dwellings [paragraph 10]
- However the inspector found the access to be acceptable both in character terms and highway safety stating: *‘there is no technical evidence before me that the separate route proposed would not provide a safe access arrangement or that the reconfiguration of the car park would have a material effect on the economic benefit to the commercial centre of Frimley’.* [paragraph 8]

- In respect to ecological matters the Inspector found that the development proposed would not result in the loss of an area recognised to be of importance for ecological diversity. [Paragraphs 16 and 22].

4.0 THE PROPOSAL

- 4.1 The proposal is for a total of 5 dwellings i.e. the erection of four, two storey buildings to comprise 3 detached four bedroom dwelling houses and 2 semi-detached three bedroom dwelling houses with associated carports/garages, parking and access. The proposal relates to the carpark to the south of The Parade in Frimley. The site includes a triangular piece of land which has part implemented planning consent for a carpark extension and part of the existing car park. The access to the proposed dwellings is from Cedar Lane and across the edge of the existing, to be retained, section of the car park.
- 4.2 Plot 1 would be sited to the north east of the site and would be 7m approx. in width and 11m approx. in depth. It would have an eaves height of approximately 5.0m and ridge height of approx. 8.8m with a pitched roof. Plot 1 would have 4 bedrooms and also an attached single garage with an approx. footprint of 3.4m by 6.3m and a maximum pitched roof height of approx. 4.8m. This plot would have 3 off street parking spaces.
- 4.3 Plot 2 would be sited to the east of the site and would be 7m approx. in width and approx. 11m in depth. It would have an eaves height of approximately 5.0m and ridge height of approx. 8.8m with a pitched roof. Plot 2 would have 4 bedrooms and also an attached single garage with an approx. footprint of 3.4m by 6.3m and a maximum pitched roof height of 4.8m. This plot would have 3 off street parking spaces.
- 4.4 Plots 3 and 4 are proposed as a semi-detached pair and would be sited to the south eastern side of the site. The overall building will measure 12.5m approx. in width and approx. 10.2m in depth. They would have an eaves height of approximately 5.0m and ridge height of approx. 8.8m with a pitched roof. Both plots would have 3 bedrooms and also both would enjoy attached single garages with an approx. footprint of 3.4m by 6.3m and a maximum pitched roof height of approx. 4.8m. Each plot would have 2 off street parking spaces.
- 4.5 Plot 5 would be sited to the north west of the site and would be 10.7m approx. in width and approx. 8.7m in depth. It would have an eaves height of approximately 4.5m and ridge height of approx. 8.1m with a pitched roof. Plot 5 would have 4 bedrooms and also a detached car port with an approx. footprint of 6.5m by 6.5m and a maximum pitched roof height of approx. 4.8m. This plot would have 3 off street parking spaces.
- 4.6 The main differences between this application and the appeal scheme are as follows:
 - The previous application was an outline application with all matters reserved. The current proposal is for a full detailed planning application.

- The previous application was for 7 dwellings split between 5, two bedroom and 2, three bedroom units. The current scheme is for 3, four bedroom and 2, three bedroom units.
- The access has been re-sited to the north east edge of the carpark whereas previously it ran to the south and west of the carpark.
- Increased landscaping and ecological mitigation zones have been introduced as part of the current application.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|----------------------------------|---|
| 5.1 | Surrey County Highway Authority | No objection, subject to conditions and informative. |
| 5.2 | Scottish & Southern Energy | At the time of writing this report no response received, any comments received will be reported as an update. |
| 5.3 | Thames Water | No objection subject to informative. |
| 5.4 | Council's Arboricultural Officer | No objection, subject to condition. |
| 5.5 | Surrey Wildlife Trust | No objection, subject to condition and informative. |
| 5.6 | Surrey Heath Scientific Officer. | No objection subject to condition and informative. |
| 5.7 | Surrey Heath Drainage Officer. | No objection subject to condition. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 4 letters of objection have been received and one letter of support. The objections raised can be summarised as follows:
- Loss of privacy, overlooking and loss of light [*Officer comment: See Paragraph 7.5*]
 - Impact on, and loss of, trees/woodland [*Officer comment :See Paragraph 7.4*]
 - Impact on wildlife habitat [*Officer comment: See Paragraph 7.9*]
 - Impact of noise, light, dust and air pollutants from future occupation [*Officer comment: This is covered under, other, Environmental Health (nuisance / pollution) legislation*]
 - Impact on drainage; [*Officer comment: The Drainage Officer has considered the application and raises no objection subject to conditions to agree drainage details, see paragraph 7.10.2*]

- Negative impact on highway safety through increased traffic demand [*Officer comment see paragraph 7.6*]

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 CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10 and DM11. It will also be considered against the advice within the Western Urban Area Character SPD 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2012, the Surrey Heath Residential Design Guide 2017 (RDG) and the National Planning Policy Framework (NPPF). The refused planning application under reference SU/16/0631 and the dismissed planning appeal for this application are also material considerations.

7.2 The main issues to be considered are:

- Principle of the development;
- Impact on local character and trees;
- Residential amenity;
- Highways, parking and access;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Ecology; and
- Other matters.

7.3 Principle of the development

7.3.1 Policy CPA states that new development will largely come forward through land in the western part of the borough and states that Frimley is a sustainable location. The NPPF seeks to deliver a wide choice of high quality homes and to significantly boost the supply of housing, and at present Surrey Heath does not have a five year housing land supply. Policy CP6 seeks a mix of dwelling sizes.

7.3.2 This proposal would contribute 3 and 4 bed dwellings to housing supply and the site is in a sustainable location near to shops and public transport interchanges. The site also lies in the settlement area. The Planning Inspector [*see paragraph 3.4 above*] in the recently dismissed appeal found no objection with the principle of development at this location or to a similar housing mix, the Inspector also found that the reconfiguration of the car park would not have an adverse impact on the economic benefit to the commercial centre of Frimley and as such, taking all these factors into account there is no objection to the principle of the redevelopment of this site for housing or the dwelling sizes and types as proposed.

7.4 Impact on local 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. 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, and that high quality hard and soft landscaping should be provided. Policy CP2 requires development to respect and enhance the character and quality of the area.

- 7.4.2 The Western Urban Area Character SPD 2012 indicates that the “Commercial Nodes” character area is defined as having *“a dominance of the retail and business activities in a form of strip development. The buildings in these small centres reflect a small scale character which is in line with their local/neighbourhood function.”* Principle 6.6 of the RDG states that new residential development should respond to the size, shape and rhythm of surrounding plots, Principle 6.7 states that parking should be softened by landscaping, Principle 7.4 that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 6.9 states that car parking should not be dominant in the street scene.
- 7.4.3 In respect to the previous proposal, the appeal Inspector found that the site lies at the transition between the commercial area (The Parade and High Street areas) and the adjacent residential areas. The Inspector concluded that the access being formed along the car park to a residential development, in this district centre location, was appropriate and the change to the appearance of the area would be acceptable [Paragraph 8, Annex A]. The Inspector also stated that ‘the main element of the appeal site is visually distinct from the properties at Burleigh Road and Leonard Close / Sheridan Road’. In practice, the Inspector considered that, development on the appeal site would rarely be seen in the context of the adjacent existing houses (from public vantage points) [Paragraph 9, Annex A].
- 7.4.4 In a bid to overcome the Inspector’s concerns regarding the quantum of housing on the site, this current proposal has reduced the number of dwellings from 7 units to 5. The reduction in building density has allowed for more spacing around the proposed buildings and more opportunities for landscaping. The proposed dwellings have been designed to reflect the eaves and ridge heights of surrounding development and they have been designed in a traditional way with bay windows and gable features adding interest and articulation to the building frontages. Exact materials and finish are to be agreed via condition, if minded to approve. The dwellings have adopted an informal layout which is appropriate for this cul-de-sac location and the properties enjoy spacing around them as not to appear cramped. The access has changed over the previous scheme and this is considered to be an improvement as it is moved away from adjoining residential properties yet still follows the circulation areas of the existing car park. Having regard to the planning history and previous appeal decision, it is not considered that a character objection can be sustained on these grounds.
- 7.4.5 Since the appeal decision the applicant has proceeded with the lawful ground clearance works associated with planning consent reference SU/15/0083 (see paragraph 3.3 above). This consent originates back to 2001 (see paragraph 3.1 above) and was renewed in 2006 (see paragraph 3.2 above) and again in 2015 (see paragraph 3.3 above). While the loss of tree cover and landscaping is regrettable, this is lawful and within the stipulations of the planning approval

SU/15/0083 as the landscaping as previously proposed was to be installed prior to first use of the carpark, after construction was complete. That said, the current scheme shows landscaping to be incorporated around the site boundaries and around the car parking areas and the Council's Arboricultural Officer raises no objection subject to a detailed condition wherein tree species, amounts and heights/widths can be specified with a management programme and replacements in the event any are removed, die or become diseased.

- 7.4.6 The proposal is therefore considered to be acceptable in terms of its impact on character and in line with the relevant policies in this regard.

7.5 Residential amenity

- 7.5.1 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. Principle 8.1 of the RDG states that new development should be provided with a degree of privacy and respect that of neighbouring properties, Principle 8.2 states that all habitable rooms should maintain one main window with adequate outlook and Principle 8.3 states that good quality daylight and sunlight should be provided.
- 7.5.2 All neighbouring dwellings (except number 12 Leonard Close) are sited at least 20m with number 12 Leonard Close being sited approximately 19.75m away. This level of separation is generally accepted as appropriate for development of this nature not to cause any significant overlooking, overbearing or overshadowing issues.
- 7.5.3 The primary living areas and gardens of the new dwellings are considered to have sufficient access to daylight and sunlight. Likewise all primary rooms have an adequate outlook. The rear gardens of the proposed dwellings are also considered to be of an appropriate size and layout.
- 7.5.4 It is therefore considered that the proposal will provide a sufficient standard of amenity for future occupiers and will not adversely impact upon neighbouring properties which include the following properties, numbers 56 - 72 Burleigh Road, 2-18 Leonard Close, 80- 84 Sheridan Road, Priory Cottage, Cedar Lane, Little Priory, Cedar Lane, Priors Kitchen, Cedar Lane, The Flats Above The Parade, The Flats In Cedar House, Cedar Lane and The Old Coach House, Cedar Lane, and will not compromise the amenities of any other neighbouring property to an unacceptable degree. The proposal is therefore considered to be in line with the relevant policies in this regard.

7.6 Highways, Parking and Access

- 7.6.1 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. Policy CP11 requires all new development to be appropriately located in relation to public transport and comply with the Council's car parking standards.

- 7.6.2 The proposal would provide off street parking spaces for the proposed dwellings in line with the County Highway's parking standards. The site plan shows that the car park would be reconfigured with the loss of 13 existing car parking spaces (73 spaces retained) to accommodate the houses and to provide a separate access leading to the main part of the site. The applicant has also produced 18 month survey data to show maximum parking demand in the car park is for 68 spaces. The County Highway Authority (CHA) have considered the application and not raised any highway safety or parking objections subject to conditions and informative. The CHA have reconsidered the application including the new access and state that: 'the proposed dwellings will not result in a significant increase in vehicular movements during the peak hours and the parking meets the minimum parking standards'. In addition the Planning Inspector, in respect of the previous proposal, also found no technical evidence that the access proposed would not provide a safe arrangement or that the reconfiguration of the car park would have a material effect on the economic benefit to the commercial centre of the Frimley Shopping Parade [Paragraph 8, Annex A].
- 7.6.3 Given the above information regarding parking, access and advice from the County Highway Authority, it is not considered that the proposal would cause any significant amenity impacts in terms of parking and no objections are raised on these grounds.
- 7.6.4 The County Highway Authority has requested conditions in respect of provision of electric charging sockets and a Construction Transport Management Plan. It is therefore considered that the proposal is acceptable in this regard, subject to conditions.

7.7 Impact 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. This development would be CIL liable the amount of CIL payable would be in the region of £119,880.

7.8 Impact on the Thames Basin Heaths SPA

- 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 SPA and this site is approximately 2km 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.
- 7.8.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and depends on the sizes of the units proposed. This proposal is liable for a SAMM payment of £3566 which has been paid.
- 7.8.4 It is therefore considered that the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD.

7.9 Ecology

- 7.9.1 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. The applicant has provided an Ecological Appraisal which concludes that the site is not covered by any statutory or non-statutory wildlife site designation. The submitted report also found no evidence of any protected species. The report makes recommendations which include works to take place outside of the bird breeding season (i.e. over the period September–February), or, if during the breeding season, immediately after a check by an experienced ornithologist that verifies nesting bird absence. It is recommended that opportunities for biodiversity enhancement in the form of new native tree and shrub planting, and the provision of integrated bird and bat boxes into new buildings. Enclosed bat boxes incorporated into south facing elevations of the new dwellings, in a location to be agreed by an experienced bat worker is also recommended.

- 7.9.2 Surrey Wildlife Trust in their consultation response has not objected, although they note that it is 'highly regrettable' that the development site appears to have been clear felled prior to the submission of this application. The deciduous woodland and any protected species that were present within the footprint of the development site therefore appear to have been removed. That said, the officer cannot ignore the previous consent dating back to 2001 which was renewed in 2006 and most recently granted and part implemented in 2015 (see paragraphs 3.1, 3.2 and 3.3) all ecological requirements have been undertaken in respect of these previous permissions. Likewise the Planning Inspector stated that the site is not important as a natural habitat for species and the development proposed would not result in the loss of an area recognised to be of importance for ecological diversity.
- 7.9.3 Therefore subject to a condition to ensure that the biodiversity enhancements recommended in the report and by Surrey Wildlife Trust are implemented, which will incorporate a landscape and ecological management plan (LEMP), the proposal is considered to be acceptable in ecological terms. The LEMP will include numbers and locations of bat and bird boxes; full details of all proposed landscaping species; and, a description of all ecological aims, objectives, work schedules and management responsibilities to include monitoring, remediation and legal / funding for the ecological enhancements.

7.10 Other matters

- 7.10.1 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.
- 7.10.2 The site does not lie within Flood Zone 2 or 3, however, the Council's Drainage Officer advises that the site is likely to suffer from a high water table across parts of the site and on that basis soakaways are unlikely to be suitable in certain areas. That said, he is confident that a solution can be found and recommends that technical drainage details are to be agreed via condition. On this basis no objections are raised.
- 7.10.3 The application site is on land adjacent to an electricity substation, which has been at the present location for many years and the LPA's Scientific Officer considers this to be a contaminative use. Part of the development land is also a former tarmac car park which is likely to have had car park run off and as such this is also considered a contaminative use by the Scientific Officer. Given both a tarmac car park and an electricity substation can lead to contamination of soil and groundwater, the Scientific Officer recommends a contamination condition (with informative) if minded to approve the planning application.

8.0 CONCLUSION

- 8.1 The proposal for the development of this site for 5 dwellings is considered to be acceptable in all regards, subject to conditions and in line with the relevant policies. It is therefore recommended that permission should be granted.

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

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

3. 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, boundary treatments, the existing trees and hedges to be retained, together with the new planting to be carried out.

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.

4. Building on the submitted Ecology Report by Applied Ecology Ltd dated March 2018, A Landscape and Ecological Management Plan (LEMP), including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscaped areas and ecological mitigation zones shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development, or any phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved 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 the National Planning Policy Framework.

5. Prior to commencement of development a scheme to deal with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority, once agreed, the development shall be carried out and completed wholly in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

6. 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

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

7. The development hereby approved shall not be occupied unless and until each dwelling is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development is to accord with Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

8. The proposed development shall be built in accordance with the following approved plans: 18-J2314-LP, 18-J2314-10, 18-J2314-11, 18-J2314-12, 18-J2314-13, 18-J2314-14, 18-J2314-15 and 18-J2314-16 unless the prior written approval has been obtained from the Local Planning Authority.

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

9. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by QUARTET DESIGN dated March 2018. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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

10. No development shall take place until full details of surface water drainage systems are submitted and approved in writing by the LPA. The surface water drainage system details to include attenuation of 1:100 year event at 30% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

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

3. In respect to the Landscape and Ecological Management Plan (LEMP) condition above. For the avoidance of doubt the LEMP should include the following as a minimum
- Description and evaluation of features to be managed and created including measures to compensate for lost trees,
 - Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings,
 - Full details of all proposed landscaping species, amounts and heights and widths
 - Aims and objectives of the site landscaping and ecology management,
 - Appropriate management options to achieve aims and objectives,
 - Prescriptions for management actions,
 - Preparation of a work schedule for securing biodiversity enhancements,
 - Details of the body or organisation responsible for implementation of the LEMP
 - Ongoing monitoring and remedial measures.
 - Details of legal / funding mechanisms.
4. For the avoidance of doubt, the following definitions apply to the above condition relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination.

5. In respect of the, fast charge socket, condition above. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types
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.
7. With regard to surface water drainage, the applicant is reminded to follow the sequential approach to the disposal of surface water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water DeveloperServices will be required. Should you require further information please refer to their website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-forservices/Wastewater-services>
8. There may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. The applicant is advised to read Thames Water's guide, "working near or diverting our pipes". See <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
9. Thames Water will expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management

Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

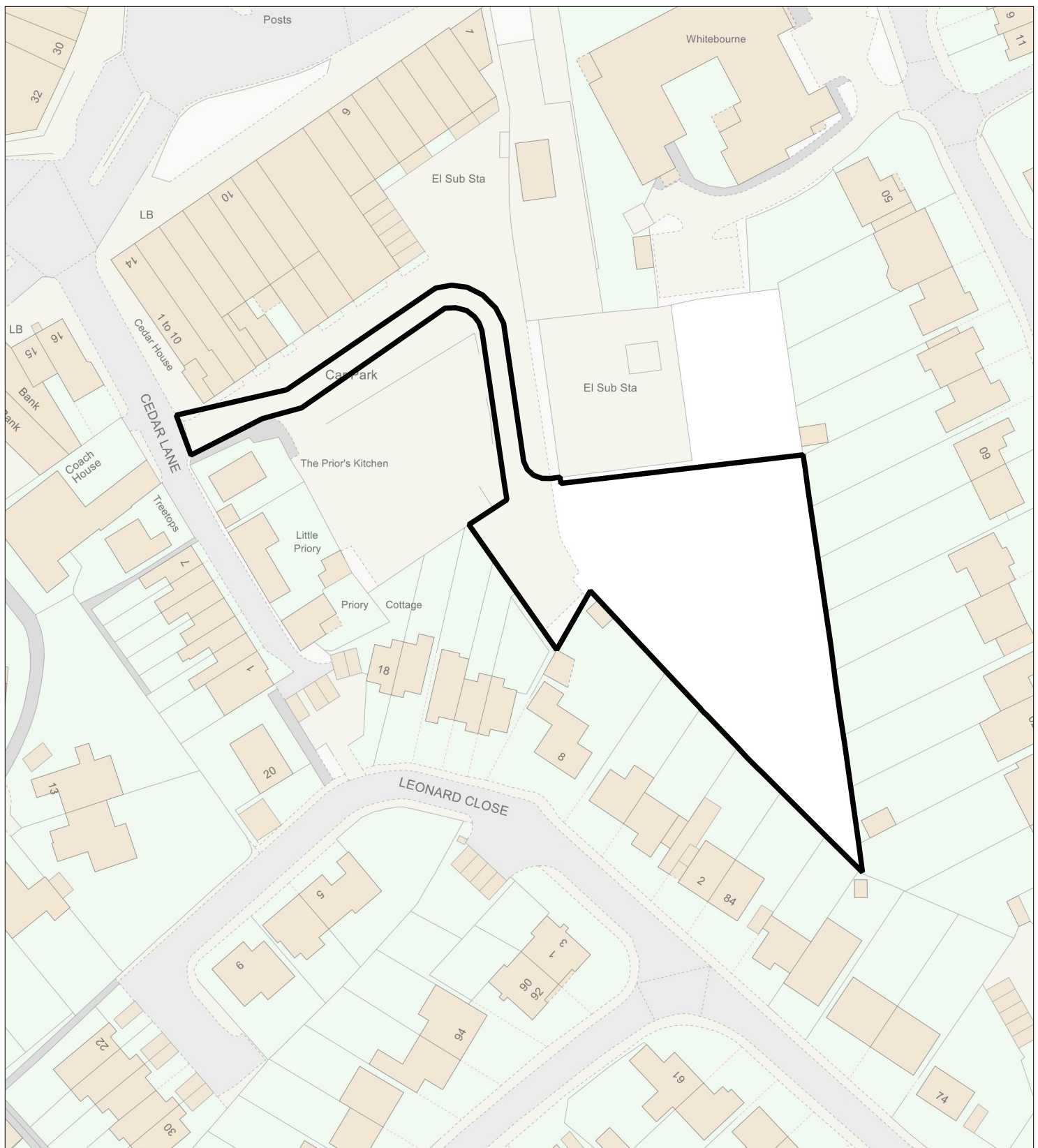
10. In respect of the surface water drainage condition above. The applicant is reminded that the site is not suitable for soakaways and suffers from a high water table in parts of the site.
11. CIL Liable CIL1
12. The applicant is reminded of the Control of Pollution Act 1974 and Environmental Protection Act 1990 wherein the permitted hours of construction work when noise can be audible at a construction site boundary are:

MONDAY TO FRIDAY 8:00am to 6:00pm

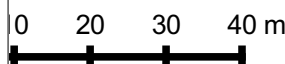
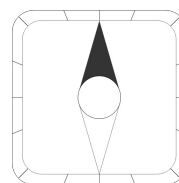
SATURDAY 8:00am to 1:00pm

SUNDAY AND BANK HOLIDAYS No work allowed

Any noisy operations outside these hours cannot be undertaken without prior approval of the Environmental Services department and permission is only granted in exceptional circumstances, e.g. emergency works, in which case the Environmental Health Section should be contacted as soon as possible.



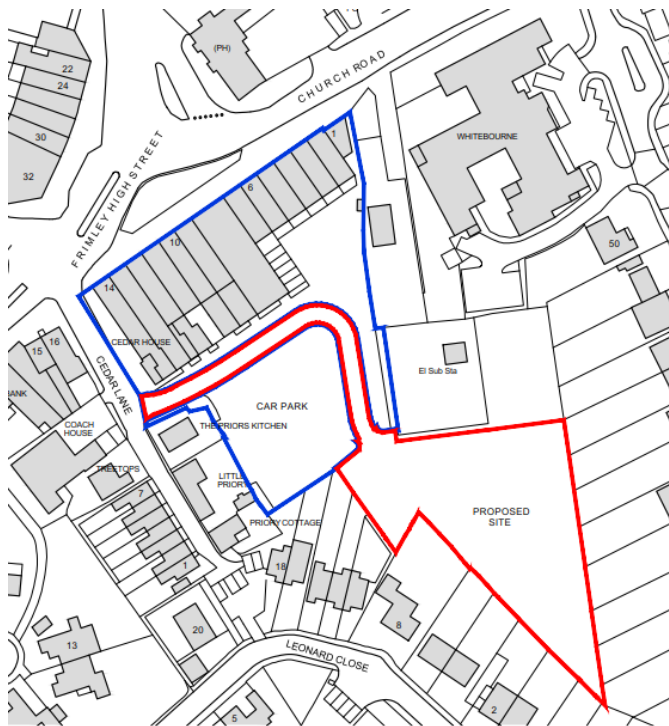
Title	Planning Applications		
Application number	18/0292	Scale @ A4	1:1,000
Address	LAND REAR OF, THE PARADE, FRIMLEY, CAMBERLEY	Date	04 Jun 2018
Proposal	Erection of four buildings to comprise 3 detached four bedroom dwelling houses and 2 semi detached three bedroom dwelling houses with associated carport's/garages, parking and access and alterations to existing car park/service areas.		
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18/0292 – Land Read of the Parade Frimley

Location plan



Proposed site layout



Proposed elevations (plot 1)



Proposed elevations (plot 2)



Proposed elevations (plots 3 and 4)



Proposed elevations (plot 5)



Site photos

Northern side of site



North east side of site



Southern side of site



Eastern side of site



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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.