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Monday, 15 April 2024

To: The Members of the **Planning Applications Committee**
(Councillors: Cliff Betton (Chair), Victoria Wheeler (Vice Chair), Mary Glauert, Shaun Garrett, Liz Noble, David O'Mahoney, Murray Rowlands, Kevin Thompson, Helen Whitcroft, Valerie White and Richard Wilson)

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 a substitute to attend. Members should also inform their group leader of the arrangements made.

Preferred substitutes: Councillors Jonny Cope, Nirmal Kang, Mark Gordon, Ying Perrett, Jonathan Quin, Pat Tedder and David Whitcroft

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 Head of Planning 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 **Thursday, 25 April 2024 at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes of the Previous Meeting	3 - 10

To approve as a correct record the minutes of the meeting of the Planning

Applications Committee held on 21 March 2024.

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.

4	Enforcement Monitoring Report	11 - 16
	Planning Applications	
5	Application Number: 22/0935/OOU - Land South Of Beach House, Woodlands Lane, Windlesham, Surrey, GU20 6AP*	17 - 90
6	Application Number: 24/0041/FFU - Wishmore Cross Academy, 55 Alpha Road, Chobham, Woking, Surrey, GU24 8NE	91 - 110
7	Application Number: 23/1100/FFU - Watchmoor Park, Watchmoor Road, Camberley, Surrey	111 - 168
8	Application Number: 24/0056/FFU - Vanya Cottage, 1 Orchard Hill, Windlesham, Surrey, GU20 6DB	169 - 184
9	Application Number: 24/0055/CES - Vanya Cottage, 1 Orchard Hill, Windlesham, Surrey, GU20 6DB	185 - 196

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

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 21 March 2024

- + Cllr Cliff Betton (Chair)
- Cllr Victoria Wheeler (Vice Chair)
- Cllr Mary Glauert
- + Cllr Shaun Garrett
- + Cllr Liz Noble
- + Cllr David O'Mahoney
- + Cllr Murray Rowlands
- + Cllr Kevin Thompson
- Cllr Helen Whitcroft
- + Cllr Valerie White
- + Cllr Richard Wilson

- + Present
- Apologies for absence presented

Substitutes: Cllrs Alan Ashbury, Ying Perrett and Pat Tedder.

Officers Present: Sarita Bishop, Duncan Carty, Gavin Chinniah, Kate Galloway (virtual), Sue McCubbin (virtual), Gavin McIntosh (virtual), Jenny Murton, Jonathan Partington, Navil Rahman, Eddie Scott, Sarah Shepherd and Andy Stokes - SCC (virtual)

46/P Minutes of the Previous Meeting

RESOLVED that the Minutes of the meeting of the Planning Applications Committee held on 22 February 2024 were approved as being a correct record and signed by the Chair.

The Chair deferred item 4 in the agenda to the end of the meeting.

47/P Application Number: 23/1202/RRM - Princess Royal Barracks, Brunswick Road, Deepcut, Surrey, GU16 6RN

The application was for the provision of a food store and flexible commercial/community space with associated landscaping and car/cycle parking.

It was confirmed that this application was being reported to the Planning Applications committee as informative 22 on the hybrid permission states that all reserved matters applications for Princess Royal Barracks would be referred to the Planning Applications Committee for determination.

The Committee noted that no further representations or views had been received as set out in the Planning Applications Updates report.

The Committee questioned the distance between the service yard and properties and this was confirmed as between 9 and 8.5 metres.

The Committee discussed if a condition had been placed on the application to prevent articulated lorries accessing the site and the case officer confirmed it had not, but one could be included. A representative from Surrey County Council (Highways) supported that it was unlikely that large articulated vehicles would be used for this store, but if they were they would be able to manoeuvre.

Members queried the size of the store and how lighting would be managed, so that it would not adversely affect neighbouring residents. It was confirmed this would be controlled by condition 4 and managed and monitored closely.

The Committee questioned if a community facility had been considered for the site and it was confirmed that this particular site had been identified for a food store, but the current proposal included the potential for community space as part of the flexible uses.

Members queried condition 45, the opening times of the store.

The officer's recommendation to Grant, subject to conditions was proposed by Councillor Garrett, seconded by Councillor Rowlands put to the vote and carried unanimously.

RESOLVED that planning application 23/1202/RRM be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

48/P Application Number: 24/0039/NMA - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application related to application 23/1202/RRM.

The proposal was for a non-material amendment to the approved opening hours for the proposed food store as set out in condition 45 attached to hybrid permission 12/0546, dated 4 April 2014 (as amended), to permit the food store to open between the hours of 07:00 and 23:00, Monday to Saturday and 07:00 and 23:00 on Sundays and Public Holidays.

The officer's recommendation to Grant, subject to conditions was proposed by Councillor Thompson, seconded by Councillor Tedder put to the vote and carried unanimously.

RESOLVED that planning application 24/0039/NMA be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

49/P Application Number: 22/1123/RRM - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application was for the provision of a Sports Hub with a Neighbourhood Equipped Area of Play, car parking and associated works.

The application was being reported to the Planning Applications Committee as it is a major planning application (site area greater than 1 hectare) and given the terms of informative 22 on the hybrid permission, which states that all reserved matters applications for Princess Royal Barracks will be referred to the Planning Applications Committee for determination.

The Committee noted the amended conditions and information detailed in the Planning Updates report.

A verbal update was made in relation to condition 19 to include the words “and cabling” after ducting.

The Committee questioned if there had been any historical contamination issues on the proposed site and the case officer confirmed this would be monitored under condition 55.

The Committee heard that the site would be accessible for users with additional needs, primarily for the residents of the Mindenhurst development and was envisaged to be managed by the Council.

The Committee heard that although Rugby had not been identified for the site, and the existing artificial sport pitch with the Barracks was not being replaced, the need for it had been considered at the hybrid stage, with a financial contribution secured for either Frimley Lodge Park and/or Watchetts Recreation Ground.

The officer’s recommendation to Grant, subject to conditions was proposed by Councillor Noble, seconded by Councillor O’Mahoney put to the vote and carried unanimously.

RESOLVED that planning application 21/1123/RRM be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

50/P Application Number: 23/1239/FFU - Longacres Nursery, London Road,

Bagshot, Surrey, GU19 5JB

The planning application related to the erection of a rear extension to the garden centre building at Longacres Nursery, located north east of Bagshot within the Green Belt. The rear extension would provide an extension to the café and retail area within the main garden centre building. The proposal included the demolition of existing structures, including a poly tunnel used for retail display, and an existing café extension. This would lead to an overall reduction in built form in both volume and floor space.

The application would normally be determined under the Council's Scheme of Delegation but is being reported to the Planning Applications Committee because the agent representing the applicant had been employed by the Council, as a planning officer, within the previous four years.

The Committee asked the case officer to clarify the very special circumstances that supported this extension onto Greenbelt land. Members highlighted how busy the business and subsequently the surrounding roads got, and while appreciated it was a good employer to local residents questioned the size the site had become, and the effect it had on local businesses in Bagshot.

The size of the proposed extension and which poly tunnel would be removed was confirmed. Condition 7, that the retail area provided within the garden centre for the sale of food and drink shall not exceed an area of 275 square metres unless prior written approval was obtained from the Council, was also highlighted.

The officer recommendation to Grant the application, subject to conditions was proposed by Councillor Kevin Thompson and seconded by Councillor Alan Ashbery, but was not supported.

The Head of Planning highlighted that officers had identified that this application would cause no harm to the Green Belt and there was no official evidence that the trade of other businesses in the local area would be affected.

The Committee discussed what the poly tunnel was currently used for, that it was a temporary structure and was lawfully erected.

Members queried point 3.6 in the report which outlined the conditions imposed on a previous application (22/0667).

The Committee wanted clarification on the size of the whole site and the glasshouse building and queried if any hardstanding could be removed on specific areas.

Details of the overall floor space area of 5,043 square metres was discussed .

In response to questions raised by the Committee, the case officer clarified that reference to 15% of the total floor area in condition 6 excluded the floor area of the café.

Members questioned if the application could be deferred and it was considered it was not appropriate.

The meeting adjourned from 8:10pm until 8:17pm.

The officer recommendation to Grant the application, subject to conditions and an amendment to condition 4 was proposed by Councillor Kevin Thompson and seconded by Councillor Alan Ashbery and was carried.

Amendment to condition 4 to include:

It must be demonstrated within six months of occupation of the extension hereby approved, that those structures have been demolished and the land made good.

RESOLVED that planning application 23/1239/FFU be approved, subject to conditions and the amendment to condition 4.

NOTE 1

Voting For the officers recommendation to grant the application, subject to conditions:

Councillors Cliff Betton, David O'Mahoney, Kevin Thompson and Alan Ashbery.

Voting Against the officers recommendation to grant the application, subject to conditions:

Councillors Shaun Garrett, Murray Rowlands, Pat Tedder, Valerie White and Richard Wilson.

Abstain:

Councillors Ying Perrett and Liz Noble.

NOTE 2:

Voting For the officers recommendation to grant the application, subject to conditions, and an amendment to condition 4:

Councillors Alan Ashbery, Cliff Betton, Shaun Garrett, Liz Noble, David O'Mahoney, Ying Perrett, Murray Rowlands and Kevin Thompson.

Voting Against the officers recommendation to grant the application, subject to conditions, and an amendment to condition 4:

Councillors Pat Tedder, Valerie White and Richard Wilson.

Abstain: None.

NOTE 3:

Councillor Shaun Garrett declared a non-pecuniary interest that he visits Longacres Garden Centre.

51/P Application Number: 21/0875/FFU - Land East of Four Oaks Nursery, Highams Lane, Chobham, Woking, Surrey, GU24 8TD

The application related to the change of use of land to a Gypsy and Traveller site, serving two pitches comprising two mobile homes, two touring caravans and the construction of two utility room buildings together with associated landscaping including the installation of hardstanding.

The application was being reported to the Planning Applications Committee under Part 3 – Section B, Paragraph 1.5 of the Constitution, due to a recent appeal decision which was allowed at Oaks Farm, Philpot Lane within the Green Belt which is a material consideration in relation to the acceptability of this current planning application and a pending Enforcement Notice on the site.

The Committee noted the updates to this application on the Planning Applications Updates report.

The Committee questioned if the pitches were located outside the 400m buffer zone of the Thames Basin Heath Special Protection Area (SPA), if they would be included in Surrey Heath's figures for Gypsy and Traveller pitch provision and it was confirmed they would.

Councillor Pat Tedder read out a statement from Councillor Victoria Wheeler who she was a substitute for. It included referencing an appeal decision allowed at Oaks Farm, Philpot Lane and respecting local infrastructures.

The Committee heard further details on the appeal decision allowed at Oaks Farm, Philpot Lane, the differences between the two applications and the Council's unmet need regarding Gypsy and Traveller pitches in the borough of Surrey Heath.

The Committee heard about the applicant's commercial activities, the removal of the sand school and plans to reduce the current hardstanding.

The proximity of the site to the M3 motorway, air quality and potential pollution was also discussed, and it was confirmed that Environmental Health had raised no objections to the application.

The officer's recommendation to Grant, subject to conditions and a legal agreement was proposed by Councillor Wilson, seconded by Councillor O'Mahoney put to the vote and carried.

RESOLVED that planning application 21/0875/FFU be approved.

NOTE 1

Voting For the officers recommendation to Grant the application, subject to conditions and a legal agreement:

Councillors Alan Ashbery, Cliff Betton, Shaun Garrett, Liz Noble, David O'Mahoney, Ying Perrett, Murray Rowlands, Kevin Thompson, Valerie White and Richard Wilson.

Voting Against the officers recommendation to Grant the application, subject to conditions and a legal agreement:
Councillor Pat Tedder.

Abstain:
None.

Chair

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Monitoring Report

Portfolio:	Planning
Ward(s) Affected:	All Wards

Purpose: An information item providing an overview of function and performance of the Planning Enforcement Service for the period 1st January 2024 to 31th March 2024

1. Key Issues

1.1 This report provides an overview of the performance of the Planning Enforcement Team, which is part of the wider Corporate Enforcement function for quarter four of the current financial year i.e. from 1st January 2024 to 31st March 2024.

1.2 The following matters are covered within the report:

- Performance of the Planning Enforcement team
- Information on Notices Issued
- Information on outstanding appeals
- Progress on key projects

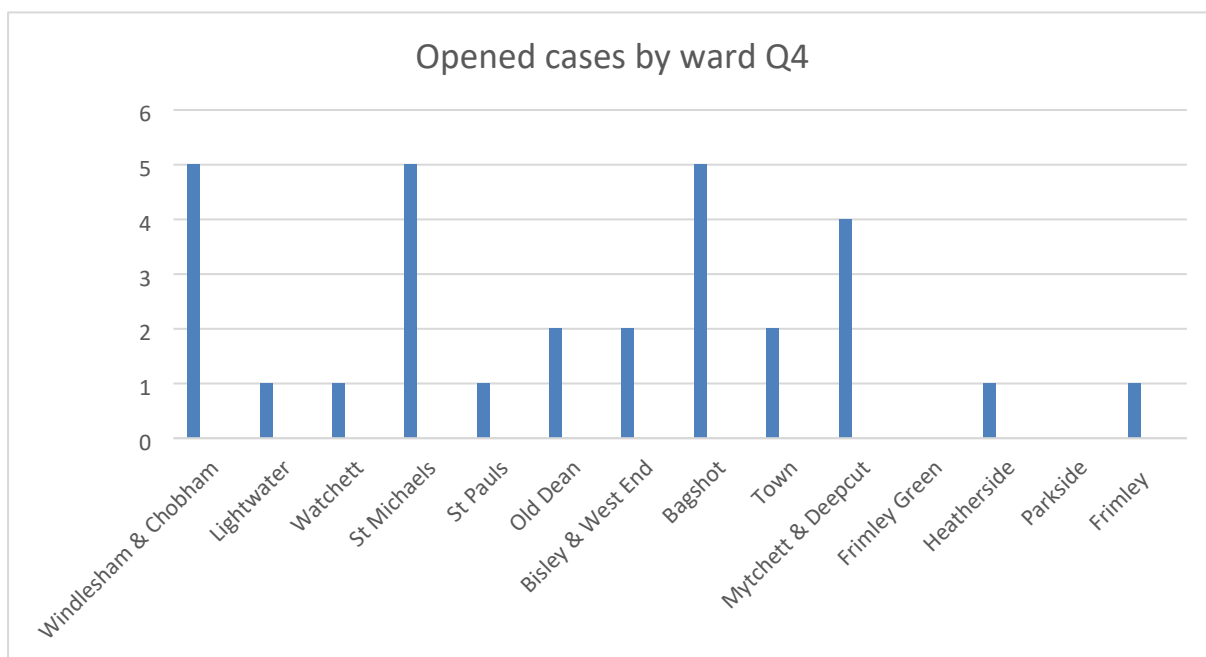
2. Enforcement Performance

2.1 During quarter 4, (January 2024 to March 2024), the Planning Enforcement Team, received 30 service requests. The investigated allegations of breaches of planning control are determined as follows:

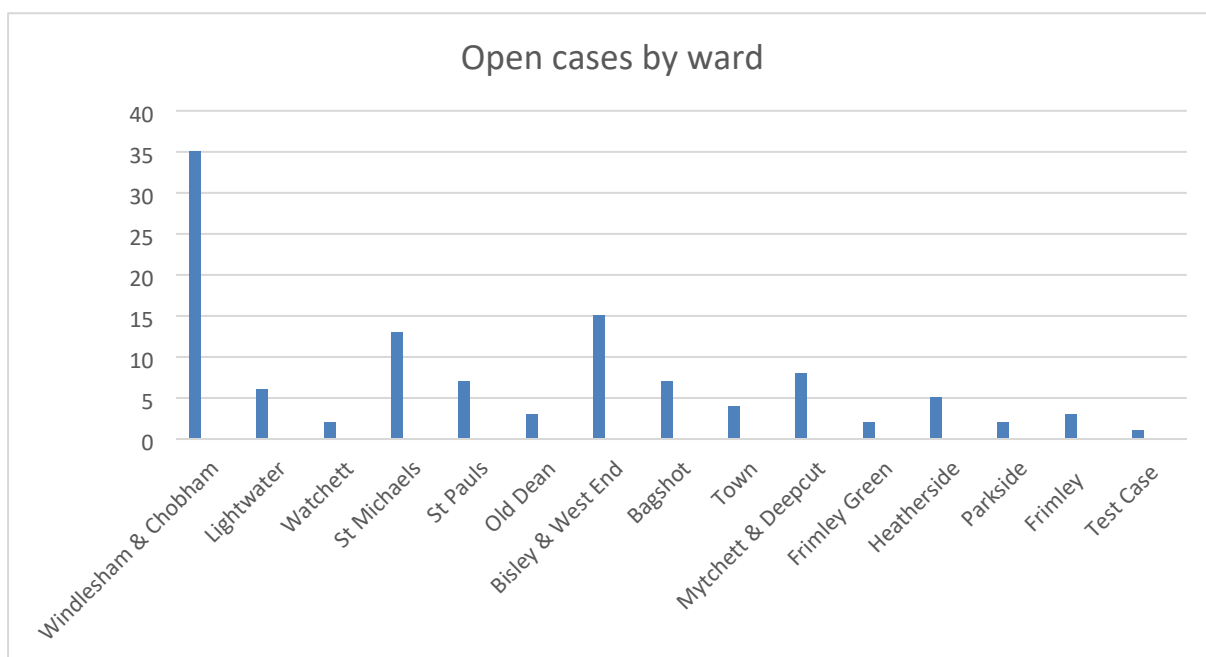
Number of referrals received during period	30
No breach established	3
Breach resolved	0
Not expedient to pursue	0
Planning applications received dealing with matters under investigation	0
Pending consideration (open investigations)	27
Enforcement Notices issued (Reissued)	0
Breach of Conditions Notices issued	1
Planning Contravention Notices Issued	3

2.2 There were 109 open or unresolved planning enforcement cases at the end of the reporting period in Q3. At the end of Q4, this number had increased by 4 taking the current open cases that are being currently investigated by the team to 113.

2.3 Of the cases reported during Q1, the following table identifies the number of investigations opened per ward :



2.4 Of the current open cases outstanding, the following table identifies the number for each ward:



2.5 Quarter 4 saw the team meet the 80% target (**achieved 80%**) set out in their Key Performance Indicator (KPI) of planning enforcement referrals where the initial action (e.g. a site visit) takes place within the target timescales as set out in the adopted Local Enforcement Plan. The KPI cumulative performance this financial year exceeds the target at 80%, the figure for the year is 88%.

3. Enforcement Notices Issued during reporting period

- 3.1. No Enforcement Notices were issued during the quarter 4. One Breach of Condition Notice (BCN) was issued relating to a property in Colville Gardens, Lightwater regarding conditions relating to the erection of fencing.

4. Injunctions

- 4.1 Pumping Station, West End, GU24 9EQ. The team gained a warrant of entry as we had been previously refused entry. This was executed on 13 March 2024 and evidence gathered. The case will be returning to The High Court in May 2024.

5. The following cases which were subject to appeal have been determined during the reporting period :

- 5.1 154 Guildford Road, West End. The Enforcement Notice was withdrawn on Barristers advice at the start of the Public Inquiry. The appellant applied for costs, this has been dismissed. Currently, a review for next steps is now taking place.
- 5.2 Four Oaks Nursey, Highams Lane, Chobham. Start date 12/7/22. Appeal grounds. A, D.

Date of decision 14 January 2024 – the Inspector quashed the notice. A copy of the appeal decision is appended to this report. Currently, a review for next steps is taking place.

6. The following cases have been appealed and are with the Planning Inspectorate for determination

- 6.2 Land on South East side of 79 Guildford Road, Bagshot. Reference number 3295907. Start date 12/4/22. Appeal grounds A, C, D, F, G.

These appeals were proceeding through the written representations procedure.

The appointed Inspector undertook an accompanied site visit in relation to these appeals on 12th December 2023.

Following his visit, the Inspector has resolved to change the procedure for determination of the appeals to an informal hearing.

The Inspector has resolved to hold the hearing virtually and the hearing date is 16 April 2024.

- 6.3 Chobham Car Spares, Clearmount, Chobham Reference number 3301643. Start date 5/7/22. Appeal grounds. A, C, D, E, F. Reference number 3301644. Start date 5/7/22. Appeal grounds. C, D, F, G

Appeal site visit took place on 5 March 2024, awaiting Inspectors decision.

- 6.4 Land to the East of Highams Lane, Chobham. Reference number 3301015. Start date 20/6/22. Appeal grounds. A, C, D, F, G. Reference 3301016. Start date 20/6/22. Appeal grounds. C, D, F, G. (Sometimes referred to as land East of Lake House)

This appeal is proceeding through the public inquiry procedure.

Planning application 21/0875/FFU was approved at planning committee on 21 March 2024, awaiting decision to be issued.

Once the planning decision is issued a review will take place.

- 6.5 55A Robins Bow, Camberley, Surrey. Reference number 3319565. Appeal grounds A, C, F.

This appeal is proceeding through the informal hearing procedure.

Awaiting the hearing date to be fixed.

- 6.6 Land at Browells Wood, Windlesham Road, Chobham. Reference number 3328661. Appeal grounds F.

Appeal Procedure – written representations.

Awaiting site visit arrangements.

- 6.7 Land South of Heath Cottage, Priests Lane, West End. Reference number 3328517. Appeal grounds C and E.

Appeal Procedure – written representations.

Awaiting site visit arrangements.

7. Uniform / Enterprise

- 7.1 Work remains ongoing in relation to standardisation of documents and procedures in relation to the use of the Uniform database.

- 7.2 During the last quarter significant work has been completed in association with the enterprise task functionality. This work has involved completion of process mapping of all tasks and associated procedures within the system. I.T colleagues have provided direct and invaluable assistance in relation to technical coding and technical permissions.

- 7.3 At the time of preparation of this report, an IDOX consultant has been engaged for two days to assist with the technical challenge of writing the related tasks with officers assisting where possible. The enterprise tasks which will be created following this piece of work will improve the functionality of the system and will

introduce performance enhancements, particularly in relation to audit and performance functions. It is anticipated that the tasks will be completed before the committee meeting takes place.

The introduction of these tasks will necessarily lead to the need to undertake a further procedural edit of processes associated with the use of uniform, however, in both the longer and shorter term, the functionality and accessibility of the database will be improved. Officers are therefore committed to begin a series of mentoring/training sessions to ensure functionality and performance matters are resolved where necessary across the team.

Alongside the formalisation and introduction of these enterprise tasks, during the coming quarter, the reviewed enforcement templates and documents will be introduced to the system. This should also lead to improved functionality and lead to reduced duplication of tasks across the function. The revised documents have also been updated to reflect changes to the legislative provisions.

7.4 As previously reported, the appeals module is now configured for use and will be engaged on receipt of the first appeal received during this financial year. This will include a link to public access via the Council website.

7.5 Members will be updated on further progress in the next performance report.

8. Summary

8.1 Q4 has been an exceptionally busy quarter with appeal inquiries, hearings and legal proceedings.

8.2 Officers are, and are likely to remain, very busy for the new financial year due to the number and complexity of ongoing appeals and legal proceedings alongside reviewing recent appeal decisions and complex cases. We will however endeavour to continue to progress system and procedure improvements and make full use of technology.

Author / Contact Details	Maxine Lewis, Corporate Enforcement Team Leader Julia Greenfield, Corporate Enforcement Manager
Head of Service Strategic Director	Gavin Chinniah, Head of Planning Nick Steevens, Strategic Director of Environment & Community

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LOCATION:	Land South Of Beach House, Woodlands Lane, Windlesham, Surrey, GU20 6AP.
PROPOSAL:	Outline application for the demolition of 1 Broadley Green to facilitate the erection of 20 residential (Use Class C3) dwellings for age restricted (55+ years) accommodation with new means of access off Broadley Green with access to be determined and all other matters reserved.
TYPE:	Outline
APPLICANT:	Lavignac Securities
OFFICER:	Navil Rahman

This application has been reported to the Planning Applications Committee because it is a major development (a development of ten dwellings or over).

RECOMMENDATION: GRANT subject to conditions and a legal agreement

1.0 SUMMARY

- 1.1 The application relates to outline planning permission for the demolition of 1 Broadley Green and the construction of twenty residential units (net nineteen), age restricted for occupiers of 55 years or older (C3 Use Class). The application in addition to the principle of the development seeks to establish the means of access off Broadley Green with all other matters (appearance, layout, landscaping, and scale) reserved.
- 1.2 The application site relates to a rural exception site and seeks to provide 75% affordable housing provision (fifteen units), four of which would be provided to the Windlesham Community Trust. There would be five market housing units.
- 1.3 The application has demonstrated a local need for affordable housing for people with a local connection to the area, which cannot be met within the settlement boundary; will provide affordable housing for local people in perpetuity; and adjoins an existing settlement and is accessible to support the daily needs of the new residents. The principle of the development is therefore considered acceptable, and the proposal would not represent inappropriate development in the Green Belt.
- 1.4 The provision of market housing is considered necessary to support the viability of the scheme and the provision of affordable housing is therefore considered acceptable.
- 1.5 The proposed density of the development is considered acceptable, as is the indicative layout and siting of the development and the access to the site would be similar to that granted under previous planning applications (ref.18/0734 and 17/0526). No objections are raised in respect to neighbouring amenity, highway, flood risk, ecological or any other grounds.
- 1.6 The application is therefore recommended for approval subject to conditions and a legal agreement to secure the affordable housing provision and restricting occupancy to +55 residents.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to a parcel of open, undeveloped land situated to the south of Woodlands Lane towards the junction with Broadley Green outside of the settlement boundaries although sited to the edge of Windlesham. The site lies within the Green Belt and Flood Zone 1 (low risk).
- 2.2 The site is currently occupied by a field shelter used for the keeping of one horse with part of the site forming the rear garden of Anfield House, Woodlands Lane. The site has an even gradient and falls 1m from north to south and is virtually level from west to east. It is enclosed by wooden access gates with close board fencing at either side using an existing dropped kerb off Broadley Green, and post and rail fencing along the other site boundaries.
- 2.3 The surrounding area within the settlement to the north of the site is characterised by a mix of semi-detached and detached, single-family dwellings standing at single-storey and two-storey level of a varying age and architectural style. To the south, east and western boundaries are open fields with trees and hedges found to the site boundaries including trees protected by tree protection orders (TPO) on the eastern boundary outside of the red line curtilage of the site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 17/0526 Outline Application for the erection of fifteen affordable dwellings (all social rented) with access off Broadley Green. Access only with all other matters reserved. Granted 16 February 2018 (not implemented).
- 3.2 17/0533 Outline application for the erection of fifteen affordable dwellings (six managed by the Windlesham Community Homes Trust and nine intermediate affordable dwellings) with access off Broadley Green. Access only with all other matters reserved.
- Refused for the following reasons:
1. Failure to demonstrate a proven local need within the Parish of Windlesham for the proposed intermediate housing, for sale below market levels but above social rent costs, to people with a local connection to the area. As such the proposal represents inappropriate and harmful development in the Green Belt. By association, the proposal would cause significant harm to the openness of the Green Belt and the purposes for including land within it.
 2. The absence of a payment or a completed legal agreement for a SAMM payment.
- 3.3 18/0734 Outline application for the erection of fifteen affordable dwellings (six for affordable rent and nine for affordable shared ownership) with access off Broadley Green. Access only with all other matters reserved.
- Reported to the Planning Applications Committee on 15 August 2020 with an officer recommendation to approve. Granted 30 September 2020 with a legal agreement securing the affordable housing and SAMM (not implemented and has expired).
- See Annex A for a copy of this committee report and the legal agreement.

4.0 PROPOSAL

- 4.1 Outline planning permission together with means of access is sought for the construction of twenty age restricted retirement accommodation (Use Class C3) comprising of 5x2 bedroom units and 15x3 bed units, with eight units for affordable rent, seven for shared ownership and five market units. The proposal initially included a community building which was removed to allow for additional parking to be provided on site.
- 4.2 The dwellings would be predominantly a mix of detached and semi-detached units with a single terrace of three units, having their own private rear gardens and short front gardens with parking provided to the front of the units. They would comprise a mix of single-storey bungalows and two-storey dwellings, with each dwelling benefiting from a sheltered cycle store situated to their rear gardens. A total of fifty-five car parking spaces are provided for the development. The indicative layout shows the dwellings would be situated around a central communal amenity area and attenuation pond. Soft landscaping is shown to the boundaries, to the front of the properties and interspersed between the parking spaces.
- 4.3 Access to the site would be off Broadley Green between No.1 Broadley Green (which is to be demolished and rebuilt to make way for the access) and the rear of Anfield House, where an existing field gate leads to the application site. The layout slightly differs from that previously consented under application ref.18/0734 and 17/0526 by being sited approximately 3m further south to ensure that the rear garden of Anfield House is largely maintained.
- 4.4 Matters of appearance, layout, scale, and landscaping would be subject to reserved matters.
- 4.5 The applicant sets out that the proposal would support the delivery of accommodation for persons aged 55 and above, an identified need in the borough and Windlesham, based on trends shown within the Surrey Heath Local Housing Needs Assessment (LHNA) which estimates a significant growth of this demographic within the borough. The proposal would also contribute towards the affordable housing need whilst the applicant states four units would be provided at discount to the Windlesham Community Home Trust, a registered charity, to help meet the local affordable need. The submitted viability assessment demonstrates that there would be only a 6% profit on gross development value (GDV) for these five units). Due to the age restricted use of the site, the quantum of dwellings proposed (an increase of five units relative to the previous now expired permission ref.18/0734) was required to ensure the scheme would be viable.
- 4.6 The application has been supported by the following documents:
- Planning Statement
 - Design and Access Statement
 - Drainage Assessment
 - Transport Statement
 - Preliminary Ecological Appraisal (include surveys)
 - Viability Assessment
 - Retirement Living Report
 - Sustainability and Energy Statement

5.0 CONSULTATION RESPONSES

5.1 The following external consultees were consulted, and their comments are summarised in the table below:

External Consultation	Comments received
County Highways Authority	Raise no objection subject to conditions relating to visibility splay installations, pedestrian crossing installation, EV charging points, cycle storage and construction transport management plan together with compliance of parking layout. See Annex B for full comments.
Local Lead Flood Authority	Raise no objection subject to a condition securing a detailed SuDS scheme.
Windlesham Parish Council	Raise objection on the following grounds: - Demolition of one half of a semi-detached property may have harmful implications on the neighbouring property and insufficient detail provided on the risk to the party wall. Officer response: Building Control would consider the structural integrity of the neighbouring property. Any works would need to be subject to a party wall agreement conducted by an independent surveyor ensuring works are carried out without prejudice to either party.
Surrey Wildlife Trust	Raise no objection, however clarification is sought on the extent of hedgerow loss, protection, and mitigation measures, whilst biodiversity should be secured. Recommend conditions in respect of sensitive lighting management plan, detailed reptile mitigation strategy, ecological England and management plan, landscape and ecological management plan and construction environmental management plan (CEMP).

5.2 The following internal consultees were consulted, and their comments are summarised in the table below:

Internal Consultation	Comments received
Arboricultural Officer	Raise no objection to the proposal however recommend that matters of tree protection and management are secured by condition.
Planning Policy	Raise no objection to the proposal and consider the development to have identified a local need.
Council's Viability consultants	Raised no objection to the proposal following a reduction to the number of market houses to 5 (down from 7).

6.0 REPRESENTATION

6.1 A total of twenty-nine letters of consultation were sent on the 21 September 2022 and to neighbouring residents together with site notices date 21 September 2022 displayed at the site, and press notices issued on the 5th and 10th October 2022. Following the amendment to the plans for the removal of the community building additional consultation was sent out on the 28 March 2024. A total of sixty-nine letters of support and six letters of objection were received together as part of the public notification exercise. The comments are summarised and responded to below.

6.2 The table below summarises the material planning reasons for objection:

Material Reason for Objection	Officer Response
<u>Principle of Development</u>	
Not required, planning requests for around 170 new dwellings in the surrounding area.	The site previously benefitted from planning permission under application 18/0734 for fifteen dwellings which remains a material consideration. The proposal, for an additional five dwellings, has demonstrated a need for affordable housing, and retirement housing in the local area. This is considered further in section 7.3 of the report.
No clear need for the development to meet Rural Exception tests.	The application is considered to meet the rural exception test and is considered acceptable in principle. This is considered further in section 7.3 of the report.
No very special (exceptional) circumstances	No very special circumstances are required to demonstrate the acceptability of the proposal as it meets the test of a rural exception site and is therefore considered appropriate development within the Green Belt. This is considered further in section 7.3 of the report.
Insufficient information on the need for over 55 housings.	The applicant has provided a retirement living report which outlines the age distribution of residents in the village against the lack of supply and lack of pipeline development of this type of housing. The local need is discussed further in section 7.3 of the report.
Proposal keeps increasing in density.	The proposed density of the development (21 dwellings per hectare) is no greater than the density of dwellings found in the surrounding (34 dwellings per hectare on Broadley Green), whilst the scheme is considered acceptable in respect of its indicative layout, spacing and storey heights. Paragraphs 123 and 128 of the NPPF set out that development that makes the efficient use of the land should be supported which is considered the case here.
<u>Amenity</u>	
Impact on neighbouring occupiers in respect of noise, construction activities and privacy.	A construction management plan is recommended to be secured by condition to assist in minimising the impacts of the construction activities. Noise and traffic impact is expected during any construction activities

	and given the scale of development, and the imposition of the condition recommended above, it is considered that any harm arising from construction activities would not warrant a reason for refusal.
Impact to structural integrity of No.3 Broadley Green as well as health and enjoyment of occupiers during the construction period and potential for construction to take a long time resulting in disruption to neighbouring occupiers.	Any demolition works would require Building Regulations and the integrity of the neighbouring property would be considered at this stage.
<u>Highways and Parking</u>	
Fails to respect Broadley Green, with the new access creating a highway safety concern for neighbouring users.	The proposed access is similar to the previously approved applications ref.18/0734 and 17/0526 with the only amendment being sited approximately 3m further south to ensure that the rear garden of Anfield House is maintained. SCC Highways have assessed the access and consider it acceptable.
Impact on existing blue badge parking spaces close to the entrance whilst no consideration given to existing parking demand nor impact of construction traffic and pollution.	The proposed access has been amended relative to that agreed on previous applications. County Highways has assessed the access in terms of safety and has raised no highway safety concerns. Any impact arising from construction traffic would be temporary in nature and expected with any new development.
Windlesham suffers from inadequate facilities and the development will increase traffic and burden on services supplied by neighbouring villages.	The proposal relates to the net gain of 19 dwellings. Whilst there would be an increase to the population, it is considered that it would not be sufficient to adversely impact on local services and facilities.
Insufficient parking provided not considering visitor parking whilst no regular viable bus service provided in Windlesham.	The proposed parking ratio is considered acceptable in line with Windlesham Neighbourhood Plan parking standards which requires an increased parking provision relative to SCC standards.
<u>Other Issues</u>	
Public notification narrowly drawn for an application that is of wider interest of the village.	The public notification exercise meets statutory requirements.
Contrary to the Windlesham Neighbourhood Plan (WNP).	This comment has not been elaborated any further, however, the proposal would accord with the requirements set out in the WNP.

6.3 The table below summarises the non-material planning reasons for objection:

Non-Material Reason for Objection	Officer Response
Impact on heating bills.	This is not a relevant material consideration.
Proposal is for developer gain.	This is not a relevant material consideration.
No statement and business plan for the purchase arrangements by the	This is not a relevant material consideration. The affordable housing provision would be secured by s106.

Windlesham Community Home Trust (WCHT)	
Description does not make clearly that this is a new application.	The application description does not reference any previous application and would therefore be considered a new application.

7.0 PLANNING CONSIDERATIONS

7.1 In considering this development regard is given to Policies CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14A, CP14B, DM5, DM9, DM10, and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the Southeast Plan 2009 (as saved) (SEP); the Residential Design Guide (RDG) SPD 2017, the Windlesham Neighbourhood Plan 2018-2028, the National Design Guide and the National Planning Policy Framework (NPPF); as well as advice within the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS).

7.2 The key issues to be considered are:

- Principle of development including impact on the Green Belt
- Impact on the character, appearance, and trees of the surrounding area.
- Impact on residential amenity.
- Impact on access, highway safety and parking capacity.
- Impact on flood risk and drainage
- Impact on biodiversity and ecology
- Impact on the Thames Basin Heaths Special Protection Area

7.3 Principle of development including impact on the Green Belt

7.3.1 The application site is situated within the Green Belt. Paragraphs 152 and 153 of the NPPF state inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.3.2 The construction of new buildings is to be regarded as inappropriate subject to a limited number of specific exceptions. Relevant in this instance is paragraph 154 f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites).

7.3.3 Paragraph 82 of the NPPF states that Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

7.3.4 Policy DM5 of the CSDMP sets out the Council's approach to Rural Exception Sites, stating development consisting of 100% affordable housing within the countryside or Green Belt will be permitted where:

- i) There is a proven local need for affordable housing for people with a local connection to the area; and
- ii) The need cannot be met within the settlement boundary; and
- iii) The development will provide affordable housing for local people in perpetuity; and
- iv) The development site immediately adjoins an existing settlement and is accessible to public transport, walking or cycling and services sufficient to support the daily needs of new residents.

- 7.3.5 Policy DM5 is to be read alongside Paragraph 82 of the NPPF, and where market housing is provided, it is necessary to demonstrate whether this is required to support the viability of the development. The applicant has submitted a viability assessment which has been appraised by the Council's appointed viability consultants. Following the review, the applicant has agreed to a maximum of five market units to support the proposal (down from seven originally proposed) in line with the recommendation from the viability consultants.
- 7.3.6 The site was previously granted under in 2017 and 2018 (ref.17/0526 and 18/0734) for 100% affordable housing of net 15 dwellings. However, the previous schemes were not age restricted and the proposal represents a materially different scheme as a result. The increase in the net number of dwellings by four in this application, as evidenced by the viability assessment is considered necessary to provide for this scheme. The viability appraisal considered the previous applications as a potential alternative use value of the site however, it was considered that the residual value of those schemes would be negative and therefore it would not represent a viable scheme.
- 7.3.7 As such, given the conclusion of the appraisal, the proposal is considered to meet the starting point necessary to be considered acceptable as a rural exception site.
- i) There is a proven local need for affordable housing for people with a local connection to the area and ii) and (ii) Whether this need can be met within the settlement boundary.
- 7.3.8 Policy DM5 recognises that there are limited opportunities to provide housing within the smaller settlements such as Windlesham at a scale which will deliver significant levels of affordable housing.
- 7.3.9 The application is supported by justification taken from the Council's Housing Needs Assessment together with a Retirement Living Report. In the national context, there is a 'critical' need for housing for older people, based on the significant growth in the elderly demographic, with housing with care becoming an increasingly preferred option for older people to enable them to remain independent for as long as possible. The PPG advises that where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address the need.
- 7.3.10 The SH Housing Needs Assessment (2020) sets out that Surrey Heath trends in having a predicted 33% increase in +55-year-olds in the borough. Given the ageing population and higher levels of disability and health problems amongst older people, there is an increased requirement for retirement housing options in the future. The demand for retirement housing generally largely comes from older persons who live locally and are looking to downsize however at present there is a lack of high-quality homes, and this type of housing is generally made of flatted development which is a less attractive prospect. The proposal would provide a more attractive proposition for those looking to downsize, freeing up homes within the village for young families.
- 7.3.11 Policy DM5 does not provide any detail as to what qualifies "people with a local connection to the area". However, Page 21 of the Windlesham Neighbourhood Plan (WNP) identifies priority housing as 2/3-bedroom dwellings for older persons, with a need for retirement and assisted living units as well as homes for young persons.
- 7.3.12 The SH Housing Needs Assessment (2020) also sets out a net annual need of thirty shared ownership units and seventy-two affordable rented units in the rest of borough sub-area. The level of net housing need in the borough is considerable and the Council should seek the maximum affordable housing provision from development as viably possible. The previous application ref.18/0734 established the need for affordable housing specifically in Windlesham which remains the case. Evidence from the SH

Strategic Housing Market Assessment 2016 (SHMA) sets out that there was an annual need for thirty low-cost dwellings in Windlesham Parish. The Council's Five-Year Housing Land Supply (2023-2028) identifies one other site (Land East of St Margaret, Woodlands Lane ref.23/0080) which could be deliverable to meet this need however this application remains under consideration. This application proposes twenty shared ownership units and, in any case, would not be able to meet the annual target in Windlesham Parish alone.

7.3.13 The proposed form of housing and affordable housing provision would be secured by legal agreement with a local lettings policy agreed which would ensure that the qualifying residents have a local connection to the area i.e. have lived or worked in the area for at least 18 months. This type of agreement was considered acceptable as part of the previous application ref.2018/0734 (see Annex A for a copy of the legal agreement) and would ensure the development is provided for local residents. Subject to this agreement, the proposal has demonstrated an identified local housing need to which it would contribute towards and therefore would accord with parts i) and ii) of the policy.

iii) Whether the development will provide affordable housing for local people in perpetuity.

7.3.14 The legal agreement would be worded to ensure that the affordable housing is provided for local people. The agreed s106 agreement with the previous application ref.2018/0734 defined "local connection" as the following criteria (in a descending priority order). The definition would be applied to any s106 agreement attached to this application, ensuring that the affordable housing provision is provided for local people in perpetuity.

- i) Been ordinarily resident in the parish (for a minimum of 12 months); or,
- ii) Previously lived in the parish and continues to have a strong family connection to the parish (father, mother, brother, sister, or adult children who have lived in the parish for 5 years); or,
- iii) A demonstrable need by virtue of their employment to live in the parish; or,
- iv) A demonstrable need to live within the parish either to care and support or be cared for and supported by a family member; or,
- v) A demonstrable special requirement or need to live in the parish evidenced to and accepted by Surrey Heath Borough Council's Housing Services Manager; or,
- vi) Is and has been a resident in Surrey Heath District Council's administrative area for the preceding 12 (twelve) months; or,
- vii) has been resident in Surrey Heath District Council's administrative area for 3 (three) years out of the preceding 5 (five) years; or,
- viii) has been resident in Surrey Heath District Council's administrative area for 5 (five) years out of the preceding 10 (ten) years; or,
- ix) is permanently employed or has an offer of permanent employment in Surrey Heath District Council's administrative area; or,
- x) is temporarily employed or has an offer for temporary employment in a contract of not less than 12 months in Surrey Heath District Council's administrative area; or,
- xi) has a close relative currently resident in Surrey Heath District Council's administrative area; or,
- xii) is and has been a resident in any parish in Surrey for the preceding 12 (twelve) months; or,
- xiii) has been a resident in respect of any parish in Surrey for 3 (three) years out of the preceding 5 (five) years; or,
- xiv) has been a resident in respect of any parish in Surrey for 5 (five) years out of the preceding 10 (ten) years; or,
- xv) is permanently employed or has an offer of permanent employment in respect of any parish in Surrey; or,
- xvi) is temporarily employed or has an offer for temporary employment, in a contract of not less than 12 months in respect of any parish in Surrey; or,

xvii) has a close relative currently resident in any parish in Surrey; or,
xviii) any other person.

7.3.15 Given the previous agreement, the above definition is considered acceptable and appropriate in this instance subject to a clause being attached to the agreement to determine the relevant marketing period.

iv) Whether the development site immediately adjoins an existing settlement and is accessible to services sufficient to support the daily needs of new residents.

7.3.16 The application site sits immediately adjacent to the settlement boundary of Windlesham to the north and west of the site. It was accepted in the previous application ref.18/0734 that the site, by virtue of its location adjacent to the settlement would be considered a relatively sustainable location, with the village itself by virtue of being designated as a settlement area considered a sustainable location. It is recognised that the village itself does not benefit from various facilities and amenities typically associated with urban settlements however, the site would be a 4-minute walk to the local convenience store, pharmacy, and an additional minute walk to the nearest public house. The route to these amenities is a made road, with appropriate lighting and footways ensuring a safe and appropriate journey for users. The nearest supermarket is a 27-minute walk from the site through a made pedestrian route. Given the rural context of the surroundings, the site would be considered adequately located in respect of local services.

Summary

7.3.17 The application has identified a local need for affordable housing and housing for +55 persons and the proposal would contribute towards meeting this need. The proposal is therefore considered to be acceptable in line with Policy DM5 of the CSMDP as well as meeting exception f) of paragraph 154 of the NPPF. It would not be inappropriate development in the Green Belt. As such, the proposal would be considered acceptable in principle subject to an appropriate legal agreement.

7.4 Impact on the character, appearance, and trees of the surrounding area

7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Principle 6.2 of the RDG requires residential developments to use trees, vegetation, gardens, and open spaces to create a strong, soft green character to streets. Paragraphs 123 and 128 of the NPPF promote the effective use of land, particularly where there is an identified need for different types of housing. Developments which fail to make efficient use of land should be refused.

7.4.2 Policy WNP1.2 of the WNP states that development which provide a mixture of housing sizes and types and prioritises the development of two and three-bedroom dwellings to assist in increasing housing mobility within Windlesham village, shall be supported. Policy WNP2.1 states that proposals for new housing development shall be supported if they respond positively to and protect the built and natural character features of their setting within Windlesham village. Planning applications shall be supported if they:

- Maintain the established density including number of residential units and ratio of building footprint to open space development in the surrounding area.
- Maintain the general scale of development in the surrounding area without creating any overbearing presence; and
- Maintain the style and pattern of separation between buildings and widths of building frontages.

7.4.3 The application remains at outline stage with matters of layout, appearance, and scale to be determined by reserved matters. However, the submitted indicative site layout,

and the supporting documents provide an indication of how the scheme could be laid out, whilst also stating that the development will likely consist of bungalow and two-storey, semi-detached and detached properties comprising of two and three bedrooms. The previous applications granted on the site related to developments of net 15 dwellings and are material considerations. The proposal would result in an increase of 4 additional dwellings relative to the previously approved schemes.

- 7.4.4 The proposal would have a density of 21 dwellings per hectare (an increase from the 16 units per hectare of the previously approved scheme ref.18/0734). This is similar to the densities found on Broadley Green (34 dwellings per hectare) whilst densities of 80 dwellings per hectare can be found in the wider surrounding area such as that on Fromow Gardens 240m to the east of the site. The proposed building footprint to open space ratio would also be similar to that found on Broadley Green and Woodlands Lane and whilst it is recognised that some of the properties immediately north benefit from more generous sized gardens, this is not indicative of the wider surrounding area. The proposed form, and type of dwelling would conform with that found in the surrounding area particularly on Broadley Green. The indicative pattern of development would not appear out of character with the surrounding area, with the spacing between the properties, the plot widths, and lengths, together with the provision and size of the garden spaces, relating to the existing surrounding area. The proposed use of landscaping would contribute to the rural, verdancy typical of the area, and the indicative layout ensures sufficient landscaping would be provided.
- 7.4.5 Paragraph 123 within the NPPF states that developments should promote an effective use of land in meeting the need for homes and other uses. Furthermore, paragraph 128 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into consideration different types of housing, local market conditions and viability. In this instance the proposed application has had due regard to these policies and should be further supported on this basis.
- 7.4.6 The proposed development by virtue of its location relative to the surrounding residential properties, would not be clearly viewed from existing public realm vantage points and therefore would not have a significant impact on the visual amenities of the surrounding area. The proposed parking layout would be acceptable allowing for convenient parking, and access.
- 7.4.7 The indicative layout illustrates an adequate level of soft landscaping can be achieved on site, and no objections have been raised by the Council's Arboricultural Officer. Landscaping would be a reserved matter and the final details of the landscaping including tree protection measures would be secured at the reserved matter stage. No objections were raised with the previous application in respect of the tree details proposed. As such, the proposal is considered acceptable in respect of trees.
- 7.4.8 The full details of the appearance, layout, landscaping, and scale of the development will be considered at reserved matters stage. The proposed indicative layout is considered appropriate and acceptable in the immediate and wider context, and no objections are raised on design and character grounds. The proposal would satisfy the objectives of Policy DM9 of the CSDMP, the WNP, the RDG and the NPPF.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP is relevant.
- 7.5.2 Notwithstanding the rebuild of No.1 Broadley Green, the indicative layout demonstrates a minimum 25m separation distance between the nearest elevations of the existing neighbouring dwellings and the proposed dwellings. Given the separation distance, and that the development is to be at a maximum two-storeys in height, it is considered there would be no significant amenity impact to neighbouring occupiers in

respect of outlook, privacy, and daylight/sunlight. In respect of noise, the proposal would generate additional noise relative to the existing context however, the level of noise would be similar to the surrounding residential uses and given the separation distance would unlikely result in any undue or harmful impact.

- 7.5.3 Regarding No.1 Broadley Green, the property would extend approximately 3m beyond the neighbouring property at No.2 whilst including a setback from the shared boundary. Given the modest projection in combination with the setback, it is considered the proposal would not result in any significant harm to the neighbouring occupiers amenity. Where concerns have been raised in respect of the structural integrity of the property and the impact to the neighbour, this is a matter that would be subject to a party wall agreement and considered by Building Control legislation.
- 7.5.4 Plots 2 and 3 would sit adjacent to the end of the rear gardens of the properties fronting Woodlands Lane. There would be a minimum separation distance of approximately 25m between the nearest elevations and given the maximum two-storey height proposed and their position to the end of the rear gardens where boundary planting is found between the properties, it is considered there would be no significant amenity harm arising to the neighbouring properties.
- 7.5.5 The indicative layout would ensure occupiers receive acceptable levels of outlook, privacy, and private amenity space although these matters can only be confirmed following the submission of reserved matters. No objections have been raised by the Councils Arboricultural officer subject to ensuring tree protection and management details are secured by condition.
- 7.5.6 As such, the proposal is considered acceptable in respect of neighbouring amenity impact and the standard of accommodation in accordance with the objectives of Policy DM9 of the CSDMP.

7.6 Impact on sustainability, highway safety and parking capacity

- 7.6.1 Policy DM11 of the CSDMP relates to the impact on the highway network, including matters of highway safety, access, and parking.
- 7.6.2 The proposed means of access is similar to that was approved under application ref.18/0734, positioned approximately 3m south of the approved access. The width at the bell mouth would be slightly enlarged whilst the width of the access road would remain the same.
- 7.6.3 SCC Highways have been consulted on the application and raised no objections on safety, capacity, or policy grounds subject to appropriate conditions securing visibility splays, and pedestrian crossings to be installed.
- 7.6.4 Resident objections have been raised in respect of the impact upon existing off-street parking, particularly the potential impact to two marked disabled parking bays close to the new access. Given the absence of any objections from SCC Highways and the acceptability of the previous application, the access is considered acceptable and would not have any highway safety impact.
- 7.6.5 Concerns have also been raised in respect of parking provision. The surrounding area appears to benefit ample parking provision, with most properties benefitting from off-street parking and there appears to be scope for parking overspill if necessary. Policy WNP4.2 of the WNP states that new residential developments should, where space permits, provide parking spaces within the boundaries of the development for: 2 vehicles for 1 and 2-bedroom dwellings; and 3 vehicles for 3+ bedroom or larger dwellings. This policy is based on data from the 2011 Census. Policy WNP4.1 states parking spaces should have a minimum dimension of 2.9m by 5.5m.

- 7.6.6 In accordance with Policy WNP4.2, 55 parking spaces are required which the proposal would provide and therefore accord with the policy. It would also accord with the dimensional requirements set out in Policy WNP4.1. As the layout remains indicative, an informative is recommended to be attached to any grant of permission advising the applicants to conform to the aims and objectives of Policies WNP4.1 and 4.2. This is consistent with the approach taken with application 18/0734 (see Annex A and paragraph 7.6.5).
- 7.6.7 Each parking space would be installed with an EV charging point in line with SCC guidance. Cycle storage is provided to the rear gardens which is considered appropriate and acceptable and aimed towards reducing dependency on vehicle use.
- 7.6.8 As such, based on the above and the absence of any objection from the Highway Authority, the proposal is considered acceptable in respect of highway safety, access, and parking capacity in accordance with Policies CP11 and DM11 of the CSMDP and the WNP.

7.7 Impact on flood risk and drainage

- 7.7.1 Policy DM10 of the CSDMP is relevant.
- 7.7.2 The application site lies in a Zone 1 (low risk) flood area, however, relates to a major development. The Lead Local Flood Authority has reviewed the proposal and raised no objections subject to the implementation of a SuDS with the details to be secured by planning condition. On this basis the proposed development would be considered acceptable on drainage and flood risk grounds complying with Policy DM10 of the CSDMP and the NPPF.

7.8 Impact on biodiversity and ecology

- 7.8.1 Policy CP14 of the CSDMP is relevant.
- 7.8.2 The application is supported by a preliminary ecological appraisal, including bat roost survey and reptile survey. Surrey Wildlife Trust (SWT) have been consulted on the application, raising no objection. However, they asked for clarification on the impact on the hedgerow habitat of principal importance and recommend various conditions in the interests of species and biodiversity.
- 7.8.3 In respect of the hedgerow habitat of principal importance, SWT have stated that as the hedgerows appear to fall within the boundaries of the dwellings the long-term retention cannot be ensured and therefore either appropriate protection measures or compensation and mitigation measures should be secured. As the landscaping has not been agreed it is not confirmed whether these would form part of the boundary of the dwellings however, in the event it is, then appropriate replacement planting would be required to offset any impact.
- 7.8.4 SWT has also commented recommending that any development ensures that there would be no loss of overall biodiversity requiring an appropriately detailed biodiversity net gain (BNG) assessment, albeit there is no adopted legislative requirement for this to be provided (this only applies to major applications received from 12 February 2024). A BNG assessment has since been provided, however it is recognised that with landscaping and layout matters to be considered by reserved matters, it would be more appropriate to consider this matter by condition. This is because without the final layout agreed the level of gain cannot be confirmed.
- 7.8.5 It is recommended that subject to the recommendations of the submitted preliminary ecological appraisal, the Green Shoots Ecology report addendum and the conditions

recommended by SWT being adhered to, the proposal would not result in any significantly harmful impact to the ecology and biodiversity of the surrounding area in line with Policy CP14 of the CSDMP.

7.9 Impact on the Thames Basin Heaths Special Protection Area

7.9.1 Policy CP14 of the CSDMP indicates that development will only be granted where the Council is satisfied that the proposal will not give rise to a likely significant adverse effect upon the integrity of the Thames Basin Heath Special Protection Area (SPA). All new (net) residential development within five kilometres of the SPA is considered to give rise to the possibility of likely significant effect. Policy NRM6 of the SEP reflects these requirements. Proposals will be required to provide appropriate measures in accordance with the AAP. This includes contributions towards SAMM measures. SANG requirements are provided through CIL.

7.9.2 The Council has sufficient capacity of SANG for the development in the event of a grant of permission. The applicant has confirmed that the SAMM contribution would be secured through a legal agreement prior to the determination of this application. Subject to the signing of the legal agreement the proposal satisfies the objectives of Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the AAP.

7.10 Other matters

7.10.1 It is recommended that a condition be attached to any grant of permission to restrict the use of Permitted Development rights in respect of Schedule 1, Part 2, Classes A, B and E. Paragraph 54 of the NPPF advises against the use of planning conditions to restrict PD rights unless there is clear justification to do so.

7.10.2 Windlesham Village benefits from a semi-rural, natural character supported by a low ratio of built development to open space development in the surrounding area. The proposal as shown in the indicative layout form does not result in any significant harm to these characteristics. However, noting the large rear gardens of each plot, each property could feasibly undertake a significant amount of development without the need for planning permission if Permitted Development rights are retained resulting in an urbanised form of development which would be contrary to the verdant, open characteristics of the wider area. The imposed condition would not restrict the ability for the landowner to extend their property, only that express planning permission is sought, allowing due consideration to any future development on site. It is not considered necessary to restrict all classes of Part 1 of Schedule 2 of the GPDO, but only these parts which would allow for sizeable additions (i.e. outbuildings, side/rear extensions, roof extensions) to the properties.

7.11 Planning balance

7.11.1 The site was previously granted permission for net fifteen homes, and the proposal seeks to provide an additional net four homes. The principle of residential development on this site has been previously considered and is therefore considered acceptable.

7.11.2 The proposed development would increase the number of units compared to the previous grant of permission. However, the proposed density would remain lower than that of the immediate surrounding area and significantly lower than the wider village. The proposed development would be in accordance with the surrounding character in terms of size and scale. The indicative layout illustrates good spacing between and around properties and achieves a good ratio of building development to open space. Each property would have external amenity space exceeding the minimum requirements, and a sufficient number and size of parking spaces in accordance with the WNP.

- 7.11.3 The proposed increase in the number of units does not harm the acceptability of the proposal in respect of its design and impact on the surrounding character, whilst making more efficient use of land in line with paragraphs 123 and 128 of the NPPF.
- 7.11.4 The proposal would contribute towards an unmet and growing identified need in the borough for elderly persons housing, a type of housing considered a “priority” in the WNP. In addition, through providing attractive downsizer homes for local residents, the existing housing stock within the village would be released for young persons and families, another form of priority housing identified in the WNP.
- 7.11.5 No objections have been raised by the SCC Highways, SWT, LLFA, nor the Council’s Arboricultural or Policy officers.
- 7.11.6 Given the efficient use of the land, the contribution towards an identified need, provision of affordable housing together with the absence of any objections from statutory consultees and acceptability of the proposal in all other regards, it is considered that the planning benefits of the proposal weigh in favour of permission being granted.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex, and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The application has demonstrated an identified local housing need for affordable housing and +55 housing to justify the acceptability of the proposed development in principle. The proposal would therefore not be inappropriate development in the Green Belt. The proposed access is considered acceptable with Surrey County Highways raising no objections to the proposal. A full assessment of the impact of the proposal on the character (including landscaping) and amenity of the surrounding area will be considered at reserved matters stage, however, based on the submitted indicative plans and information, no objections are raised on these or any other grounds. The proposal is therefore recommended for approval subject to appropriate conditions and legal agreement in line with the CSDMP and NPPF.

10.0 RECOMMENDATION

The Executive Head of Planning to be authorised to GRANT permission subject to a legal agreement to secure the following:

- Seven units to be provided and maintained as shared ownership affordable housing.
- Eight units to be provided and maintained as social rented affordable housing in perpetuity.
- the Shared Ownership Dwellings will only be sold to persons with a local connection to the Parish of Windlesham.
- the Affordable Rent Dwellings shall only be let in accordance with a local lettings policy to persons with a local connection to the Parish of Windlesham.
- Future occupiers to be a +55 years old.
- The financial contribution towards SAMM.

GRANT subject to a legal agreement and the following conditions:

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

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

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Broadley Green has been constructed and provided with 2.4 x 43 metre visibility splays in accordance with the approved plans (Drawing No.101.H received 19 March 2024) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6 metres high.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

3. The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Broadley Green the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

4. The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing on Broadley Green, including tactile paving, has been provided as part of the construction of the vehicular access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

5. The development hereby approved shall not be first occupied unless an uncontrolled pedestrian crossing on Woodlands Lane, including tactile paving, has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11

of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

7. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (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: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

8. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with parking for bicycles in a robust, secure, and lit enclosure in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facility shall be provided, retained, and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

9. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives, and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

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: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

10. The development hereby permitted shall be carried out wholly in accordance with the submitted Preliminary Ecological Assessment 23 May 2022 and addendum received 7 March 2023. The recommendations and any necessary mitigation and compensation measures shall be provided and carried out and thereafter retained in perpetuity.

Reason: In the interests of biodiversity, ecology, and local amenity, in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and objectives of the National Planning Policy Framework.

11. 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 to mitigate the tree loss within the site and shall build upon the aims and objectives of the supplied BS5837:2012 - Trees in Relation to Design, Demolition and Construction Arboricultural Method Statement.

Reason: In the interests of biodiversity and trees and to preserve and enhance the visual amenities of the locality in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. 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: In the interests of biodiversity and trees and to preserve and enhance the visual amenities of the locality in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. Prior to the commencement of any works a pre-commencement a survey must be undertaken by a suitably qualified ecologist to confirm the presence/absence of badgers. If any signs of badgers are found during the pre-commencement check further survey work will be required to be undertaken and a mitigation strategy submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works within thirty metres of any sett. The mitigation strategy shall be implemented in full in accordance with the approved details.

Reason: To prevent the disturbance of protected species and the destruction of any sett tunnels within the site, in line with the objectives of Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the National Planning Policy Framework.

14. No development shall commence unless and until a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority. The SLMP should include details of how the development will result in no net increase in external artificial lighting.

Reason: To secure the appropriate long-term management of the site to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with

15. Prior to the commencement of development, an updated reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall include:

- Location and map of the proposed translocation site.
- Assessment of the habitats present, including their ecological function to reptiles.
- Assessment of the translocation site reptile population size, evidenced by recent reptile surveys following best practice and an assessment of habitat quality.
- Analysis of reptile carrying capacity of translocation site.
- Details of management measures that are required.
- Work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- Details of the body or organisation responsible for implementation of the reptile mitigation strategy.
- Ongoing monitoring and remedial measures.
- Legal and funding mechanisms by which the long-term implementation of the reptile mitigate strategy will be secured by the applicant with the management bodies responsible for its delivery.
- Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To ensure the appropriate protection, mitigation, and compensation of potential harm to reptiles in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Framework.

16. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of the following:

- o Description and evaluation of features to be managed.
- o Ecological trends and constraints on site that might influence management.
- o Aims and objectives of management.
- o Appropriate management options for achieving aims and objectives.
- o Prescriptions for management actions, together with a plan of management compartments.
- o Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- o Details of the body or organisation responsible for implementation of the plan.
- o Ongoing monitoring and remedial measures.
- o Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- o Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To secure the appropriate long-term management of the site to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with

17. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, to include details of:
- a) Map showing the location of all the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protected fences, exclusion barriers and warning signs.
 - g) Site operation time
 - h) Details of proposed means of dust suppression and emission control
 - i) Details of proposed means of noise mitigation
 - j) Lighting impact mitigation
 - k) Material and waste management
 - l) Procedure for implementing the CEMP

Reason: To mitigate the impact of the construction activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

18. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.7 l/s including multi-functional SuDS.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Including confirmation that the outfall pipe work and existing watercourse remains in publicly accessible areas.
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company, and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwellings hereby approved or additions to their roofs shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement, or other alterations to the development in the interests of visual and residential amenity and to preserve the openness of the Green Belt and wider surrounding area, to accord with Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required. A replacement copy can be obtained, however, there is a charge for this service.
2. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the Council will issue a Liability Notice in respect of chargeable development referred to in this decision as soon as practicable after the day on which this decision first permits development. The Liability Notice will confirm the chargeable amount calculated by the Council in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Surrey Heath Charging Schedule. Please note that the chargeable amount is a local land charge.

Failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this decision may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing, and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Council's website.

3. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement 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. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to submit to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-managementpermit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

4. 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.
5. Notwithstanding any permission granted under the Planning Acts, no signs, devices, or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
6. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning, or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

8. The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
9. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle

Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

10. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
11. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
12. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading, and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
13. Should the applicant wish to offer the proposed road for adoption the CHA would require the following:
 - o A 2m service margin to be provided on the northeastern side of the carriageway, with a minimum 0.5m on the other side. Clear demarcation of the edge of highway.
 - o A 2m wide footway to be provided on the northeastern side of the carriageway at least as far as property No. 1 shown on the indicative site plan. The footway to properties No. 1 and 2 to tie into this.
 - o Clear visual demarcation of the start of the shared surface area.
 - o All parking bays to be a minimum 2.4 x 4.8m with a minimum 6m space provided in front of any garage.
 - o Other technical details to be agreed.
14. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone, the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
15. The applicant is advised to ensure that the final layout complies with the aims of Policies WNP4.1 (New Residential Developments Parking Space Design) and WNP4.2 (Residential Developments Parking Space Standards) of the Windlesham Neighbourhood Plan 2019.

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LOCATION: LAND SOUTH OF BEACH HOUSE, WOODLANDS LANE,
WINDLESHAM, GU20 6AP

PROPOSAL: Outline application for the erection of 15 affordable dwellings (six for affordable rent and nine for affordable shared ownership) with access off Broadley Green. Access only with all other matters reserved.

TYPE: Outline

APPLICANT: Lavignac Securities

OFFICER: Ross Cahalane

RECOMMENDATION: GRANT subject to a legal agreement and conditions

1.0 SUMMARY

- 1.1 This application seeks outline planning permission for the erection of 15 affordable dwellings (six for affordable rent and nine for affordable shared ownership) with access off Broadley Green. Outline approval is only being sought in respect of establishing the principle of the proposed development and the means of access, with all other matters in respect of appearance, landscaping, layout and scale being reserved.
- 1.2 Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies (CSDMP) permits 100% affordable housing within the Green Belt provided that there is a local need. The proposal is presented as a rural exception site, with the proposed tenure mix of affordable rented and shared ownership affordable dwellings to meet the definition of affordable housing as outlined in the National Planning Policy Framework. There is a proven local need for this mix of affordable housing adjoining the settlement of Windlesham. On this basis, the proposal is not inappropriate development in the Green Belt.
- 1.3 The proposed site access is identical to the extant approval (17/0526). There is also no objection to the indicative layout. The proposal is therefore recommended for approval subject to conditions and a legal agreement to control the implementation and occupation of the affordable housing.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises of approximately 0.9 ha area of open undeveloped land to the south of Woodlands Lane and its junction with Broadley Green. The land currently contains a mobile field shelter used to keep one horse on site, with part of the application site being the rear garden of Anfield House, Woodlands Lane. The site has an even gradient and falls 1m from north to south and is virtually level from west to east. It is enclosed by wooden access gates with closeboard fencing at either side utilising an existing dropped kerb off Broadley Green, and post and rail fencing along the other site boundaries.

- 2.2 The site is almost entirely within the Green Belt but adjacent to the defined settlement of Windlesham, with the proposed vehicular access junction with Broadley Green located within the garden curtilage of 'Anfield House', Woodlands Lane - which is within the settlement boundary. The adjacent settlement area along Broadley Green and Woodlands Lane comprises a number of semi-detached and detached two storey and bungalow properties of varying age and architectural style, with open land to the south, east and west.

3.0 RELEVANT PLANNING HISTORY

- 3.1 13/0092 Change of Use of Anfield House, Woodlands Lane from (C3) dwelling house to mixed use with Veterinary Practice (Sui Generis) at ground floor and residential (C3) above following the erection of a single storey side and rear extension and raising of the roof to provide accommodation in the roof space.
Granted 10 May 2013 (not implemented – permission now expired)
- 3.2 16/1048 Outline application for the erection of 15 dwellings comprising houses for the over 55s (Class C3) and houses for the Windlesham Trust Community Home (Class Cc) with access off Broadley Green. Access only with all other matters reserved.
Application withdrawn
- 3.3 17/0526 Outline Application for the erection of 15 affordable dwellings (all social rented) with access off Broadley Green. Access only with all other matters reserved.
Decision: Granted (not implemented)
- 3.4 17/0533 Outline application for the erection of 15 affordable dwellings (six managed by the Windlesham Community Homes Trust and nine intermediate affordable dwellings) with access off Broadley Green. Access only with all other matters reserved.
Decision: Refused for the following summarised reasons:
1. Failure to demonstrate a proven local need within the Parish of Windlesham for the proposed intermediate housing, for sale below market levels but above social rent costs, to people with a local connection to the area. As such the proposal represents inappropriate and harmful development in the Green Belt. By association, the proposal would cause significant harm to the openness of the Green Belt and the purposes for including land within it.
2. The absence of a payment or a completed legal agreement for a SAMM payment.

4.0 THE PROPOSAL

- 4.1 Outline planning permission is sought for the erection of 15 affordable dwellings (six for affordable rent and nine for affordable shared ownership). Outline approval is only being sought in respect of establishing the principle of the proposed development and the means of access, with all other matters in respect of appearance, landscaping, layout and scale being reserved.
- 4.2 The current proposal is identical to the previous outline proposals (See Section 3 above) in terms of its access and indicative layout, scale and amount. The site plan indicates that the dwellings would all be detached and single storey, consisting of nine two bedrooms units and six three bed units, all with their own private rear amenity areas and some with their own off-street parking areas. An area of public amenity space would appear to be provided within the centre of the site, with a further area of open land along the west of the entrance road adjacent to No. 1 Broadley Green. Vehicular access would be off Broadley Green, between No. 1 and the rear of Anfield House, where an existing field gate leads to the application site.
- 4.3 In support of the application the following documents have also been submitted:
- Design and Access Statement
 - Report – “The Requirement for Shared Ownership Housing in Windlesham Parish”
 - Access Statement
 - Sustainability and Energy Statement
 - Tree Report
 - Landscape Appraisal
 - Ecology Report and Bat Survey
 - Flood Risk and Drainage Review.

5.0 CONSULTATION RESPONSES

- 5.1 County Highways Authority No objections raised on safety, capacity or policy grounds, subject to conditions *[See Section 7.4 below]*.
- 5.2 Surrey Wildlife Trust No objection, subject to conditions *[See Section 7.8]*.
- 5.3 Windlesham Parish Council No objections raised.

6.0 REPRESENTATION

6.1 At the time of preparation of this report, 21 objections have been received from 14 neighbouring properties, raising the following concerns:

Green Belt [*Officer comment: See Sections 7.4 and 7.6*]

- Application is same as previous submission which was refused
- Land not allocated in Windlesham Plan
- No evidence of need for affordable housing
- Why is application submitted for intermediate housing, when approval for affordable housing has already been granted?
- Proposal is not for affordable homes
- Inappropriate development in the Green Belt
- Applicant has failed to demonstrate very special circumstances
- All other alternatives options should be exhausted
- Windlesham has already more than met its quota for new houses – with no increase in facilities such as public transport, school places, parking or medical facilities – doctor's surgery has closed.

Character [*Officer comment: Refer to Section 7.5*]

- Harm to rural character of the area.

Highway safety [*Officer comment: Refer to Section 7.6*]

- Vehicular access is neither safe or practical– Broadley Green is narrow with extensive on-street parking
- Vehicular access from Broadley Green also unsafe - due to bend in road and no footpath on one side of Woodlands Lane
- Traffic increase – area already congested - Windlesham already used as a rat-run
- Public transport provision is insufficient
- Existing parking provision is at a premium –insufficient provision along Broadley Green and for Woodlands Lane bungalows
- Impact on use of disabled parking bay near to access
- Parked vehicles already cause problems for residents
- HGVs turning, reversing and loading – safety concern on narrow road – damage to cars

- Where will contractors park vehicles?
- Timetable within Access Statement not correct.

Amenity [Officer comment: See Section 7.7]

- Increased pollution and noise from road traffic and HGVs
- Occupiers will be subject to M3 pollution.

Ecology [Officer comment: Refer to Section 7.8]

- Negative impact on local environment, natural habitats and wildlife – Important habitat for many species - including legally protected species, birds and hedgehogs (Amazing Grace campaign).

Other matters

- Proposal is commercial enterprise for financial gain

[Officer comment: Refer to Section 7.4 for the relevant in-principle considerations]

- Application site includes land in third party ownership

[Officer comment: The applicant has completed Certificate B on the application form to confirm that third party owners have been notified in respect of the proposed access.]

7.0 PLANNING CONSIDERATION

- 7.1 This outline application, seeks to establish the principle of the proposed development and the means of access only. Policies CP1, CP2, CP5, CP6, CP12, CP14, DM5 and DM11 within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP) are relevant. Regard must also be had to the Residential Design Guide (RDG) SPD 2017.
- 7.2 Since the determination of the outline schemes in November 2017, the local and national policy context has changed with the adoption of the Windlesham Neighbourhood Plan (WNP) in June 2019 and the revised National Planning Policy Framework (NPPF) in February 2019. The WNP is now part of the Statutory Local Strategic Development Plan (in this specific case, the CSDMP). All the above will also be referred to where appropriate.

7.3 The main issues to be considered in this outline application are:

- Principle and appropriateness of development in the Green Belt;
- Impact upon the character of the area;
- Means of access and highway impacts;
- Impact on residential amenities;
- Impact on ecology;
- Impact on local infrastructure and the Thames Basin Heaths SPA; and,
- Other matters.

7.4 Principle and appropriateness of development in the Green Belt

7.4.1 The Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence (Paragraph 133 of the NPPF refers). Paragraph 145 of the NPPF also states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this. The applicant contends that this proposal falls under one of the listed exceptions – i.e.: Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites). The applicant also makes reference to Paras 77 and 78 of the NPPF, which supports opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.

7.4.2 Policy DM5 (Rural Exception Sites) of the CSDMP sets out the approach to affordable housing in the Green Belt and states:

Development consisting of 100% affordable housing within the countryside or Green Belt will be permitted where:

- (i) There is a proven local need for affordable housing for people with a local connection to the area; and*
- (ii) The need cannot be met within the settlement boundary; and*
- (iii) The development will provide affordable housing for local people in perpetuity; and*
- (iv) The development site immediately adjoins an existing settlement and is accessible to public transport, walking or cycling and services sufficient to support the daily needs of new residents.*

7.4.3 It was initially proposed that all dwellings would be intermediate affordable housing, in the form of shared ownership. However, the applicant was advised by the case officer that in light of the Council's Housing Register figures (see Para 7.4.7 below), the provision of shared ownership housing only would not meet with the requirements for a Rural Exception Site as set out under Policy DM5.

7.4.4 In light of this and the subsequent revision of the NFFP, the applicant now proposes six dwellings as affordable rented housing (run by a Registered Provider), with the remaining nine dwellings comprising affordable shared ownership, comprising part-buy/part-rented dwellings where an eligible purchaser could buy a percentage equity and pay rent on the remaining percentage.

All proposed dwellings would comply with the current criteria in the NPPF Affordable Housing definition.

7.4.5 The subtext (para 6.32) to Policy DM5 of the CSDMP advises that the intention of the policy is to help provide accommodation for local people, who often have a local connection through employment or from growing up in the area and still have family who reside in the locality. Para 6.33 adds that the Council recognises there is limited opportunities to provide housing within these settlements at a scale which will deliver significant levels of affordable housing. It is therefore necessary to consider the Policy DM5 criteria in turn:

(i) Whether there is a proven local need and (ii) Whether this need can be met within the settlement boundary

7.4.6 The applicant has provided a report entitled “The Requirement for Shared Ownership Housing in Windlesham Parish” to seek to demonstrate that there is a current need for both social rented housing and affordable shared ownership housing in Windlesham Parish. The report’s authors (Wessex Economics) also prepared the Strategic Housing Market Assessment 2016 (SHMA) relied upon by the Council in assessing future overall housing requirements for the Borough. The same methodology as the SHMA has been used (including Census data) to indicate what the existing and projected demand for shared ownership, with the addition of localised household income data. The conclusion is that there appears to be a current need for around 78 low cost home ownership dwellings in Windlesham Parish, and an annual future requirement for around 30 such dwellings in Windlesham Parish.

7.4.7 In assessing whether the proposal would meet a truly local need, the Council’s Housing Manager provides the following comments and figures:

- Demand on the Housing Register from people living in Windlesham parish requiring rented housing is as follows:

One bedroom	27 households
Two bedroom	37 households
Three bedroom	10 households
Four bedroom	0 households

- Since September 2017, this represents an increase in demand of over double for two beds and nearly 50% for 3 beds.
- There have been no new affordable units delivered in Windlesham parish since 2011/12 - this means that all social housing lettings come from turnover in the existing stock. In 2016/17 this equated to:

One bedroom	14 units
Two bedroom	9 units
Three bedroom	0 units
Sheltered housing	5 bedsits

- In the last three years 20 households have made homeless applications to the Council from Windlesham Parish.

7.4.8 Having regard to the above, the Council's Housing Manager strongly supports the delivery of 2/3 bedroom rented housing at this site, but has also commented that whilst the applicant has submitted a report in support of delivering only low cost home ownership, the social housing need identified above demonstrates the requirement for a mixed development. This view is also informed by recent evidence from recent developments elsewhere in the Borough, whereby the delivery of a number of shared ownership units at the same time lead to providers being unable to sell to people with a village connection and as such, had to extend the connection criteria outside of the Borough. The Council's Housing Manager has advised that the current proposal must be underpinned by a legal agreement that does not allow a cascade - meaning units can only be sold to residents with the agreed Parish connection, and in perpetuity.

7.4.9 In light of the above comments and Housing Register figures, read alongside the Wessex Economics report commissioned by the applicant, it is now considered that there is a need for a mixture of affordable rented and shared ownership housing in Windlesham Parish that has not been met within the settlement boundary. A review of the Council's most recent Five Year Housing Land Supply Paper (2017-2022) does not indicate that there are any other sites which are available and/or deliverable to meet this need and on this basis, criterion (ii) would also be met.

7.4.10 The affordable dwellings will be offered as 6 units for social rent (and retained as such in perpetuity) and 9 units for shared ownership sale, with all dwellings provided to those eligible persons with a local connection to the Parish of Windlesham (including Bagshot and Lightwater). The applicant is willing to provide the affordable housing as a whole subject to a local lettings policy agreed with the Council and secured by a S106 agreement.

(iii) Whether the development will provide affordable housing for local people in perpetuity

7.4.11 It is accepted that the DM5 (iii) requirement could be met by a s106 agreement providing and maintaining the affordable housing as suggested in Para 7.4.10 above.

(iv) Whether the development site immediately adjoins an existing settlement and is accessible to services sufficient to support the daily needs of new residents

7.4.12 The application site lies in the Green Belt and abuts the settlement boundary of Windlesham to its north and west. However, concern has been raised in respect of Windlesham village not having sufficient amenities and services to support future residents of the proposed affordable housing. Windlesham village has been designated as a settlement area under the CSDMP and therefore a sustainable location. Furthermore, in allowing the 15/0590 Heathpark Wood appeal, the Inspector accepted that Windlesham offers only very limited employment opportunities and other facilities (including schools, larger shops and supermarkets, doctors' and dentists', and leisure and entertainment venues) too far away for most people to walk or cycle, with public transport only a realistic option for some journey purposes. However, relative to many other rural settlements it was considered that Windlesham has a reasonably good range of local facilities which an increase in its population is likely to help to sustain. The Inspector thus felt able to attach sufficient weight to the benefits of the appeal scheme, including up to 56 affordable homes, to allow the proposal. Having regard to the Inspector's comments, the application site, adjoining the settlement boundary of Windlesham and within 0.8km by foot from the village shops, is considered to be within a sustainable location.

Conclusion

7.4.13 It is considered that there is an identified local need within the Parish of Windlesham for the current proposed mixed tenure of 2 and 3 bedroom affordable shared ownership and social rented dwellings. The proposal is therefore considered to not be inappropriate development in the Green Belt and therefore acceptable in terms of Para 145 of the NPPF, along with the local need requirements of Policy DM5 of the CSDMP and Policy WNP1.2 of the WNP (which prioritise 2 and 3 bed dwellings). As such, no additional assessment of impact on Green Belt openness is necessary. However, due to the Green Belt location and the fact the proposal is only acceptable in Green Belt terms because it is considered to be a rural exception site, it is considered that further development should be strictly controlled through a condition removing permitted development rights.

7.5 Impact upon the character of the area

7.5.1 Policy DM9 of the CSDMP requires a high quality design that also respects and enhances the local, natural or historic character of the environment, be it in an urban or rural setting. Principle 6.6 of the RDG advises that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Principle 7.4 of the RDG advises that new development should reflect the spacings, height and building footprints of existing buildings.

7.5.2 Policy WNP2.1 (New Housing Development Features and Compatibility Proposals) of the WNP states that proposals for new housing development shall be supported if they respond positively to and protect the built and natural

character features of their setting within Windlesham village. Planning applications shall be supported if they:

- Maintain the established density including number of residential units and ratio of building footprint to open space development in the surrounding area;
- Maintain the general scale of development in the surrounding area without creating any overbearing presence; and
- Maintain the style and pattern of separation between buildings and widths of building frontages.

7.5.3 Although no elevation plans have been provided at this outline stage, the supporting Design and Access Statement (DAS) advises that the proposed dwellings would be entirely single storey and the site layout plan indicates that they would each consist of two or three bedrooms. The proposed residential parcel would have a density of approx. 18 dwellings per hectare, and would sit behind detached dwellings facing Woodlands Lane to the north and semi-detached dwellings of Broadley Green to the west. Given the garden sizes, plot ratios and building rhythms of these neighbours, it is envisaged that the density and indicative site plan layout would be capable of achieving accordance with this surrounding context.

7.5.4 The proposed single storey form of the buildings, including landscaping provision along the three site boundaries facing neighbouring open land, would also assist in integrating within its rural context. As such, it is not envisaged that the proposed form of development would lead to an overbearing presence or be out of character with the surrounding area. The specific dwelling styles, pattern of separation between buildings and widths of building frontages will be considered at reserved matters stage. The indicative site plan and layout is also identical to the extant 17/0526 outline scheme.

7.5.5 Principle 6.7 of the RDG advises that parking layouts should be high quality and designed to, inter alia, reflect the strong heathland and sylvan identity of the borough and ensure developments are not functionally and visually dominated by cars. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. The indicative site plan layout shows the parking spaces interspersed with landscaping to avoid any long expanses of hard standing. As such, the outline scheme is considered capable of achieving the above RDG objectives.

7.5.6 In light of all the above, it is considered that the indicative layout would integrate into its context, as it would successfully respond to the characteristics of the surrounding area and its rural edge location. The proposed development would therefore comply with the design requirements of Policy DM9 of the CSDMP, the WNP, the RDG and the NPPF.

7.6 Means of access and highway impacts

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 proposed means of access is identical to that of the extant 17/0526 scheme also for up to 15 affordable dwellings. The Access Statement Technical Note, supported by car track swept path analysis plans, explains how the site can be safely accessed by all road users (including refuse vehicles) and pedestrians, and that there is sufficient space within the site to utilise the proposed on-site parking. The County Highway Authority has again raised no objections on safety, capacity or policy grounds, subject to compliance with conditions relating to the provision of sufficient visibility zones; parking layout and turning space within the site; a Construction Transport Management Plan, and; an uncontrolled pedestrian crossing including tactile paving across Broadley Green.
- 7.6.3 Concern has been raised in respect of the impact upon the existing off-street parking along Broadley Green, including two marked disabled parking bays towards the Woodlands Lane junction. The proposed access point is on a bend with a grass verge between this bend and the footpath, where it has been observed that cars park on the northern side. However, it is considered undesirable for vehicles to park on this part of Broadley Green to assist with passage and visibility around the bend. It is noted that the supported bungalows of 16-24 (evens) Woodlands Lane adjacent the Broadley Green entrance have no off-street parking. However, it appears that space for three off-street spaces would still be achievable, including the existing marked disabled spaces. Although the existing vehicular access to No. 1 Broadley Green would be lost to facilitate the proposed access, it has a paved area further across the front and a replacement vehicular access could be installed without planning permission under permitted development.
- 7.6.4 Policy WNP4.1 (New Residential Developments Parking Space Design) of the WNP states that parking facilities should be designed to match the character of the development, and that vehicle parking facilities other than garages should have a minimum dimension of 2.9m by 5.5m. Policy WNP4.2 (Residential Developments Parking Space Standards) states that new residential developments should, where space permits, provide parking spaces within the boundaries of the development for: 2 vehicles for 1 and 2-bedroom dwellings; and 3 vehicles for 3+ bedroom or larger dwellings.
- 7.6.5 The outline scheme consists of nine two bedrooms units and six three bed units. The supporting plans indicate that a total of 35 vehicle parking spaces would be provided including two visitor spaces. This includes the singular accesses to Plots 5, 6 and 9 marked with three spaces, which although may not be practical for everyday use, could still provide for visitor parking. Policy WNP4.2 of the WNP would now require 36 spaces and additionally, the indicative parking space dimensions do not meet the larger requirements of Policy WNP4.1. However, given the outline nature of the application with layout as a reserved matter, it is envisaged that the site could satisfactorily accommodate the above additional WNP space requirements. An informative will therefore be added advising the applicant to ensure that the final layout complies with the aims of the above WNP policies.

7.6.6 In light of the above, it is considered that subject to conditions the proposed development would not prejudice highway safety nor cause inconvenience to other highway users, in compliance with Policy DM11.

7.7 Impact on residential amenities

7.7.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties and uses should be respected by proposed development. Principle 8.3 of the RDG advises that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.

7.7.2 The applicant has chosen not to formally consider appearance, layout and scale matters under this outline application, and such matters may affect residential amenity. However, given the significant separation distances to neighbouring boundaries and private amenity areas as indicated on the submitted site plan, it is considered that the proposed accommodation could be designed in such a manner so as to provide sufficient light, outlook and private amenity space for future occupiers, whilst sufficiently respecting the amenities of neighbours in terms of loss of light, outlook, privacy or overbearing effects. It is not considered that the proposed vehicular access off Broadley Green would lead to adverse impact upon the amenity of surrounding neighbours in terms of additional noise and disturbance.

7.7.3 The indicative outdoor private amenity spaces for all proposed units would meet the respective minimum sizes advised under Principle 8.4 of the RDG. The indicative floor plans for the 2/3 bed units would meet the requirements as set out in the national minimum space standards, and it is also envisaged that future occupiers would be afforded with sufficient outlook.

7.7.4 Concern has been raised in respect of increased pollution and noise from road traffic and HGVs and that future occupiers will be subject to M3 pollution. It is noted that the nearby Heathpark Wood outline scheme for up to 140 dwellings included noise and air quality reports which concluded that no significant impact would arise. It was determined that it was not necessary to designate the area within or surrounding the site as an Air Quality Management Area (with the current AQMA boundary remaining within the M3 motorway), and the increase in local noise levels associated with traffic from this development would be imperceptible. The Heathpark Wood outline scheme does however include a condition requiring compliance with the proposed sound attenuation measures (standard double-glazed windows with trickle ventilation). As such, it is considered necessary to impose a pre-commencement condition requiring submission of a noise survey to clarify the appropriate noise mitigation levels for the current proposal.

7.7.5 In light of all the above, it is envisaged that the provision of 15 units at this site would not lead to adverse impact upon the amenities of neighbouring properties and of future occupiers.

7.8 Impact on ecology

- 7.8.1 An extended Phase 1 Ecological Survey has been provided, which found a low-moderate probability of birds nesting on the current proposal site during the nesting season (1st March to 31st July). It is therefore advised that before clearing any scrub on site in the nesting season the scrub should be checked first for nests. A bat activity survey and supporting letter has also been provided.
- 7.8.2 Surrey Wildlife Trust has recommended that the LPA secure a Landscape and Ecology Management Plan (LEMP) for this development, to include appropriate detail relating to how badger access to foraging areas and resource are to be maintained as a result of development, including provision of measures to ensure permeability for badgers across the site and habitat planting and management measures to ensure foraging opportunities are maintained. The LEMP should also include details of how bat foraging resource and commuting flightlines are to be maintained and enhanced as a result of development, in line with the report recommendations. The Trust has also requested an appropriate Sensitive Lighting Management Plan. The above mitigation measures can be secured by pre-commencement planning conditions.
- 7.8.3 On this basis, it is considered that the proposal would not adversely impact upon biodiversity or legally protected species, thereby complying with Policy CP14 of the CSDMP.

7.9 Impact on local infrastructure and the Thames Basin Heaths SPA

- 7.9.1 Development including new Class C3 dwellings would normally be CIL (Community Infrastructure Levy) liable. This levy also includes contributions towards Suitable Alternative Natural Green Space (SANGS). However, the proposed scheme is exempt from CIL as it would deliver 100% affordable housing which is not CIL liable (subject to the completion of the necessary CIL forms).
- 7.9.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths Special Protection Area (SPA). The application site is approx. 1.1km from the SPA boundary to the northeast. Policy NRM6 of the SEP seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of Suitable Alternative Natural Green Space (SANGS) 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. There is currently sufficient SANG available.
- 7.9.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA.

As this is not included with the CIL scheme, a separate contribution of £9,555 is required. This contribution is required under a legal agreement, a draft of which has been agreed submitted to the Council.

7.10 Other matters

- 7.10.1 There are no Tree Preservation Orders within or adjacent to the proposal site. A Tree Report has been provided, which concludes that up to six mature trees are proposed to be removed to facilitate the development, subject to future monitoring of their condition. However, all of these are rated as being of low amenity value. This report is identical to that provided under the previous outline applications that are identical in terms of its access, indicative layout, scale and amount. Although the applicant has chosen not to formally consider landscape matters under this outline application, the Council's Arboricultural Officer raised no objection under the previous outline schemes, subject to planning conditions in respect of tree protection and a landscape management plan outlining mitigation of the proposed tree loss.
- 7.10.2 The site is located within Flood Zone 1 and an area of low risk from surface water flooding. A Flood Risk and Drainage Review was provided with the previous outline applications, and indicated that surface water run-off will be dealt with on site and will discharge to infiltration trenches or soakaways. Additionally, water efficiency measures were proposed. Surrey County Council as the Lead Local Flood Authority raised no objection, subject to conditions, which will be re-imposed. On this basis, it is considered that the proposed development would not give rise to a material increase in flood risk within or around the site.
- 7.10.3 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. It has however been concluded this 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.

8.0 CONCLUSION

- 8.1 The proposal is presented as a rural exception site and it is considered there is a local need for affordable housing to justify the grant of planning permission for 15 dwellings in the Green Belt adjoining the settlement area of Windlesham. The County Highway Authority has raised no objections on safety, capacity or policy grounds, subject to conditions. The impact on character and residential amenity will have to be fully considered at the reserved matters stage, but no concerns are raised at this outline stage. The proposal is therefore recommended for approval.

9.0 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 38-41 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 negotiated and accepted amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

10.0 RECOMMENDATION

The Executive Head of Regulatory to be authorised to GRANT permission subject a legal agreement to secure the following:

- 9 units to be provided and maintained as shared ownership affordable housing
- 6 units to be provided and maintained as social rented affordable housing in perpetuity;
- the Shared Ownership Dwellings will only be sold to persons with a local connection to the Parish of Windlesham
- the Affordable Rent Dwellings shall only be let in accordance with a local lettings policy to persons with a local connection to the Parish of Windlesham;
- the financial contribution towards SAMM

and subject to the following conditions:

GRANT subject to the following conditions:-

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

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

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The development hereby approved shall not be occupied unless and until the proposed vehicular access to Broadley Green has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 m highway.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

3. The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing including tactile paving across Broadley Green has been provided as part of the construction of the vehicular access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning area shall be retained and maintained for their designated purpose.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

5. No development shall commence until a Construction Transport Management Plan, to include details of:
 - a. parking for vehicles of site personnel, operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials
 - d. measures to prevent the deposit of materials on the highway

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

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

6. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by MJC Tree Services [Mark Carter] and dated 05 October 2016. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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

7.
 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 to mitigate the tree loss within the site, 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. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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. No development shall take place until details of the following SuDS/Drainage matters have been submitted to and agreed upon in writing by the Local Planning Authority:
 - a) Detailed drawings of all the SuDS/Drainage elements and layout
 - b) Full drainage calculations showing that all storm events up to the 1 in 30 year storm event are contained within the drainage system and that the 1 in 100 year + CC storm event is suitably managed on site.
 - c) Confirmation of the proposed storage on site and details of what the base line water level will be within the pond and how much storage volume will remain.
 - d) Results from the undertaken infiltration testing.
 - e) Details of where any exceedance flows (ie rainfall greater than design or flows following blockages) would run to avoiding risks to people and property
 - f) Details of construction phasing, ie how drainage will be dealt with during works including pollution prevention

- g) Details of the required maintenance regime for the SuDS elements and who will be responsible for maintenance
- h) Details of how the applicant will prevent the outlet from blocking

Reason: To ensure the drainage design meets the technical standards 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.

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

Reason: To ensure the drainage design meets the technical standards 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.

11. No development shall take place until a noise impact assessment carried out by a suitably qualified person has been submitted to and agreed upon in writing by the Local Planning Authority. The noise impact assessment must refer to the British Standard 8233: 2014 - 'Guidance on sound insulation and noise reduction for buildings' and other relevant noise policy, to inform the type and level of noise attenuation required to mitigate any identified impacts upon the proposed development from road traffic noise, or other surrounding sources of noise as identified in the assessment.

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

12. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of the following:

i) How badger access to foraging areas and resource are to be supported as a result of the development., including provision of measures to ensure permeability for badgers across the site and habitat planting and management measures to ensure foraging opportunities are maintained, and

ii) Details of how bat foraging resource and commuting flight lines are to be maintained and enhanced as a result of development, in line with the recommendations of Section 7.2 of the submitted 'Bat Activity Surveys' report (dated September 2017 and received on 13 August 2018).

Reason: To secure the appropriate long term management of the site in order to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with Policies CP14B, DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

13. No development shall commence unless and until a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority. The SLMP should include details of how the development will result in no net increase in external artificial lighting upon the existing bat flight lines as identified within the submitted 'Bat Activity Surveys' report (dated September 2017 and received on 13 August 2018).

Reason: To secure the appropriate long term management of the site in order to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with Policies CP14B, DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Framework.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwellings hereby approved or additions to their roofs shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to preserve the openness of the Green Belt, to accord with Policies CP1, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. Exemption Informative CIL5
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Mini Section 278 agreement 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. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works

proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

3. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Division of Surrey County Council.
4. 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.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
7. The applicant is advised that under the Control of Pollution Act 1974 construction work which will be audible at the site boundary will be restricted to the following hours: 8am to 6 pm Monday to Friday; 8am to 1pm Saturday; and, not at all on Sundays and Public Holidays. For the avoidance of doubt 'Public Holidays' include New Years Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day and Boxing Day.
8. The applicant is advised to ensure that the final layout complies with the aims of Policies WNP4.1 (New Residential Developments Parking Space Design) and WNP4.2 (Residential Developments Parking Space Standards) of the Windlesham Neighbourhood Plan 2019.

In the event that a satisfactory legal agreement has not been completed by 13 September 2019, the Executive Head of Regulatory be authorised to REFUSE for the following reasons:

- The proposal fails to provide a satisfactory legal agreement to secure the dwellinghouses as affordable housing. The proposal would therefore constitute inappropriate development in the Green Belt which would undermine the purposes of including land in and would result in countryside encroachment, and would significantly harm its openness and otherwise undeveloped and rural character. The proposal does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and cannot be considered to be a rural exception site or as an exception to para 89 of the NPPF.
- 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).

Dated

9th June

2019/2020 *AMM*

**Lavignac Securities Limited
(Applicant)**

**Paul James Cartwright and Kerrie Lee Dalley
(1st Owner)**

**Paul James Cartwright
(2nd Owner)**

**James Frank Newington and Nina Newington
(3rd Owner)**

given to

Surrey Heath Borough Council

Unilateral Undertaking

Pursuant to Section 106 of the Town and Country Planning Act 1990

**relating to Land South of Beach House, Woodlands Lane, Windlesham, Surrey,
GU20 6AP**



**Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
GU15 3HD**

Council's Planning Reference: SU/18/0734
Council's Legal Reference: BE-026-GJ-0475

**This Unilateral Undertaking is Dated
and**

9th June PC 2019/20 *[Signature]*

Given by

- (1) LAVIGNAC SECURITES LIMITED (Co. Reg. No. 08162968) whose registered office is situate at Titchfield House, 2nd Floor, 69-85 Tabernacle Street, London, EC2V 4RR ("the Applicant")
- (2) PAUL JAMES CARTWRIGHT and KERRIE LEE DALLEY of Anfield House, Woodlands Lane, Windlesham, Surrey GU20 6AP ("1st Owner")
- (3) PAUL JAMES CARTWRIGHT of Anfield House, Woodlands Lane, Windlesham, Surrey, GU20 6AP ("2nd Owner")
- (4) JAMES FRANK NEWINGTON and NINA NEWINGTON of 1 Broadley Green, Windlesham, Surrey, GU20 6AJ ("3rd Owner")

To

- (5) SURREY HEATH BOROUGH COUNCIL Surrey Heath House Knoll Road Camberley GU15 3HD ("the Council")

Introduction

1. The Council is the local planning authority for the purposes of Section 106 of the Act for the area within which the Land is situated
2. The 1st Owner is registered as freehold owner of that part of the Land with title absolute at HM Land Registry under title numbers SY768008 and SY81344
3. The 2nd Owner is registered as freehold owner of that part of the Land with title absolute at HM Land Registry under title number SY663862
4. The First Chargee has a charge registered against that part of the Land registered under title number SY663862
5. The 3rd Owner is registered as freehold owner of that part of the Land with title absolute at HM Land Registry under title number SY612942
6. The Second Chargee has a charge registered against that part of the Land registered under title number SY612942

7. The Applicant has submitted the Application to the Council to develop the Land
8. The Applicant and the Owners have entered into this Deed in order to secure the planning obligations contained in it in accordance with the Council's "Special Protection Area Avoidance Strategy Policy" so that it may be taken into account as a material consideration in the determination of the Application by the Council
9. The Applicant and the Owners have further entered into this Deed to secure the provision of affordable housing in accordance with the Council's Core Strategy & Development Management Policies 2012, policy DM5 *Rural Exception Sites* and any related supplementary guidance.

NOW THIS DEED WITNESSES AS FOLLOWS:

1 Definitions

For the purposes of this Deed the following expressions shall have the following meanings:

- "Act"** means the Town and Country Planning Act 1990 (as amended).
- "Affordable Housing"** means social rented, affordable rented and shared ownership housing, consistent with the glossary definition of affordable housing in NPPF (2019) provided to eligible households whose needs are not met by the market, in conformity with Policy CP5 Affordable Housing of the Council's Core Strategy & Development Management Policies 2012. Affordable Housing should meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices and should include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision
- "Affordable Rented Housing"** means Dwellings that are rented housing let by Registered Providers of social housing households to person(s) who are eligible for social rented housing at rent including service charge of no more than 80% of the local market rent;
- "Affordable Shared Ownership Housing"** means shared ownership homes that are part-buy/part-rented that enables the purchaser to buy a percentage of the newly built property from a Registered Social Housing provider, and pay rent on the remaining percentage. After one year of ownership, the purchaser will be able to buy additional shares up to a maximum of 90%
- "Application"** means the application for outline planning permission allocated reference number SU/17/0526 submitted by the Applicant to the Council for the Development
- "Chargees"** means both the First Chargee and the Second Chargee
- "Commencement of**

Development	means Commencement of Development as defined by section 56 of the Act and shall not include site clearance works, site inspection works, demolition, remediation works and archaeological investigations, laying of services, erection of temporary fences or site compounds and "Commence Development" shall be construed accordingly
"Commencement Notice"	means written notice given on behalf the Applicant/ Owners to the Council giving 5 working days advance notice that Commencement of Development is about to take place and specifying the date of intended Commencement of Development
"Development"	means the development of the Land with the erection of 15 Affordable Housing dwellings with access off Broadley Green
"Dwellings"	means any dwelling to be constructed pursuant to the Planning Permission
"First Chargee"	means Santander UK Plc (Co. Reg. No. 2294747) of Deeds Services, 101 Midsummer Boulevard, Milton Keynes, MK9 1AA
"Indexation"	<p>means the recalculation of any payment specified in this Deed by applying the following formula:</p> $A \times \frac{B}{C} = D$ <p>Where:</p> <p>A = the payment specified in this Deed in pounds sterling B = the figure shown in the RPIX for the month last published prior to the date of the payment to be made under this Deed C = the figure shown in the RPIX for the month immediately prior to the date of this Deed D = the recalculation sum in pounds sterling payable under this Deed or if the RPIX shall cease to be compiled or the formula shall otherwise be incapable of operation then such other equivalent means as shall be proposed by the Applicant/ Owners to recalculate such payment with the intent that it shall have like effect and be approved by the Council</p>
"Index-Linked/Linking"	means the adjustment of the SAMM Contribution referred to in this Deed by Indexation from the last day of the month immediately prior to the date of this Deed to the date of actual payment
"Interest"	means the rate of interest being 5% above the base lending rate of the Nat West Bank PLC from time to time in force such interest to be apportioned on a daily basis
"Land"	means the land situate South of Beach House, Woodlands Lane, Windlesham, Surrey, GU20 6AP shown edged red on the attached Plan
"Local Connection"	<p>Means a person who meets any of the following criteria in order of descending priority:-</p> <ol style="list-style-type: none"> I. Been ordinarily resident in the parish (for a minimum of 12 months); or

- II. Previously lived in the parish and continues to have a strong family connection to the parish (father, mother, brother, sister or adult children who have lived in the parish for 5 years); or,
- III. A demonstrable need by virtue of their employment to live in the parish; or,
- IV. A demonstrable need to live within the parish either to care and support or be cared for and supported by a family member; or,
- V. A demonstrable special requirement or need to live in the parish evidenced to and accepted by Surrey Heath Borough Council's Housing Services Manager
- VI. is and has been a resident in Surrey Heath District Council's administrative area for the preceding 12 (twelve) months; or
- VII. has been resident in Surrey Heath District Council's administrative area for 3 (three) years out of the preceding 5 (five) years; or
- VIII. has been resident in Surrey Heath District Council's administrative area for 5 (five) years out of the preceding 10 (ten) years; or
- IX. is permanently employed or has an offer of permanent employment in Surrey Heath District Council's administrative area; or
- X. is temporarily employed or has an offer for temporary employment, in a contract of not less than 12 months in Surrey Heath District Council's administrative area; or
- XI. has a Close Relative currently resident in Surrey Heath District Council's administrative area; or
- XII. is and has been a resident in any parish in Surrey for the preceding 12 (twelve) months; or
- XIII. has been a resident in respect of any parish in Surrey for 3 (three) years out of the preceding 5 (five) years; or
- XIV. has been a resident in respect of any parish in Surrey for 5 (five) years out of the preceding 10 (ten) years; or
- XV. is permanently employed or has an offer of permanent employment in respect of any parish in Surrey; or
- XVI. is temporarily employed or has an offer for temporary employment, in a contract of not less than 12 months in respect of any parish in Surrey; or
- XVII. has a Close Relative currently resident in any parish in Surrey; or
- XVIII. any other person;

"Owners" means collectively the 1st Owner, the 2nd Owner and the 3rd Owner

"Payment Notice" means the notice of payment found annexed to this Deed in Schedule 3

"Plan" means the plan annexed at Schedule 1

"Planning Permission" means a planning permission for the Development granted pursuant to the Application

"RPIX" means the definition afforded from time to time by the Office for National Statistics and for the avoidance of doubt is the figure shown as the Retail Prices Index Excluding Mortgage Interest Payments (RPIX) published by the Office for National Statistics every month

- “SAMM Contribution”** means the contribution of £9,555 (Nine Thousand Five Hundred and Fifty Five Pounds) due towards the costs of Strategic Access Management and Monitoring within the Council's Borough boundaries or as otherwise required by the Council's SANGS Strategy
- “Second Chargee”** means Barclays Bank Plc (Co. Reg. No. 1026167) of PO Box 187, Leeds, LS11 1AN
- “Specified Date”** means the date upon which any obligation arising under this Deed is due to be performed according to the terms of this Deed

- 1.2. Words in this Undertaking importing the singular meaning shall where the context so admits include the plural meaning and vice versa
- 1.3. Words in this Undertaking of the masculine gender shall include the feminine and neuter genders and vice versa and words denoting natural persons shall include corporations and vice versa
- 1.4. References in this Undertaking to any statutes or statutory instruments shall include and refer to any statute or statutory instrument amending consolidating or replacing them respectively from time to time and for the time being in force
- 1.5. Covenants given hereunder if made by more than one person are given jointly and severally

2. LEGAL EFFECT

- 2.1. This Undertaking is given pursuant to Section 106 of the Town and Country Planning Act 1990 as amended Section 111 of the Local Government Act 1972 and all other powers so enabling
- 2.2. This Undertaking is a planning obligation for the purposes of the said Section 106 which is enforceable by the Council and which binds each and every part of the Land
- 2.3. The terms of this Undertaking come into effect on the date of this Undertaking other than Clause 3.1.1 which will come into effect upon the grant of the Planning Permission
- 2.4. Nothing contained or implied in this Undertaking shall prejudice or affect the rights, powers, duties and obligations of the Council in the exercise of their functions as Local Planning Authority and their rights, powers, duties and obligations under all public and private statutes, byelaws and regulations may be as fully and effectually exercise
- 2.5. If any provision in this Undertaking shall be held to be invalid, illegal or unenforceable the validity, legality and enforceability of the remaining provisions shall not in any way be deemed thereby to be affected or impaired
- 2.6. No waiver (whether express or implied) by the Council of any breach or default in performing or observing any of the covenants, terms or conditions of this Undertaking shall

constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms or conditions or from acting upon any subsequent breach or default

- 2.7 Nothing in this Undertaking shall be construed as a grant of planning permission
- 2.8. The covenants in this Undertaking shall be enforceable without any limit of time against the owner and any successors in title and assigns of the owner or any person claiming title through or under the Parties to the Land or any part thereof as if that person had also been an original covenanting party in respect of the interest or estate for the time being held by that person **PROVIDED THAT** no person shall be liable for any breach of the covenants restrictions or obligations contained in this Undertaking occurring after he has parted with the whole of his interest in the Land or the part in respect of which such breach occurs **AND PROVIDED FURTHER THAT** the covenants and restrictions and obligations contained in this Undertaking shall not be enforceable against any statutory undertaker
- 2.9. In accordance with the provisions of the Contracts (Rights of Third Parties) Act 1999 it is hereby declared that none of the terms of this Deed shall in the absence of any express provision to the contrary be construed as being enforceable by any third party
- 2.10 This Undertaking shall be determined and have no further effect other than Clause 3.1.2 if the Planning Permission expires before the Commencement of Development; is varied or revoked other than at the request of the Applicant or is quashed following a successful legal challenge

3. THE APPLICANT AND THE OWNERS' COVENANTS

- 3.1 The Applicant and the Owners covenant to the Council as follows:-
- 3.1.1 to observe and perform and cause to be observed and performed the undertakings covenants and restrictions contained in Schedule 2;
- 3.1.2 to pay on the execution hereof the Council's legal costs of £1,000 for the preparation and settlement of this Deed
- 3.2 The Applicant and the Owners warrant to the Council that they have full power to enter into this Deed and that there is no person other than the Chargees having an interest in the Land whose consent is necessary to make this Deed binding on the Land and all estates and interests therein

4. PAYMENTS

- 4.1 The Applicant and the Owners confirm that
- 4.1.1 the SAMM Contribution payable under this Deed shall be Index-Linked
- 4.1.2 the payment of any contribution under this Deed shall be taken to include the actual contribution payable including any amount for Index-Linking and also if due of any Interest

- 4.2 In the event that the SAMM Contribution or part thereof is not paid by the Specified Date then Interest shall be due on the sum outstanding and will be apportioned on a daily basis from the Specified Date to date of actual payment
- 4.3 Interest paid will not form part of the Infrastructure Contribution due and will belong to the Council
- 4.5 All consideration given in accordance with the terms of this Deed shall be exclusive of any VAT properly payable
- 4.6 If at any time VAT is or becomes chargeable in respect of any supply made in accordance with the terms of this Deed then to the extent that VAT has not been charged in respect of that supply the person making the supply shall have the right to issue a VAT invoice to the person to whom the supply was made and the VAT shall be paid accordingly

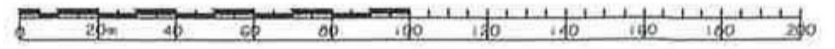
5. LOCAL LAND CHARGES

The Applicant and the Owners recognise that this Unilateral Undertaking shall be registered as a Local Land Charge in the Register of Local Land Charges maintained by the Council

6. GENERAL

- 6.1 This Unilateral Undertaking:
- 6.1.1 is given by the Applicant and the Owners to the Council
- 6.1.2 is made pursuant to the provisions of s106 of the Act
- 6.1.3 is a planning obligation for the purposes of that s106 of the Act
- 6.1.4 is given with the intent to bind the Owners' interests in the Land
- 6.1.5 shall be enforceable by the Council as local planning authority
- 6.1.6 is signed by the Applicant and the Owners as a Deed
- 6.1.7 may be executed in any number of counterparts, each of which when executed shall constitute a duplicate original, but all the counterparts shall together constitute the one agreement.

In Witness whereof the Applicant, the Owners and the Chargees have executed this Deed on the day and year first before written



1:1250

Schedule 2 – Planning Obligations

Notices

- 1.1 The Applicant and the Owners covenant to give the Council the Commencement Notice
- 1.2 In the event the Commencement Notice has not been served and there has been Commencement of Development **THEN** the Applicant and the Owners confirm that the Council shall have the right to determine the date of Commencement of Development and the references to Specified Date shall be construed accordingly

Affordable Housing

- 1.3 The Applicant and the Owners covenant that 9 Dwellings shall be provided and maintained as Shared Ownership
- 1.4 The Applicant and the Owners covenant that 6 Dwellings shall be provided and maintained in perpetuity as Affordable Rent Dwellings provided that this obligation shall not apply where the owner or occupier of an Affordable Rent Dwelling has exercised their right to buy or right to acquire.
- 1.5 Subject to the provisos in paragraph 4 above the Applicant and the Owners further covenant that the Shared Ownership Dwellings will only be sold to persons with a Local Connection and the Affordable Rent Dwellings shall only be let in accordance with a local lettings policy to persons with a local connection to the Parish of Windlesham.
- 1.6 The planning obligations in paragraphs 1.3, 1.4 and 1.5 of this Schedule 2 shall not be binding or enforceable against:
 - 1.6.1 Any mortgagee or chargee of a tenant exercising its right to buy or any person deriving title from that person(s) or any successor in title thereto and their respective mortgagees and chargees;
 - 1.5.2 Any purchaser from a mortgagee of an individual Affordable Shared Ownership Housing unit pursuant to any default by the individual mortgagor; or
 - 1.5.3 Any mortgagee or chargee of any owner of the Affordable Shared Ownership Housing who have first complied with clause 1.7 below or its successors in title or any person deriving title therefrom.
- 1.7 The planning obligations in paragraphs 1.3, 1.4 and 1.5 of this Schedule 2 shall not be binding or enforceable against:
 - 1.7.1 any mortgagee or chargee of the Affordable Shared Ownership Housing; or
 - 1.7.2 any receiver including an administrative receiver appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator of the whole or any part of the Affordable Shared Ownership Housing or any persons or bodies deriving title through such mortgagee or chargee or receiver
PROVIDED THAT:
 - 1.7.2.1 such mortgagee or chargee or receiver shall first give written notice to the Council of its intention to dispose of the Affordable Housing Units and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the Affordable Shared Ownership Housing to a registered provider or to the

Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and

- 1.7.2.2 if such a disposal has not completed within the three month period then provided that the owner of the Affordable Shared Ownership Housing mortgagee or chargee or receiver's shall have fully complied with its obligations above the mortgagee or chargee or receiver shall be entitled to dispose of the Affordable Shared Ownership Housing free from the obligations in paragraphs 1.3 and 1.4 of this Schedule 2 which provisions shall determine absolutely PROVIDED THAT the rights and obligations in this clause shall not require the the owner of the Affordable Shared Ownership Housing mortgagee or chargee to act contrary to its legal duties under the charge or mortgage;

SAMM Contribution

- 1.8 The Applicant and the Owners covenant to pay the Council the SAMM Contribution on or before Commencement of Development
- 1.9 The Applicant and the Owners covenant to the Council that there shall be no Occupation of any Dwelling until the SAMM Contribution has been paid in full to the Council FOR THE AVOIDANCE OF DOUBT paid in full would include the payment of any Interest and Indexation that may be due

General

The Applicant and the Owners covenant that payment of the SAMM Contribution shall be accompanied by a Payment Notice

- 1.10 The Applicant and the Owners confirm and accept that the contribution paid pursuant to this Undertaking will be expended and applied to both the actual costs of provision along with the professional costs fees and disbursements associated with delivering the specific objective of the SAMM Contribution

Chargee

- 1.11 The Applicant and the Owners undertake not to Commence Development until either:
- 1.11.1 the charge dated 7th March 2008 granted by the 2nd Owner in favour of the First Chargee over that parcel of the Land registered under title number SY663862 and the charge dated 30th December 2014 granted by the 3rd Owner in favour of the Second Chargee over that parcel of the Land registered under title number SY612942 have been discharged and a copy of the DS1s and/or DS3s provided to the Council; or
- 1.11.2 a deed substantially in the form of this Deed has been completed by all chargees or mortgagees who have a charge or a mortgage over the Land or part thereof as at the date of Commencement of Development confirming to the Council that such mortgagee/chargee acknowledges their interest in the Land is bound by the terms of this Deed and that the security of their mortgage or charge over the Land shall take effect subject to this Deed and that they shall be liable to observe and perform the provisions and obligations contained in this Deed in the event that they become a mortgagee/chargee in possession; and where such a deed is so required to meet the Council's reasonable and proper legal costs for the preparation and completion of such deed.

Schedule 3 - Payment Notice

Payment Notice

To be send to Surrey Heath Borough Council
Sc 106 Monitoring Officer, Development Control
Planning, Development & Homes
Surrey Heath House, Knoll Road, Camberley, Surrey GU15 3HD
Ref: (SU/18/0734)

Payment of monies due under a Unilateral Undertaking

Please answer all the questions.

1. Payment made by/on behalf of:
.....
2. Land at:
3. Deed Dated:
4. Obligation in Deed:
 - a. Clause no:
 - b. Contribution toward
 - c. Amount of contribution due:.....
 - d.
 - e. Date upon which contribution is due.....
 - f. Indexation completed and added state
Amount:
 - g. Interest added because payment late and state amount:
 - h. Amount of Contribution enclosed:.....

Official Use:	
Date R'cd:	Confirmation of R'ct out:
Notifications out:	
Interest/ Indexation Outstanding:	

EXECUTED AS A DEED BY)
Lavignac Securities Limited)

Acting by:

TEIGE A. WIDOTH

Director.....  (Please Sign)

in the presence of:

 (Witness)

Name & Address & Occupation of Witness:



*CLARY MILLER CHEEVERS
COMPANY DIRECTOR
1 THAMES SIDE WINDSOR SL4 1QN*

EXECUTED AS A DEED by:

Paul James Cartwright

..... 

in the presence of:
(Witness Name, Address and Occupation)

*MR. A. J. LONG
6 WEY HOUSE
PRYFORD ROAD
WEST BYFLEET
SURREY
KT 14 6SH*

EXECUTED AS A DEED by:

Kerrie Lee Dalley

..... 

in the presence of:
(Witness Name, Address and Occupation)

*MR. A. J. LONG
6 WEY HOUSE
PRYFORD ROAD
WEST BYFLEET
SURREY
KT 14 6SH*

EXECUTED AS A DEED by:

James Frank Newington



in the presence of:
(Witness Name, Address and Occupation)

JAMES JOHNSON
DINGLEY DELL MUSEUM
LINDLEHAM ROAD
CHOBHAM, SURREY GU24 8SP
BRIGHTON

EXECUTED AS A DEED by:

Nina Newington



in the presence of:
(Witness Name, Address and Occupation)

SAMANTHA CANNON
17 ROUNDWAY, QUISINK
NURSERY NURSE

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APPLICATION NUMBER	SU/22/0935/OOU
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DEVELOPMENT AFFECTING ROADS
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

Applicant: Other Lavignac Securities

Location: Land South Of Beach House Woodlands Lane Windlesham Surrey GU20 6AP

Development: Outline application for the demolition of 1 Broadley Green to facilitate the erection of 20 residential (Use Class C3) dwellings for age restricted (55+ years) accommodation with new means of access off Broadley Green.

Contact Officer	Richard Peplow	Consultation Date	21 September 2022	Response Date	3 November 2022
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

Conditions

- 1) The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Broadley Green has been constructed and provided with 2.4 x 43 metre visibility splays in accordance with the approved plans (Drawing No. TB16739-GA-001) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6 metres high.
- 2) The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Broadley Green the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
- 3) The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing on Broadley Green, including tactile paving, has been provided as part of the construction of the vehicular access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 4) The development hereby approved shall not be first occupied unless an uncontrolled pedestrian crossing on Woodlands Lane, including tactile paving, has been provided in

accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

- 5) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.
- 6) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (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.
- 7) The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with parking for bicycles in a robust, secure and lit enclosure in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority

and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

- 8) No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) on-site turning for construction vehicles

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.

(Notice in writing must be given by the Local Planning Authority to the Applicant that if planning permission is granted this condition is intended to be imposed, or pre-authorisation from the applicant must be sought before recommending the imposition of this condition. The Validation requirements for planning applications needing the submission of a Construction Management Plan will provide this notice).

Reason

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

Policy

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2021.

Highway Informatives

- 1) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement 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. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see

<http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

- 2) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 3) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- 4) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 5) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any

expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

- 6) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 7) The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 8) 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
- 9) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
- 10) The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
- 11) The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

Note to Planning Officer

The County Highway Authority (CHA) notes that objections have been raised regarding

vehicular access, parking and traffic.

Access

Access would be via a new priority controlled T-junction. The submitted plans have demonstrated to the satisfaction of the CHA that suitable visibility splays can be provided. Swept path drawings have demonstrated that the proposed access would allow for fire appliances and refuse vehicles to enter and to turn within the site in order to access and egress in forward gear. 2 metre wide footways would be provided on either side of the carriageway connecting to Broadley Green.

Parking

The proposed parking provision of 40 spaces for the residential use and 4 for the community building would be in accordance with Surrey County Council's recommended parking standards for a village location.

Road safety and sustainability

The recommended conditions to provide pedestrian crossing facilities on Broadley Green and Woodlands Lane would support trips to be made into Windlesham Village centre on foot, where there are also bus services.

Trip generation

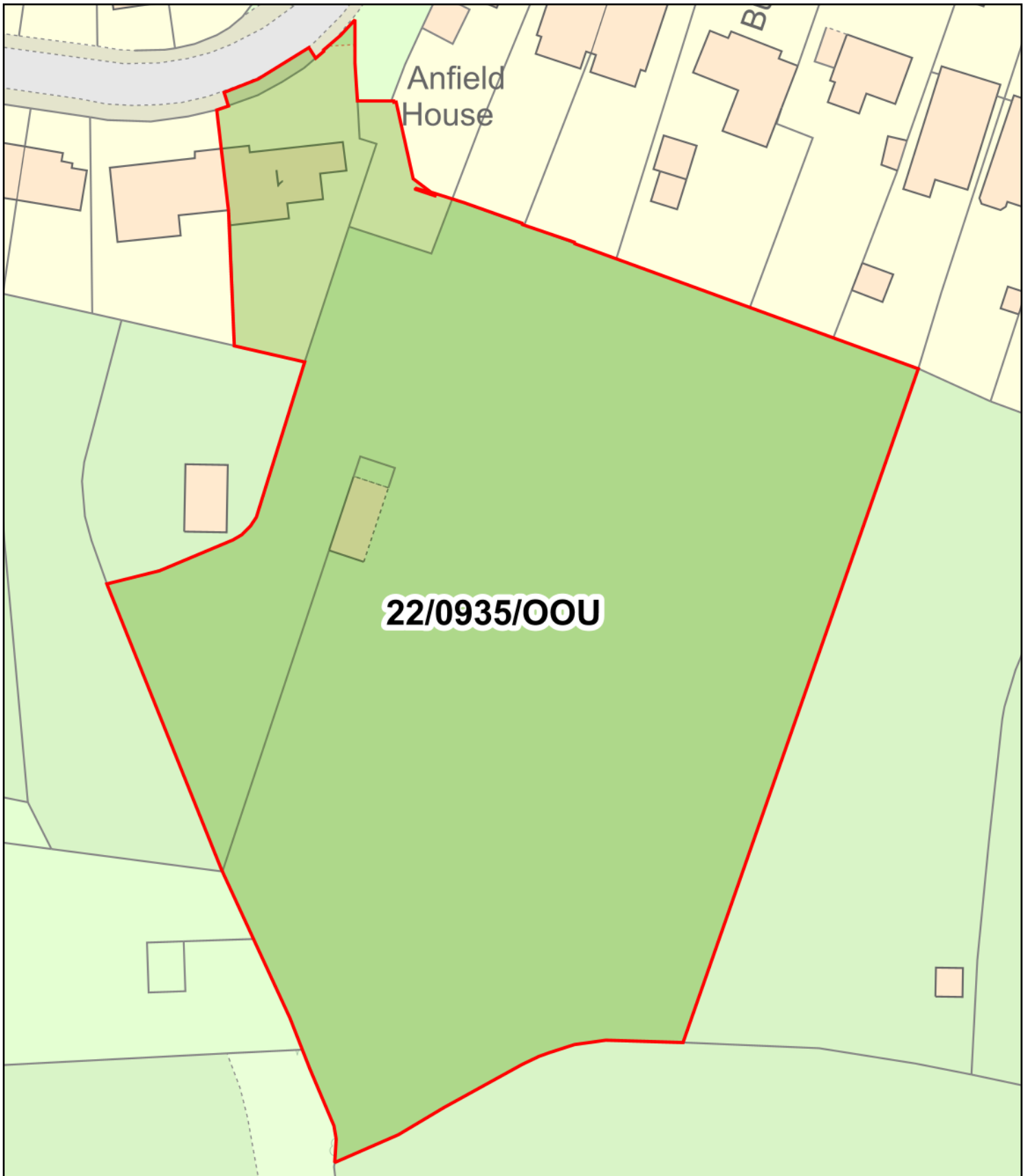
Trip data has been provided for the proposed residential use and for the community building. Using the worst case scenario this is likely to generate a total of 12 two-way vehicle trips during the AM peak (0800-0900) and 10 during the PM peak (1700 - 1800). The CHA is satisfied this would not lead to any significant impacts on the local highway network.

Detailed design requirements for adoption

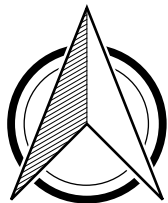
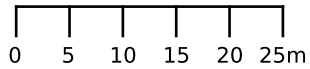

Should the applicant wish to offer the proposed road for adoption the CHA would require the following:

- A 2 metre service margin to be provided on the northeastern side of the carriageway, with a minimum 0.5m on the other side. Clear demarcation of the edge of highway.
- A 2m wide footway to be provided on the northeastern side of the carriageway at least as far as property No. 1 shown on the indicative site plan. The footway to properties No. 1 and 2 to tie into this.
- Clear visual demarcation of the start of the shared surface area.
- All parking bays to be a minimum 2.4 x 4.8m with a minimum 6m space provided in front of any garage.
- Cycle parking to be provided for the Community building.
- Other technical details to be agreed.

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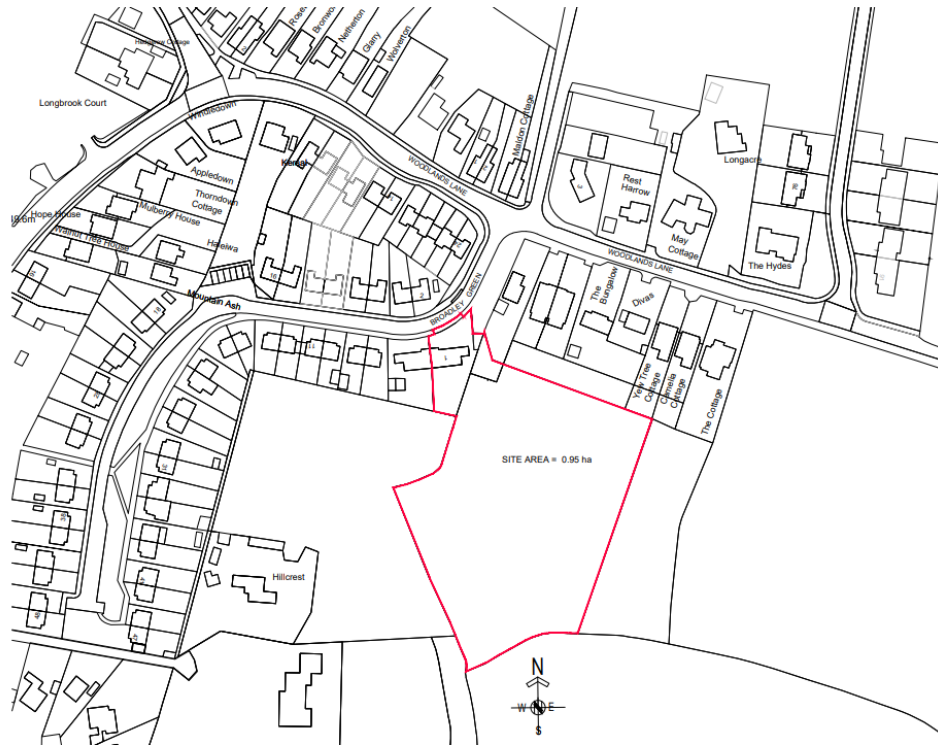


22/0935/OOU

Title	22/0935/OOU		
Application Number	22/0935/OOU		Scale @ A4
Address	Land South Of Beach House Woodlands Lane		Date 03/01/202
Proposal	Outline application for the demolition of 1 Broadley Green to facilitate the erection of 20 residential (Use Class C3) dwellings for age restricted (55+ years) accommodation with new means of access off Broadley Green with access to be determined		
© Crown copyright and database right. All rights reserved (AC0000812461) 2024		Page 85	 
			

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Location Plan.



Proposed indicative site plan.



Photos

Entrance into the site



Rear of 1 Broadley Green



Views into the site



Rear of properties on Woodlands Lane whose gardens back onto the site



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24/0041/FFU

Reg. Date

31 January 2024

Windlesham & Chobham

LOCATION:	Wishmore Cross Academy, 55 Alpha Road, Chobham, Woking, Surrey, GU24 8NE.
PROPOSAL:	Erection of replacement 2.4m high weldmesh fencing to the north/north east and south boundary along with pedestrian and vehicle gates and 3m weldmesh fencing to internal basketball court and adjacent garden.
TYPE:	Full Planning Application
APPLICANT:	Academies Enterprise Trust
OFFICER:	Shannon Kimber

This application would normally be determined under the Council's Scheme of Delegation but is being reported to the Planning Applications Committee at the request of Councillor Tedder because of highway safety grounds and due to concerns over the impacts upon neighbouring amenities.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a 2.4 metre high weldmesh fence to the north/north east and to the southern boundary to replace the existing boundary treatment along with pedestrian and vehicle gates. Further development includes the erection of 3 metre weldmesh fencing to an internal basketball court and adjacent school garden.
- 1.2 It is considered that the proposed development would provide security for the school, whilst not resulting in harm to the character of the area or harm to the residential amenities of the surrounding properties. In addition, the proposal would not alter the access to the school and therefore would not result in an adverse impact on highway safety.
- 1.3 The application is therefore recommended for approval, subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 Wishmore Cross Academy is a Special Educational Needs (SEN) secondary school comprising of a two-storey building to the south of the site, with a car park to the south and east, a basketball court and school garden to the west and playing fields to the north and south of the site. The school has existed since the 1950s and the site comprises 3.65 hectares.
- 2.2 The site's boundaries to the north and east are currently demarcated by the rear boundary treatments of the surrounding properties along Burr Hill Lane and Delta Road. This includes panel board fences (up to 2 metres in height) and hedges in excess of 2 metres in height. To the west, adjacent to the public footpath (no.49a) that runs along the western boundary of the site, there is an existing 2.4 metre high

weldmesh fence, rising to 3 metres around the existing gates. To the south the site's boundaries are demarcated by 1.8 metre high close boarded, timber fencing.

- 2.3 The site is surrounded to the north, east and south with residential dwellings. There are Chobham Rugby Club pitches to the west of the application site. There is an existing vehicle and main pedestrian access to the south, from Alpha Road.
- 2.4 The site is located within the settlement boundaries of Chobham and is washed over Green Belt land. The playing fields to the north and south of the school, as well as the rugby pitch to the west are designated green spaces within the settlement.

3.0 RELEVANT HISTORY

- 3.1 21/0664/CES Application for a Lawful Development Certificate for the erection of a 1.8m high steel 868 profiled weld mesh fencing, with vehicular and pedestrian entrance gates, following demolition of the existing wall. Approved on the 12th August 2021
- 3.2 04/0604 Consultation under Regulation 3 for the construction of a two storey extension to accommodate residential unit for pupils, remodelling of vehicle circulation within the site to layout car park and create new pupil dropping off area. No objection 8th July 2004

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a 2.4 metre high, weldmesh fence to the north/northeast and south boundary along with the erection of replacement pedestrian and vehicle gates to the south. It is also proposed to erect a 3 metre high, weldmesh fence to enclose an internal basketball court and adjacent school garden to the west of the buildings. The existing fencing along the western boundary would remain. The proposed fence would be moss green in colour (RAL 6005).
- 4.2 The proposed 2.4 metre high boundary fence would have a length of 53 metres along the northern-most section of the eastern boundary (i.e. parallel to the rear boundaries of 39 to no.47 Delta Road) and have a length of 127 metres along the entire northern boundary (i.e. parallel to the rear boundaries of 1 – 13 Burr Hill Lane). The proposed fence would have a length of 64 metres along the southern boundary (i.e. from the existing access point westwards and parallel to the northern flank boundary of 53 Alpha Road). Within the site the fence would continue by a length of 32 metres to link the school garden to the southern boundary.
- 4.3 The proposed fencing would be sited 1 metre from the existing fencing to the northern and eastern boundaries to allow for maintenance. There are two gates proposed to the northern and eastern boundaries (one apiece) which would allow access for maintenance. These would be permanently locked and only be for the use by caretakers.
- 4.4 The proposed 3 metre high fence would be erected around the east, north and western boundaries of the existing basketball court and garden, both to the west of the main school building and internal within the site.
- 4.5 The vehicle entrance gates would be relocated, set 1.8 metres further forward than the existing position, to be sited on the site boundary. The pedestrian access from Alpha Road would be relocated from the eastern side of the vehicle gates to the western side. This gate would retain the 1.8 metre set-back from the boundary.
- 4.6 The proposed development is sought for the protection and security of the pupils attending the school. According to the applicant the north boundary, as well as part of

the east and south boundaries comprise mainly of residential walls, fences, and hedges. These pose significant safeguarding risks as children or people from outside the school could potentially climb this fencing, compromising the security of the site. The applicant goes on to explain that some areas of the school boundary do not require new fencing, either because the existing fencing is sufficient to ensure the safeguarding of pupils on site, or new fencing has recently been installed.

4.7 The proposed works would be undertaken during the school summer holidays when no children are on site. The site compound area will be in the school's front car park, as close as possible to the areas of works with the remaining carpark used for parking for contractor and school staff as needed.

4.8 The following documents were submitted with this application and reference will be made to these documents in section 7 of this report, where applicable:

- Design and Access Statement,
- Arboricultural Method Statement,
- Arboricultural Survey.

5.0 CONSULTATION RESPONSES

5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
County Highways Authority	No objections are raised. Please see Annex A.
Sport England	No objection.
Chobham Parish Council	<p>Raised the following objections:</p> <ul style="list-style-type: none"> - Height of proposed fencing, adjacent to residential gardens would lead to an overbearing effect and visual intrusion. <p><i>[Officer comment: The weldmesh design would allow for views into and out of the site and would not have a significantly enclosing visual affect].</i></p> <ul style="list-style-type: none"> - Height of fencing and gates with tighter spaced wires than existing would negatively affect the character of the street scene of Alpha Road with a prison-type appearance. <p><i>[Officer comment: The proposed weldmesh fencing would be of a suitable design and is considered an acceptable design for a school boundary].</i></p> <ul style="list-style-type: none"> - The scheme would compromise the safe and efficient flow of traffic movement on the highway by reason of there being no recess to allow a vehicle to be clear of the public highway during school security checks and whilst the gate is being opened. Access and egress to driveways of residential properties at the northern end of Alpha Road would therefore be blocked by waiting traffic.

	<p><i>[Officer comment: This is an existing issue and would not be affected by the proposed development which would not alter the staffing or pupil numbers at the school].</i></p> <ul style="list-style-type: none"> - The proposed scheme offers no turning head at the end of Alpha Road. <p><i>[Officer comment: There is no existing turning area and as such, the existing situation would be unchanged by this proposal].</i></p> <ul style="list-style-type: none"> - The vehicular entrance arrangements would pose a safeguarding risk and potential for crime, with drivers having to exit their vehicles to use the intercom, leaving students unattended in the vehicle. <p><i>[Officer comment: The gates would be automatically open at certain times of the day (pick up and drop off), so vehicles picking up and dropping off children at the start and the end of each school day would not use the intercom].</i></p> <ul style="list-style-type: none"> - The scheme fails to address vulnerable points where the proposed fencing joins to a brick shed (housing gas meter) and to an electric sub-station, which reportedly enables students to climb the fence and trespass onto neighbouring residential land, thus reducing the effectiveness <p><i>[Officer comment: The proposed fencing to the southern boundary would run over the brick shed].</i></p> <ul style="list-style-type: none"> - Noise nuisance from the intercom system. <p><i>[Officer comment: This proposal would not affect the intercom system].</i></p> <ul style="list-style-type: none"> - Vehicle fumes from vehicles waiting outside the school gates and congestion issues. <p><i>[Officer comment: The staffing or pupil numbers at the school would not be altered by this proposal, as such the existing levels of pollution would not be altered].</i></p> <ul style="list-style-type: none"> - The long runs of proposed fencing pose a threat to the local hedgehog population. <p><i>[Officer comment: The applicant has agreed to a condition to secure holes within the fencing to allow for hedgehog commuting]</i></p> <ul style="list-style-type: none"> - Main pedestrian gate is being relocated from the eastern side to the western side of the vehicle
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	<p>gate, contrary to the positioning agreed by lawful development certificate 21/0664/CES</p> <p><i>[Officer comment: It is considered that a safe walking area to the front of the school to reduce the risk of conflicts with vehicles can be provided from the western side of the gate].</i></p> <p>- The plans are unclear regarding the two gates next to the rear boundary of dwellings in Delta Road and Burr Hill Lane.</p> <p><i>[Officer comment: These two gates would provide access to allow for maintenance only, and would not access to any private garden as the existing boundary fencing to the rear of each dwelling would remain unchanged.]</i></p>
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5.2 The following internal consultees were consulted and their comments are summarised in the table below:

Internal Consultation	Comments Received
Arboricultural Officer	No objection subject to a condition securing a site meeting prior to commencement and condition securing compliance with the approved arboricultural details.

6.0 REPRESENTATION

6.1 A total of 137 individual letters of notification were sent out on 6th February 2024. To date 9 letters of objection have been received.

6.2 The table below summarises the material planning reasons for objection:

Material Reason for Objection	Officer Response
Character and Design	
Oppressive style of the proposed fencing is not suitable in a residential street.	The proposed weldmesh fencing would be of a suitable design providing views in and out of the site and would not unacceptably enclose the site and is considered an acceptable design for a school boundary.
Amenity	
Intrusive to the dwellings which back onto the school grounds.	Due to the nature of the proposal, it would not have a significant bulk or mass. The weldmesh design would allow for views into and out of the site and would not have a significantly enclosing visual impact. The proposed fencing would be 0.4 metre taller than what could be erected under permitted development. The additional 0.4 metres due to the design of the fencing is considered not to result in harm to the outlook or result in an overbearing

	structure to the detriment of the neighbouring occupiers amenity.
Negatively affect outlook.	The proposal would be visible from neighbouring residential properties, but due to the separation distances and open style of the fence, it is considered not to result in an adverse impact on the outlook from these neighbouring dwellings.
Invasion of privacy.	No raised platforms are proposed, the fencing would not alter the existing level of overlooking.
Noise pollution from the intercom.	This proposal would not affect the intercom system. The gates will be automatically open at certain times of the day (pick up and drop off), so vehicles picking up and dropping off children at the start and the end of each school day will not use the intercom. In addition, the intercom would mostly be used by visitors during the day and any noise from the intercom would be during the hours which the school is open and would be intermittent. Furthermore, these visitors would be when traffic is expected to be lower. As such it is considered that the proposal would not result in noise and disturbance to the detriment of neighbouring occupiers' amenity.
Pollution from car fumes.	The proposal would not alter the number of pupils at this school, nor does it alter the existing school times or parking layout. As such, the proposal would not alter the existing pollution levels.
Highways and Parking	
Congestion at school pick-up time.	This is an existing issue and would not be affected by the proposed development which would not alter the staffing or pupil numbers at the school.
No turning circle at the end of Alpha Road.	There is no existing turning area and as such, the existing situation would be unchanged by this proposal.
Use of the intercom when the gate is shut leads to driveways being blocked.	The proposal would not alter this. This is the existing situation and SCC Highways has raised no objection to the proposal on highway safety grounds.
Increased risk of damage to parked cars.	There is no proposed increase in pupil or staff numbers, so no increase in the number of vehicles visiting the site, therefore, no increase to the existing levels of traffic or associated risk.
Biodiversity	
Blocking of access points for wildlife (hedgehogs).	The agent has agreed that hedgehog holes can be secured by condition.
Proposal would result in the loss of trees and shrubs with no biodiversity net gain.	Biodiversity Net Gain (BNG), at the time of the validation of this application, did

	not apply to minor applications and this type of application would be exempt from providing BNG.
Works are proposed over summer, which could affect nesting birds and bats.	Bird nesting season runs from February to August, it is expected that 'Best Practice' guidance will be followed by the developer. Both ground protection and tree protection barriers are proposed around the trees close to the southern boundary of the site. Manual excavations are proposed along the northern boundary where the fence would be close to trees.
Other Issues	
Proposal does not address known escape routes over the brick cupboard housing the gas meter.	The proposed erection of the fence to the southern boundary would improve the security of the site.
Insufficient information regarding the proposed gates which appear to directly access private gardens.	These two gates would provide access to allow for maintenance only, and would not access to any private garden as the existing boundary fencing to the rear of each dwelling would remain unchanged.
There has been no consultation with neighbours.	A total of 137 letters were sent for this application, notifying the occupiers of the adjoining properties of the application.

6.3 The table below summarises the non-material planning reasons for objection:

Non-Material Reason for Objection	Officer Response
Negatively affect house prices.	This is not a material planning consideration.
Pupils are allowed off-site during the school day.	This is not relevant to the consideration of the application.
The current entrance gates were recently erected and to replace again so soon would be a waste of money.	This is not a material planning consideration.
Noise pollution from the rugby club.	This is not relevant to the consideration of the application.
Better supervision of the children would be a better solution than higher fences.	The operation of the school is not a material consideration of this application.
Does the higher fence indicate an increase in the number of pupils in the future?	This application is solely for the boundary treatments and no increase in pupil numbers is proposed.

7.0 PLANNING CONSIDERATION

- 7.1 This application is considered against advice contained with the National Planning Policy Framework (NPPF) where there is a presumption in favour of sustainable development. Regard will be given to Policies CP1, CP2, DM2, CP14A, DM9, DM11 and DM14 of the adopted Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP).
- 7.2 This SEN school has identified a need to improve the security of the site for safeguarding reasons and in principle there is no objection to this objective. This objection aligns with the NPPF's aim to promote safe communities. The main issues to be considered as part of the application are as follows:

- Impact on residential amenity
- Highway impacts
- Biodiversity and trees

7.3 Impact on the character and appearance of the area

- 7.3.1 Policy DM2 limits proposals in Chobham to appropriate Green Belt uses and small scale development. It allows for adaptations and alterations to community uses within the settlement. Policy DM9 of the CSDMP promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials and bulk.
- 7.3.2 The proposed fence would be visible from the public realm at the northern end of Alpha Road, and be visible from the footpath running along the western boundary of the site. It should be noted that there are existing gates in the western boundary to the site which are surrounded by 3 metre weldmesh high fences.
- 7.3.3 Whilst there would be views of the proposed fencing from Alpha Road and the footpath to the west of the site, the fencing would be of a height and design which would be typical for enclosing a school ground and would not be visible from wider public viewpoints. Given the presence of existing weldmesh fencing of a similar design along the western boundary of the site, of a similar height it is considered that the proposed fencing would be acceptable and would not result in harm to the character of the site or surrounding area and would be in accordance with Policies DM2 and DM9.
- 7.3.4 It should also noted that there are permitted development rights for the erection of fences of up to 2 metres in height around a school (Class A of Part 2 of Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)). The proposed development, at the boundary of the site, would result in fencing 0.4 metres taller than allowed under permitted development rights. The additional 0.4 metres in height is considered not to result in additional harm to the character of the area to warrant refusal of the application.
- 7.3.5 There are also examples of similar boundary treatments around schools within the borough which are similar in design and height, including: Tomlinscote County Secondary School has a mixture of brick piers (in excess of 2 metres) with railings, weldmesh and chain fences; Cordwalles Junior School, Camberley and Ravenscote School, Frimley, both have 2 metre high palisade fencing and gates; and, South Camberley Primary and Nursery School has a 2 metre high palisade fence as well as a 2 metre high close boarded fence with a further metre of chain link fence where the playing fields border the public realm.
- 7.3.6 For the reasons above, it is considered that the proposal would have an acceptable impact on the character and appearance of the surrounding area and would comply with policies DM2 and DM9 of the CSDMP.

7.4 Impact on residential amenity

- 7.4.1 Policy DM9 (iii) of the CSDMP is relevant as this seeks to ensure that developments respect the amenities of the adjoining properties and uses.
- 7.4.2 The proposed fencing would be sited 1 metre from the site boundaries to the north and east and would retain a minimum separation distance of 14.5 metres from the rear elevations of the dwellings fronting Burr Hill Lane and 12.5 metres from the rear elevations of the dwellings fronting Delta Road apart from Willow End, Three Corners and 1 Burr Hill Lane.

- 7.4.3 For these three dwellings the minimum separation distances to the proposed fencing would be 3.9 metres, 6.2 metre and 3.3 metre, respectively. However, due to the design of the proposed weldmesh fence, it would have a relatively open nature providing views in and out of the site and would not project significantly above the existing fencing line. Therefore, it is considered that the proposal would not result in an adverse overbearing impact or loss of outlook. In addition, as mentioned in section 7.4 above, the proposal is considered an acceptable boundary treatment for a school. The design of the proposal fence also mitigates any significant overshadowing impacts and would not result in an overlooking impact.
- 7.4.5 The proposed 2.4 metre high fence would be sited approximately 2 metres from the side wall of 53 Alpha Road. This boundary is currently denoted by a 1.8 metre high close boarded, timber fence. The existing fence would remain, with the proposed 2.4 metre, weldmesh fence sited adjacent to it, within the school grounds. Similarly, there would be no adverse impact upon this neighbour's amenities.
- 7.4.6 Whilst there are remnants of a post and chain link fence along the northern boundary of the site, this no longer forms a complete means of enclosure. The existing boundary to the application site along the north and eastern boundaries is comprised of the rear boundaries of the residential properties, including brick walls, timber fence panels and vegetation/hedges. It is reasonable for a school to have its own boundary treatment. In addition, the height of the proposal would prevent balls and the like from landing the rear gardens of the neighbouring dwellings.
- 7.4.7 It is noted that vehicle fume pollution and noise complaints have been raised as a result of the neighbouring notification. Whilst these are material considerations, in this instance the proposed development is solely for boundary treatments. There would be no alteration to the existing levels of noise and pollution resulting from the proposed development.
- 7.4.8 The proposal would comply with policy DM9 of the CSDMP .

7.5 Highway impacts

- 7.5.1 Policy DM11 of the CSDMP requests that all development should ensure safe and well-designed vehicular access and egress and layouts which consider the needs and accessibility of all highway users.
- 7.5.2 It is considered that the proposal would not result in a net additional traffic generation and there would be no alteration to the existing parking provision. The relocation of the pedestrian access gate from Alpha Road, from the eastern side of the vehicle gates to the western side would not result in a significant alteration to the existing situation. The relocation of the vehicle entrance gates to be in line with the boundary of the site would result in the gates being 1.8 metres closer to the highway. There is insufficient space to the front of the existing gates for the full length of a vehicle to be off the adopted highway. As such, the relocated vehicle entrance gates would not result in a significant alteration to the existing layout. Following consultation with the Highway Authority, it is considered that the application would not have a material impact on the safety and operation of the adjoining public highway.
- 7.5.3 The proposed development would therefore have no adverse impact upon the highway and would comply with Policy DM11 of the CSDM.

7.6 Biodiversity and trees

- 7.6.1 Policy DM9 of the CSDMP seeks to protect trees worthy of retention. Policy CP14A seeks to conserve and enhance biodiversity within Surrey Heath.

- 7.6.2 It is noted that the proposed works, including works to trees would take place in the summertime, due to the use of the site as a school. This would be within the bird nesting season. However, all wild birds are protected under the Wildlife and Countryside Act 1981 and developers must comply with this legal protection.
- 7.6.3 There are no trees covered by a tree preservation order which would be affected by the proposed development. The Council's Arboricultural Officer has reviewed the submitted arboricultural information and has raised no objection to the proposal subject to a condition securing compliance with the submitted information and a condition securing a site visit prior to any works taking place. It is therefore considered that the overall quality and longevity of the amenity contribution provided by the trees and vegetation within and adjacent to the site would not be adversely affected by the proposal.
- 7.6.4 The proposal would comply with policies DM9 and CP14.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The proposed development would be acceptable in principle. It would result in an acceptable impact on the character of the area and retained trees on site and in respect to the residential amenities of the occupiers of neighbouring dwellings. Subject to conditions, the proposal would have an acceptable impact on biodiversity. The proposal would not result in a significant alteration to the existing situation in terms of highway safety. The proposed development would therefore comply with the NPPF, and the CSDMP.

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 and documents:
Site Location Plan, Reference: BA/P23-1117.01, Received 30.01.2024
Proposed Site Layout, Reference: BA/P23-1117.03, Received 30.01.2024
Proposed Fencing Elevations, Reference: BA/P23-1117.04, Received 30.01.2024
Proposed Fencing Details, Reference: BA/P23-1117.05, Received 30.01.2024
Proposed Elevations of Vehicle Gate, Reference: BA/P23-1117.08, Received 30.01.2024
Proposed Elevations and Floor Plan of Vehicle Gate, Reference: BA/P23-1117.06, Received 30.01.2024
Logistic Plan, Reference: BA/P23-1117.02, Received 30.01.2024
Arboricultural Impact Assessment Plan, Reference: ARBTECH AIA 01, Received 17.01.2024

Tree Protection Plan, Reference: ARBTECH TPP 01, Received 17.01.2024
Design and Access Statement, Reference: P23-1117, Received 17.01.2024
Arboricultural Method Statement, Received 17.01.2024
Arboricultural Survey, Received 17.01.2024

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

3. The building works, hereby approved, shall be constructed in external fascia materials as stated in the approved Design and Access Statement.

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

4. The building works, hereby approved shall be undertaken in accordance with approved arboricultural protection measures. All protection measures shall be erected before any equipment, machinery or materials (including demolition and all preparatory work) are brought on to the site, and thereafter maintained until all construction work, equipment, machinery and surplus materials have been permanently removed from the site.

Nothing shall be stored or placed in any area in accordance with this condition and the ground levels within those protected areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details until completion of the development.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. A minimum of 7 working days before any development, including any works of demolition or site clearance, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to agree the extent of any facilitation or management tree works, tree and ground protection, demolition, storage of materials and the extent and frequency of Arboricultural site supervision. In all other regards the development shall proceed in accordance with the supplied BS5837:2012 - Trees in Relation to Design, Demolition and Construction compliant report prepared by Arbtech; and dated 11 December 2023.

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.

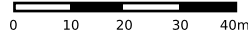
6. Prior to the commencement of the development hereby approved, details of the placement of hedgehog holes in the proposed fencing shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details and retained thereafter for the life time of the development.

Reason: To ensure the proposal supports ecology and protected species in accordance with Policy CP14 of the Core Strategy and Development Management Policies DPD.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
 2. Birds: All wild birds, their nests and eggs are protected under Schedule 1-4 of the Wildlife and Countryside Act 1981. It is an offence to damage or destroy a nest of any wild bird. Birds are generally nesting between March and July.
 3. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner.
-

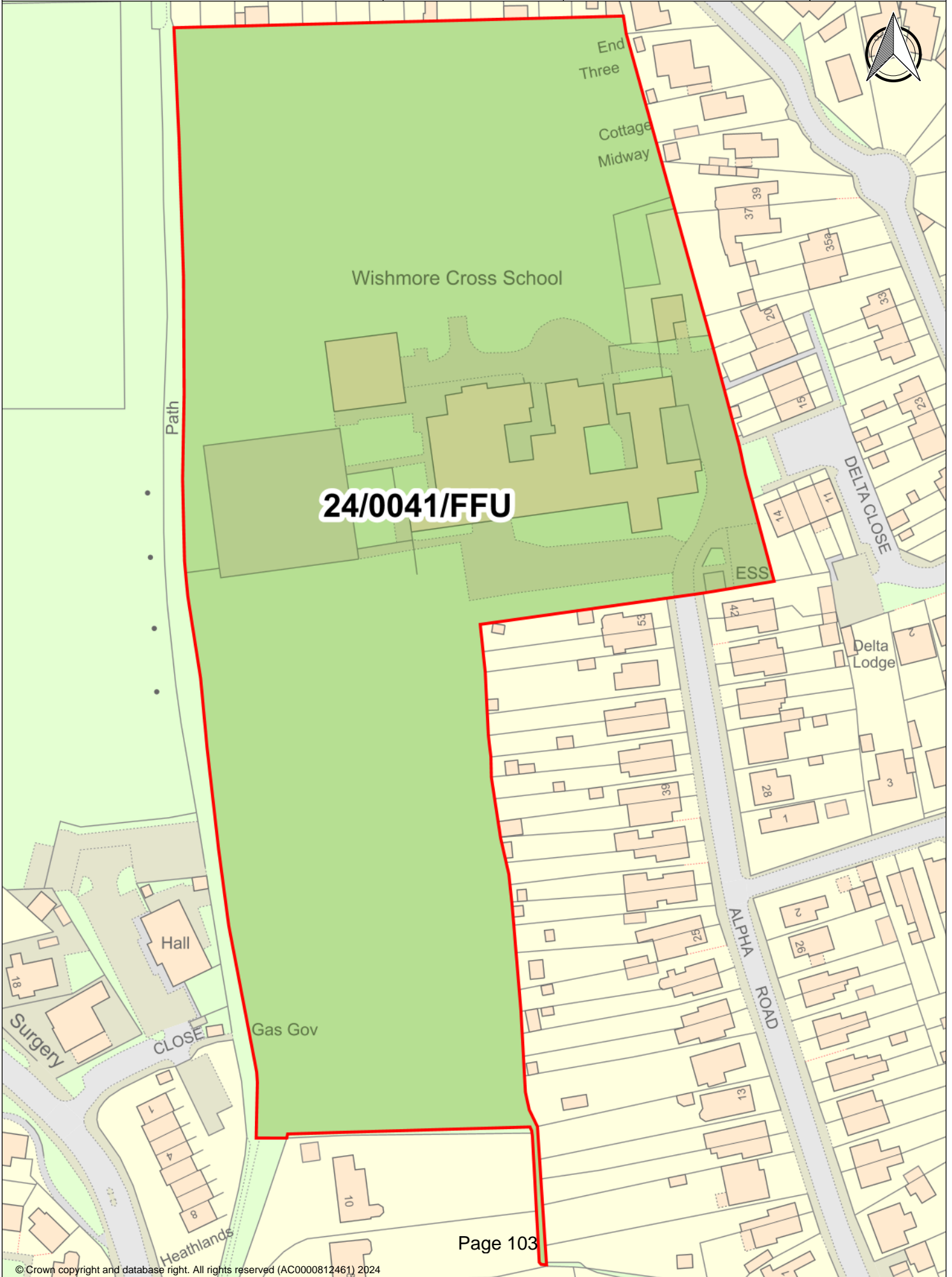
Erection of replacement 2.4m high weldmesh fencing to the north/north east and south boundary along with pedestrian and vehicle gates and 3m weldmesh



Author: J. Partington



Date: 05/04/2024



24/0041/FFU

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Existing entrance gates



Existing southern boundary



Image of the school garden, with basketball court in the background



Image of the basketball court taken from the north, with some of the existing boundary fence on the right of the image



Existing fence and gate to the western side



Image of the existing boundaries along the northern side



The existing eastern and northern border of the site



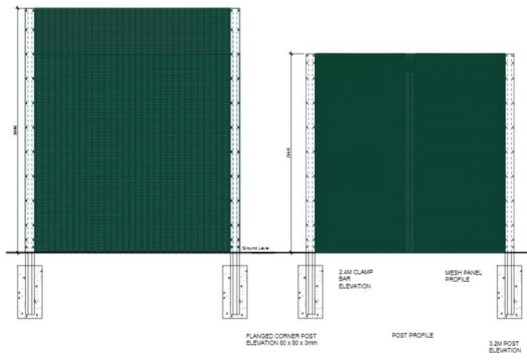
Site location plan



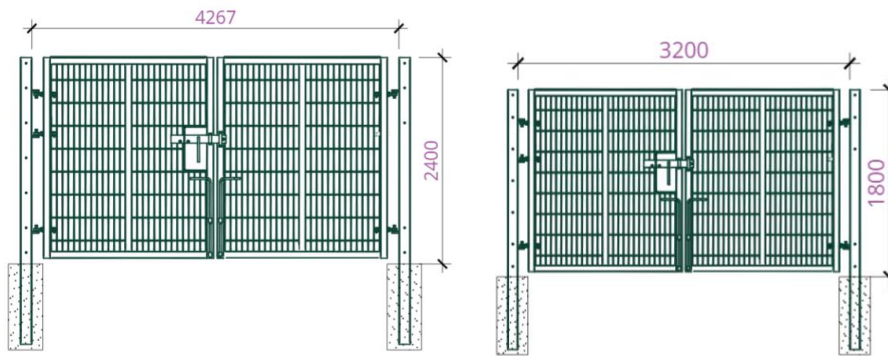
Site layout plan



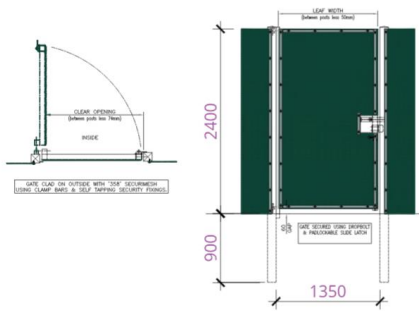
Elevations of proposed fence



Proposed and existing vehicle gate



Proposed pedestrian gate



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23/1100/FFU

Reg. Date

27 October 2023

St Michaels

LOCATION:	Watchmoor Park, Watchmoor Road, Camberley, Surrey.
PROPOSAL:	Hybrid planning application comprising: Full planning application for the erection of one industrial and logistics unit within Use Classes E(g)(iii), B2, and B8 together with access, parking and landscaping and Outline application (all matters reserved) for the erection of up to 19,000 sqm of flexible industrial and logistics floorspace within Use Classes E(g)(iii), B2, and B8 following demolition of existing buildings on land at Watchmoor Park.
TYPE:	Full Planning Application
APPLICANT:	Watchmoor Park Camberley Prop Co Limited
OFFICER:	Navil Rahman

This application was reported to the 22 February Planning Applications Committee because the proposal is a major development (i.e. development of over 1000 sq.m).

This application is being reported back to the Committee to allow for the demolition of the vacant buildings to be considered as a separate phase (phase 2).

RECOMMENDATION: GRANT, subject to conditions and legal agreement

- i) This application was reported to the Planning Applications Committee on 22 February 2024 and the committee resolved to grant planning permission subject to conditions and the completion of the legal agreement.
- ii) Since the committee resolution, the applicant wishes to include an additional phase to allow for the demolition of the buildings that form the outline application to result in a total 3 phases. Phase 1 would relate to the demolition and construction of the full application proposals (north of Riverside Way), the new Phase 2 would relate to the demolition of the buildings that form the outline permission (south of Riverside Way) whilst Phase 3 would relate to the construction of the buildings that form the outline permission (following agreement of reserved matters).
- iii) The additional phase allows for the vacant buildings to be demolished prior to agreement of the reserved matters, with two of the five buildings south of Riverside Way already vacant. This allows efficiencies in the construction process, with the demolition of the two vacant buildings to occur alongside the construction process of Phase 1, as well as the avoidance of additional costs associated with vacant building rates and running costs (maintenance, security etc). The buildings will not be re-occupied for office use. Minor amendments to the wording of condition 2 to facilitate this additional phase as per the wording below with the amendments in bold. No other changes are proposed.

2. Approval of the details of the access, layout, scale, design, and landscaping of the development (hereby referred to the "the reserved matters") shall be obtained in writing from the Local Planning Authority before any development (**notwithstanding site clearance, investigation works, and demolition**), subject to the outline permission is commenced.

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

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

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.

The original officer report follows with the amended condition 2.

RECOMMENDATION: GRANT, subject to conditions and legal agreement

1.0 SUMMARY

- 1.1 The application is a hybrid planning application (i.e. part outline and full planning application) for the demolition of the existing office buildings and construction of up to 29,358sqm of flexible E(g)(iii) (industrial processes which can be carried out in residential areas without detriment to its amenity), B2 (general industrial) and B8 (storage and distribution) space together with associated landscaping and parking.
- 1.2 The proposed full application (Phase 1) relates to the construction of a single unit, comprising of 10,358sqm floorspace which is to be marketed to a single large occupier. The units to be demolished to facilitate this development are currently vacant and works are proposed to commence this summer. The proposed outline development (Phase 2) with all matters reserved (access, appearance, landscaping, layout, and scale) proposes the demolition of five buildings, three of which remain in occupancy with the earliest lease due to expire in 2026.
- 1.3 With no end occupier for either part of the development confirmed, the speculative nature of the proposal allows flexibility for the future occupant. Notwithstanding this, the redevelopment of the site is considered acceptable in principle, providing a broad land use that is compatible with the surrounding character and appearance of the area, and delivering additional employment floorspace within the designated Core Employment Area.
- 1.4 The worst-case scenario for trip generation has been tested and would result in less traffic movements during peak hours when compared to the full occupation of lawful uses, whilst the site's location directly adjacent to A331 ensures that the highway network is able to support any increased HGV use on the site. The proposal would result in no adverse impact upon the character of the area, residential amenity, nor on flood risk or ecological grounds.
- 1.5 The application is therefore recommended for approval subject to conditions and legal agreement relating to securing biodiversity net gain and Travel Plan auditing fee of £6,150.

2.0 SITE DESCRIPTION

- 2.1 The application relates to an area of land measuring 10.65 ha. in size that forms part of Watchmoor Park, an established business park situated towards south of the York Town industrial area, a designated Core Employment Area. The area comprises of seven buildings ranging from two to three storeys in height in Use Class E(g)(iii) uses.
- 2.2 The site is largely hardstanding, with areas of decorative soft landscaping around the buildings and respective car parks. The site falls within Flood Zone 2 (medium risk). Land west of the site adjacent to the access from the A331 is within Flood Zone 3 (high

risk) and this area is also designated as Countryside beyond the Green Belt. The A331 provides direct access to the M3 motorway.

- 2.3 The business park was established in the 1980's, and has a formal layout designed around Riverside Way which runs through the centre of the site from the A331 to the east, reaching the Parkview building, a part four-storey building which acts as the prominent feature in the park.
- 2.4 Adjacent to the A331 are two attenuation ponds either side of Riverside Way, which provides a verdant landscape between the busy A331 and the business park and contributes towards the semi-rural feel of the park. Riverside way is formally lined by mature London Plane trees to the edge of the public footway which softens the back drop of the car parking found either side of the highway, and the two larger (two-storey) office buildings set further behind. Car parking is also found to the rear and side of these buildings, with a further three smaller units (of a two-storey level) found towards the rear of the buildings to the south. Each of the larger buildings benefit from their own access off Riverside Way.
- 2.5 The site lies within the Parkland Commercial Character Area as identified in the Western Urban Area Character SPD and falls within the Yorktown Landscape SPD. To the north is the recently built STIHL headquarters development which relates to a single large industrial style building. To the east are three-storey office buildings which form part of Watchmoor Park, immediately to the south is the Sainsburys supermarket whilst the A331 separates the site to the land to the west. The business park comprises of office buildings however some of these, including the two buildings to the north in the red line boundary are vacant.

3.0 RELEVANT PLANNING HISTORY

3.1 The most recent and relevant history is listed below:

- 3.2 83/0940 Erection of five small industrial units in two buildings with all ancillary service and parking areas at land at rear of Monk Engineering Co. Ltd., Watchmoor Park, Camberley. Granted 1 January 1987.
- 3.3 88/1303 Erection of Unit 3 as a minimum of twenty individual units under Class B1. Granted 25 January 1991.
- 3.4 94/0548 Part reserved matters application in respect of outline planning permission SU/85/0173 (siting/design/external appearance/means of access/landscaping - all to be considered) for the erection of No.3 x 3 and 4 storey Buildings for Class B1 use and creating a total new floor area of some 12,635 sq.m. (136,000 sq.ft.) along with ancillary car parking and internal circulation roads. Granted 23 November 1994.
- 3.5 95/0400 Erection of a four-storey office (B1) building with ancillary car parking and landscaping. Granted 19 January 1996.
- 3.6 PRE/22/0037 A series of pre application meetings were undertaken concluding with this application which included a design review process (see Annex B for a copy of the comments from the design review panel).

- 3.7 23/0553/SCR Request for a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for demolition of existing buildings and redevelopment of the site for industrial and logistics use (within Classes E(g)(iii), B2 and B8) and ancillary sports facilities and cafe with surface car parking, access, landscaping, and associated works. Environmental Impact Assessment not required 13 July 2023.

4.0 PROPOSAL

4.1 Hybrid planning permission is sought comprising of a:

- Full planning application for the demolition of Buildings 1 and 2, and the construction of a single building, 'Unit 1' with a flexible E(g)(iii) (i.e. industrial processes which can be carried out in residential areas without detriment to its amenity), B2 (i.e. general industrial) and B8 (i.e. storage and distribution) Use Class, together with associated access, parking, and landscaping.
- Outline planning permission with all matters reserved for the construction of up to 19,000sqm of flexible E(g)(iii), B2 and B8 Use Class floor space following the demolition of buildings 7-11.

Full planning application (north of Riverside Way):

- 4.2 Unit 1 would be sited over the area of the 2 demolished buildings located to the north of Riverside Way. The building would measure 72m depth by 134m with a maximum height of 18m appearing as a flat roofed design from street level. It would be set approximately 13m from the Riverside Way, set behind the line of existing mature trees. The existing access off the first roundabout on Riverside Way from the A331 would be utilised for access to the staff parking area which is laid out to the north west of the site, whilst the secondary existing access adjacent to Building 3 to the north east of the site, would be utilised for operational vehicle movement with parking towards the rear for these vehicles. The central access would be closed and soft landscaped.
- 4.3 The main entrance to the building would be to the south west corner, where there would be double level glazing, louvres, and an overhanging canopy which to the other street facing elevations would be polycarbonate panels and metal cladding.
- 4.4 The building would have a reception/lobby area to the south west corner with office space found at first-floor mezzanine level which would run across the southern facing elevation. It would have a total of 10,358sqm floorspace together with 102 total car parking spaces including six blue badge spaces and 50% active EV charging points. Cycle storage would be provided via a dedicated store to the west of the building allowing for thirty-two spaces.
- 4.5 A total of seventeen trees are proposed to be removed to facilitate the proposals including 4 category A (high quality), 1 category B (moderate quality), and 9 category C (low quality adequate for retention but should be considered for replanting where they significantly impinge on development) individual trees and a group of category B and two groups of category C trees. The proposed development proposes the planting of seventy-one trees. The London Plane trees adjacent to Riverside Way would be retained aside from the removal of three trees.
- 4.6 This part of the proposal (Phase 1) is expected to begin in the summer of 2024 with the current vacant buildings to be demolished.

- 4.7 No restriction is proposed to the operational hours as per the existing development on site.

Outline planning application (south of Riverside Way):

- 4.8 This part of the proposal is an outline submission only with all matters (access, appearance, landscaping, layout, and scale) reserved for future reserved matters submission(s). Notwithstanding this, a parameters plan has been submitted which outlines that any development would be no greater than 19,000sqm in floorspace, 19m in height and having a flexible use of E(g)(iii), B2 and B8. The illustrative plan indicates that this total floorspace would be a total of 4 buildings with the largest building fronting Riverside Way.
- 4.9 To accommodate this proposal, five existing buildings would be demolished. Three out of five of the buildings are still occupied, albeit at a reduced rate due to a fall in demand. This proposal would therefore come forward after the final lease expires in 2026. The outline nature of the development provides an element of flexibility for the developer to respond to future market needs at the time of the expected development.

Applicant's justification for the overall proposal:

- 4.10 The proposed redevelopment of the site is sought in connection with the falling demand for office space. It was originally envisaged that the two office buildings north of Riverside Way would be retained and refurbished to Grade A office stock. However, with the market trending further towards the need for E(g)(iii), B2 and B8 uses, it was not considered an optimal use of the site. Class B2 and B8 uses typically have similar building needs in terms of the size of the units, and their design and layout; and therefore, retaining flexibility for a range of appropriate employment area uses is sought.
- 4.11 The applicant states that the development is expected to generate net 406 permanent jobs (on and off site) for residents of Surrey Heath together with 137 net (on and off site) jobs during the construction phase. It anticipates a £40.6 million per annum to be added to the local economy and £3.15 million to be generated for the local government (through business rates over 20 years). They also estimate a £5.2 million social value to be generated through apprenticeships, NHS savings, reduction in unemployment and supporting local businesses through local procurement during the construction phase.
- 4.12 No restriction is proposed to the operational hours as per the existing development on site.
- 4.13 In support of the application, the application has provided the following information and relevant extracts from these documents will be relied upon in section 7 of this report:
- Design and Access Statement
 - Planning Statement
 - Air Quality Impact Assessment
 - Flood Risk Assessment
 - Noise Impact Assessment
 - Transport Assessment
 - Travel Plan
 - Stage 1 Risk Assessment
 - Arboricultural Impact Assessment
 - Outline Arboricultural Method Assessment
 - Framework Biodiversity Net Gain Plan

- Preliminary Ecological Appraisal (including bat roost assessment, newt survey, and badger sett survey)
- Office and Industrial & Logistics Needs Assessment
- Energy Assessment
- Sustainability Assessment
- External Lighting Assessment
- Health Impact Assessment
- Landscaping Plan

5.0 CONSULTATION RESPONSES

5.1 The following external consultees were consulted, and their comments are summarised in the table below:

External Consultation	Comments received
County Highways Authority	<p>Raise no objection to the proposal subject to:</p> <p>£6,150 Travel Plan auditing fee and full Travel Plan to be secured by legal agreement.</p> <p>Conditions in relating to:</p> <p>Phase 1:</p> <ul style="list-style-type: none"> - Implementation of modified vehicle, pedestrian, and cycle routes. - Parking arrangement. - EV charging points. - Cycle parking facilities. - Construction Transport Management plan. <p>Phase 3:</p> <ul style="list-style-type: none"> - Layout of roads, footpaths, footways, and cycle routes. - EV charging points. - Parking layout. - Cycle parking facilities. - Travel Plan details. <p>See Annex A for a copy of their comment.</p>
National Highways (formerly Highways England)	Raise no objection.
Active Travel England (ATE)	<p>Raise no objection.</p> <p>Recommend a minor amendment to allow the short continuation of the shared foot/cycleway at the entrance of the estate and securing the cycle path improvements by condition.</p> <p>Revised Framework Travel Plan has not been received, however, ATE are satisfied for the LPA to determine the merits of the plan.</p>
Rushmoor Borough Council	Raise concern that the balance between supply and demand for high quality office accommodation in business park locations across the functional economic area which

	could impact upon future growth and investment.
Hart County Council	Raise no objection.
Surrey County Council Archaeology	Raise no objection.
Environment Agency	Raise no objection subject to conditions relating to flood risk, contamination, piling, infiltration, and boreholes. Recommend that the sequential and exception test are applied however raise no objection in respect of the flood risk element of these tests.
Natural England	Raise no objection.
Local Lead Flood Authority	Raise no objection subject to SuDS condition.
Thames Water	Raise no objection and recommends conditions in respect of surface water network upgrades.
Surrey Police	Site is recognised as a potential hotspot for car meet and therefore recommend SBD Commercial Gold award.
Surrey Fire and Rescue	Insufficient detail to demonstrate full compliance with Part B1 and B5 of the Building Regulations. Officer response: Building Control would ensure the development is compliant with all relevant parts of the Building Regulations. No objection has been raised to the principle of the development.
Surrey Wildlife Trust	Raise no objection and recommend conditions in respect of Biodiversity Net Gain, Construction Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan as well as recommendations of ecological appraisal to be followed.

5.2 The following internal consultees were consulted, and their comments are summarised in the table below:

Internal Consultation	Comments received
Arboricultural Officer	Raise no objection and recommends conditions for detailed Arboricultural Method Statement and landscaping details.
Urban Design Consultant	Raise no objection subject to condition requiring material details. See Annex C for a copy of their comment.
Environmental Health Officer	Raise no objection and recommend contaminated land condition, noise condition, and compliance with CEMP.
Planning Policy	Raise no objection and recommend skills and training opportunities for residents explored. Recommend BNG applied.
Climate Change officer	Raise no objection.
Economic Development officer	Recommends condition in relation to skills and training plan.

6.0 REPRESENTATION

- 6.1 A total of 754 letters of consultation were sent on the 2 November 2023 to neighbouring residents, together with a site notice dated 2 November 2023 and press notice issued on the 15 November 2023. One letter of objection was received as part of the public consultation exercise summarised below.

Material Reason for Objection	Officer Response
Proposal would eliminate access from Surrey Avenue to Sainsburys. Access to public right of way shouldn't be impacted during demolition works.	The proposed access would remain unaffected by the development, during the construction phase and post development.

7.0 PLANNING CONSIDERATIONS

- 7.1 In considering this development regard is given to Policies CP1, CP2, CP8, CP11, CP12, CP13, CP14, DM1, DM7, DM9, DM10, DM11 and DM17 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), the National Planning Policy Framework (NPPF), the associated technical guidance and the National Planning Practice Guidance (PPG) and the National Design Guide. Regard is also had to Western Urban Area Character Supplementary Planning Document 2012 (WUAC), Yorktown Landscape Strategy Supplementary Planning Document 2008 (YLS) and the Surrey County Council Vehicular Cycle and Electric Vehicle Parking Guidance for New Development 2023.

- 7.2 The key issues to be considered within this application are:

- Principle of the development and need assessment.
- Impact on the character and appearance of the area.
- Impact on residential amenity.
- Impact on highway safety and parking capacity
- Impact on flood risk and drainage
- Impact on biodiversity and ecology
- Other matters.

7.3 Principle of the development and need assessment.

- 7.3.1 Policies CP1 and CP8 of the CSDMP are relevant. Policy CP1 sets out that employment growth will be achieved through the redevelopment of existing sites, focused on Core Employment Areas (CEA), such as this site. Policy CP8 of the CSDMP refers to the promotion of more intensive use of existing employment areas through refurbishment and regeneration.
- 7.3.2 The proposed development would result in flexible storage and distribution and industrial floorspace, a use that would be compatible with that of a Core Employment Area. The site benefits from direct access to the strategic road network via the A331, and therefore lends itself to such a use.
- 7.3.3 The Council's Document Surrey Heath Employment Land Technical Paper 2019 (SHELTP) outlines that the demand for office space in the functional economic area relates to high quality (Grade A) smaller office stock. The paper recognises that there is a limited availability of such stock, however, also outlines that such uses tend to have marginal viability and therefore are not attractive for developers when considered against the alternative uses.

- 7.3.4 The existing buildings comprises of Grade B office space which the SHELTP identifies as having low demand. This is evidenced by the applicant by the vacancy rates in Watchmoor Park alone rising from 14% to 68% from 2020-2023 despite rents at their lowest level since 2015 although it is recognised that across the borough the average is 4.3% whilst Rushmoor and Hart Borough Councils have rates of 9.4% and 9.9% respectively. Demand for office space has consistently fallen below supply within the last 10-year period within the functional economic area (FEA). The lack of overall demand for office development is not considered a result of poor-quality stock, with 12.3% and 13.7% availability rates for average and good office stock respectively.
- 7.3.5 National and local trends evidence a strong market demand for the proposed uses against falling office demand. This is a response against changing trends, with the culture of working from home, and boom of online shopping. The submitted needs assessment estimates that Surrey Heath has a 35.2 hectare need over the 18-year plan period for industry and logistics uses. This assessment is not considered unreasonable based on the changing market demand.
- 7.3.6 The proposed development would result in the loss of circa 20,000sqm of office floor space, and result in the creation of 10,358sqm (full application) and up to 19,000sqm of flexible E(g)(iii), B2 and B8 floorspace. The needs assessment highlights that the FEA has more office space, and less industry and logistics space compared to the national average.
- 7.3.7 The loss of the office floorspace, in lieu of the proposed uses would be considered appropriate in land use terms, and in meeting market demands at an increased overall level of employment floorspace, would be considered to meet the objective of Policy CP8.
- 7.3.8 When applying the high vacancy rates at the site, the existing office space currently provides the full time equivalent of 152 jobs. The proposed development is expected to provide a total 511 full time equivalent jobs, in addition to 137 jobs created through the construction process. It would therefore deliver increased employment benefit of 496 jobs as well as increased employment floorspace relative to the existing uptake of the office uses.
- 7.3.9 The sector also allows for a more diverse range of jobs in comparison to office development. The needs assessment outlines that 5 similar use developments have been built in Surrey Heath over the last 5 years (Doman Road, Albany Point and Lyon Way) with all developments having 100% occupancy rates. Given this demand and the shortfall of this type of floorspace in the FEA, this proposal is likely to be attractive for potential occupiers.
- 7.3.10 On this basis of the above, there is no objection to the principle of this redevelopment within the CEA, with the proposal in accordance with Policies CP1 and CP8 of the CSDMP.

7.4 Impact on the character and appearance of the area

- 7.4.1 Policy DM9 of the CSDMP promotes high quality design. The guiding principles of the WUAC set out that within this Parkland Commercial area particular regard should be paid to the following criteria: (a) the incorporation of strong formal landscaping, especially through car parking areas and along road corridors and boundaries; (b) buildings to be set in broad landscaped settings; (c) contemporary architectural design will be welcomed; and (d) buildings principally 2 – 3 storeys.

- 7.4.2 The full application results in the creation of one single unit. This building would be approximately 24m wider (from 110m to 134m), 1.3m taller (from 16.7m to 18m) and set a minimum of 7.3m closer to Riverside Way than the existing buildings to be demolished. This scale of development is that which could be expected and appropriate within Core Employment Areas. The building would be sited to the area of existing built development and hardstanding. Whilst it is recognised that the proposed building would have a more prominent presence within the business park, when considered in context of the STIHL headquarters (which has larger proportions, is closer to the A331 and is therefore more prominent) the size and scale of the proposal would not appear incongruous.
- 7.4.3 The STIHL building is located within the Countryside beyond the Green Belt. Part of this site also lies within the designated countryside, including the western part of the site, to the perimeter of the grassed area adjacent to the attenuation ponds that flank the A331; and an area of hardstanding currently used for car parking to the north western corner of the red line plan. The proposal does not seek to increase the built development to these areas, and the area of hardstanding would be reutilised for car parking. It would therefore not impact upon the objectives of this countryside designation.
- 7.4.4 In respect of the design, materials and treatment, the full planning application proposal takes a simplified approach utilising a small number of materials. The proposed development, in respect of its box form, use of metal cladding, and large panelling, appears as an industrial unit which is considered appropriate and acceptable given its location. The proposal utilises different size panels, as well as its fenestration design, to break up the mass on the elevations, providing contrast to each street facing elevation. The use of glazing to the entrance and south facing elevation, in particular, helps to introduce activity to this frontage, whilst also softening the large expanse of development. The proposed high parapets mask the roof, and subsequently any plant or equipment installed above, providing a sleek, clean view of the building.
- 7.4.5 The proposed simplified approach is one that was supported by the Design Review Panel, who raised no objections to the overall size and scale of the building subject to its treatment. The Council's Urban Design Consultant has similarly raised no objections to the proposal, however, to ensure the quality of the development recommends a condition to secure the details of the materials.
- 7.4.6 Turning to the outline permission, all matters, including access, appearance, landscaping, layout, and scale are reserved. Owing to the layout of Riverside Way, any development would be restricted in width to that similar to the proposed Unit 1. The proposed parameters plan, which restricts the finished floor levels and maximum height close to that proposed for Unit 1 is considered acceptable. Any forthcoming reserved matters application would need to accord with the relevant design policies which would ensure a high-quality design in any instance.
- 7.4.7 The proposed development would result in the loss of seventeen individual and three groups of trees and the proposed planting of 71 trees, predominantly to the area around the attenuation pond.
- 7.4.8 The proposed landscaping proposals are considered to result in an overall benefit to the site, with a range of indigenous species and age of trees proposed. The application has been reviewed by the Council's Arboricultural officer who has raised no objections to loss of trees and considers the proposed planting will result in overall long-term benefit. Conditions are recommended in respect of a detailed Arboricultural Method Statement and landscaping details to be secured.

7.4.9 On balance, the proposed development's siting, scale, design, and landscaping would respect the character and appearance of the area. The proposed development would comply with the objectives of Policy DM9, the guiding principles of the WUAC and the NPPF.

7.5 Impact on residential amenity

7.5.1 Policy DM9 states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development.

7.5.2 The application site is surrounded by commercial development, road network and designated countryside and there is no residential property in close proximity to the site. The nearest residential development to the industrial estate is on Sinhurst Road located north east of the site and over 200m away. It is therefore not considered that the development would result in any significant adverse harm in respect of noise and disturbance even though the use would operate 24 hours, 7 days a week. This level of operation is typical for a unit of this size and use, particularly given its siting away from residents or sensitive noise receptors.

7.5.3 The Council's Environmental Health Officer (EHO) raised no objections to the proposal subject to conditions relating to noise and contamination. A noise condition is recommended to ensure that any plant or machinery does not exceed the relevant noise levels expected within a commercial environment in accordance with the Noise Regulations to ensure future employees are able to work in a safe environment. Given the sites historic landfill use, a contamination condition is also deemed necessary.

7.5.4 Subject to appropriate conditions, the proposed development would be considered acceptable in line with Policy DM9 of the CSDMP and the NPPF.

7.6 Impact on highway safety and parking capacity

7.6.1 Policy DM11 of the CSDMP relates to the impact on the highway network, including matters of highway safety, access, and parking. The "Vehicular Cycle and Electric Vehicle Parking Guidance for New Development" supplementary planning document provides guidance in respect of vehicle and cycle parking levels.

7.6.2 The application site is situated within a Core Employment Area, where businesses can benefit from access to strategic road network. Large vehicles and frequent trips are therefore anticipated in such locations.

7.6.3 The application proposed a flexible use, and the transport impact of the individual uses are subject to variations. Therefore, a worst-case scenario has considered the whole of the site as a parcel distribution centre. Whilst this is not a realistic scenario owing to the design of the site which prevents such a case, the proposed transport assessment demonstrated that even when considered as a parcel distribution use, the worst-case trip generation remained negative relative to the existing uses on site, resulting in a significant net reduction of -223 trips during AM peak hours and -127 PM peak hours. The proposed development would therefore not be considered to result in any harm in respect of its trip generation numbers. National Highways have been consulted on this application and raised no objection.

7.6.4 The proposal would result in an increase in the number of HGV movements owing to the proposed uses relative to the existing. However, as alluded to earlier, this type of vehicle movement is expected within Core Employment Areas, and the application

site is particularly served by direct and close access to the A331 which makes it a prime location for development which includes this type of vehicle movement. The existing road network does not need to be modified to accommodate HGV's.

- 7.6.5 When considered against the significant reduction of vehicle movements across AM and PM, together with the acceptability of the road network to support the proposed uses, the proposed development is considered acceptable in respect of its use and trip generation.
- 7.6.6 Turning to the parking capacity, the proposed full development (Phase 1) would provide a total of 102 parking spaces, including six blue badge spaces with 50% of the spaces being served by EV charging points. This would accord with the requirements set out in the country guidance for B2 and B8 uses. Additionally, the proposed development would provide thirty-two cycle spaces provided within a dedicated covered, secure store which would be considered acceptable in line with the required standards.
- 7.6.7 The NPPF and Policy CP11 set out the need to prioritise pedestrian and cycle movements in and around development, ensuring a genuine choice of travel for employees. The application is supported by a Framework Travel Plan and addendum which sets out improvements to the cycle network and measures to encourage cycling and walking with a target reduction of 7.6% for drivers and 2.6% increase to car passengers, 1% increase to cycle users, 1% increase to pedestrian users and 3% increase in public transport users.
- 7.6.8 Active Travel England have been consulted on the application and raised no objection and consider the improvements to the cycle and pedestrian network acceptable in principle. These improvements would be secured by planning condition.
- 7.6.9 In respect of the target measures set out in the Travel Plan, it is considered that given the speculative nature of the proposal, there is difficulty in adapting the travel plan as currently proposed to the potential end user. The Travel Plan is considered a live document that would be updated, with final details to be agreed prior to the first occupation of the development. Given no objection has been raised from the highway authorities it is considered that the final details can be agreed appropriately by planning condition. A £6,150 contribution towards a Travel Plan auditing fee has been requested to ensure the development accords with the measures set out in the to be agreed final Travel Plan.
- 7.6.10 Following the comment from Active Travel England, further detail on the cycle improvements were provided which were considered acceptable by Surrey County Council.
- 7.6.11 As such, given the sites location, the net reduction of trips, the acceptability of the existing road network and the absence of any objection from the Highway Authority, the proposed development would satisfy the objectives of Policies CP11 and DM11 of the CSMDP.

7.7 Impact on flood risk and drainage

- 7.7.1 Policy DM10 of the CSMDP is relevant. The application site predominantly lies in flood zone 2 (medium risk) with the western part of the site in flood zone 3 (high risk). The application is supported by a site-specific Flood Risk Assessment which has been reviewed by the Lead Local Flood Authority (LLFA) as well as the Environment Agency who have raised no objections on flood risk grounds subject to appropriate conditions.

- 7.7.2 No sequential test for alternative sites has been applied. However, the PPG sets out that where a site has been allocated for development and subject to the test at the plan making stage, the sequential test is not required to be applied. The wider Core Employment Area is expected to remain in its current designation and on this basis, a sequential test would not be required to be applied. The exception test is not required because this type of development is categorised as less vulnerable.
- 7.7.3 Thames Water have also been consulted on the application, and recommended conditions in lieu of insufficient detail submitted at this stage. No objections are raised to the development.
- 7.7.4 As such, the proposed development would be considered acceptable on flood risk and drainage grounds and therefore satisfies the objectives of Policy DM10 of the CSDMP and the NPPF.

7.8 Impact on biodiversity and ecology

- 7.8.1 Policy CP14 of the CSDMP indicates that development which would result in harm to or loss of features of interest for biodiversity will not be permitted whilst biodiversity gain is recommended.
- 7.8.2 The submitted ecological appraisal outlines that subject to appropriate measures, the proposed development would have no significant adverse impact on protected species and habitats. In respect of the biodiversity net gain, the proposed development once completed as whole, results in a gain of +55.42% habitat units and +78.17% hedgerow units for the full application. It should be recognised that there is no adopted legislative requirement for net gain to be provided and therefore the proposed gain would be a benefit of the proposal. Surrey Wildlife Trust has reviewed the submissions and raised no objections, recommending conditions to ensure that biodiversity and ecology gain is secured on site. To ensure the long-term management and enhancement, the Biodiversity Net Gain shall be secured by S106 legal agreement as is typical.
- 7.8.3 On this basis the development satisfies the objectives of Policy CP14 of the CSDMP.

7.9 Other Matters

- 7.9.1 Policy CP2 of the CSDMP sets out that new development should seek to reduce carbon emissions, utilising low carbon technology and secure water efficiency. The application is supported by an energy statement which outlines measures such as PV panels, heat pumps, thermal efficiency and other measures which would ensure the development exceeds the requirements of Part L of the Building Regulations whilst at least 25% of the sites energy demands can be met on site. No objections have been raised by the Council's Climate Change officer.
- 7.9.2 The Fire and Rescue service have reviewed the application and consider there to be insufficient information to demonstrate compliance with Part B1-B5 of the Building regulations at this stage however have raised no objection to the scheme in principle. The proposal would need to satisfy all relevant parts of the building regulations in any case which would be overseen by Building Control.
- 7.9.3 Surrey Police service have recommended that Secure by Design Gold standard is achieved (secured by planning condition) on the basis that the site is a hot spot for car

meets. This is a historic matter which has been improved through management procedures on site. The proposed development would result in the 24/7 operation of the site, with increased CCTV and surveillance which would deter anti-social activity. The proposed condition is therefore not considered necessary.

8.0 CONCLUSION

- 8.1 The redevelopment of the site is considered acceptable in principle, resulting in the redevelopment of an existing Core Employment Area to better meet the market demands. The proposed scale and design of the development, in context of the regeneration of the site is considered acceptable, whilst there would be no adverse impact upon the character of the area, residential amenity, highway network and users, nor on flood risk or ecological grounds. It is therefore recommended that planning permission be granted, subject to the conditions below and S106 legal agreement.

9.0 RECOMMENDATION

GRANT subject to a legal agreement securing biodiversity net gain and travel plan auditing fee and the following conditions:

1. The development hereby permitted for the full planning application, hereby referred to as Phase 1, shall be commenced 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. Approval of the details of the access, layout, scale, design, and landscaping of the development (hereby referred to the "the reserved matters") shall be obtained in writing from the Local Planning Authority before any development (notwithstanding site clearance, investigation works, and demolition), subject to the outline permission is commenced.

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

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

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.

3. The applications for the approval of the reserved matters pursuant to this outline planning permission shall be in accordance with the WPCAM-MSA-ST-00-DR-A-20005 Rev PL02 'Parameters plan' received 22 January 2024, with the development comprising a maximum floorspace of 19,000sqm (with no single unit having a floorspace greater than 13,000sqm), no greater than 19m in height, and shall only be used only for purposes falling within Class E(g)(iii), B2, and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of providing a variety of Employment uses and the visual amenities and character of the surrounding area and to comply with Policies CP1, CP8 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. Phase 1 of the development shall be built in accordance with the following approved plans:

received 27 October 2023

WPCAM- MSA- ST- XX- A- 25011, WPCAM- MSA- ST- XX- A- 25010, WPCAM- MSA- ST- XX- A- 25009, WPCAM- MSA- ST- XX- A- 25008, WPCAM- MSA- ST- XX- A- 25007, WPCAM- MSA- ST- XX- A- 25006, WPCAM- MSA- ST- XX- A- 25005, WPCAM- MSA- ST- 00- DR- A- 25003, WPCAM- MSA- ST- RF- DR- A- 25002 Rev PL02, WPCAM- MSA- ST- RF- DR- A- 25001, WPCAM- MSA- 01- ZZ- DR- A- 20113 Rev PL02, WPCAM- MSA- 01- XX- DR- A- 20016 Rev PL02, WPCAM- MSA- 01- XX- DR- A- 20015 Rev PL02, WPCAM- MSA- 01- XX- DR- A- 20013 Rev PL02, WPCAM- MSA- 01- RF- DR- A- 20012 Rev PL02, WPCAM- MSA- 01- ZZ- DR- A- 20011 Rev PL02, WPCAM- MSA- 01- 00- DR- A- 20010 Rev PL02, WPCAM-MSA-ST-00-DR-A-20007 Rev PL01, WPCAM-MSA-ST-00-DR-A-25000 Rev PL01, WPCAM- MSA- 01- 00- DR- A- 20002 Rev PL01 and WPCAM- MSA- ST- XX- DR- A- 20001 Rev PL02.

received 22 January 2024

WPCAM- MSA- 01- XX- DR- A- 20014 Rev PL03, WPCAM-MSA-ST-00-DR-A-20005 Rev PL02, and WPCAM-MSA-ST-00-DR-A-20006 Rev PL02.

received 06 February 2024

332110790_5500_SK020 Rev P01.

And documents:

received 27 October 2023

- o Office and Industrial & Logistics Needs Assessment
- o Heritage Technical Note
- o Preliminary Ecological Appraisal Ref.RT-MME-157701-01-Rev A dated October 2023
- o Framework Biodiversity Net Gain Plan Ref.RT-MME-157701-04 dated October 2023
- o Arboricultural Impact Assessment Ref.RT-MME-157701-03 Rev D dated October 2023
- o Preliminary Bat Roost Assessment Ref.159487-02-Rev B dated October 2023
- o Dusk Emergence & Dawn Re-entry Bat Surveys RT-MME-160081 dated October 2023
- o Great Crested Newt Habitat Suitability Index Assessment & eDNA Survey Ref.RT-MME-159487-04 dated October 2023
- o SITE UTILITY SERVICES OVERVIEW REPORT Rev.2 dated 24 October 2023
- o EXTERNAL LED LIGHTING ASSESSMENT REPORT Rev.2 dated 24 October 2023
- o Landscape and Public Realm DESIGN AND ACCESS STATEMENT Ref.TOWN780(02) 2001 R01 dated 26 October 2023
- o Energy Statement Rev 01 dated 25 October 2023
- o Noise Impact Assessment Report Ref.ACR001 Rev 0 dated October 2023
- o Sustainability Statement Rev 01 dated 25 October 2023
- o Planning Statement dated October 2023

- o Air Quality Assessment Ref.332110790 dated October 2023
- o Transport Assessment Ref.332110790 Rev1.1 dated October 2023
- o Stage 1 Risk Assessment Ref.332110790R1 dated 24 October 2023
- o Flood Risk Assessment and Surface Water Drainage Strategy Ref.332110790 dated October 2023

3 November 2023:

- o HABITATS REGULATIONS ASSESSMENT: Stage 1 and Stage 2 Ref.RT-MME-159487-01 dated October 2023.

4 December 2023

- o DEMOLITION METHOD STATEMENT
- o CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP) Rev R1 dated 16 November 2023
- o Design and Access Statement Ref.31504-DAS-250 Rev A dated November 2023

12 December 2023

- o Health Impact Assessment Ref.WatchmoorParkHIA_REV3 dated 8 December 2023

16 January 2024

- o Arboricultural Method Statement (Outline) Ref.RT-MME-162197-01-RevA dated January 2024

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.

5. Prior to the commencement of each phase of the development, notwithstanding site clearance and investigation works, demolition and construction to slab level, an updated full schedule of materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

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

6. Prior to the first occupation of each phase of the development, a comprehensive lighting scheme shall be submitted to and approved in writing by the Planning Authority. This shall include details of all external lighting including appearance, manufacturer's specifications, automatic sensor controls and timers, hours of illumination and light spillage diagrams.

A 'Sensitive Lighting Management Plan' should also be submitted, and this should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series". The approved details shall be fully implemented prior to first occupation of each phase, and thereafter there shall be no changes unless otherwise agreed.

Reason: In the interests of the visual amenities of the area and to ensure no adverse harm to sensitive ecological receptors and to accord with Policy DM9 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. Prior to the commencement of each phase of the development, notwithstanding site clearance and investigation works, demolition and construction to slab level, full details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of all hard surfaces, walls, fences, access features, the existing trees, and hedges to be retained, together with the new planting to be carried out and a programme for the delivery of the landscaping works. All planting shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs. Arboricultural work to existing trees shall be carried out prior to the commencement of development in that phase; otherwise, all remaining landscaping work and new planting shall be carried out prior to the occupation of the development phase or in accordance with a timetable agreed in writing with the Local Planning Authority.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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 of each phase shall take place until an updated 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 together with the areas for the storage of materials, indicative services and utilities information, and the construction method of the geocell. 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 ensure no adverse harm to the retained trees during the construction phase of the development without appropriate mitigation and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

9. Prior to the commencement of each phase a detailed Demolition and Construction Environmental Management Plan (CEMP) document shall be submitted to and approved in writing by the Local Planning Authority.
 - a) Map showing the location of all of the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protected fences, exclusion barriers and warning signs.
 - g) Site working hours (incl. delivery, loading and unloading)
 - h) Details of proposed means of dust suppression and emission control

- i) Details of proposed means of noise mitigation and control
- j) Lighting impact mitigation (if artificial lighting will be used during the development)
- k) Material and waste management
- l) Procedure for implementing the CEMP
- m) Procedure for handling complaints

Reason: To mitigate the impact of the construction activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

10. Prior to the commencement of each phase of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall demonstrate measurably, no net loss and preferably net gain in biodiversity value and should include the following:
- o Description and evaluation of features to be managed.
 - o Ecological trends and constraints on site that might influence management.
 - o Aims and objectives of management.
 - o Appropriate management options for achieving aims and objectives.
 - o Prescriptions for management actions, together with a plan of management compartments.
 - o Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - o Details of the body or organisation responsible for implementation of the plan.
 - o Ongoing monitoring and remedial measures.
 - o Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
 - o Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP shall be implemented in accordance with the approved details.

Reason: To mitigate the impact of the construction and operational activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

11. Prior to commencement of each phase of the development, a scheme to deal with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (a) site investigation methodology to address the pollutant linkages identified in the Stage 1 Risk Assessment Ref.332110790R1 dated 24 October 2023
 - (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.
 - (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d).

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

12. Prior to first occupation of each phase of the development, a verification report appended with substantiating evidence demonstrating the agreed contamination 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.

13. Prior to the installation of plant/machinery to each phase of the development, an assessment following BS4142 shall be submitted to and approved by the LPA to establish the cumulative impacts from proposed plants, machineries, traffic, and delivery activities. If necessary, a scheme of mitigation shall be submitted to and approved in writing by the LPA prior to installation, to ensure the noise rating at sensitive receptors during daytime and night-time do not exceed background sound level. The approved mitigation scheme shall be fully implemented prior to the first occupation of each phase.

Reason: In the interests of ensuring a safe working environment and limiting the impact of noise pollution to the public highway and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. Prior to the first occupation of each phase of the development, details of petrol and oil interceptors which are to be fitted in all car parking, washing and repair facilities and any associated areas shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development and shall be maintained and retained for the lifetime of the development.

Reason: To reduce risk of contamination to the land and water systems, and the environment generally in accordance with Policies CP2 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

15. Prior to the commencement of each phase of the development, notwithstanding site clearance, investigation works, demolition and construction to slab level, details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. The final solution should follow principles set out in the approved drainage strategy.
- b) Evidence that the existing onsite drainage to be retained is fit for purpose.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any

flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

16. Prior to the first occupation of each phase of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company, and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

17. Prior to the first occupation of each phase of the development, confirmation shall be provided that either:
- a. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or
 - b. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan are agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: To ensure the development would not impact upon the water infrastructure network and reduce the risk of flooding and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

18. The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:
- o Finished floor levels shall be set no lower than 59.86m A.O.D. metres above Ordnance Datum (AOD)
 - o Level for level compensatory storage shall be provided as shown on Stantec Drawing 332110790_100_002 in Appendix D.
 - o No buildings to be located within the design flood (1% annual probability with an allowance for climate change).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with paragraph 173 of the NPPF.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the National Planning Policy Framework.

20. Piling/investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and Position Statement N of the 'The Environment Agency's approach to groundwater protection.

21. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 180 of the National Planning Policy Framework.

22. Prior to the first occupation of Phase 1 of the development, the modified vehicular, cycle and pedestrian access routes on Riverside Way shall be constructed in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority and subject to Surrey County Council's full technical and road safety auditing requirements under a S278 Highway Works Agreement. The scheme shall be in general accordance with the submitted proposed Drawing No.332110790_5500_SK020 Rev P01 received 06 February 2024 and shall provide for a dedicated cycle lane on both sides of Riverside Way linking from the junction with A331 to the existing cycle facility running north from the eastern roundabout. Dedicated footways shall be provided on both sides of Riverside Way. The existing carriageway shall be reduced to a single lane on both sides.

Reason: To ensure the highway network is improved in accordance with promoting sustainable modes of travel and safe access for all 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.

23. Prior to the first occupation of Phase 1 of the development, the existing access junction on the northern side of Riverside Way (between the western and eastern roundabouts) shall be permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To ensure the redundant aspects of the highway network in connection with the existing development are removed and ensure its safe operation in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. Prior to the commencement of each phase of the development a Construction Transport Management Plan shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority, to include:

- (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 behind any visibility zones.
- (f) measures to prevent the deposit of materials on the highway.
- (g) on-site turning for construction vehicles.
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

25. Prior to the first occupation of each phase of the development, unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes.

Reason: 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.

26. Prior to the first occupation of each phase of the development at least 50% of the proposed new parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). To be 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: To ensure the development promotes sustainable modes of travel and contribute towards sustainable development 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.

27. Prior to the first occupation of each phase of the development the following details shall be submitted to and approved by the Local Planning Authority:

- a) The secure parking of bicycles within the development site, in a sheltered, lockable store.

- b) Facilities within the development site for cyclists to change into and out of cyclist equipment and shower.
- c) Facilities within the development site for cyclists to store cyclist equipment,
- d) Information to be provided to staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs.

Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure the development promotes sustainable modes of travel and contribute towards sustainable development 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.

28. Prior to the first occupation of each phase of the development a detailed Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the approved Framework Travel Plan document. Once approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter, maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: To ensure the development promotes sustainable modes of travel and contribute towards sustainable development 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.

29. Prior to commencement of each phase details for the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To comply with Policy DM17 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

30. Prior to the commencement of each phase of the development, notwithstanding site clearance, investigation works, demolition and construction to slab level, the scheme shall demonstrate measures it would incorporate to ensure a BREEAM 'Very Good' rating will be achieved.

Reason: To confirm the target score as indicated in the submission documents and to meet the objectives of Policy DM7 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

31. Within 6 months of the first occupation of each phase of the development, a BREEAM final certificate issued by the BRE or equivalent authorising body, must be submitted to and approved in writing to the Local Planning Authority to demonstrate that the approved BREEAM rating has been achieved. All the measures integrated shall be retained and maintained for the lifetime of the development.

Reason: To confirm the target score as indicated in the submission documents and to meet the objectives of Policy DM7 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

32. The development shall follow and implement the recommendations and carbon offset measures outlined in the hereby approved document Energy Statement Rev 01 and Sustainability Statement Rev 01 dated 25 October 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the development adheres to the energy saving and carbon emission reduction measures in accordance with the submitted energy assessment and to meet the objectives of Policy DM7 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

33. The development shall follow and implement the recommendations and mitigation measures outlined in the hereby approved document Air Quality Assessment Ref.332110790 dated October 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the development implements mitigation measures to offset any air pollution arising from the development and to accord with the National Planning Policy Framework.

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the proposed use hereby permitted shall only be used for the provision of an employment use falling within use Classes E(g)iii, B2 and B8 and for no other purposes (including any other use within Use Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking, amending or re-enacting that Order).

Reason: To safeguard the employment use of the site in the interests of the Core Employment Area designation, having regard to Policies CP1 and CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required. A replacement copy can be obtained, however, there is a charge for this service.
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and a Section 278 agreement 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. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> .

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway

surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. As part of the reserved matters application for layout, details of the internal roads, footpaths, footways, and cycle routes, including the provision of visibility splays (including pedestrian inter-visibility splays) for all road users, pram crossing points and any required signage and road markings shall be submitted.
5. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading, and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
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. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023.
8. Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:
 - o Duty of Care Regulations 1991
 - o Hazardous Waste (England and Wales) Regulations 2005
 - o Environmental Permitting (England and Wales) Regulations 2016
 - o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Any hazardous waste must be consigned when it is removed from the producer's premises. There is not de minimis for this. The developer will need to register with the Environment Agency as a hazardous waste producer. Refer to the hazardous waste pages on gov.uk for more information.

9. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the SCC website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk.

10. Surrey Fire and Rescue Service (SFRS) would strongly recommend that consideration is given to the installation of AFSS/ AWSS (i.e.; Sprinklers, Water Mist etc) as part of a total fire protection package to:

- o protect life;
- o protect property, heritage, the environment and our climate;
- o help promote and sustain business continuity; and
- o permit design freedoms and encourage innovative, inclusive and sustainable architecture.

The use of AFSS/AWSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens.



APPLICATION NUMBER	SU/23/1100/FFU
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DEVELOPMENT AFFECTING ROADS
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

Applicant: c/o agent Phil Brown

Location: Watchmoor Park, Watchmoor Road, Camberley, Surrey

Development: Hybrid planning application comprising: Full planning application for the erection of one industrial and logistics unit within Use Classes E(g)(iii), B2, and B8 together with access, parking and landscaping and Outline application (all matters reserved) for the erection of up to 19,000 sqm of flexible industrial and logistics floorspace within Use Classes E(g)(iii), B2, and B8 following demolition of existing buildings on land at Watchmoor Park

Contact Officer	Richard Peplow	Consultation Date	2 November 2023	Response Date	6 February 2024
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends an appropriate agreement should be secured before the grant of permission to include the following:

S106 Payments:

1. Prior to first occupation of the development to pay to the county council the £6,150 Travel Plan Auditing fee.

S106 Obligations:

- 1) Prior to first occupation of the development to submit a full Travel Plan, in accordance with the approved Framework Travel Plan (dated January 2024), for the written approval of the Local Planning Authority, in consultation with the Highway Authority. The approved full Travel Plan shall then be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.

- 2) Prior to first occupation of the development to fund and procure the necessary traffic regulation orders required to deliver the package of highway improvements on Riverside Way.

The Highway Authority also recommends the following conditions and informatives are imposed on any permission granted.

Conditions

Phase 1

- 1) No part of the development shall be first occupied unless and until modified vehicular, cycle and pedestrian access routes on Riverside Way have been constructed in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority and subject to Surrey County Council's full technical and road safety auditing requirements under a S278 Highway Works Agreement. The scheme shall be in general accordance with the submitted proposed Cycle Route Option 1 and shall provide for a dedicated cycle lane on both sides of Riverside Way linking from the junction with A331 to the existing cycle facility running north from the eastern roundabout. Dedicated footways shall be provided on both sides of Riverside Way. The existing carriageway shall be reduced to a single lane on both sides.
- 2) The development hereby approved shall not be first occupied unless and until the existing access junction on the northern side of Riverside Way (between the western and eastern roundabouts) has been permanently closed and any kerbs, verge, footway, fully reinstated.
- 3) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 102 cars to be parked, to include 6 disabled spaces, and for the loading and unloading of HGVs and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading and turning areas shall be retained and maintained for their designated purposes.
- 4) The development hereby approved shall not be occupied unless and until at least 50% of all available car parking spaces (a total of 51 active EV charging bays) are provided with a fast-charge Electric Vehicle charging point (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.
- 5) The development hereby approved shall not be occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
 - (a) The secure and covered parking of a minimum of 22 bicycles within the development site,
 - (b) Facilities within the development site for cyclist to change into and out of cyclist equipment / shower,
 - (c) Facilities within the development site for cyclists to store cyclist equipment,
 - (d) Information to be provided to staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
- 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
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

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.

(Notice in writing must be given by the Local Planning Authority to the Applicant that if planning permission is granted this condition is intended to be imposed, or pre-authorisation from the applicant must be sought before recommending the imposition of this condition. The Validation requirements for planning applications needing the submission of a Construction Management Plan will provide this notice).

Phase 2

- 7) The development hereby approved shall not be commenced unless and until the layout of internal roads, footpaths, footways, and cycle routes have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the provision of visibility splays (including pedestrian inter-visibility splays) for all road users, tram crossing points and any required signage and road markings. Once agreed the approved details shall be implemented to the satisfaction of the Local Planning Authority. There shall be no obstruction to visibility splays between 0.6m and 2m high above ground level.
- 8) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes.
- 9) The development hereby approved shall not be occupied unless and until at least 50% of the available parking spaces are provided with a 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 in writing by the Local Planning Authority.
- 10) No part of the development shall be first occupied unless and until a plan has been submitted to and approved in writing by the Local Planning Authority for vehicles to be parked
- 11) No part of the development shall be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
 - (a) The secure parking of bicycles within the development site,
 - (b) Facilities within the development site for cyclist to change into and out of cyclist equipment / shower

- (c) Facilities within the development site for cyclists to store cyclist equipment,
 - (d) Providing safe routes for pedestrians / cyclists to travel between A331 and the development site,
 - (e) Information to be provided to staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
- 12) Prior to the first occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the approved Framework Travel Plan document. And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2023.

Policy

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2023.

Highway Informatives

- 1) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and a Section 278 agreement 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. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
- 2) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

- 3) The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 4) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- 5) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 6) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 7) 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
- 8) The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
- 9) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel

patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.

- 10) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
- 11) Public highway status can only be removed from land, which forms part of the publicly maintained highway, by a legal procedure called Stopping Up. When highway rights are extinguished, control of the land reverts to the freeholder of the sub-soil. The Department for Transport has authority to undertake Stopping Up Orders using the provision of Section 247 of the Town and Country Planning Act 1990.

The design review meeting

Reference number	2046/180723
Date	18 th July 2023
Meeting location	Surrey Heath Borough Council Offices, Surrey Heath House, Knoll Rd, Camberley, GU15 3HD
Panel members attending	Keith Williams (chair), architecture and urban design Chris Schulte, architecture and public realm John Pegg, landscape architecture and urban design Kevin Radford, architecture and urban design
Panel manager	Lizzie Atherton, Design South East
Presenting team	Des O'Dwyer, Michael Sparks Associates Carola Enrich, Townshends
Other attendees	Victoria Fairhall, Anglesea Capital Phil Brown, Savills Navil Rahman, Surrey Heath Borough Council Melissa Turney, Surrey Heath Borough Council
Site visit	A site visit was conducted by the panel prior to the review.
Scope of the review	As an independent design review panel/forum the scope of this review was not restricted.
Panel interests	Panel members did not indicate any conflicts of interest.
Confidentiality	This report is confidential as the scheme is not yet the subject of a detailed planning application. Full details of our confidentiality policy can be found at the end of this report.

The proposal

Name	Watchmoor Park
Site location	Watchmoor Park, Riverside Way, Camberley, GU 15 3YL
Site details	3.7ha site located to the east of the A331 and accessed via Riverside Way. The site is part of Watchmoor Park, an established business park

situated towards the south of the York Town industrial area. The area comprises of seven commercially used buildings ranging from two to three storeys in height.

The site falls within a Flood Zone 2, whilst west of the site adjacent to the access from the A331, the site falls within a Flood Zone 3.

Proposal	Proposal to demolish the existing buildings and redevelop the site for flexible industrial and logistics uses within use Classes E(g)(iii), B2 and B8 with ancillary offices and outdoor sport along with ancillary changing room/café together with surface car parking, access, landscaping, and associated works.
Planning stage	Pre-application. Intention to submit full application in summer 2023.
Local planning authority	Surrey Heath Borough Council
Planning context	The site is predominately located within a designated Core Employment Area in the Surrey Heath adopted Policies Map. The western areas outside of the developable area are designated as 'Countryside beyond the Green Belt'.
Planning history	None of relevance
Planning authority perspective	The proposed principle of the development and general layout, scale and form of development is considered acceptable. The Local Planning Authority (LPA) is keen to seek the panel's advice on the treatment of the buildings and quality of the materials and landscaping which have not been seen in sufficient detail aside from indicative drawings. The LPA would also like the panel's advice on the acceptability of the padel courts and café.

Summary

We welcome the ambition to redevelop Watchmoor Business Park to create a viable place which meets the developing demands of industry. We support the principle of the development. However, justification in sustainability terms should also be sought by the local authority and the greatest effort made to reduce embodied carbon impact by embedding circular economy principles into the design strategy.

The landscape, designed in the 1980's and now matured, is a key asset to the site, framing a formal view from the road. However, the view has not been adequately used as a device to drive the design and shape the architectural approach.

Key recommendations

1. Describe how the proposal fits into the settlement identity and the wider movement and green infrastructure networks.
2. Resolve the southern portion of the site (in particular units 7-10 and associated parking, access and landscape design) and reconfigure the site layout to improve the public realm and connections and networks for people and nature.
3. Produce views of the proposal from the A331 and consider the landscape and architectural approach as a complete composition, recognising the vision and strategic intent of the original design.
4. Work to minimise the embodied carbon impact of the proposals and justify the scheme in sustainability terms.
5. Review and further justify the inclusion of and location for the padel courts and café.
6. Refine the architecture of Unit 11 to further articulate the building and break down its perceived scale; explore relocating the entrance and office accommodation to front onto Riverside Way.

Detailed comments and recommendations

1. Design strategy

- 1.1. When Watchmoor business park was originally built it represented a strategic shift in industry practices and a change in office working. A similar change is currently underway as Watchmoor's identity continues to evolve to accommodate and attract flexible mid-tech, industrial and logistics uses. We applaud the ambition to not only revitalise the site for industry but also to enhance its physical environment and amenities for the benefit of its working population and visitors to the site. However, the team must carefully manage the potential conflicts that could arise from combining community and industrial uses.
- 1.2. Beyond the red line, the team should better analyse the site's relationship with Camberley, the M3 corridor, the two local train stations (Camberly and Blackwater), and the substantial adjacent open spaces of Crabtree Woods and Hawley Meadows Country Park. Connecting into wider pedestrian, cycle, and ecological networks will be important to demonstrate how this development can enhance and strengthen connections for both people and nature.
- 1.3. Potential tenants could be involved in the life science industry, including for the proposed largest 'flagship' unit, number 11. Rather than submitting a detailed application for the whole site, it could be that an outline or hybrid planning application might maximise the opportunity to attract high-profile tenants who will want to design and specify buildings to meet their specific needs and corporate identities. Subject to detailed market testing, this approach to obtaining consent for development could increase the pool of possible tenants attracted to the site.
- 1.4. Enhancing the collective 'community' nature of Watchmoor could also make it a more attractive place to work, sharing similar benefits to modern urban office developments and co-working facilities. Shared facilities within the site present opportunities for tenants to build a sense of community and enhance the opportunity to build a complementary cluster of complementary industries on the site. The team could consider incorporating shared and enhanced arrival and cycle facilities, allowing individual unit lobbies to be more generous while increasing sociability and interaction between tenants. A collective approach could also be applied to energy and water management. Exploring, for example, an ambient loop for the site, could reduce overall carbon emissions, make better use of the layout and characteristics of the site, and help some companies meet their Environmental, Social, Governance (ESG) objectives, which will be increasingly important for attracting certain types of tenant in future.

- 1.5. Whilst we support the inclusion of communal spaces for health and wellbeing, the padel courts and the café will be challenging to design sensitively when considering views from the road, as the courts divide the buildings from the landscape and encroach into the landscape qualities of the lake, and may have an impact on aquatic ecology. We are unconvinced by their recreational function, and how attractive the café will be, given its proximity to a busy road. If this approach is pursued, the team should be clearer about the benefits of this location for the courts and café and how they connect with the wider pedestrian network and enhance health and wellbeing, as well as better justifying their impact on the pond and its ecology.
- 1.6. We feel that this aspect of the proposal presents an overdevelopment, with tight layouts and awkward servicing arrangements, and with the padel courts and café shoehorned in on an inadequately sized plot. The current approach impacts negatively on some of the most visually and environmentally sensitive areas of the site. In reconsidering the southern half of the site we recommend remodelling adjacent units and consider that omitting units 7 and/or 10 might give more flexibility to enable a successful place by providing adequate space for each of the functions proposed.

2. Sustainable design

- 2.1. Work is required to justify the demolition of the buildings in sustainability terms and approach to minimising embodied carbon by exploring how materials can be reused within the new proposals in the first instance, and recycled where this is not possible.
- 2.2. The emerging approach to sustainable design and renewable energy was not discussed in further detail at this review. Our guidance is that at a subsequent design review and at planning application stage the proposal must produce a clear strategy that details how the development will minimise embodied, operational, and transport-related carbon emissions, and optimise the use of renewable energy to align with the Government's emerging zero carbon policy. This strategy should be tied to measurable targets and detailed modelling work informed by respected calculation methods. The strategy should also address water use, biodiversity net gain, and waste reduction in construction and operation through circular economic principles.

3. Landscape, Public Realm, Ecology and Biodiversity Net Gain

- 3.1. The landscape design conceived in the 1980s is now mature and due a rethink at various scales. We endorse the ambition to retain the mature central avenue of London Plane trees whilst developing and evolving the landscape to create a more naturalistic and wilder setting to enhance biodiversity and potentially reduce ongoing maintenance and carbon footprint.

- 3.2. A strategy regarding views from the main road into the park is required. The landscape of the lakes in the west of the site is mature and provides a characterful and well-kept frontage to the road. However, a cohesive analysis of the composition of the view from the road and the experience of entering the park from the west is lacking. The proposed view beyond the lakes will be expressed from north to south as carpark, the flank wall of unit 11, Riverside Way, and the padel courts foregrounding the backs of Units 1-3. This is not a cohesive approach and fails to recognise the vision and ambition of the original scheme when viewed from the A331.
 - 3.3. There may be opportunity to make more of the aquatic ecology on site, by addressing the siltation issues in the lakes and focusing on improving the biodiversity and ecology of the lakes. Rather than the padel courts, greater enjoyment of the lakes could perhaps be achieved through subtler interventions such as the board walks and creating a sculptured and interesting edge. All of this might help to achieve minimum policy gains for greening and biodiversity.
 - 3.4. The precedent landscape images suggest the highest aspirations regarding landscape quality. However, this has not been followed through into the design of buildings and other structures. The boardwalks express a more ambitious landscape identity, but we believe there is further opportunity to strengthen the landscape identity of the park by streamlining the number of proposed elements. Taken together the boardwalks, green gym, café, and courts add too many elements and overcomplicate what should be a simple and legible landscape.
 - 3.5. The team should test that the proposed new trees have enough space to grow and reach full maturity particularly along the eastern edge alongside units 4-6.
- 4. Site layout and connectivity**
- 4.1. The southern arrangement of the site appears convoluted and requires reconfiguring to optimise the public realm and enhance connections with Sainsburys to the south and other retail amenity, as well as the public connection to Crabtree Woods Park. The connections beyond the site to the local supermarket and cafes will be popular and should be made attractive and easy to use.
 - 4.2. The buildings on either side of Riverside Way are not offset the same distance from the road. A more symmetrical arrangement (in terms of offset distance) could be explored by aligning the entrance of Building 11 with the entrance to the southern part of the site.

- 4.3. While we understand the existing physical constraints, we are unconvinced by the layout of proposed units 7-10, located in the southern portion of the site. The proposed layout of the units appears to be a result of constraints and appear to be placed to use up leftover space rather than to contribute to a cohesive and logical layout of the estate. Unit 7 is flawed as it does not relate to the existing movement network, landscape or uses immediately adjacent to the site. Reconfiguring or removing this unit could help to maximise the connections and legibility of Watchmoor Park whilst avoiding the proliferation of 'leftover' spaces which are vulnerable to litter and antisocial behaviour and detrimental to the development in general.
 - 4.4. If unit 7 is reconfigured, there may be opportunity to explore whether the padel courts and café could be relocated to the south-west corner of the site in a part of the site where the environment and conflicts between uses can be better managed. The café could overlook and activate the Sainsbury/Crabtree Woods access path whilst being more protected from the main road than the proposed location.
 - 4.5. The padel court arrangement and the padel court car park create poor quality spaces between units 1-3 and the courts. People should not have to walk across the car park to access the courts or to navigate north-south across the parklands.
 - 4.6. The team should review the access arrangements for each unit to avoid over-complicated routes. The disabled parking is located far from the main entrance and this should be addressed to create an inclusive environment that works for all users. Additionally, the team felt that the scale of roads accessing car parking areas could be reduced to c.4.8m instead of the 7m proposed which could provide more space for suitable planting adjacent to and integral with the proposed buildings.
 - 4.7. Further work is needed to improve the environment quality for non-vehicular traffic and ensure the pedestrian and cycle network is safe and generous. The footpath alongside Riverside Way is narrow and the presence of large trucks/ lorries will increase due to the changed use profile proposed, further compromising its qualities as a 'boulevard'. Although the team described cycle facilities relating to individual units, there is no improvement to the cycle infrastructure within the street network proposed - this is a clear missed opportunity to affect a shift toward active modes of travel to the site.
- 5. Architecture**
- 5.1. The architecture and landscape should be treated symbiotically. We were not presented with updated CGI's including the naturalistic landscape design therefore it was challenging to comment on the success of the architectural approach without the landscape in place to foreground the buildings.

- 5.2. We endorse the ambition to add architectural interest where possible and articulate the exterior of what will be very large buildings – for example by including vertical panelling to break up the long elevations of unit 11. Unit 11 requires further refinement to articulate the base of the building and ensure that it relates to people at a human scale, and, potentially, the eaves/roofline. The main entrance and office accommodation if moved to Riverside Way may contribute to this. We are not convinced that the 1930s aesthetic is appropriate in this context and encourage the team to explore different approaches informed by sustainable materials, responding to the climate crisis and the characteristics of the proposed reworked parklands in the 21st century.
- 5.3. The frontages to both the lakes and Riverside Way are key. Unit 11 is proposed to front onto the northern lake, while units 2-3 will back onto the lake despite there being a public route proposed between the buildings and courts. A consistent approach is required. The team could explore the further activation of Riverside Way by relocating the entrance and office component of unit 11 to its Riverside Way frontage. The western elevations onto the lake could then be addressed with greenery and climbers to soften the transition between the landscape and buildings.
- 5.4. We do not take issue with the heights of the buildings.
- 6. Materials and detailing**
- 6.1. The approach to materials and detailing was not discussed in great detail at this review. Paragraph 135 of the National Planning Policy Framework (2021) states: *'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*
- 6.2. In order to be consistent with this national policy, the applicant team and local authority should note Design South East's general guidance on material quality and detail. At planning application stage, the quality of the detailing should be demonstrated through large scale drawings at 1:20 and 1:5 of key elements of the building/landscape and should be accompanied by actual material samples which should be secured by condition as part of any planning approval.

This report is a synthesis of the panel's discussion during the review and does not relate to any discussions that may have taken place outside of this design review meeting. A draft report is reviewed by all panel members and the Chair ahead of issuing the final version, to ensure key points and the Panel's overarching recommendations are accurately reported.

The report does not minute the proceedings but aims to provide a summary of the panel's recommendations and guidance.

Confidentiality

If the scheme was not the subject of a planning application when it came to the panel, this report is offered in confidence to those who attended the review meeting. There is no objection to the report being shared within the recipients' organisations provided that the content of the report is treated in the strictest confidence. Neither the content of the report, nor the report itself can be shared with anyone outside the recipients' organisations. Design South East reserves the right to make the content of this report known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed, pre-application reports will be made publicly available if the scheme becomes the subject of a planning application or public inquiry. Design South East also reserves the right to make this report available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please inform us.

If the scheme is the subject of a planning application the report will be made publicly available, and we expect the local authority to include it in the case documents.

Role of design review

This is the report of a design review panel, forum or workshop. Design review is endorsed by the National Planning Policy Framework and the opinions and recommendations of properly conducted, independent design review panels should be given weight in planning decisions including appeals. The panel does not take planning decisions. Its role is advisory. The panel's advice is only one of a number of considerations that local planning authorities have to take into account in making their decisions.

The role of design review is to provide independent expert advice to both the applicant and the local planning authority. We will try to make sure that the panel are informed about the views of local residents and businesses to inform their understanding of the context of the proposal. However, design review is a separate process to community engagement and consultation.

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URBAN DESIGN CONSULTATION RESPONSE

23/1100/FFU

Watchmoore Park, Watchmoor Road, Camberley

Hybrid planning application comprising: Full planning application for the erection of one industrial and logistics unit within Use Classes E(g)(iii), B2, and B8 together with access, parking and landscaping and Outline application (all matters reserved) for the erection of up to 19,000 sqm of flexible industrial and logistics floorspace within Use Classes E(g)(iii), B2, and B8 following demolition of existing buildings on land at Watchmoor Park

RECOMMENDATIONS

Policy background

- National Design Guide (2019)
- Surrey Heath Western Urban Area Character SPD
- DM9

The National Design Guide (2019) emphasises the importance of any development to integrate well with existing built and green context in terms of scale, character, height, massing, materials, and landscaping. It also highlights the duty to seek to retain existing natural elements and vegetation to the highest extent from a sustainability and character point of view.

The application site is situated within the Parkland Commercial Character Area, an area of good architectural quality which is subject to adopted design guidelines, the Surrey Heath Western Urban Area Character (WUAC) SPD. Parkland commercial estates are typical for the Blackwater Valley corridor and are found in York Town and Frimley. Their distinctiveness derives from spaciouly arranged buildings, set in extensive, parklike formally landscaped open spaces.

The design guidelines by Western Urban Area Character SPD can be summarized as:

- Situated in the Parkland Commercial Character Area, part of Mixed and Commercial Character Area WUAC SPD
- Characterised by extensive formally landscaped open space, spaciouly set buildings in parklike settings with specimen trees
- Pavements and green verges aligning roads/streets creating generous green frontages
- Next to a biodiversity opportunity area
- 2-4 storey building heights acceptable in principle, subject to high quality design
- Articulated buildings with large footprints and distinct, steep rooflines. distinct entrances
- Large landscaped parking areas
- Vegetation a key element, strong, formal landscaping incorporated; layered with low level vegetation and higher specimen trees

Proposed development

The application seeks to replace existing vacant office buildings of small to medium scale with new industrial and logistics units of up to 29,500 sqm (GIA) in total within Use Classes E(g)(iii), B2 and B8, with surface car parking, landscaping, and associated works within an existing commercial estate, situated to the east of the A331. The application areas currently entail seven office buildings with ground level car parking, accesses, and landscaping. The area is accessed from Riverside Way, which runs through the site from the A331 through to Watchmoor Road, providing access to the existing office buildings.

The hybrid application seeks full permission for the redevelopment of the area North of Riverside Way, including the demolition of the existing two office buildings and the development of a new, large scale industrial building of two storey height. The new building would have a floorspace of 10,358sqm with warehouse/manufacturing space and first floor offices. The offices will front onto Riverside Way. Vehicle access will be from the western roundabout on Riverside Way. Access for commercial vehicles HGV will be via the eastern roundabout on Riverside Way with a new, small gatehouse introduced. The service yard will be on the northern side of the building, with 9 dock-levellers provided. The existing access from Riverside Way would be removed and the pavement reinstated in front of the building.

The existing avenue of London Plane trees along the northern side of Riverside Way, which is an important feature, will be retained, apart from the removal of two trees to enable the closing of the central access as mentioned above. A further tree will also be removed within the area. The proposal introduces compensatory and additional landscaping, including vertical greening as advised by the Council.

Existing context

The built context has a corporate, medium-large scale character. Immediately to the north of the site is Camberley Sewage Treatment Works (STW) and industrial units off Watchmoor Road. To the north is the new Stihl HQ, a large manufacturing and distribution centre currently under construction. Outside the boundary to the east are three existing office buildings which share the access from Riverside Way.

Sustainable design

The ambition to minimise the carbon footprint in the construction phase and in-use through modular construction, incorporating sustainable passive designs and efficient/renewable onsite power generation are supported from an urban design point of view. The scheme demonstrates flexibility in terms of operational spaces and yards to meet the needs of a variety of occupiers over time. The proposal offers external amenity space for staff in line with the Council's initial pre-application advice. The project has been revised to comply with the Council's requirement to retain important existing natural features intact such as the natural lake area, in line with previous urban design advice, omitting previously proposed development along the lake shores. This is particularly important in the light of the strong increase in footprint, scale and massing that the development represents, which retains almost no open landscape setting within the red line to offset the built form.

Proposed scale, footprint, massing and built form

The proposed development represents a substantial increase in terms of scale, footprint, massing and built form compared to the existing two individual units. The development is set in a commercial/industrial built context and the development proposes efficient use of land.

The revised building design including the relocation of offices to the front elevation is positive, as it animates the street scene and increases direct and perceived safety. The position of the building very close to the street scene, combined with the extensive footprint which spans almost the entire width of the site, does not retain the spacious openness which is part of the local distinctiveness and which the adopted design guidelines SPD seeks to safeguard. The proposed building will be very prominent in the street scene given its position close to the street scene and because of the large scale.

Building design, elevational design, materiality and colour scheme

The proposed building design includes a glass fronted double height core office entrance at the south-west corner of the unit in Riverside Way. The glazed element, which turns the corner, will provide outlook over the adjacent lake area for the benefit of staff. The glazing will sit behind brise soleil under a canopy of timber soffit. Sustainably sourced natural timber or a proven, durable high quality engineered timber product would be considered acceptable in principle. The long term maintenance aspect and durability of natural timber should however be considered. The warehouse elevations component of the building has a commercial character with anthracite composite panels, green trapezoidal wall profiles, light, and dark grey wall cladding with an element of translucent polycarbonate cladding panels. Photovoltaic panels and rooflights will be integrated in the roof structure.

Although there are no objections to the proposed external materials in principle, the colour palette is considered to be too dark and is not in keeping with the established appearance of the character area as clearly demonstrated in the 3D illustrations, appearance, p. 33, Design and Access Statement. The detailed elevational design would also benefit from further articulation and refinement. The proposed wall cladding facing the street scene will be a combination of vertical, profiled metal cladding in green, anthracite (charcoal) and silver in combination with an open jointed, treated hardwood timber rainscreen cladding. All aluminium curtain walling, window frames, feature canopies, curtain wall spandrels and metal columns are proposed to be anthracite (off black/charcoal). The proposed anthracite and dark green fail to integrate with the existing built character in the area. It also creates a jarring effect to the profiled metal roof, proposed in light grey, as illustrations demonstrates. Fully detailed schedule of all external materials as well as samples should be provided to the LPA to address this important matter, which has to be approved in writing prior to the commencement of construction. A much lighter, more neutral, elegant, and well-coordinated colour palette is required, including whites, light greys, and silver. The management aspect of natural timber must be seriously considered. Therefore, an alternative to timber can be proposed. The scheme must demonstrate high quality design, materiality and detailing in keeping with the context, adding new qualities. This is particularly important as the scale of the development is increasing considerably, impacting the character and appearance of the built environment long term.

Outline planning consent element of the application

Outline planning consent is sought for the area South of Riverside Way with all matters reserved for consideration at the reserved matters stage (access, layout, scale and landscaping). The application seeks to agree parameters for 19,000 sqm of floorspace and a maximum building height of 19 metres. The indicative layout plan illustrates new employment floorspace within use classes Use Classes E(g)(iii), B2, and B8 in accordance with the maximum parameters. A maximum floorspace per

unit must be identified as part of this application, to not exceed the scale of Unit 1, 10,358 sqm. Location for vehicle access as well as street sections showing how pedestrian and cycle paths will service phase 2 will also be regulated in this outland consent as well as extent of structural landscaping. The design approach in the forthcoming design process must integrate well with the existing built context in terms of overall character, materiality, colour scheme and landscaping. Connectivity for pedestrians and cyclists within this phase and to adjoining neighbourhoods is a priority. Robust tree planting in the street scene is imperative from a sustainability aspect, to improve legibility and way finding as well as enhancing the visual character of the area. External staff break out areas for staff should be integrated. Roads should have pavement and verges. Formal landscaping is required around buildings and through the road networks.

M. Gustafsson MSc MA
Urban Design Consultant
29th November 2023

URBAN DESIGN CONSULTATION RESPONSE 2 (TWO) - ADDENDUM

23/1100/FFU

Hybrid planning application comprising: Full planning application for the erection of one industrial and logistics unit within Use Classes E(g)(iii), B2, and B8 together with access, parking and landscaping and Outline application (all matters reserved) for the erection of up to 19,000 sqm of flexible industrial and logistics floorspace within Use Classes E(g)(iii), B2, and B8 following demolition of existing buildings on land at Watchmoor Park.

Watchmoor Park, Watchmoor Road Camberley Surrey

Recommendations

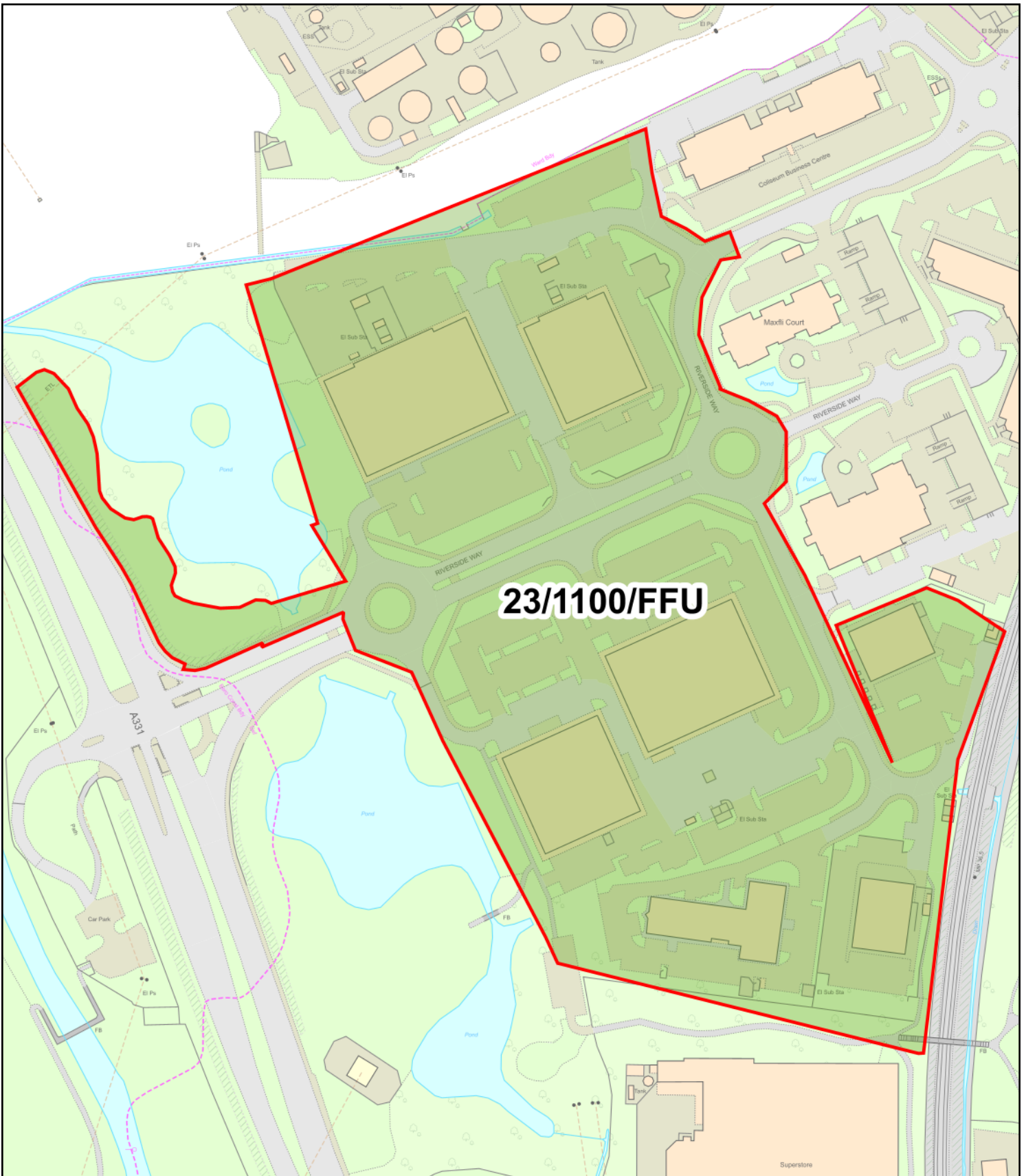
This additional consultation response should be read in conjunction with the initial consultation response dated 29th of November 2023.

The application site is situated in the Western Urban Area Character Area of Surrey Heath, which is covered by the design guidelines of the WUAC SPD (2012). The National Design Guide (2021) as well as DM9, which both underlines the importance of the existing built context, are also applicable.

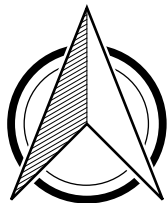
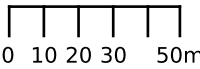

High quality design is inseparable from sustainable development. During the consultation in November 2023 the applicant was advised that the proposed colour scheme and design details of the elevational design required revisions. Given the considerable increase in scale and massing for the proposed development, a neutral colour scheme which is fully aligned with the design ethos and integrates well with the character of the existing context is imperative.

A meeting was consequently held with the applicant and their design team on December the 14th. It is considered that the required changes in colour scheme/materiality and the amendment to the feature canopy design on the front elevation as per that discussion can be covered by condition.

M. Gustafsson MSc MA
Urban Design Consultant
18th of January 2024



23/1100/FFU

Title	23/1100/FFU		
Application Number	23/1100/FFU		Scale @ A4
Address	Watchmoor Park Watchmoor Road		Date 06/02/202
Proposal	Hybrid planning application comprising: Full planning application for the erection of one industrial and logistics unit within Use Classes E(g) (iii), B2, and B8 together with access, parking and landscaping and Outline application (all matters)		
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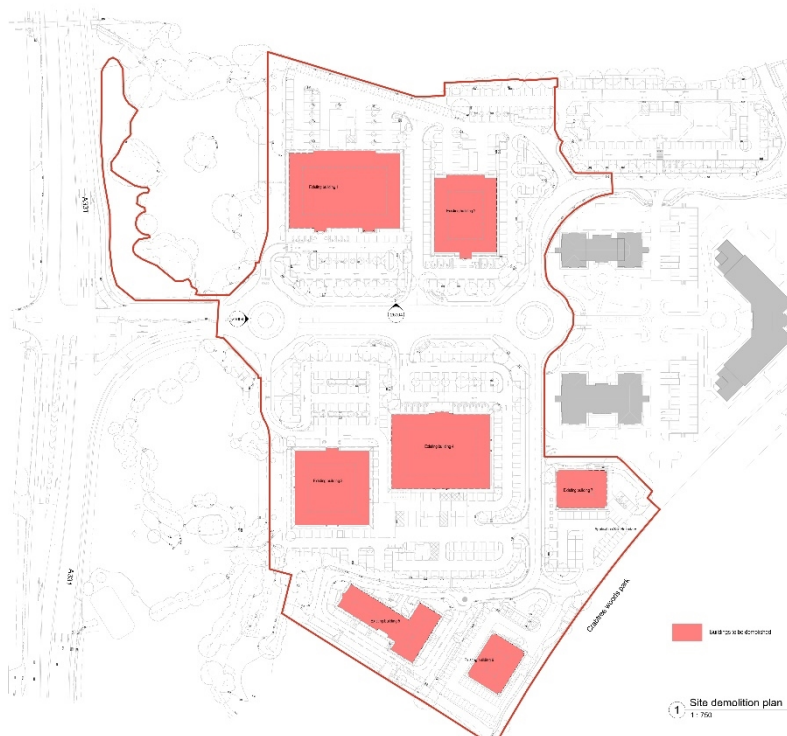
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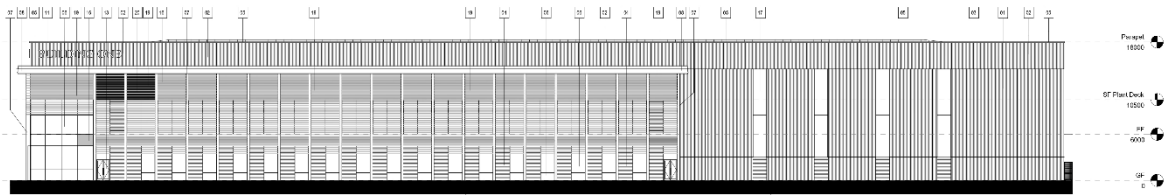
Plans & Photos

Location Plan

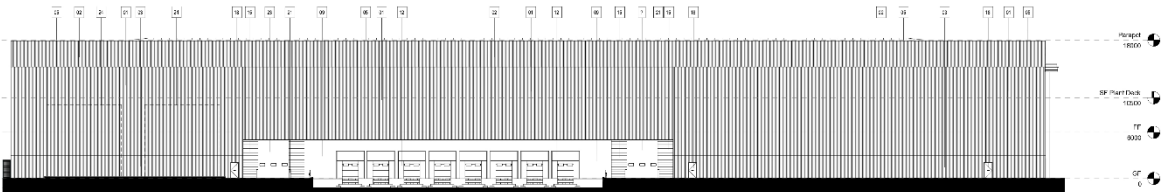


Demolition Plan

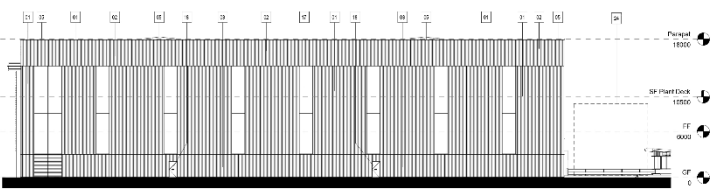




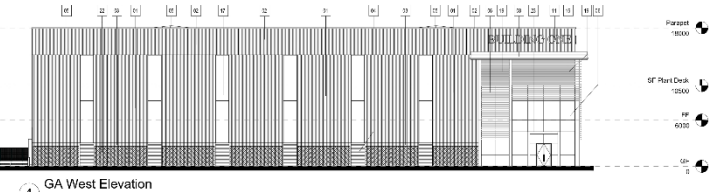
1 GA South Elevation
1:200



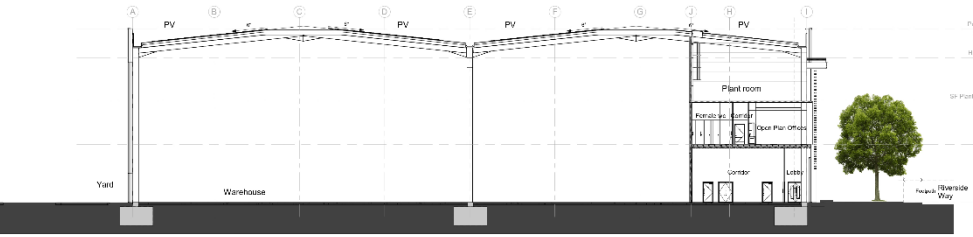
2 GA North Elevation
1:200



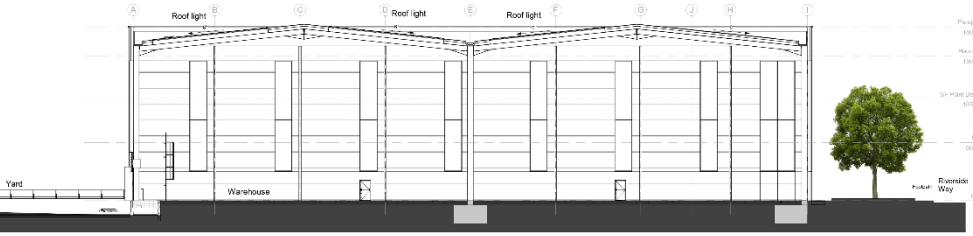
3 GA East Elevation
1:200



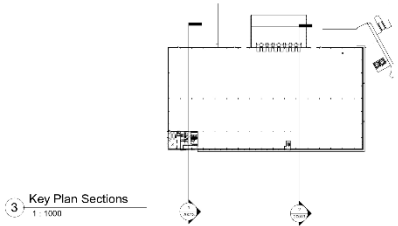
4 GA West Elevation



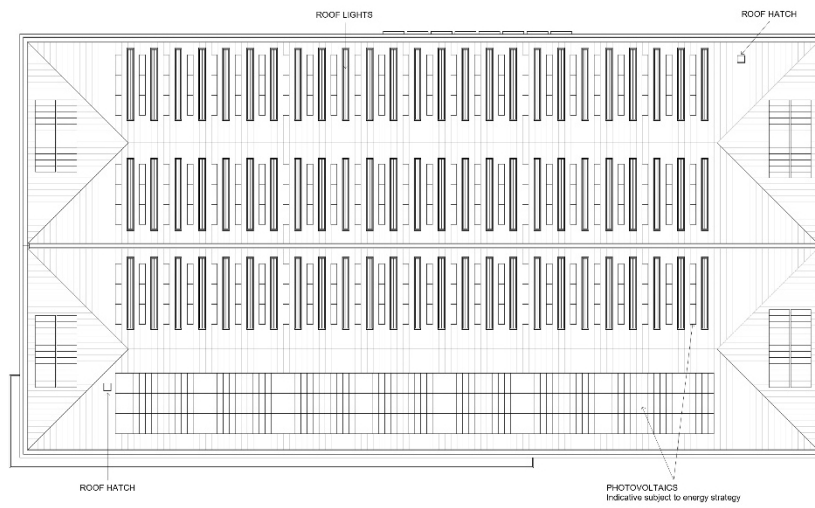
1 Cross Section I
1:150



2 Cross Section II
1:150



3 Key Plan Sections
1:1000



Unit 1 CGI's
Aerial View



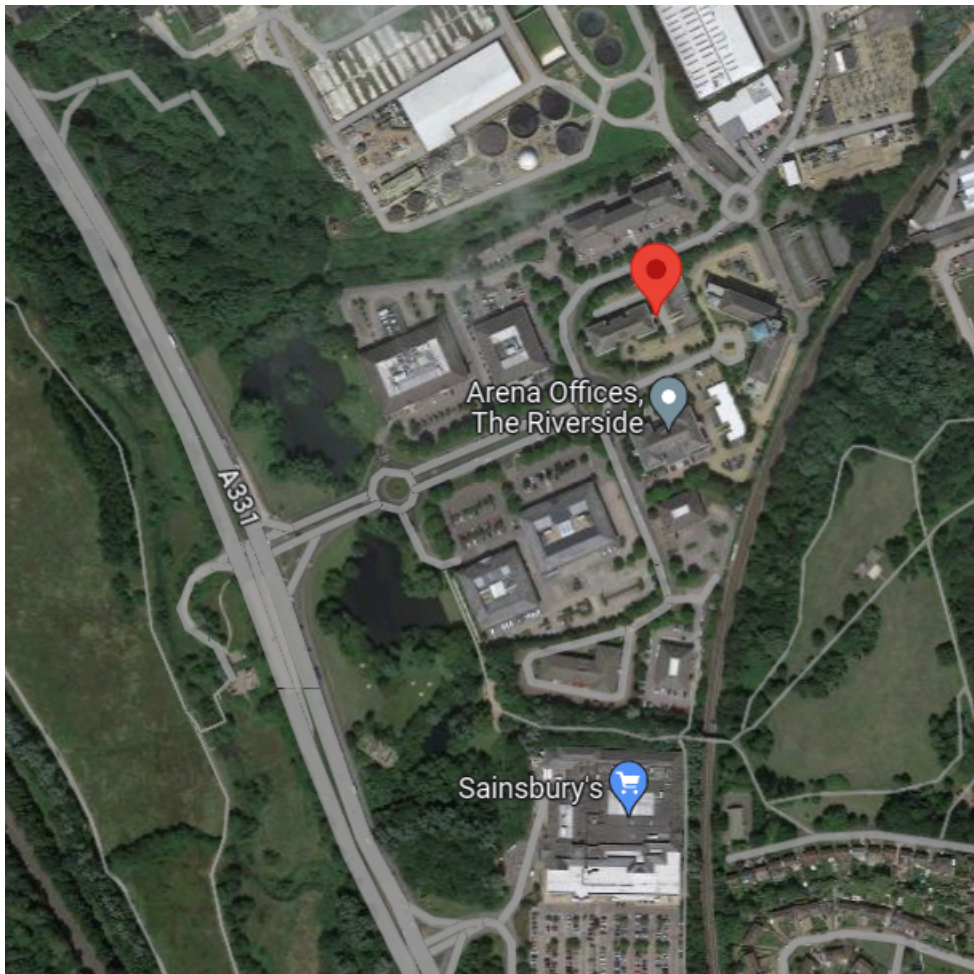
View from A331



Entrance to Unit 1



Aerial View



View from entrance of Riverside Way off A331



View north of Riverside Way (where Unit 1 is proposed)



Existing buildings north of Riverside Way to be demolished.



View towards south of Riverside Way (where outline application is proposed)



Existing buildings south of Riverside Way to be demolished.



Existing buildings south of Riverside Way (to the rear of the buildings) to be demolished.



View looking down Riverside Way from Park View building



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LOCATION:	Vanya Cottage , 1 Orchard Hill, Windlesham, Surrey, GU20 6DB
PROPOSAL:	Erection of a timber single storey granny annexe for ancillary use to the main dwelling.
TYPE:	Full Planning Application
APPLICANT:	Mr and Mrs Cope
OFFICER:	Melissa Turney

This application is being reported to the Planning Applications Committee because the applicant is Cllr Cope.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This planning application is for the erection of a detached 2 bedroom annexe/outbuilding in the rear garden of the site. The annexe would be occupied by the applicant's parents.
- 1.2 It is considered that the proposal is acceptable in principle. It would result in no adverse impact on the character of the surrounding area or the host dwelling or the residential amenities of the occupiers of the neighbouring dwellings. The proposal is considered to be ancillary to the main dwelling and would not result in a separate planning unit. The proposal would also have no adverse highway impacts.
- 1.3 The application is therefore recommended for approval subject to conditions, including preventing the subdivision of the plot and the use of the annexe as a separate self-contained residential dwelling.

2.0 SITE DESCRIPTION

- 2.1 The application site is Vayna Cottage, 1 Orchard Hill which is located within the settlement boundary of Windlesham. The site is located on the northern side of Orchard Hill and comprises a four bedroom detached chalet bungalow which has been previously extended, with single storey side and rear extensions and side dormers. The site also has an outbuilding and garage that are located adjacent to the dwelling to the east.
- 2.2 The surrounding area comprises of predominantly residential in nature characterised by detached and semi-detached dwellings. Orchard Hill is characterised by detached chalet bungalows similar to the application dwelling. To the rear of the site is an access road which provides access to a number of dwellings to the east and north east of Orchard Hill. This access road is line by mature trees adjacent to the rear boundary of the site.
- 2.3 The site has no specific planning designations.

3.0 RELEVANT HISTORY

- 3.1 21/0817/FFU Single storey side and first floor side extension. Granted
- 24/0055/CES Certificate of Lawfulness for the proposed stationing of a mobile home for purposes ancillary to the main dwelling.

This application is under consideration.

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for erection of a timber single storey granny annexe for ancillary use to the main dwelling.
- 4.2 The proposed building would be sited within the rear garden of the dwelling. It would have a maximum width of 13.6 metres, a depth of 6.55 metres and a maximum height of 4.1m. It would be sited 0.6 metres from the east boundary, 0.5 metres from the west boundary and 2.2 metres from the rear boundary at the closest points. It would be self-contained and would provide two bedrooms, a kitchen and living room, a shower room and a hallway. The annexe would not be provided with a separate access and would be shared with the main dwelling house. The outbuilding would be finished in external cladding which is light grey in colour.
- 4.3 Planning permission is required due to the size of the outbuilding in terms of the height and distance from the boundaries. The outbuilding would have a height of 4.1m which exceeds the PD requirements. Therefore, the outbuilding would not fall under the size requirements set out in Part 1, Schedule 2, Class E of the GPDO. The outbuilding would also provide primary living accommodation for the relatives which would not be considered incidental.
- 4.4 The Design and Access Statement Appendix A – Supporting Personal Statement submitted as part of the application provides details and confirmation that the building would be used by their parents. The statement sets out while there would be two bedrooms and kitchen/living room they would be reliant upon the main dwelling for laundry and daily support due to health related issues and they would share amenity space. Further, there would no separate access or postal address.
- 4.5 A Design and Access Statement has been submitted in support of this application. Relevant extracts from this document will be referred to in section 7 of this report.

5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
Windlesham Parish Council	Objection: <ul style="list-style-type: none">• Appears to be the same as 24/0055/CES <p>[Officer comment: The proposals are similar however, are constructed in different ways which results in the proposal being different. This current application does not have join to meet the caravan act requirements]</p>

	<ul style="list-style-type: none">• Substantial size <p>[Officer comment: The size is not considered out of character for an outbuilding within the rear garden]</p>• Close to the boundaries with neighbours <p>[Officer comment: due to the separation distances (32m to the west and separated by highway to the north) and single storey nature of the proposal it would not result in any harm to the amenities of these neighbouring properties in terms of being overbearing nor would it result in loss of light or loss of privacy.]</p>• Would there be need to remove trees? <p>[Officer comment: The proposal would not require the removal of trees]</p>• Concern proposal would have a negative impact on the residential amenity of neighbours, reducing light and privacy, over dominance <p>[Officer comment: Due to the separation distances (32m to the west and separated by highway to the north) and single storey nature of the proposal it would not result in any harm to the amenities of these neighbouring properties in terms of being overbearing nor would it result in loss of light or loss of privacy]</p>• Disagree with the Design and Access statement if the height was reduced would be permitted development <p>[Officer comment: Agree with these comments, however a similar sized outbuilding could be constructed under permitted development rights]</p>• If planning permission is granted request a condition that the annexe should only be used for purposes ancillary to the main dwelling and
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	<p>should not be let out or separated from the main dwelling and sold</p> <p>[Officer comment: Should planning permission be granted a condition for this is recommended.]</p>
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5.2 The following internal consultees were consulted and their comments are summarised in the table below:

Internal Consultation	Comments Received
Arboricultural Officer	The application was not supported with a Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS). However, due to the pile foundation very localised impact on the adjacent trees, such foundations would not pose a significant threat to the trees. It is therefore recommended that an AIA and AMS is secured by condition which would also need to include details of the foundation design.

6.0 REPRESENTATION

6.1 A total of 12 individual letters of notification were sent out on 24th January 2024. A site notice was displayed on the 31st January 2024. To date no letters of representation have been received.

7.0 PLANNING CONSIDERATION

7.1 This application is considered against advice contained within the National Planning Policy Framework (NPPF) where there is a presumption in favour of sustainable development. Regard will be given to Policies DM9 and DM11 of the adopted Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). In addition, regard will be given to the adopted Supplementary Planning Documents (SPD) including the Windlesham Neighbourhood Plan (WNP) and the Residential Design Guide 2017 (RDG).

7.2 The main issues to be considered with this application are:

- Principle of the development and the intended use
- Impact on the character and appearance of the area including trees
- Impact on residential amenity
- Highway impacts

7.3 Principle of the development and the intended use

7.3.1 The proposed annexe would have the appearance of a typical dual-pitched roof outbuilding. The proposal would provide two bedrooms and living space which is considered subordinate in scale to the main dwelling and for use solely by a relative.

7.3.2 Under Permitted Development an outbuilding can be constructed within the rear garden however, has a height restriction and would be required to be no more than 4m in height and a maximum height of 2.5m if within 2m of a boundary. It is noted that the proposed outbuilding would be in excess of these height requirements. As the proposed outbuilding

has a height of 4.1m and is located within 2.5m of the common boundary. However, it is considered should the height be altered a similar sized structure without primary living accommodation could also be constructed under permitted development rights which would be a material fall-back position. However, to be considered under permitted development would not be able to have any primary living accommodation to be considered incidental, therefore the comparison is only related in terms of the size of the structure.

- 7.3.3 Application 24/0055/CES Certificate of Lawfulness for the proposed stationing of a mobile home for purposes ancillary to the main dwelling, is also a material consideration. This certificate application results in a similar proposal for the same use (primary accommodation for the relatives) and is considered by officers to be ancillary. This application is reported elsewhere on this agenda.
- 7.3.4 The planning statement submitted as part of this application sets out the applicant's need for the annexe which would be solely used by a relatives who requires assistance. The occupiers of the annexe will be reliant upon the main dwelling for laundry facilities and share amenity space. Furthermore, support would be provided by the occupiers of the main house in relation to day to day activities of the occupants of the annex.
- 7.3.5 The annexe would be located in the rear garden of no. 1 Orchard Hill, with the property having one access point from Orchard Hill which would be shared and no separate, private entrance to the outbuilding would be created. There would be no new postal address created and there would be no subdivision of the curtilage of no. 1 Orchard Hill. Furthermore, utilities would be jointly billed and the outbuilding would share services such as internet, phone line and television with the main dwelling and the annexe would be used by the applicant's parents and not be rented out or sold separately.
- 7.3.6 For the above reasoning, in the officer's opinion the use of the outbuilding would be ancillary to the main dwelling. To provide additional control in the interests of the character of the area, it is considered reasonable to attach a condition to any planning permission granted to restrict the use of the annexe to ancillary to the main dwelling. Additionally, to prevent subdivision of the plot it is recommended that permitted development rights to erect fences and other means of enclosure are removed.

7.4 Impact on the character and appearance of the area including trees

- 7.4.1 Policy DM9 of the CSDMP is relevant. Principle 10.1 of the RDG advises that developments should not be over-dominant and to be in keeping with the surrounding area and WNP2.1 of the WNP also seeks to maintain the general scale of development in the surrounding area without creating any overbearing presence.
- 7.4.2 The outbuilding would be located in the rear garden of the application site. The building would have a pitch roof with low eaves and a modest ridge height. The proposed footprint would spread the majority of the width of the plot, however is modest in depth and is considered not to be excessively deep. Due to the overall size of the plot and the host dwelling, the outbuilding would appear subservient to the main building. While there is an access road to the rear of the site from which views of the outbuilding would be visible above the rear fence, the outbuilding would not be visible from the Orchard Hill or Thorndown Lane to result in harm to the character of the surrounding area or streetscenes.
- 7.4.3 To the rear of the site and outside of the application site are a number of mature trees which line the access road to the rear. The Council's Arboricultural Officer has reviewed the application and notes that an AIA and AMS have not been submitted to support the application. It should be noted that a similar application is under consideration for a lawful development certificate for a mobile home to be sited in the rear garden in a similar position which would be laid on pile foundations. The mobile home subject to the lawful development certificate is similar to the outbuilding, proposed in this application, in terms of its design and would also be constructed using pile foundation. The adjacent trees are not

protected by a Tree Preservation Order and therefore a Tree Works application would not be required should the certificate be approved. The Council's Arboricultural Officer considers that the proposal is likely to have a direct impact on trees. In this instances as the trees are located outside of the application site it would be considered reasonable to attach a condition requiring AIA and AMS to be submitted prior to works commencing on site to protect the trees and ensure their retention and long term health.

7.4.4 Therefore, the proposed development would comply with Policy DM9 of the CSDMP, subject to conditions.

7.5 Impact on residential amenity

7.5.1 Policy DM9 (iii) of the CSDMP and principles 8.1, 8.3 and 10.1 of the RDG are relevant.

7.5.2 The outbuilding would be located approximately 0.6 metres from the common boundary with no. 2 Orchard Hill. This neighbour's rear elevation is located approximately 15 metres from the front elevation of the outbuilding. Due to these distances and single storey nature the proposed outbuilding would not result in an overbearing form of development to this neighbouring property and would not result in a loss of sunlight/daylight.

7.5.3 The neighbours to the west front Thorndown Lane, and their rear elevations are located approximately 32 metres from the common boundary with the application site. As such due to the separation distances and single storey nature of the proposal it would not result in any harm to the amenities of these neighbouring properties in terms of being overbearing nor would it result in loss of light or loss of privacy.

7.5.4 The neighbours to the north of the site are separated by the access road which provides sufficient separation distance from their rear gardens to prevent overbearing impacts or loss of light and due to the lack of any fenestration to the rear of the building would not result in overlooking or loss of privacy.

7.5.5 There would be additional glazing to the front elevation, however, given the single storey nature of the outbuilding and that the neighbours are located a sufficient distance from these windows as not to result in unacceptable levels of overlooking or result in a loss of privacy. It should also be noted that the property retains its permitted development rights and an outbuilding with similar fenestration could be erected with a similar pattern of overlooking. This would be a material fall-back position.

7.5.6 Consequently, it is considered that the resulting development would not have an adverse impact on the amount of sunlight or daylight that these neighbouring properties, nor would it appear overbearing or result in unacceptable levels of overlooking or loss of privacy and would not be harmful to the detriment of the amenity of the neighbouring occupiers.

7.5.7 The proposal would comply with policy DM9 of the CSDMP and principles 8.1 and 8.3 of the RDG.

7.6 Highways impacts

7.6.1 The site has a large amount of hardstanding to the front of the property which could provide at least 4 off street parking spaces. This existing hardstanding to the front of the property would therefore provide sufficient off street parking for the residential dwelling and any additional occupiers of the outbuilding.

7.6.2 The proposed development would therefore have no adverse impact upon the highway and would comply with Policy DM11 of the CSDMP and WNP4.1.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The proposed development would result in no adverse impact on the character of the area, host dwelling or residential amenities of the occupiers of the neighbouring dwellings. The dwelling would retain adequate off-street parking and there would be no impact on the highway. Whilst self-contained the proposed outbuilding's intended use would be ancillary to the main dwellinghouse and it is recommended that the ancillary nature of the annexe is secured by condition. The proposed development would therefore comply with the NPPF, Policies DM9 and DM11 of the CSDMP, principle 10.1 of the RDG and WNP2.1 and WNP4.1.

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:

2179.12.23D.10.23.01 Received 22.01.2024
2179.12.23D.10.23.02 Received 22.01.2024
2179.12.23D.10.23.03 Received 22.01.2024
2179.12.23D.10.23.04 Received 22.01.2024
2179.12.23D.10.23.05 Received 22.01.2024
2179.12.23D.10.23.06 Received 22.01.2024

unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with approved plan 2179.12.23D.10.23.02 and 2179.12.23D.10.23.02 Received 22.01.2024 and the Design and Access statement page 8.

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

4. The outbuilding hereby approved shall be used for purposes ancillary and incidental the enjoyment of the main dwelling house. In addition the outbuilding shall be retained within the curtilage of the host dwellinghouse and a separate curtilage shall

not be created. At no time shall the outbuilding be sold, sub-let or rented independently to the occupation of Vanya Cottage 1 Orchard Hill.

Reason: To maintain planning control of this property and to ensure that the additional accommodation is not in any way severed from the main dwelling to provide a self-contained dwelling unit to the detriment of the character of the area and the integrity of the Thames Basin Heath SPA in accordance with Policies DM9 and CP14 of the of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

5. No works or development shall take place until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) specific to this scheme, has been submitted to and approved in writing by the Local Planning Authority. The TPP and AMS shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations, once approved all development shall be undertaken in entire accordance with the approved plans, documents and particulars.

Specific issues to be dealt with in the TPP and AMS (where applicable):

- a) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees (if applicable).
- b) Location and installation of services/utilities/drainage
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatments within the RPA including site security hoarding.
- e) A full specification for any specialist foundations proposed within RPA's, details shall include a relevant cross section through them.
- f) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include a relevant cross section through them.
- g) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses and highways.
- h) A specification for protective fencing and ground protection to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- i) Tree protection during construction indicated on a TPP and construction activities clearly identified as prohibited in this area, details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- j) Methodology and detailed assessment of root pruning (if proposed)
- k) Arboricultural supervision and inspection by a suitably qualified tree specialist. details of the satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction shall be submitted to and approved in writing as per the submitted schedule by the Local Planning Authority.

Nothing shall be stored or placed in any area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, the protective fencing shall be retained intact, for the full duration of the demolition and development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. Thereafter the works shall be carried out in full accordance with the approved details until completion of the development.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. Notwithstanding the provisions of Schedule 2 Part 2 Class A, of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no fence or wall or other means of enclosure shall be erected in the rear garden of 1 Orchard Hill without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved coming into first use.

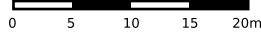
Reason: To maintain planning control of this property and to ensure that the additional accommodation is not in any way severed from the main dwelling to provide a self-contained dwelling unit to the detriment of the character of the area and the integrity of the Thames Basin Heath SPA in accordance with Policies DM9 and CP14 of the of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
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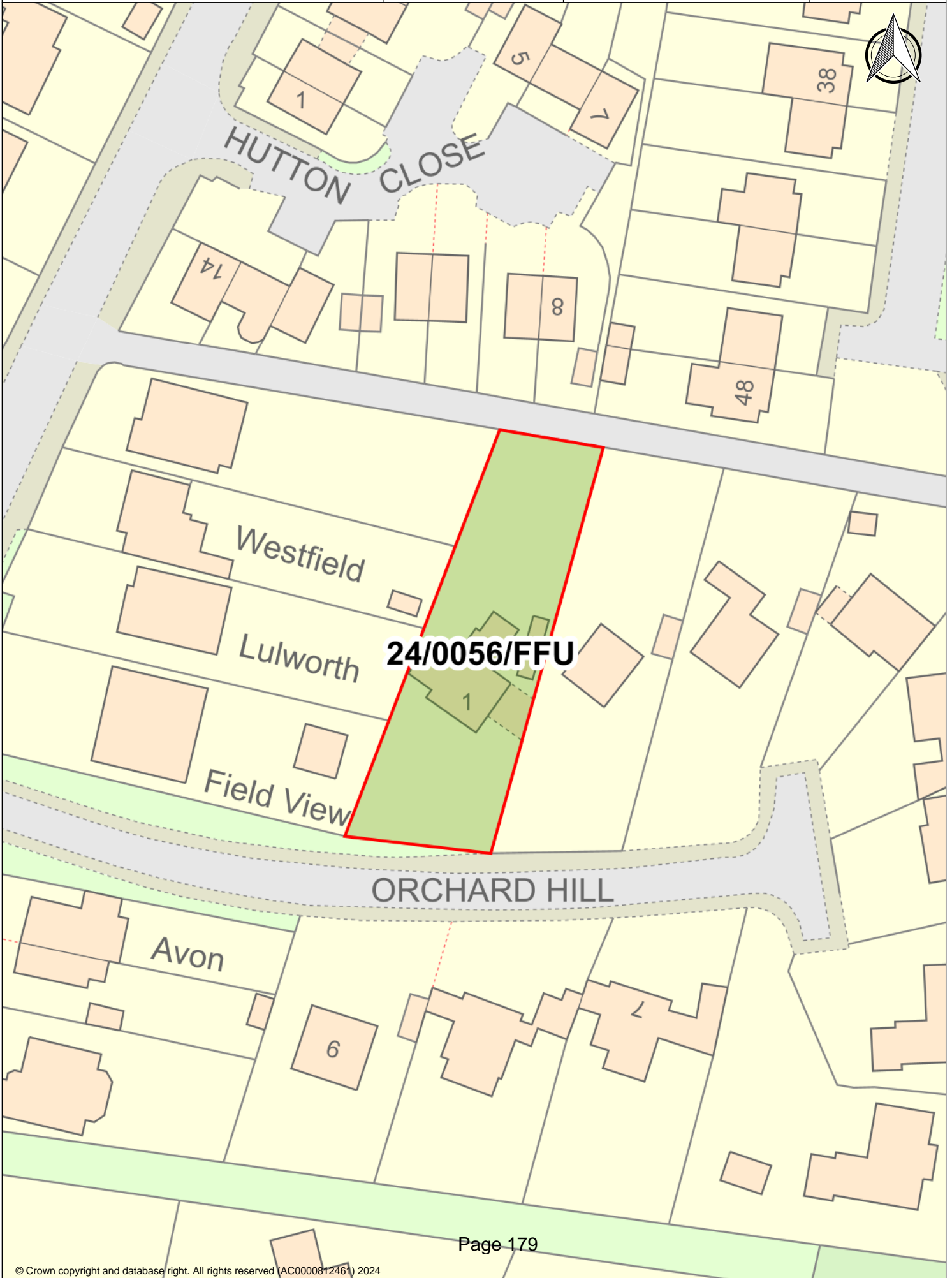
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Erection of a timber single storey granny annexe for ancillary use to the main dwelling.



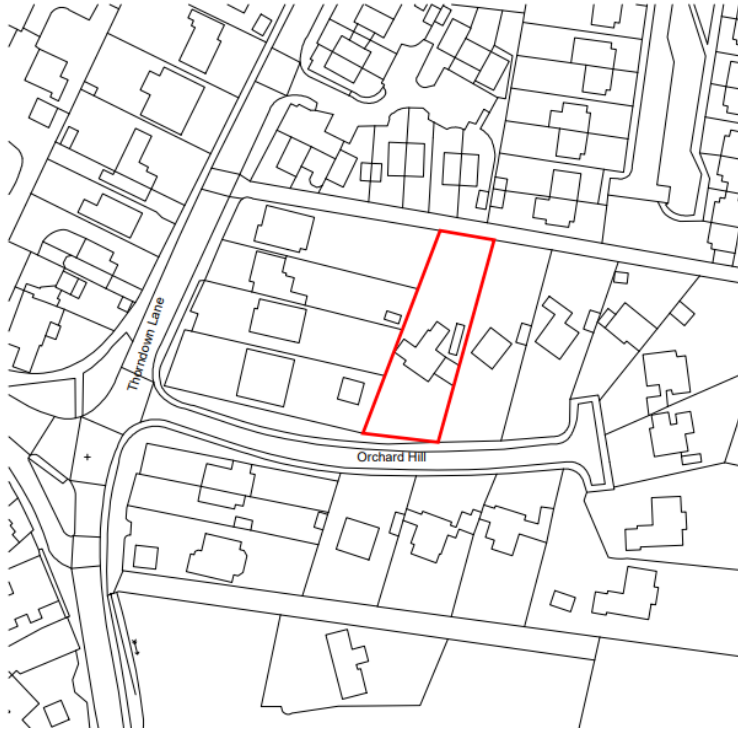
Author: J. Partington

Date: 05/04/2024



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Location Plan



Block Plan



Proposed Elevations



South Elevation



East Elevation

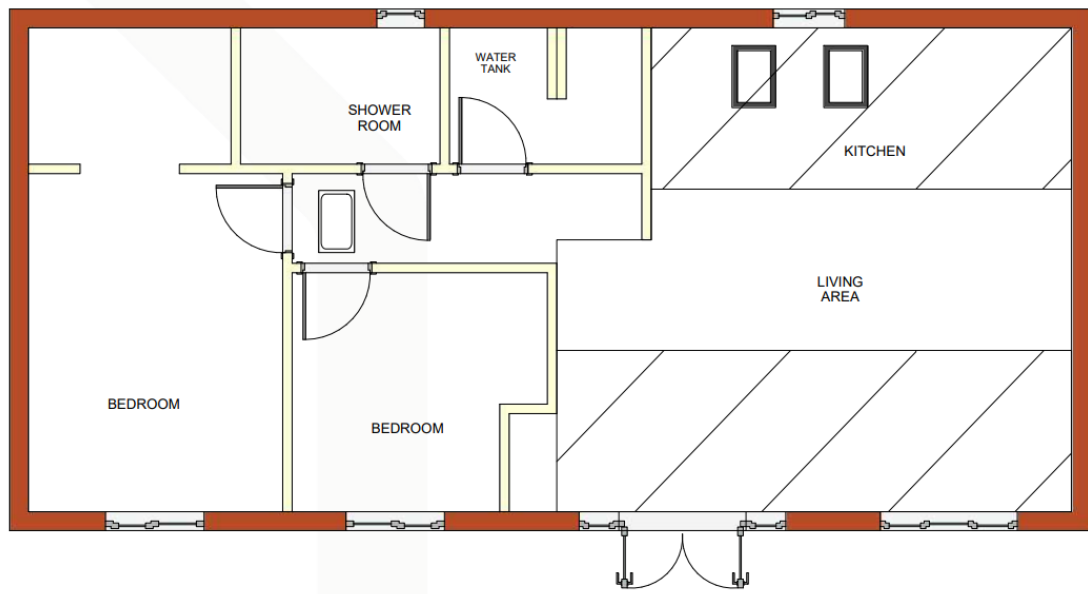


West Elevation



North Elevation

Proposed floor plans



Site photos





LOCATION:	Vanya Cottage , 1 Orchard Hill, Windlesham, Surrey, GU20 6DB
PROPOSAL:	Certificate of Lawfulness for the proposed stationing of a mobile home for purposes ancillary to the main dwelling.
TYPE:	Certificate Proposed Development
APPLICANT:	Mr and Mrs Cope
OFFICER:	Melissa Turney

RECOMMENDATION: ISSUE CERTIFICATE

1.0 SUMMARY

- 1.1 The application is for a Lawful Development Certificate for the proposed stationing of a mobile home for purposes ancillary to the main dwelling. Planning merits, for example the impacts upon residential amenities, are not relevant to the determination of this application.
- 1.2 The application is made on the basis that the proposal would not constitute development as set out in Section 55(1) of the Act.
- 1.3 The legal definition of a caravan was established in Section 29 of the Caravan Sites and Control of Development Act 1960, adapted in the Caravan Sites Act 1968 to include twin unit mobile homes and again in 2006 when the size of what is considered a caravan was increased. There are three elements to the test of the unit being a caravan which are construction, mobility and size.
- 1.4 The structure would meet the definition of a caravan and it is considered that the method of construction proposed would meet the tests of the Caravan Act. The mobile home would be capable of being removed from the site in two pieces, via a crane and placed onto a flatbed lorry and therefore it is considered that the development would meet the mobility test. The measurements for the proposed mobile home would be 13.6 metres by 6.55 metres with an internal height of 3 metres which would comply with the dimensional criteria for a caravan.
- 1.5 Due to the shared facilities, such as the occupiers of the mobile home would be reliant on the main dwelling for laundry facilities; the applicants would provide support to the occupiers of the mobile home with day to day activities; the shared access; and, the modest scale of the mobile home, it is considered that the use of the structure would be ancillary to and dependent on the host dwelling, and that it would not represent a material change of use of the land. It is therefore considered that the siting and use of the caravan would not result in the creation of a separate planning unit.
- 1.6 On the basis of the evidence submitted, the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is Vayna Cottage, 1 Orchard Hill which is located within the settlement boundary of Windlesham. The site is located on the northern side of Orchard Hill and comprises a detached chalet bungalow which has been previously extended, with single storey side and rear extensions and side dormers. The site also have an outbuilding and garage are located adjacent to the dwelling to the east.
- 2.2 The surrounding area is comprised of predominantly residential in nature characterised by detached and semi-detached dwellings. Orchard Hill is characterised by detached chalet bungalows similar to the application dwelling. To the rear of the site is an access road which provides access to a number of dwellings to the east and north east of Orchard Hill. This access road is lined by mature trees adjacent to the rear boundary of the site.

3.0 RELEVANT HISTORY

- 3.1 21/0817/FFU Single storey side and first floor side extension. Granted
- 3.2 24/0056/FFU Erection of a timber single storey granny annexe for ancillary use to the main dwelling.

This application is reported elsewhere on this agenda.

4.0 THE PROPOSAL

- 4.1 This is an application for a proposed lawful development certificate for the proposed stationing of a mobile home for purposes ancillary to the main dwelling.
- 4.2 The outbuilding would be sited within the rear garden of the dwelling. It would have a maximum width of 13.6m, a depth of 6.55m and a maximum height of 4.1m. It would be sited 0.6m from the east boundary, 0.5m from the west boundary and 2.2m from the rear boundary at the closest points. It would be self-contained and would provide two bedrooms, a kitchen and living room, a shower room and a hallway.
- 4.3 The applicant has confirmed that it would be used by their parents. While there would be bedrooms and kitchen facilities they will be reliant upon the main dwelling for laundry and daily support issues and they would share the external amenity space.
- 4.4 A Planning Statement, including appeal examples, has been submitted in support of this application. Relevant extracts from this document will be referred to in section 7 of this report.

5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
Windlesham Parish Council	Objection:

	<ul style="list-style-type: none">• Appears to be the same as 24/0056/FFU request whether full planning permission is required. [Officer comment: This application considers that planning permission is not required for the mobile home. However, 24/0056/FFU is constructed in a different way and therefore requires planning permission, further details of this application are reported in the agenda]• Request that SHBC confirms whether it complies with the relevant legal definition of a caravan in terms of size, construction and mobility [Officer comment: The reports conclude that the proposal meets the legal definition of a mobile home]• Query the screw pile foundation systems and whether this means that the mobile home would be fixed to the ground so would not meet the test [Officer comment: The mobile home would be placed on a screw pile foundation system and would not be fixed down, rather resting on these foundations]• Request a condition that home would only be used for purposes ancillary to the main dwelling and should not be let out. [Officer comments: As this application for a certificate of lawfulness a condition cannot be attached. However, should the mobile home be rented out or sold enforcement action could be taken]• Would there be need to remove trees? [Officer comment: The proposal would not require the removal of trees]
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6.0 REPRESENTATION

- 6.1 The Council's Statement for Community Involvement (2020) refers to the Town and Country Planning (General Development Management Procedure) Order 2015 which sets out that there is no requirement to consult neighbours on Lawful Development Certificates. As such no neighbour notification letters were sent advertising this application.

7.0 EVALUATION OF THE APPLICATION

- 7.1 The Government provides guidance on Certificates of Lawfulness through the Planning Practice Guidance (PPG). In respect of the content of a lawful development certificate, Paragraph 006 of the PPG advises that an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved.
- 7.2 The PPG goes on to explain that a local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter would be lawful. Planning merits are not relevant at any stage in this particular application.
- 7.3 The issues to therefore consider in determining this certificate are:
1. Whether the proposal constitutes "development"
 2. If so, whether the proposal requires planning permission.
- 7.4 The application is made on the basis that the proposal would not constitute development as set out in Section 55(1) of the Act. It has been established through case law that caravans are not a structure or a building, however, the siting of the caravan can be a material change of use of the land. This application seeks confirmation that the siting of the caravan would not result in material change of the use of the land due to the fact it would be ancillary to the main dwellinghouse. The assessment of this application therefore comprises:
- 1) Is the mobile home a caravan?
 - 2) Would the mobile home be ancillary to the main dwellinghouse? Does the provision of ancillary, non-permanent accommodation constitute a change of use of the land or the creation of a separate planning unit, which constitute development?

7.5 Assessment as to whether the mobile home meets the definition of a caravan

- 7.5.1 The legal definition of a caravan was established in Section 29 of the Caravan Sites and Control of Development Act 1960, and was amended by the Caravan Sites Act 1968 to include twin unit mobile homes and again in 2006 by statutory instrument where the size of what is considered a caravan was increased. There are three elements to the test of whether the unit is a caravan, which are construction, mobility and size.
- 7.5.2 Section 29 of the Caravan Sites and Control of Development Act 1960 defines a caravan as "*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer).*" This was modified by Section 13 (1) b) of the Caravan Sites Act 1968 which states that "*a twin-unit caravan is a structure designed or adapted for human habitation which:*
- a) is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and*

b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or not having been) a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled.”

- 7.5.3 For the purpose of this assessment taking into account the above legislation the mobile home can be of a twin or a single unit construction and does not need to be mobile in its own right, i.e. with wheels or capable of being towed by a vehicle. However, the structure would be required to be capable of being moved as a whole unit or in two sections for example by a crane and loaded onto a lorry bed. The Act sets out the maximum dimension of the caravans. Further the Act sets out the construction tests. Lastly to be a caravan the structure is required to be adapted for human habitation.

The Construction Test

- 7.5.4 The submitted planning statement outlines that the mobile home would be a twin unit and would be constructed on site from multiple pieces. The planning statement sets out the final act of assembly will involve the bolting the twin parts together which is shown in plan number 217.12.23D.10.23.07 with further details of the methodology provided in Appendix K of the planning statement. Although the unit would arrive at the site in several pieces, there are a number of appeal decisions (which can be found in the planning statement) and case law where it has been concluded that this would not prevent the unit being defined as a caravan, as the final act of assembly would be the bolting of the two complete sections together as required by the Caravan Act.
- 7.5.5 In this case, the agent has detailed that the structure will be assembled on site and the two halves will be bolted together on site. As outlined below, the mobile home would remain capable of being lifted. The proposal is therefore considered to meet the construction test.

Mobility Test

- 7.5.6 It has been confirmed in the submitted planning statement that the mobile home would be placed on the land but not attached to it. The mobile home would be placed on a screw pile foundation system and would not be fixed down, rather resting on these foundations. There would be a timber strip forming a 'skirt' but this would be for aesthetic purposes and would not be fixed to the ground. Specific structural calculations, detailed in Appendix J of the submitted planning statement, show that the load can be evenly dispersed ensuring the caravan can be lifted by a crane and placed on a flatbed lorry. The ground clearance of 150mm, allows the use of lifting straps/rigging to be positioned under the structure allowing it to be lifted and removed from the site in two pieces, via a crane and placed onto a flatbed lorry. It is therefore considered that the development would meet the mobility test.

Size Test

- 7.5.7 The maximum size of caravans was set out in the Caravan Sites and Control of Development Act 1960, further modified to include twin-units under the Caravan Sites Act 1968 and again in 2006 when the maximum sizes were increased. The dimensional criteria are currently 20m in length (external, including drawbar), 6.8 metres in width (external, excluding roof overhang) and 3 metres in height (internal measurement from internal floor to maximum ceiling height). The measurements for the mobile home proposed would be 13.6 metres by 6.55 metres with an internal height of 3m. This shows that the proposed mobile home would comply with these limits. It is therefore considered that the structure would meet the size test.
- 7.5.8 The proposed structure would therefore qualify as a caravan for the purposes of the Caravans Act 1960.

7.6 Assessment of whether the caravan would be ancillary to the dwelling house

- 7.6.1 The siting of the caravan on land can constitute development as a material change of use of the land. It has been established through case law and previous appeal decisions that annexes do not result in a material change of use having occurred, even if they include facilities that enable the occupant to live independently. Under *Uttlesford DC v SSE & White* [1992], the Court considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree.
- 7.6.2 Although the mobile home would be self-contained and include a kitchen and shower room, the applicant has set out that the building is within the curtilage of the main dwelling and is to function as part and parcel of the main dwellinghouse. It has been stated in the submitted planning statement that the purpose of the mobile home is to provide accommodation for the applicant's parents who requires the care and support. Shared facilities would consist of the use of washing facilities. Furthermore, support and help would be provided to the applicant parents by the occupiers of the main house in relation to day to day activities.
- 7.6.3 Furthermore, utilities would be jointly billed and the mobile home would share services such as internet, phone line and television with the main dwelling and the mobile home would be used by the applicants parents and not be rented out or sold separately. There would also be no new postal address created.
- 7.6.4 Locationally, the mobile home would also retain a functional relationship with the main dwelling. It would be situated in the rear garden of the application site, approximately 15m from the dwellinghouse with the location within the garden being chosen as it is level and will require no groundworks to take place and there would be no subdivision of the curtilage of no. 1 Orchard Hill. The property would also retain one access point from Orchard Hill which would be shared and no separate, private entrance to the mobile home would be created.
- 7.6.5 By virtue of the shared facilities including the support from the applicants will provide the occupiers of the mobile home with day to day activities; the shared access and the modest scale of the mobile home (which complies with the construction, mobility and size test), it appears that the use of the structure would be ancillary to the host dwelling. As such based upon a fact and degree assessment, the siting of the caravan would not represent a material change of use of the land nor the creation of a separate planning unit. The proposed use would therefore be lawful.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 Having considered the submission, and as a matter of fact and degree, there is sufficient precision and unambiguity within the evidence, that the proposed mobile home would fall into the definition of a caravan and its use would not constitute a material change of use of the land nor would a separate planning unit be created.

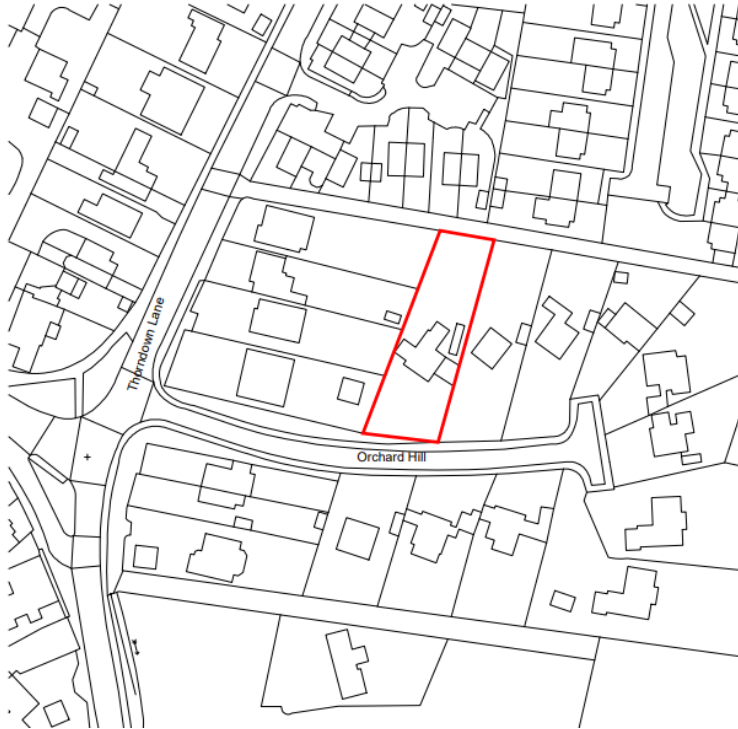
9.2 Accordingly, it is recommended that a Lawful Development Certificate should be issued.

10.0 RECOMMENDATION

ISSUE CERTIFICATE

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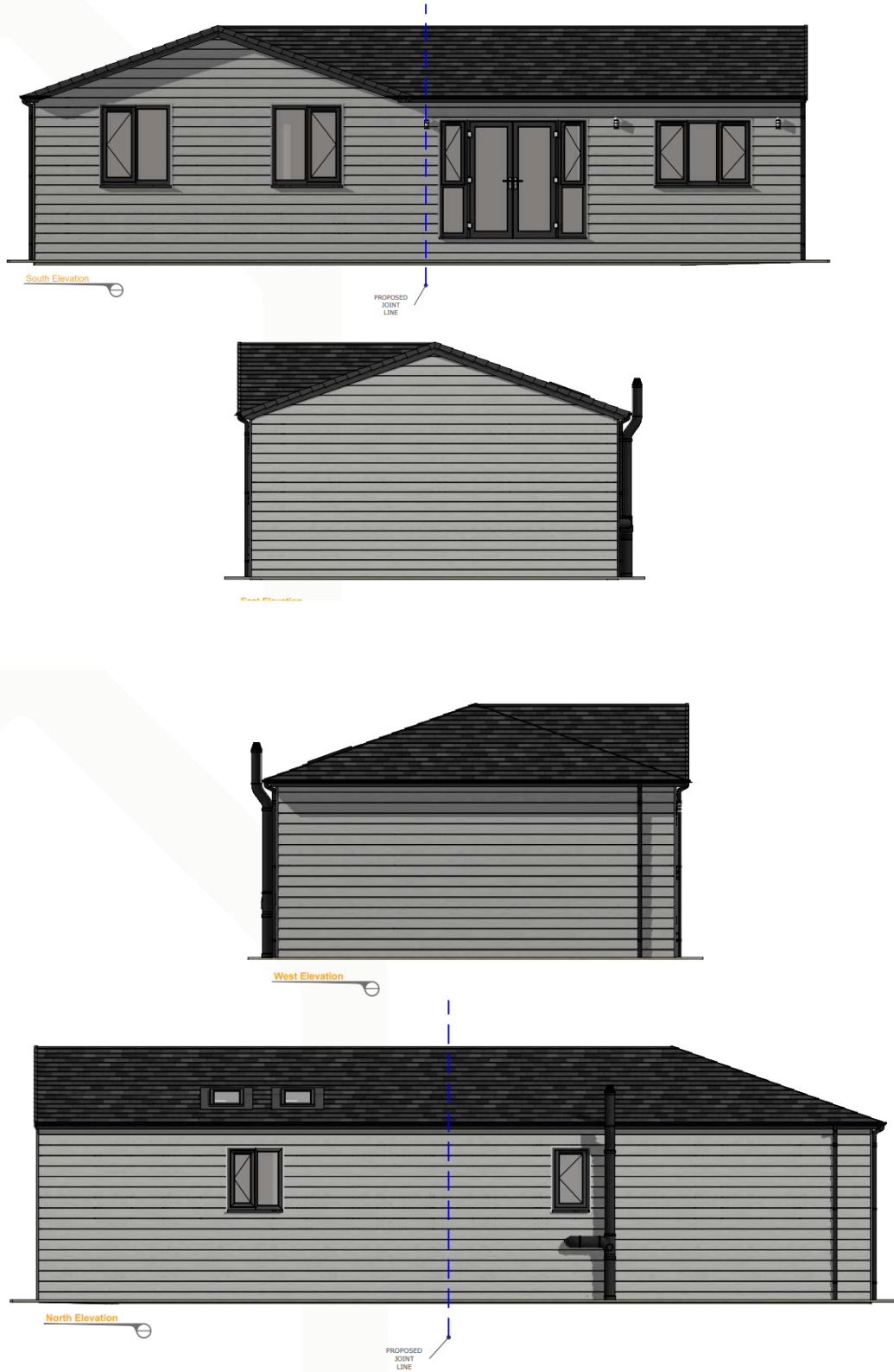
Location Plan



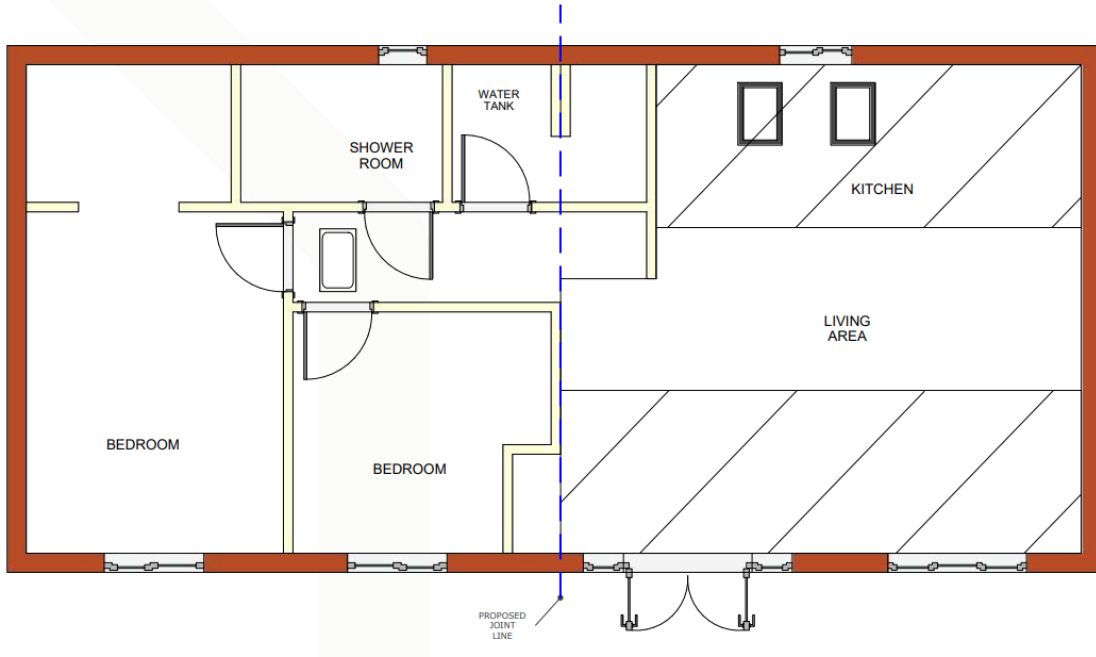
Block Plan



Proposed Elevations



Proposed floor plans



Site photos



