

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

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

TYPE: Outline

APPLICANT: Mr Hendy
Shanly Homes Limited

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to legal agreement and conditions

1.0 SUMMARY

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

2.0 SITE DESCRIPTION

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

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

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

3.0 RELEVANT HISTORY

On the application site:

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

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

Adjoining housing reserve site:

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

4.0 THE PROPOSAL

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

4.3 The application has been supported principally by:

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

5.0 CONSULTATION RESPONSES

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

6.0 REPRESENTATION

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

6.1 Principle

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

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

6.2 Character and Green Belt reasons

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

6.3 Residential amenity

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

6.4 Highway and transportation matters

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

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

6.5 Other matters

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

7.0 PLANNING CONSIDERATIONS

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

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

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

7.4 Principle of development

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

7.5 Impact on local character and trees

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

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

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

7.6 Impact on residential amenity

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

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

7.7 Impact on highway safety

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

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

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

7.9 Impact on land contamination, drainage and flood risk

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

7.10 Impact on local infrastructure and financial considerations

- 7.10.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. For example, the applicant is claiming part exemption due to the provision of affordable housing and at the time of writing the final amount of social housing relief is unknown. Informatives would be added to the decision advising the applicant of the CIL requirements.

- 7.10.2 The CIL scheme provides for funding for SANG; open space; local transport projects and pedestrian safety improvements; play areas and equipped play space; indoor sports and leisure facilities; community facilities; waste and recycling; strategic transport projects; and flood defence and drainage improvements.
- 7.10.3 The CIL scheme does not provide for education. The Council has previously considered any request for contributions towards education under Paragraph 204 of the NPPF and the PPG. The comments of the Education Authority are awaited but the experience of recent appeal decisions for other parts of the West End reserve site (SU/14/0532 and SU/15/0594) indicate that the justification previously put forward by the Education Authority was not sufficiently justified enough, individually or cumulatively, to meet the tests set out in the NPPF and PPG.
- 7.10.4 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. Whilst the implementation and completion of the development, if it were approved, would result in a local financial benefit, for reasons as already outlined it has been concluded that this proposal does not accord with the Development Plan as it would give rise to significant harm.

7.11 Impact on affordable housing provision and housing mix

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

7.12 Impact on archaeology

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

8.0 CONCLUSION

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

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

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

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

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

10.0 RECOMMENDATION

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

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

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

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

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

2. The proposed development shall be built in accordance with the following approved plans: 1321/PLN/201, 1321/PLN/202, 1321/PLN/203, 1321/PLN/204, 1321/PLN/205, 1321/PLN/206, 1321/PLN/207, 1321/PLN/208, 1321/PLN/209, 1321/PLN/210, and 1321/PLN/211 Rev. B, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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

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

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

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

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

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

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

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

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

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

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

Informative(s)

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

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

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

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