

LOCATION: 26 PORTSMOUTH ROAD, CAMBERLEY, GU15 1JX
PROPOSAL: Outline application for the erection of a two storey building with accommodation in the roof to provide 8 No. two bedroom and 1 No. one bedroom flats with parking and associated development following the demolition of existing dwelling and surgery (siting, access, scale and appearance to be determined). (Amended information recv'd 27/9/17).
TYPE: Outline
APPLICANT: Mr Porzycki
Aventier Ltd.
OFFICER: Duncan Carty

This application would normally be determined under the Council's scheme of Delegation. However, it has been reported to the Planning Applications Committee at the request of Cllr. Mrs V. Chapman.

RECOMMENDATION: GRANT subject to conditions and legal agreement

1.0 SUMMARY

- 1.1 The current proposal relates to the erection of a two storey detached building with associated parking following the demolition of the existing dwelling and garage and surgery buildings. The application site is in a corner location on the west side of Portsmouth Road and on the south side of Highclere Drive within the settlement of Camberley. The application is in outline form with details of access, scale, appearance and layout to be determined under this application with landscaping retained as reserved matters.
- 1.2 This proposal follows the refusal (and dismissed appeal) for a larger flatted development on the site (SU/14/1026) and the approval for a replacement dwelling and chiropractice (SU/14/0036) with the current proposal being of a very similar built form to the approved scheme.
- 1.3 The current proposal is considered to be acceptable in terms of its impact on local character and trees, residential amenity, highway safety, infrastructure or affordable housing provision grounds. Subject to the completion of a legal obligation to provide SAMM contribution of £3,514 or an upfront payment in this respect, no objections are raised to the current proposal on SPA grounds. The application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is in a corner location on the west side of Portsmouth Road and on the south side of Highclere Drive within the settlement of Camberley. The site

lies within an area defined by the Western Urban Area Character SPD 2012 as having a “Wooded Hills” character.

- 2.2 The application property is a two storey dwelling with single storey surgery (used as a chiropractice, and formerly the garage serving the dwelling) and detached garage building. The existing dwelling is a 1930’s dwelling, which although extended, maintains some character. The surgery building (i.e. the converted garage accommodation) and garage building have dummy pitch roofs and are later additions. The surgery accommodation was converted to provide one consulting room but has more recently been used as two consulting rooms.
- 2.3 Access to the site is from Portsmouth Road, close to the boundary with 28 Portsmouth Road. The application site is wooded to the site frontage and much of the site boundaries, with some trees protected under a Tree Preservation Order (01/05). A gravel drive and parking area is provided in front of the existing dwelling and surgery, predominantly screened from the site frontages onto Portsmouth Road and Highclere Drive by a tree (and other vegetation) screen. The vehicular access to the site is from Portsmouth Road.

3.0 RELEVANT PLANNING HISTORY

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

- 3.1 SU/99/0457 Change of use of detached residential outbuilding (garage) to chiropractors treatment room (Class D1) used with associated alterations. *Approved in August 1999 and implemented.*
- 3.2 SU/04/0818 Outline application for the erection of a two storey building with accommodation in the roof to comprise 9 no two bedroom flats with associated parking and access following the demolition of existing buildings (siting and means of access to be considered). *Refused in April 2005.*
- 3.3 SU/06/0597 Outline application for the erection of a three storey building with accommodation in the roof to comprise 9 no two bedroom flats with associated parking and access following the demolition of existing buildings (siting and means of access to be considered). *Withdrawn in September 2006.*

This is an identical scheme to refused scheme SU/04/0818.
- 3.4 SU/14/0036 Erection of a two storey dwelling and surgery and associated parking following the demolition of existing dwelling and surgery.

Approved in September 2014. The current proposal takes the built form (scale, mass, siting) of this approved development and has now expired.
- 3.5 SU/14/1026 Outline application for the erection of a two storey building with accommodation in the roof to provide 9 no. two bedroom flats with parking and associated development following the demolition of

existing buildings on the site (access, appearance, scale and layout to be determined).

Refused in December 2016 for character and tree grounds. The subsequent appeal was dismissed in June 2017. A copy of the appeal decision is provided at Annex 2. This proposal is larger than the current proposal (see Paragraph 4.3 below).

4.0 THE PROPOSAL

- 4.1 The current proposal relates to a flatted development in the form of the erection of a two storey detached dwelling with accommodation above and associated parking following the demolition of the existing dwelling and garage and surgery buildings. The current proposal would provide 8 no. two bedroom and 1 no. one bedroom flats. The application is in outline form and details of access, scale, appearance and layout to be determined under this application; landscaping is retained as a reserved matter.
- 4.2 The proposed building would have two front facing gable wings with a connecting crown roof in between. The north wing has a ridge height of about 9 metres above ground level, reducing to 8 metres for the ridge over the south wing and the connecting crown roof. The eaves height for the proposed building would be about 5 metres above ground level. The proposed building would have a width of 17 metres and a maximum depth of 16.6 metres. The proposed elevations provides traditional detailing including tile hanging, brick string course, bargeboards and ridge detailing.
- 4.3 The proposal would be provided in the same footprint and no higher than the built form approved for SU/14/0036, and about 1 metre lower in height than the refused scheme SU/14/1026 (which was proposed to be built on lower, excavated land by about 1 metre). The proposal would provide parking of nine parking spaces. No alterations to the existing vehicular access to the site are proposed.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No comments received to date.
- 5.2 Tree Officer No objections.

6.0 REPRESENTATIONS

At the time of the preparation of this report, 21 representations had been received raising the following objections:

6.1 Principle and planning history

- Previous application have been refused and so should this one [*Officer comment: Each application is determined on its own merits*]
- Vexatious nature of application (noting the planning history of the site) and whether there is a cap on the number of application submissions [*Officer comment: The applicant is within their rights to submit this application, it is materially different from all previous submissions (see planning history) and the Council has a duty to therefore determine it*]
- Current proposal is similar to that previously presented to the Committee [*Officer comment: Refused scheme SU/04/0818 and withdrawn scheme SU/06/0597 had the same level of development as the current proposal but take a much different footprint and a different orientation. See Paragraphs 7.2 and 7.3*]
- Activity of application submissions is an easy revenue generating activity for the Council rather than a sensible plan worthy of real consideration [*Officer comment: This is not a material planning consideration*]
- Not aware that appeal has been determined and as such it would appear incongruous that the application is submitted before appeal decision is received [*Officer comment: The appeal decision, see planning history, has been made since the validation of this application*]
- Timing of application - so soon after the decision for SU/14/0036 where the applicant asserted that there was a need to expand the surgery [*Officer comment: This is not a reason to refuse this application*]
- The built form approved under SU/14/0036, and now expired, is not a justification for approving this proposal, which is a commercial proposal much different to the previously approved replacement dwelling and surgery. No precedent is set for the current proposal by this earlier permission [*Officer comment: Whilst, each application has to be determined on their own merits, the previous planning history on a site is a material consideration in the assessment of any new proposal, particularly when there has been no change in policy or site changes since this date*]
- Loss of business (and jobs) [See Paragraph 7.2]
- Conversion of office buildings in town centre to flats reduces need [See Paragraph 7.2]
- Comments on previous proposals still apply [*Officer comment: Each application is considered on its own merits*]

6.2 Character

- Impact on “Wooded Hills” local character designation in Western Urban Area Character SPD [See Paragraph 7.3]

- Building would take a three storey form which is out of keeping. The third floor would provide three flats in the roofspace which is an overdevelopment of the site and cannot be considered only as “additional” [*Officer comment: The third storey would be provided in the roofspace*]
- Over development of the site, being incongruous, dominant, oppressive, and out of keeping with surrounding properties. Scale and mass of building would be greater than surrounding dwellings [*See Paragraph 7.3*]
- At more than 10 metres in height, the proposal would be noticeably higher than surrounding properties [*Officer comment: The maximum height of the proposed development is about 9 metres. Also, see Paragraph 7.3*]
- Scale of the building is excessively urban in development and at odds with surrounding detached dwellings and bungalows, having an adverse impact on local character. Proposal would be inappropriate in size and location [*See Paragraph 7.3*]
- Poor design, the building is unattractive with high side walls [*See Paragraphs 7.3 and 7.4*]
- Loss of landscaping and trees (including trees protected under TPO’s) detriment to the local character [*See Paragraph 7.3*]
- Drop in levels will not reduce presence of proposal [*Officer comment: This relates to refusal of SU/14/1026. The current proposal does not seek such a drop in land levels*]
- Impact on Green Corridor [*Officer comment: This relates to a designation in Policy G23 of the Surrey Heath Local Plan 2000 (as saved) which applied to earlier applications (for example SU/04/0818 and SU/06/0597) but has now been deleted*]
- Too much development on the plot [*See Paragraph 7.5*]

6.3 Residential amenity

- Loss of light [*See Paragraph 7.4*]
- Overlooking from balconies and windows to neighbouring properties [*See Paragraph 7.4*]
- Overbearing and unneighbourly impact on 2, 2a, and 9 Highclere Drive and 24b and 28 Portsmouth Road (same as for SU/06/0597) [*See Paragraph 7.4*]
- Overlooking from rooflights [*See Paragraph 7.4*]
- Loss of privacy, particularly if landscaping is to be removed [*See Paragraph 7.4*]
- Increased noise and air pollution [*See Paragraph 7.4*]

6.4 Highway safety

- Lack of car parking and likely overspill parking in Highclere Drive, impacting on emergency (and other) vehicle access, with limited turning facilities at the end of Highclere Drive. Any resulting overflow parking on Portsmouth Road and Highclere Drive would be a highway hazard [See *Paragraph 7.5*]
- Increase in traffic and congestion on Highclere Drive and impact on pedestrian (including children) safety, particularly in close proximity to pedestrian crossing and use of local roads as access to local schools [See *Paragraph 7.5*]
- Inadequate servicing of development (e.g. tradesmen and delivery trucks) and resulting parking on grass verges to the site frontage to the detriment of highway safety [See *Paragraph 7.5*]
- Parking layout would not allow sufficient access and turning for larger utility and delivery vehicles [*Officer comment: This information is not required as a part of the application*]
- Proposal does not provide adequate disabled access [*Officer comment: This would be a matter for the Building Regulations*]

6.5 Local services, flood risk, ecology and the SPA

- Impact on local services [See *Paragraph 7.8*]
- Impact on local hospital services [*Officer comment: It is not considered that this proposal, in itself, would have any material impact on these services*]
- Impact on flooding, from reducing the ground level to up to 2 metres below natural (existing) levels, and previous flood events on Portsmouth Road [*Officer comment: The scale of the development falls below the threshold for consideration by the LLFA and the site falls within Zone 1 (low flood risk). In addition, this relates to the refused scheme under SU/14/1026. The current proposal does not seek a drop in land levels*]
- Disruption to sewers and drains [*Officer comment This is not a planning matter*]
- Impact on the Thames Basin Heaths Special Protection Area [See *Paragraphs 7.3 and 7.4*]
- Impact on wildlife/habitats [*Officer comment: It is not considered that the proposal would have any significant impact on protected species*]

7.0 PLANNING CONSIDERATIONS

- 7.1 The current proposal is to be assessed against Policies CP1, CP2, CP5, CP9, CP11, CP14, DM9, DM11 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (SEP); and the National Planning Policy Framework (NPPF). In addition, advice in the Western Urban Area Character SPD 2012 (WUAC); the Surrey Heath Residential Development Design Guide SPD 2017 (RDG), the

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (TBHSPD); the Written Ministerial Statement on Affordable Housing (WMS); and the Planning Practice Guidance are also relevant.

The main issues in the consideration of this application are:

- Principle of the development;
- Impact on local character and trees;
- Impact on residential amenity;
- Impact on highway safety; and
- Impact on local infrastructure.

7.2 Principle of the development

7.2.1 Policy DM14 of the CSDMP indicates that the Council will seek to identify opportunities to enhance and improve community facilities, such as healthcare facilities, within the Borough. The current proposal would remove a health care (chiropractors) facility on the site. The applicant has previously indicated that *“there is no continued demand for the retention of the clinic at this location and the re-provision of a community facility is not considered appropriate given the concerns articulated during the consultation stage regarding the impact of commercial uses in a substantially residential area.”* The Council would agree that other community uses would not be suitable (hence controls on use imposed under Condition 8 of planning permission SU/14/0036) and that only a low key community use, such as a chiropractors’ clinic, would have been acceptable in this location. The lack of demand, in the same manner as for SU/14/1026, is also noted. As such, the principle of the development, in the same manner as the previously refused scheme SU/14/1026, is therefore considered to be acceptable, complying with Policy DM14 of the CSDMP.

7.3 Impact on local character and trees

7.3.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it provides a high quality design and respects the local and natural environment paying regard to scale, materials, massing, bulk and density. The policy also requires the protection of trees and vegetation worthy of retention and the provision of hard and soft landscaping where appropriate. The application site falls within a designated “Wooded Hills” character area as defined in the Western Urban Area Character SPD 2012. The SPD indicates that the character area has a semi-rural character, with large plots and heavy vegetation. Guiding Principle WH1 of the SPD indicates that new development in this character area should pay regard to the maintenance of space between and around buildings, which allows for the maintenance/development of a verdant character, consist principally of two storey detached buildings in individual plots enclosed by verdant vegetation, and providing high quality designed buildings and surrounding spaces.

7.3.2 Since the determination of the appeal for SU/14/1026, the Council has adopted the Surrey Heath Residential Design Guide SPD 2017 (RDG). Principle 6.7 indicates that development should not be dominated by parking, maintain activity in the

streetscene and design so that no more than 3 spaces are provided together without intervening landscaping. Principle 6.8 confirms that parking should normally be provided to the side or rear. Principle 7.1 indicates that new development should provide setbacks which complement the streetscene. Principle 7.3 indicates that buildings heights should help enclose space without overwhelming it with two storey heights normally expected in suburban locations with occasional larger buildings as focal points and higher buildings in more tight environments. Principle 7.4 indicates that new development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 that proposals should not generally introduce new roof forms that diverge from the prevailing character and flat roof should not be used to span overly deep buildings.

- 7.3.3 The proposed building would have a greater height, width and depth than the existing dwelling on the site. Whilst it is noted that the proposed building would extend towards both flank boundaries, the proposal would be set-in 2 metres from the north boundary of the site (with Highclere Drive) and a minimum of 4.2 metres from the south flank boundary with 28 Portsmouth Road, the same as the approved scheme SU/14/0036. The proposal would result in no increase in height over the approved scheme SU/14/0036, and would be lower than the refused flatted scheme SU/14/1026 (even though that scheme would have been set on lower levels by excavation).
- 7.3.4 The proposal would provide a crown roof (i.e. with a flat top, in a similar manner to the development under permission SU/14/0036). However, the flat roof would not be so noticeable as it spans between front to rear projecting gables and spans a narrower element of the proposed building. The proposal would provide roof level accommodation served by a window/recessed terrace/balcony and rooflights in the front elevation and provide recessed terraces/balconies and further windows and rooflights to the rear; such accommodation retains a domestic appearance to the proposed building. The traditional detailing is considered to be acceptable in this location. It is therefore considered that the form of the development in this location is acceptable. This would therefore not conflict with the guiding principles of the WUAC and the RDG or be harmful to the character of the area.
- 7.3.5 As indicated above and for this application, landscaping is a reserved matter. However, the application site is well landscaped with a number of major trees, including some protected by a TPO, and significant vegetation, the majority of which is expected to be retained. It is noted that the tree belt to the site frontage onto Portsmouth Road, including a number of protected trees (under Tree Preservation Order 01/05) would screen much of the proposed building from this highway. Whilst the proposed building would be more noticeable than the existing buildings, it would not be larger than the approved scheme (under SU/14/0036) and the proposed parking would not intrude into this belt (to the north east corner) as had been proposed under the refused scheme SU/14/1026. The proposed building would also be more prominent from Highclere Drive, where the boundary vegetation to this boundary is narrower and some vegetation may need to be replaced. However, noting the level of setback and the vegetation around the site, it is considered that the proposed building would sit comfortably within this context.
- 7.3.6 The most significant (i.e. protected) trees on the application site are set away from the proposed building. A number of smaller trees within the site, which are not

protected, would be lost for which replacement landscaping could be provided (such details could be agreed by condition, at the reserved matter stage) and some landscape features, particularly at the site boundaries, are expected to be retained or replaced where dying/diseased. There is a large beech tree close to the north west corner of the site with a root protection area which is immediately adjacent to the siting of the proposed building. The rear wall of the proposed building would be located no closer to this tree than the existing dwelling on the site and no greater harm to this tree would result. The proposed parking would be provided within an existing hardstanding area. The Council's Arboricultural Officer has raised no objection on the impact of the proposal on trees.

- 7.3.7 The proposed building is considered to be an acceptable replacement for the existing dwelling on the site and would not have an adverse impact on retained and protected trees. As such, the current proposal is considered to be acceptable on character and tree grounds, complying with Policy DM9 of the CSDMP, the WUAC and RDG.

7.4 Impact on residential amenity

- 7.4.1 Policy DM9 of the CSDMP indicates that proposals should provide sufficient private amenity space and respect the amenity of occupiers of neighbouring properties and uses. Principle 8.1 of the RDG indicates that developments should not result in a significant adverse effect on the privacy of neighbouring properties. Principle 8.3 of the RDG indicates that developments should not result in occupants of neighbouring dwellings suffering a material loss of daylight and sun access. Principle 8.5 of the RDG indicates that communal open space will be expected for flatted developments.
- 7.4.2 The proposed building would extend further forward and closer to the flank boundary with 28 Portsmouth Road. The proposed building would be located approximately 15 metres forward of the main wall of this neighbouring dwelling, compared to 5 metres for the existing surgery building). This neighbouring dwelling is orientated slightly towards the application site and with corner windows also facing slightly towards the application site. However, the proposed building would be set 4.2 metres from the site boundary with this property, with 28 Portsmouth Road set a minimum of 4 metres from the flank boundary with the application site, maintaining a good separation distance from this neighbouring property. The recessed balconies would reduce any material impact on privacy to this property. There is a level of existing vegetation screening, which is significant but not complete, much of which is to be retained. It is therefore considered that the impact on the occupiers of this dwelling is not significant.
- 7.4.3 The proposed building would not extend any closer towards the rear boundary of the site (the flank boundary of 9 Highclere Drive) than the existing dwelling. The proposal, as indicated above, would result in an increase in height, width and mass of development, and introduce roof level accommodation/windows facing this property. However, the level of separation and the heavy boundary screening in between would limit any significant impact on this neighbouring property. The side wall of the proposed building would face 2 and 2a Highclere Drive, and 24b Portsmouth Road, on the opposite side of Highclere Drive.

Noting the level of separation, it is not considered that the proposal building would have any significant impact on these dwellings.

- 7.4.4 The proposal would result in the loss of the chiropractice at the site. Whilst the original planning permission for the use of the chiropractors' surgery at the site was for one treatment room, its later subdivision to provide two treatment rooms has been undertaken without the need for planning permission. Whilst it is noted that there are limitations on the opening hours (imposed by condition), the proposal would result in the loss of this activity and its replacement with the proposed flatted development. Taking into consideration the background ambient noise levels from Portsmouth Road to the front, the loss of the chiropractice and that the car parking is to the front, no adverse impact from noise or disturbance to surrounding residential properties is envisaged.
- 7.4.5 The proposed development would have little other impact on residential amenity, due to the levels of separation, heavy boundary screening and built relationships with other nearby residential properties. As such, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of the CSDMP.

7.5 Highway safety and parking

- 7.5.1 The current proposal would use the existing vehicular access onto Portsmouth Road, which is close to the vehicular access for the adjoining dwelling, 28 Portsmouth Road. As indicated in Paragraph 7.4.3 above, it is not envisaged that the proposal would result in a material intensification of use of the site. In the same manner earlier refusal SU/14/1026, it is not considered that the proposal would result in a material increase in traffic and use of the vehicular access onto the site that, even with the proximity of the vehicular access to 28 Portsmouth Road, would have an adverse impact on highway safety. However, the comments of the County Highway Authority are awaited.
- 7.5.2 The proposal would provide nine parking spaces, to meet parking standards and the proposed development and, subject to the comments of the County Highway Authority, is considered to be acceptable on highway and parking capacity grounds, complying with Policies CP11 and DM11 of the CSDMP.

7.6 Impact on the SPA

- 7.6.1 In January 2012 the Council adopted the TBHSPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. As SANGS is considered to be a form of infrastructure, it is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.
- 7.6.2 Policy CP14B requires that all net new residential development provide contributions toward Strategic Access Management and Monitoring (SAMM) measures. In this case, a contribution of £3,514 is required. As such, with the payment to be either secured in respect of SAMM through a completed undertaking

or an upfront payment, the proposal would accord with Policy CP14B of the CSDMP, Policy NRM6 of the SEP and the TBHSPD.

7.7 Impact on affordable housing provision

7.7.1 Policy CP5 of the CSDMP requires the provision of 40% affordable housing within the development, in this case two units, to meet the requirement of Policy CP5 of the CSDMP.

7.7.2 However, the government's position outlined in a Written Ministerial Statement (WMS) and the PPG is that for schemes of 10 dwellings or less contributions should not be sought for affordable housing. The Inspector who determined the recent appeal decision for SU15/0701 (Vernon House, 16 Southwell Park Road) applied this position. In the absence of substantive evidence to indicate local affordability issues in Surrey Heath, the Inspector concluded that national policy is of sufficient weight to outweigh local policy. As such and consistent with this appeal decision, the proposal complies with Policy CP5 of the CSDMP, the NPPF and the WMS.

7.8 Impact on local infrastructure

7.8.1 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, if the proposal were to be successful on appeal. An informative would be added to the decision advising the applicant of the CIL requirements under these circumstances.

8.0 CONCLUSION

8.1 The proposed development is considered to be acceptable in relation to its principle and its impact on local character and trees, residential amenity, affordable housing provision, infrastructure and highway safety. The current proposal is considered to be acceptable and is recommended for approval, subject to securing a SAMM payment either by the completion of a legal agreement or an upfront payment.

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

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

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

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

10.0 RECOMMENDATION

The Executive Head of Regulatory to be authorised to GRANT permission subject to the collection of SAMM liability 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 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 proposed development shall be built in accordance with the following approved plans: BX21-S3-101, BX21-S3-103, BX21-S3-104, BX21-S3-105, BX21-S3-106 and BX21-S3-107, unless the prior written approval has been obtained from the Local Planning Authority.

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

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

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

4. The parking spaces shown on the approved plan BX21-S3-101 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. The development hereby approved shall be implemented wholly in accordance with the submitted BS5837 Arboricultural Report & Impact Assessment by Crown Consultants Ltd. dated 12 May 2017. 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.

6. Before first occupation of the development hereby approved the first window(s) in the flank elevation facing 28 Portsmouth Road shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

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

7. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved 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 are to 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 and to promote alternative methods of transport 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. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3
4. CIL Liable CIL1

In the event that collection of SAMM liability has not been secured by 15 November 2017, or any longer period as agreed by the Executive Head of Regulatory, be authorised to REFUSE for the following reason:

1 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).