

LOCATION: 2 CHERTSEY ROAD, CHOBHAM, WOKING, GU24 8NB
PROPOSAL: Change of Use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat, to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flat within the ground and first floor levels.
TYPE: Full Planning Application
APPLICANT: Mr R Hardesty
OFFICER: Chenge Taruvinga

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 Planning permission is sought for the change of use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels.
- 1.2 This current proposal is identical to the proposal considered under application 14/0456 refused in July 2014. The principal reason for refusal of 14/0456 related to the absence of a SANGS mitigation at that time. As a legal agreement in respect of securing contributions towards infrastructure had not been completed under 14/0456, a reason for refusal in respect of this was also included. All other issues were considered to be acceptable by this Committee with no objection raised to the principle of the proposal, its impact on the amenities enjoyed by the occupants of the surrounding properties, highway safety or parking.
- 1.3 In light of the above this report focuses on whether the current application overcomes the previous reasons for refusal. The proposed development does not trigger a liability for a CIL contribution. As SANGS mitigation is currently available, the development's impact on the SPA can be mitigated. Subject to a contribution towards SAMM or the completion of a legal agreement in respect of this, the development is considered to be acceptable.

2.0 SITE DESCRIPTION

- 2.1 The application site is within the washed over Green Belt settlement of Chobham, located at the junction of Chobham High Street and Chertsey Road, forming a prominent part of the street scene. The site features a two storey building constructed in the late 19th century. The existing building is of red brick construction with simple gable roof forms that face onto Chertsey Road.
- 2.2 Presently, the site accommodates a retail unit on the ground floor facing on to the Chobham High Street frontage. A 3 bedroom flat with access from Chertsey Road is located at first floor level. The site adjoins a single storey building to the south (rear) that faces the High Street, with an area laid to tarmac and concrete between the two buildings serving as a parking area.

3.0 RELEVANT HISTORY

- 3.1 BGR2473 – Convert existing building to form shop with s/c flat above – Approved 19/02/1959
- 3.2 Planning application SU/14/0456 sought for the change of use and extensions of the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels. This application was previously reported to the planning committee in May 2014 with an officer recommendation for refusal. The application was refused only on the basis that there was no SANGs mitigation available at the time.

4.0 THE PROPOSAL

- 4.1 The application seeks permission for the change of use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels. The proposal is identical to the refused application under SU/14/0456 with no change in the works proposed.

5.0 CONSULTATION RESPONSES

- 5.1 Chobham Parish Council No objection.
- 5.2 County Highway Authority No objection to the development subject to conditions.
- 5.3 Council's Conservation Advisor No objection to the extension or change of use but objects to the loss of the chimney.

6.0 REPRESENTATION

At the time of the preparation of this report 3 representations of objection had been received:

- 6.1 Significant parking problems would arise given the location of the site and existing highway safety concerns [*Officers comments: The proposal's impact on highway safety and parking was considered to be acceptable under 14/0456 - see Annex 2*]
- 6.2 The increase in residential units would give rise to domestic clutter which would have an adverse impact on the visual character of the village [*Officer's comments: The proposal's impact on the character and appearance of the area was considered acceptable under 14/0456 - see annexed report*]

7.0 PLANNING CONSIDERATION

- 7.1 The site is located within the washed over Green Belt settlement of Chobham as identified on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies. Accordingly Policies CP12 and CP14B are relevant to the consideration of the current application.

The National Planning Policy Framework (NPPF) is also a material consideration as is the associated Planning Practice Guidance (PPG).

- 7.2 The application is identical to application 14/0456. As such, this decision is a material consideration. The decision cites two reasons for refusal in respect of the SPA/SANGS as well as the securing contributions toward community infrastructure. As no other reasons for refusal are given and having regard to the nature of the changes to the scheme it would not be reasonable to reconsider these issues unless there has been a material change in circumstances such as a significant change in planning policy or significant change in the site or its surroundings. For completeness, however, a copy of the officer's report in respect of application 14/0456 has been annexed. This report concludes that the development would have no impact on the character of the area, or the residential amenities of neighbouring properties and highway safety. However, in the absence of SANGS mitigation and contributions towards the provision of infrastructure, the proposal would have had an adverse impact on the Thames Basin Heath SPA and local infrastructure. It was on this basis that the application was refused.

Having regard to the above it is considered that the main issues to be addressed are:

- The impact on the Thames Basin Heath Special Protection Area.
- The impact on the provision of community infrastructure.

7.3 The impact on the Thames Basin Heath Special Protection Area

- 7.3.1 The application site is located within approximately 1.1 km of the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 2 units, which in combination with other development, to have a significant adverse impact on the protected site.

- 7.3.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As a SANGS is considered to be a form of infrastructure, they are pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

- 7.3.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. As such, subject to payment received in respect of SAMM or the completion of a legal agreement to secure this contribution by the 6th of February 2015, the proposal would accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

7.4 The impact on the provision of community infrastructure

- 7.4.1 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. The proposal would result in a net increase in

residential floor space of 56 square metres. Accordingly the development is not liable for a contribution towards community infrastructure as set out in Community Infrastructure Levy Regulations 2010 (as amended) and the Infrastructure Delivery Supplementary Planning Document.

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

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

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

9.0 CONCLUSION

9.1 In conclusion, the proposed development does not trigger a liability for a CIL contribution. As SANGS mitigation is currently available, the development's impact on the SPA can be mitigated. Subject to a contribution towards SAMM or the completion of a legal agreement by 6th February 2015, the development is considered to be acceptable.

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 building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building.

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.

3. The proposed development shall be built in accordance with the following approved plans: DWG.08 received 12/11/2014, unless the prior written approval has been obtained from the Local Planning Authority.

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

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials

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

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

5. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for four cars and at least 4 cycles to be parked. The car parking spaces shall be marked out on the ground to ensure proper use. Three of the cycle parking spaces shall be provided in as secure covered and well lit location. Once provided the car and cycle parking spaces shall be retained without obstruction exclusively for their designated purpose.

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.

Informative(s)

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