

2014/1127

Reg Date 08/01/2015

Bagshot

LOCATION: KENNELS, 79 GUILDFORD ROAD, BAGSHOT, GU19 5NS
PROPOSAL: Demolition of boarding kennels and erection of six 3 bed dwelling houses.
TYPE: Full Planning Application
APPLICANT: Mr P Gray
OFFICER: Chenge Taruvinga

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The proposal relates to the provision of 6 semi-detached two storey dwellings following demolition of existing dog kennels and associated buildings. Two static caravans presently located within the site would also be removed.
- 1.2 A previous application under SU/14/0202 for the erection of 4 link detached dwellings and a bungalow was refused on the basis that the Council did not have SANGs capacity to mitigate the impact of the development of the Thames Basin Heath SPA. The proposal was also refused on affordable housing and infrastructure grounds given the applicant had not completed an agreement to secure contributions in respect of these matters.
- 1.3 The report concludes that the proposal would be appropriate development in the Green Belt as it would represent a complete redevelopment of previously developed land that would have no greater impact on openness than the existing mixed use of the site with its built form and associated hard standing. It is considered that the proposed residential use would offer an improvement to the visual character of the Green Belt and wider area. The proposal is considered to be acceptable in terms of its impact on highway safety and trees. Subject to a contribution in respect of SAMM by the determination date or the completion of a legal agreement to secure this, the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located along a small enclave adjacent to Guildford Road, Bagshot and is served by an access road that runs to the east of the site serving a group of 7 neighbouring properties. Dwellings within close proximity to the site are of a significant size and massing. The application property's site boundaries are surrounded by mature trees and vegetation. However, within the plot is a complex mix of both brick built and steel framed dog kennels, accommodating up to 90 dogs at any one time. The site is also characterised by high fences and extensive areas of hard standing as well as two static caravans sited to the east.

3.0 RELEVANT HISTORY

- 3.1 SU/14/0202 Erection of 4 link detached two storey dwelling houses and 1 bungalow following demolition of existing dwelling, 2 static caravans and kennels.
Refused 09/04/2014 due to the absence of SANGS mitigation by which the development could mitigate its impact on the SPA. In addition the application was also refused on planning infrastructure and affordable housing grounds.
- 3.2 SU/14/0152 Application for lawful development for an existing use of land for the stationing of two mobile homes occupied for residential purposes
Agreed 26/04/2014
- 3.3 SU/14/0004 Erection of 5 detached (4 bedroom and 1 three bedroom) dwellings following demolition of existing bungalow and kennels
Withdrawn 11/02/2014
- 3.4 SU/04/0517 Redevelopment of existing kennels with extensions to include covered areas
Approved 30/07/2004
- 3.5 SU/88/0422 Erection of new block of kennels
Approved 22/09/1988

4.0 THE PROPOSAL

- 4.1 The proposal would provide 6 semi detached residential properties. The proposed dwellings would be set within individual plots with a mutual internal site access characterised by a turning head and associated landscaping. The detached bungalow that had formed part of the planning application considered under SU/14/0202 is to be retained on a separate plot not forming part of the current application.
- 4.2 The proposed 6 semi-detached dwellings would be to a maximum height of 7.9 metres reducing to 5 metres at the eaves. The dwellings would be of a hipped roof design with recessed front and rear elevations as well as some variation in fenestration design between each pair.
- 4.3 The proposed two storey dwellings would have a comparable internal arrangement to each other. The plot layout would be linear with Plot 1 and Plot 6 benefiting from marginally wider gardens
- 4.4 The main differences between the current application and refused scheme under SU/14/0202 outlined below:
- The current proposal would provide 6 semi-detached dwellings. Under SU/14/0202 a total of 5 detached dwellings were proposed with a net addition of 4 residential properties given the detached bungalow adjacent to the application site was to be replaced. This bungalow does not form part of the current scheme.
 - The dwellings proposed under the current application are at an average internal floor area of 141 square metres; under SU/14/0202 the dwellings proposed were at an average floor area of 214 square metres.

- The height of buildings under the current application are 7.9 metres with hipped roofs and flat roof sections. Under SU/14/0202 half hipped gable ends were proposed to a maximum height of 8.5 metres.
- Link detached garages were proposed under SU/14/0202. Under the current application no garages are proposed.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority No highway comments.
- 5.2 West End Parish Council No objections subject to provision toward affordable house [see para.7.6 on affordable housing]

6.0 REPRESENTATIONS

At the time of preparation of this report one representation is in support of the application had been received with the following comments:

- 6.1 The residential use of the site would be welcomed.

7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework (NPPF); Policies CP1, CP2, CP14, DM9, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and, Policy NRM6 of the South East Plan are material considerations in this application.
- 7.2 As the principle of development was considered acceptable under the SU/14/0202, it is considered that the main issues to be addressed in determining of this application are as follows:
- The proposal's impact on the openness of the Green Belt;
 - The proposal's impact on the amenities of neighbouring properties and the amenity to be afforded to future residents;
 - The impact of the development highway safety and parking;
 - The impact of the development on the provision of affordable housing;
 - The impact of the development on the provision of community infrastructure;
 - The impact on the Thames Basin Heaths Special Protection Area; and
 - The impact of the development on trees.

7.3 The proposal's impact on the Green Belt

7.3.1 The previous application under SU/14/0202 was considered to be acceptable in Green Belt terms. However, as the current application relates to a materially different proposal, a Green Belt assessment has been undertaken in accordance with the NPPF.

7.3.2 Paragraph 89 of the Framework indicates that the construction of new buildings is inappropriate in the Green Belt with exceptions including *"the limited infilling or the partial or complete redevelopment of previously developed sites [PDL] (brownfield land), whether redundant or in continuing use..., which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."* Given the expanse of hard standing, and fencing within the site, in addition to the large number of single storey structures littered across a significant proportion of the plots, the site meets the definition of previously developed land as set out in Annex 2 of the NPPF.

7.3.3 Paragraph 79 of the Framework advises that one of the essential characteristics of the Green Belt is its openness. As such an assessment of the proposal's impact on the openness of the Green Belt and the purpose of including land within it compared to the existing development on the site is required. The primary indicator of openness is built form and so the table below illustrates the difference between the existing buildings and proposal in relation to volume, floor area and footprint.

7.3.4

	Existing buildings	Proposed dwellings
Floor Area	842.48 m ²	842 m ²
Footprint	842.48 m ²	425.48 m ²
Volume	2754.51m ³	2752.02m ³

7.3.5 The total combined footprint of existing buildings on the site is approximately 842 square metres. In contrast the total combined footprint of the proposal is 425.48 square metres which is a considerable reduction of 417 square metres. It should be noted that in addition to the footprint of buildings, vast areas of the site are currently characterised by hard standing which further detracts from the openness of the Green Belt.

7.3.6 Under SU/14/0202, 4 detached dwellings were proposed within the part of the site to which this current application relates. As substantial two storey dwellings at a height of 8.5 metres it was considered that the impact of the development on the openness of the Green Belt would be negligible given the existing clutter, expanse of built form and areas of hard standing. The current proposal provides 6 residential units of accommodation in 3 clusters of two storey built form at 7.9 metres in height. As such, in comparison to the previous scheme, the height and visual impact of the proposed development on the openness of the Green Belt has been marginally reduced.

7.3.7 The current proposal, with 6 residential properties proposed on the reduced site would, however, intensify the residential use in this location. The proposed garden areas and domestic paraphernalia associated with the 6 residential properties proposed would have a more urbanising impact on the site, compared to the previous proposal. However, when considering the wider context of the site, within close proximity to the A322 and M3 motorway, in combination with the relatively suburban neighbouring dwellings to the east of the site it is considered the proposal would not be harmful to the openness of the Green Belt.

7.3.8 On the basis of the above considerations it is considered that the proposed residential units would improve the appearance of the site from a visual amenity perspective, with the removal of industrial looking sheds, ad hoc fencing and areas of hard standing currently on the site. As such, the proposal would not be inappropriate development in the Green Belt as it would represent a complete redevelopment of the site that would have no greater impact on openness than the existing development.

7.4 The proposal's impact on the amenities of neighbouring properties and the amenity to be afforded to future residents

7.4.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties should be respected.

7.4.2 The application site would be closest to the neighbouring property to the south east of the site, at Stone Hill House. This neighbouring property would be set some 36 metres away from the nearest proposed residential unit. An extensive tree screen would be retained along the common boundary with this neighbouring property, thereby limiting mutual views between the application site and Stone Hill House. On this basis it is considered that there would be no adverse impact on the amenities that the occupants of Stonehill Close or any other neighbouring property in this vicinity currently enjoys. In addition, it is considered that the proposed development would improve the amenity relationship between the site and neighbouring properties given the loss of the dog kennels which typically generate significant noise.

7.4.3 It is considered that the proposed residential units would each be afforded an acceptable level of residential garden space to meet the needs of family housing of this size. It is also considered that the built relationships between each of the dwellings would be acceptable and not give rise to overlooking, an overbearing impact or any other adverse amenity relationship.

7.5 The impact of the development highway safety and parking

7.5.1 Policy CP11 of the Core Strategy advises that new development will be directed toward previously developed land in sustainable locations to reduce the need to travel and promote travel by sustainable modes of transport. Policy DM11 of the Core Strategy advises 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.

7.5.2 The proposed development would result in a reduction of vehicular trips compared with the existing use and therefore would have a reduced highway impact. In regards to sustainable travel opportunities there is a bus stop less than 100 metres from the site. However as the site will be less intensely used compared to its previous use the highway authority raises no objections. The current proposal would therefore be acceptable on these grounds, conforming with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012

7.6 The impact of the development on the provision of affordable housing

7.6.1 It is noted that Policy CP5 of the Core Strategy requires a 20% on site provision for developments proposing a net increase of 5 - 9 units. However since November 2014, the Planning Practice Guidance now advises that residential proposals of fewer than 10 dwellings amounting to no more than 1000 square metres in floor space should be exempt for the financial requirements of section 106 planning obligations and from the provision of affordable housing. In light of the above, therefore, no contributions are sought in respect of

affordable housing.

7.7 The impact of the development on the provision of community infrastructure

7.7.1 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.

7.7.2 Under the current application there would be a net reduction in floor space on the site of 0.83 square metres. Accordingly in the officer's opinion the development is not liable for a contribution towards community infrastructure in accordance with the CIL Regulations 2010 (as amended).

7.8 The impact on the Thames Basin Heaths Special Protection Area

7.8.1 The application site is located within approximately 628 metres away from 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.

7.8.2 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, it is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

7.8.3 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 prior to the determination of this application or the completion of a legal agreement to secure this contribution by the 9th of March 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.

7.9 The impact of the proposal on trees

7.9.1 Policy DM9 advises that development will be acceptable where trees and other vegetation worthy of retention are protected.

7.9.2 There are no extant statutory controls in relation to the trees currently located on the site and no tree removal is proposed as part of the proposed development. The Council's Tree Officer has assessed the tree report submitted with the planning application and advised that the proposed works could be undertaken without undue threat of damage to retained vegetation providing the detailed precautions are carried out. Accordingly, suitable ground protection measures and a detailed landscape scheme will also be required by condition if the application is approved.

7.9.3 As such the proposal accords with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies.

8.0 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:

- 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 communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 The report concludes that the proposal would be appropriate development in the Green Belt as it would represent a complete redevelopment of previously developed land that would have no greater impact on openness than the existing mixed use of the site and the built form and hard standing associated with it. It is considered that the proposed residential use would offer an improvement to the visual character of the Green Belt and wider area. The proposal is considered to be acceptable in terms of its impact on highway safety and trees. Subject to a contribution in respect of SAMM by the determination date or the completion of a legal agreement to secure this, the application is recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

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

3. The proposed development shall be built in accordance with the following approved plans: 13-P921-LP101, 101, 102, 103, 104, 105, TCP001 (Rev 2),

TCP001 (Rev 1), 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 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].
5. No development shall take place until a Method of Construction Statement, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding
 - (f) hours of construction

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.

6. The construction of the development hereby approved, including the operation of any plant and machinery, shall not be carried out on the site except between the hours of 8am and 6pm on weekdays and 8am and 1pm on Saturdays and none shall take place on Sundays and Public Holidays without the prior agreement in writing of the Local Planning Authority. 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.

Reason: In the interests of the amenities of adjoining residential occupants and to accord with the National Planning Policy Framework.

7. No new development shall be occupied until space has been laid out within the site in accordance with drawing no. 13-P921-101, for a maximum of 12 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to

satisfy the Surrey Heath Core Strategy and Development Management Policies Document (2012) Policy DM11.

8. Following the completion of any Arboricultural works but before any equipment, materials or machinery are brought onto the site in connection with the development, protective fencing at least 2m high and comprising of a vertical and horizontal framework of scaffolding (well braced to resist impacts) and ground protection methods, in compliance with **BS5837:2012 – Trees in Relation to Design, Demolition and Construction**, shall be erected in accordance with the submitted and approved Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan, unless otherwise agreed in writing with the Local Planning Authority.

Such protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the borough council.

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.

Informative(s)

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