23/0074/FFU - 29, 30 And 30A Brackendale Close

Committee report 21/1268 reported to June 9th 2022 PAC and printed minutes

OFFICER'S DELEGATED REPORT

APPLICATION NO:	21/1268/FFU
LOCATION:	29, 30 And 30A, Brackendale Close, Camberley, Surrey, GU15 1HP,
PROPOSAL:	Redevelopment of site to provide 30 no. Affordable Apartments with associated access, hardstanding, carparking, landscaping, Bin and Cycle stores following the demolition of No. 29 and No. 30 Brackendale Close and associated outbuildings.
TYPE:	Full Planning Application
APPLICANT:	Mr David Holmes
OFFICER:	Luke Simpson
EXPIRY DATE:	11.04.2022

21/1268/FFU **Reg. Date** 22 November 2021 Parkside

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TYPE: Full Planning Application

APPLICANT: Wooldridge Developments and Accent Group

OFFICER: Luke Simpson

This application is being reported to the Planning Applications Committee because it is a major development i.e. the number of dwellings exceeds 10.

RECOMMENDATION: REFUSE

1.0 SUMMARY

1.1 The application relates to the redevelopment of two residential properties (known as 29 and 30 / 30a Brackendale Close) to provide 30 flats within a singular two storey apartment building (including 9 x 1-bed units and 21 x 2-bed units). It is also proposed to provide a parking area for 30 vehicles, accessed from Brackendale Close, landscaping and a pedestrian access to the site from Portsmouth Road. It is proposed that all of the 30 units would be intermediate affordable housing.

1.2 The principle of the development is acceptable, but there are significant concerns over the scale, massing and quantum of development and its resultant impact upon the character and appearance of Brackendale Road and the Wooded Hills Character Area. The County Highways Authority raises

no objection on highway safety, capacity, and sustainability subject to securing a legal agreement for the provision of improved pedestrian crossing facilities at the entrance of Brackendale Court. The proposal is considered to be acceptable in respect of residential amenity, surface water and ecology, however there are concerns over potential arboricultural impacts, particularly in relation to trees at the front of the site, as well as with regards to waste storage provisions. Further to this, due to initial officer concerns with the overall scale, massing, and amount of development no legal agreement to secure affordable housing provision or contributions towards SAMM and any off-site highway works have been pursued or provided.

1.3 It is therefore recommended that the application is refused

2.0 SITE DESCRIPTION

2.1 The application site is located on the corner of Brackendale Road and Portsmouth Road, Camberley. It occupies two existing residential plots on the northern side of Brackendale Close and covers an area of approximately 0.32ha. Brackendale Road is a private residential street characterised by large dwellings set within extensive lineal curtilages. The dwellings are set back some distance from the highway and property frontages are generally marked by hedge and tree lined boundary which give the close a verdant character. The Close is a cul-de-sac and can only be accessed by vehicles from Portsmouth Road at its eastern end. There is however a public footpath situated at its western end which leads to Wilders Close 210m to the south-west.

2.2 By virtue of being located on the corner of Brackendale Close and Portsmouth Road, the area around the site is made up of a mixture of development types. To the north of the site, accessed from Portsmouth Road lies 1-10 Brackendale Court, a flatted development, with the Travel Lodge / Toby Carvery site and further residential apartments beyond, whilst to the neighbouring and nearby development to the west and south in Brackendale Close is made up of large spaciously arranged residential dwellings of varying but traditional designs. The site is also enclosed by a number of mature and semi-mature trees that line its northern, eastern, southern and western boundaries. Specimens situated along the site's eastern and southern boundaries form prominent features of the local street-scene and hold significant amenity value.

2.3 The site is located within the Wooded Hills Character Area as defined within the Western Urban Area Character SPD.

3.0 RELEVANT HISTORY

The relevant planning history for the site is as follows:

3.1	97/1156	Conversion of detached garage into habitable accommodation (a granny annexe) and erection of a single storey rear extension and a single storey side extension) G*ranted 27.01.1998.* This application solely related to 30

Brackendale Close.

3.2 14/0493 Erection of a two-storey building with accommodation in the roof to provide 8 no. two bedroom flats with parking and landscaping and associated development following the demolition of existing buildings. *Refused under delegated authority on 05.09.2017.* This application related solely to 30 Brackendale Close and was refused for the following summarised reasons:

1.The proposed development, by reason of its height, depth, design, mass, scale and resulting reduction in vegetation cover, would result in an incongruous, dominant, and unduly prominent form of development in a corner location harmful to the visual amenities of the Brackendale Close and Portsmouth Road streetscenes and surrounding area, including the Wooded Hills character area. The proposal would therefore fail to respect and improve the character and quality of the area and would be harmful to the aims and objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012 and Guiding Principles WH1, WH3 and WH6 of the Western Urban Area Character Supplementary Planning Document 2012.

2. The proposed development, due to its height, design, mass, scale, proximity to the northwest flank boundary and rear projection, and number of windows proposed at first floor level (and above) in the northwest flank elevation, would be an unneighbourly form of development resulting in adverse overbearing effects and potential and perceived loss of privacy detrimental to the residential amenities of the occupier of the adjoining residential property, 29 Brackendale Close. The proposal is therefore contrary to Policy DM9 of the Core Strategy and Development Management Policies 2012.

Reasons 3 -5:

Harm to the Thames Basin Heaths Special Protection Area (SPA) with no mitigation or legal agreement; insufficient information to justify the proposal and its impact on trees on the site and on adjoining land.

4.0 THE PROPOSAL

4.1 The application seeks full planning permission for the construction of a two storey apartment building to provide 30 affordable dwelling units, following the demolition of the existing dwellings known as 29, 30 and 30a Brackendale Close. It is also sought to provide a parking area at the front of the site large enough to accommodate 30 vehicles as well as landscaping and a pedestrian link from Portsmouth Road.

4.2 The proposed building would be centrally located within the site and set back approximately 13.6m from its southern boundary which fronts onto Brackendale Close. The proposed building has an L shaped footprint and would have a maximum width of 30.2m at the rear (reducing to 16.86m at the front), an overall depth of 38 and a maximum roof height of 9.9m, with a height to the eaves of 5.62m. It would cover an overall footprint area of approximately 842m².

4.3 The building is designed with a multi-aspect hipped roof with gabled and hipped projections and would feature boxed dormer features and projecting balconies to all elevations. It would be constructed with traditional materials, including clay roof tiles and brickwork elevations with white upvc window units. Hanging tiles is also proposed on the upper level of the gabled projections.

4.4 The scheme would provide 30 parking spaces to the front of the building which include 2 disabled bays and 6 electric vehicle charging points. Two hipped roofed and brick-built bicycle parking stores large enough to accommodate 15 cycles each are proposed to either side of the building next to the eastern and western boundaries of the site, and timber constructed bin store would be situated adjacent to the site entrance. A new centralised vehicular access would be provided to the site from Brackendale Close.

4.5 The principal amenity space for residents would be a landscaped garden area that wraps around the northern, eastern and western sides of the apartment building. The garden area would be located behind the parking forecourt and cycle stores and would be contained to the north, east and west by existing hedge and tree lined boundary treatments. The area would be accessible from all of the ground floor flats as well as from communal entrances at the front and rear of the building. In addition to the garden area, each first floor apartment would have access to a private balcony measuring at least 3.8m in width by 2m in depth.

4.6 Where applicable, reference will be made to the following documents that have been submitted in support of the proposed development:

- Arboricultural Report
- Air Quality Assessment
- Ecology Report
- Design and Access Statement
- Planning Statement
- Sustainability Statement
- Transport Statement
- Drainage Report

5.0 CONSULTATION RESPONSES

5.1	County Highways Authority	No objections, subject to conditions and a S278 agreement to secure improved pedestrian crossing facilities at the entrance to Brackendale Close. *See Annex A for a copy of their comments.*

5.2	Council's Housing Servicing Manager	No objection following review of the viability as whilst there is a need for affordable rented units, the provider also brings forwards sites that are fully affordable rented.
5.3	Council's Urban Design Consultant	Supports the proposal.
5.4	Council's Arboricultural Officer	Objection as the proposal fails to adequately protect important green infrastructure or to allow space to accommodate new and future potential planting and fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area
5.1	Thames Water	No objection with regards to foul water and surface water network infrastructure capacity. However, the site lies within 20 m of the Thames Water Pumping Station and an informative is recommended if permission is granted requiring the developer to make future occupiers aware of the potential periodic impacts upon amenity in the form of odour, light, vibration and/or noise from the pumping station.
5.2	Environmental Health Officer	No objection subject to a condition that the window and attenuation details set out within the agreed Acoustic Design Scheme (S7) of the submitted Noise Impact Assessment are complied with. The air quality assessment indicates that no mitigation measures are required as relevant pollution standards will not be compromised.
5.3	Southern Electricity	No objection.
5.5	Lead Local Flood Authority	No objection subject to conditions
5.6	Surrey Wildlife Trust	No objection, but conditions recommended to secure a Construction Environmental Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) prior to the commencement of development
5.7	Joint Waste Solutions Officer	No objections raised
5.8	Council's Viability Consultant	No objection.

6.0 REPRESENTATIONS

6.1 Notification letters were sent to 61 neighbouring properties on 17th January 2021. The application was advertised in the press on 26th January 2021 and a site notice was posted outside the site on 18th January 2021. At the time of the preparation of this report, 34 representations have been received, all in objection to the proposed development. These representations include a letter from the Brackendale Close Residents Association.

6.2 The representations raised the following concerns:

Principle of development *[Officer comment: see section 7.3]*

- The proposal does not represent well designed development and would have detrimental impacts upon the local community.

Impact on the character of the area *[Officer comment: see section 7.4]*

- The height, scale, massing and general design of the proposed development is out of character for the area
- The development would dominate and alter the existing semi-rural character of Brackendale Close

Impact on neighbouring amenity *[Officer comment: see section 7.5]*

- The proposed development would have a detrimental impact upon neighbouring privacy
- The proposal would lead to a loss of light to neighbouring properties
- The proposed development would be overbearing upon neighbouring properties

Highways impacts *[Officer comment: see section 7.6]*

- The development would provide insufficient parking
- The proposal would result in traffic and highway safety issues, particularly at the junction of Brackendale Close and Portsmouth Road
- The proposal would lead to vehicles parking on Brackendale Close itself, which is otherwise currently largely unobstructed by cars
- The local public transport service is insufficient for a development of this scale

Environmental Health impacts *[Officer comment: see section 7.7]*

- The proposal would result in an increase in pollution in the area
- The proposal would exacerbate surface water drainage issues in the local area
- The proposed development, including demolition and removal of existing vegetation would have a detrimental impact upon local wildlife

7.0 PLANNING CONSIDERATIONS

7.1 The proposal is considered against the National Planning Policy Framework (NPPF), the National Design Guide, relevant policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP) including Policies CP1, CP2, CP3, CP5, CP6, CP11, CP14A. CP14B, DM7, DM9, DM10 and DM11, saved Policy NRM9 of the South East Plan 2009, the Thames Basin Heaths SPA Avoidance Strategy SPD 2009, the

Surrey Heath Residential Design Guide SPD 2017 (RDG), and the Western Urban Area Character Appraisal SPD 2012 (WUAC).

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

- Principle of development and housing supply
- Impact on local character and trees
- Impact on residential amenity
- Highway impacts
- Affordable housing provision and housing mix
- Impact on ecology and biodiversity
- Impact on the Thames Basin Heath's Special Protection Area
- Other Matters

7.3 Principle of development and housing supply

7.3.1 The Council is able to demonstrate a Five-Year Housing Land Supply, with the appropriate buffer included. The five-year housing land supply position is assessed to be 7.20 years, based on the most recent evidence published in the Surrey Heath Strategic Land Availability Assessment (2021) and the Council's Five-Year Housing Land Supply Statement (2021). In addition to this, Surrey Heath's result from the most recent Housing Delivery Test measurement (2021) is 132%, which is greater than the threshold of 75% as set out in footnote 8 of the NPPF. Therefore, the development plan and its policies may be considered up-to-date with regard to paragraphs 11 and 75 of the NPPF.

7.3.2 The Council's spatial strategy, under Policy CP1 of the CSDMP, directs housing to the western side of the borough. The proposal is therefore consistent with this policy, as it would provide a residential development on an existing residential site within the Camberley settlement boundary, and as such would be acceptable in land use terms. However, mindful of the fact that the Council can demonstrate a 7.2 year housing land supply – well in excess of the 5 year HLS required by the NPPF, the principle of the proposed development is dependent on the scheme satisfying all other material planning considerations, including those that are detailed within Policy CP2 of the CSDMP. These other material considerations are discussed in further detail below.

7.4 Impact on local character

7.4.1 In line with section 12 of the NPPF, Policy CP2 of the CSDMP states that the Borough Council will require development to ensure that all land is used efficiently within the context of its surroundings, and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.

7.4.2 The site lies within the Wooded Hills Character Area of the WUAC. Pressures on this character area include the progressive loss of the large irregular plot

as they are subdivided and replaced by denser development and more urban housing developments; and, urbanisation of the semi-rural character through the loss of dense vegetation cover. Guiding principles WH1 -WH6 seek to ensure that development proposals uphold the important characteristics of the area, by maintaining its spacious, semi-rural and verdant character.

7.4.3 The RDG further amplifies the protection of this character. This includes, inter alia, principle 6.4 that states that housing development should seek to achieve the highest density possible without compromising local character or the appearance of the area. Principle 6.6 requires new development to respond to the size, shape and rhythm of surrounding plot layouts, and Principle 6.7 requires parking layouts that should be softened with generous soft landscaping and no more than 3 parking spaces grouped together without intervening landscaping. Principle 6.8 prefers on plot parking to the side or rear and where front of plot parking is proposed, requires it to be enclosed with soft landscaping. Principle 6.11 requires clear definition of the boundaries of public and private space within housing developments. Principle 7.1 establishes that setbacks in new developments should complement the streetscene and allow for suitable landscaping. Principles 7.3 – 7.5 requires heights, form and massing to reflective of its surroundings. Finally, 7.8 requires attractive buildings that positively contribute to the character and quality of an area.

7.4.5 The development scheme represents a significant increase in terms of the built footprint of the combined sites, and the main building and site proportions would be markedly different in terms of size and scale than any other development plot in Brackendale Close. That being said, efforts have been made to limit the scale of the building to 2.5 storeys and to employ a traditional style of design with high quality materials to reflect the general architectural character of the close, and the Council's UDC has complimented the scheme for its general design, scale, proportions and density.

7.4.6 However, notwithstanding the UDC comments at 30.2m in width and 38m in depth, in the officer's opinion the proposed building would appear unrelatable to other neighbouring and nearby developments within the close, which are generally characterised by large evenly spaced detached singular dwellings that are set back from the highway and situated within extensive, heavily vegetated curtilages. By creating a building that would have a 30.2m building envelope as viewed from Brackendale Close, and a 38m envelope as viewed from the rear of neighbouring properties, the proposed apartment block would dwarf the majority of buildings within the street-scene and would diminish the semi-rural and spacious character of the close, particularly given the fact that the building would be accompanied by a large hardstanding at the front of the site, which would to the removal of visible green infrastructure from the intervening boundary line of the existing plots. These characteristics of the scheme directly contradict the guiding principles for development within the Wooded Hills, which state that proposals that are contrary to the prevailing development form of detached houses set in generous individually enclosed plats will be resisted, and that the creation of hard urban landscapes through the introduction of large areas of hardstanding will also be resisted (Guiding Principles WH1, WH2 and WH3.

7.4.7 By merging the existing plots and creating a large singular building, the proposal would also have a detrimental impact upon the planned development pattern of the close as well its established density of development. Whilst it is appreciated that the neighbouring site to the north provides a development of 10 flats, and that no. 28 Brackendale Close to the west has been divided into apartments, it is evident when visiting the site that 1-10 Brackendale Court is set within a markedly different context as it fronts on to Portsmouth Road and is neighboured by the Toby Carvery/Travelodge development to the north, and that 28 Brackendale Road is a former dwelling that has been converted into flats (in excess of 40 years ago), but which still maintains its originally planned dwelling character. By introducing a scheme that has a development density of 93.75 dwelling units per hectare, it is considered that the proposal would be incompatible with and uncharacteristic of the Brackendale Close street-scene, and would be contrary to WUAC principle WH2 as identified above, in particular. The proposal's density would therefore conflict with RDG principle 6.4 .

7.5.9 With regard to landscaping, it must also be noted that the car parking forecourt does not meet the requirements set out with Principles 6.6 and 6.8 of the RDG, as they are proposed with very limited soft landscaping to relieve the large areas of hardstanding. Whilst additional planting is proposed to the roadside boundary, this lack of green infrastructure to break up the massing of the parking area would lead to the erosion of the verdant character of the site. Further to this, it is felt that this impact would be extended to wider street-scene as the site is placed in an important location at the front of the Close.

7.5.10 Overall, it is therefore considered that the proposal is not acceptable in terms of its impact on character for the above reasons and would cause harm to the character of the area. It therefore conflicts with Policies CP2 and DM9 of the CSDMP, Principles 6.2, 6.4, 6.6, 6.7, 6.8, 7.3 and 7.8 of the RDG, Principles WH1, WH2 and WH3 of the WUAC, and the NPPF.

7.6 Impact on trees

7.6.1 Policy DM9 of the CSDMP reinforces the NPPF aims (paras. 131 and 174 refer) by requiring the protection of trees and other vegetation worthy of retention.

7.6.2 As mentioned, the site is contained by a number of mature and semi-mature trees on all sides. None of these trees lie within a Conservation Area or are protected by a Tree Preservation Order, but a number of them, particularly those situated along the eastern and southern boundaries of the site hold a significant amount of amenity value for the area. The trees situated along the eastern boundary of the site are rooted in land that is elevated from the floor level of the proposal by virtue of the banked topography on this side of the site. However, the planting at the front of the site which includes a mature Oak, is deemed to be of particular importance by the Council's Arboricultural Officer, are considered to be more at risk by virtue of their proximity to the proposed parking area and bin store building.

7.6.3 The submitted Tree Report and Arboricultural Impact Assessment Plan identify 14 category C and category U trees that would need to be removed to

accommodate the development, all of which are relatively small fruit trees or Cypress' set in from the site's boundaries. However, all of the trees situated on the outer edges of the site that contribute the visual amenity and verdant character of the surrounding area would remain. The report recommends mitigation measures to ensure no disturbance to roots including permeable materials and no dig zones.

7.6.4 However, the Council's Arboricultural Officer has reviewed the proposal and accompanying tree report documents and has raised concerns that the proposed parking area would result in in the incursion of hard surfacing over approximately 50% of the RPA associated with the mature Oak tree to the front of the site, identified as T21 on the Arboricultural Impact Assessment Plan. This would exceed the maximum 20% allowance for light structures as recommended within the relevant British Standards, and would result in the removal of soft ground, thereby denying the tree's roots the ability to carry out gaseous exchange and absorb moisture and nutrients. Accordingly, it is considered that the current proposal would not guarantee the long-term viability of the tree and would likely result in harm to its long term viability. In addition, the Arboricultural Officer has raised concerns that the layout of the scheme offers limited opportunity for planting to enhance the site and to provide compensation for the specimens that would be removed, due to the built footprint of the site, the amount of hard surfacing that is proposed and the proximity of existing trees situated along the site boundaries, and their root protection area, which would compete with and likely result in the failure of any new planting.

7.6.5 For the above reasoning, trees and the verdant character of the area cannot be protected to the satisfaction of officers. The proposal is therefore contrary to DM9 of the CSDMP, Principle WH1 and WH3 of the WUAC, and the NPPF

7.7 Impact on residential amenity

7.7.1 Paragraph 130 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

7.7.2 Policy DM9 of the CSDMP states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.

7.7.3 Principle 7.6 of the RDG states that as a minimum, the Council will expect new housing development to comply with the national internal space standards. Principle 8.1 states that new residential development should be provided with a degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Principle 8.2 requires habitable rooms in new residential development to maintain an adequate outlook to external spaces. Principle 8.3 requires the occupants of new dwellings to be provided with good quality daylight and sunlight and should not result in a loss of daylight and sunlight to neighbouring dwellings. Principle

8.4 sets the minimum outdoor amenity space sizes for new dwellings. Principles 8.5 and 8.6 set the standards for outdoor amenity space for flats.

7.7.4 As previously mentioned, the application site is contained to the north by a development of 10 flats at Brackendale Court, and to the west by 28 Brackendale Close, which has also been converted into flats. The intervening boundaries between the site and these properties are occupied by thick trick lined hedgerows and as such there is a good deal of screening provided between the sites.

7.7.5 The proposed apartment building would occupy a significant portion of the application site and would sit approximately 9.2m from its northern boundary and 11.4m from its western boundary. When considering the scheme's relationship with the neighbouring buildings, the development would maintain a distance of 12.7m from Brackendale Court and 19.5m from 28 Brackendale Close.

7.7.6 A number of concerns have been raised by local residents that the proposed development would have a detrimental impact upon the amenities of the occupiers of these dwelling by virtue of creating views that would harm their privacy and light availability. Whilst visiting the site, these potential impacts were considered, however, due to the fact that the development would be limited to 2.5 storeys and would retain significant gaps from the neighbouring buildings, it is unlikely that a perceptible loss of daylight or sunlight would occur to the neighbouring properties.

7.7.7 The provision of a 19.4m gap between the western flank elevation of the proposed building and the opposing elevation of 28 Brackendale Close would ensure that any views from the first floor windows at this side of the building would not have a significant impact upon the privacy of neighbouring occupiers, due to their distance and the presence of intervening vegetation. Further consideration was given to the impact of the north facing balcony upon the amenities of the occupies of the dwelling units served by the first floor south facing windows of Brackendale Court. However, following an inspection of the approved plans for the neighbouring development, these opposing windows serve kitchen areas, which generally hold a reduced level of amenity value due to not being a primary habitable room. Notwithstanding this, it is highly likely that views between the balcony and these windows will be restricted due to the presence of intervening vegetation which would remain unaffected.

7.7.7 Due to the situation of the main building and the provision of significant space between it and neighbouring properties, there are also no concerns that the proposal would have a detrimental impact upon the neighbouring outside amenity areas by means of creating a sense of enclosure or being overbearing.

7.7.8 In term of the amenities of potential future residents of the application scheme, all of the units appear to comply with the national prescribed internal space standards for 1 and 2 bed flats, which is 50m² for a 1-bed 2-person dwelling, 61m² for a 2-bed 3-person dwellings and 70m² for a 2-bed 4-person dwelling, respectively. In addition to this, the first-floor apartments would be provided with private balconies that measure 7.6m in area, and which have a

width and 3.8m and depth of 2m, thereby complying with the requirements set out in Principle 8.6 of the RDG. No private amenity areas are marked out on the submitted plans for the ground floor flats, however it is considered that sufficient space could be provided through the implementation of planting or railings, which could be secured by condition were the scheme to be approved.

7.7.9 In addition to the private amenity spaces, the development would be served by a 650m² landscaped garden area that wraps around the northern, eastern and western side of the building. Whilst much of this garden space would be subjected to shading caused by surrounding vegetation at various points of the day, it is considered to be large enough to ensure that areas would be subjected to sunlight throughout most of the day.

7.7.10 Concern has been raised by local residents over the impacts of noise and air quality, both for the future occupiers of the development given its proximity to Portsmouth Road, and also for existing nearby residents, due to removal of some trees and the generation of traffic and general activity associated with the development. The applicant has submitted a noise report alongside the application and the Environmental Health Officer (EHO) has been consulted. The EHO has stated that due to high levels of traffic noise from both the M3 and the A325, the living conditions of potential future occupiers of the scheme would be detrimentally impacted upon unless effective sound insultation and ventilation attenuation is provided in accordance with the details set out within the Acoustic Design Scheme of the submitted Noise Impact Assessment. Accordingly, if the application were to supported, a condition to secure the implementation of an effective noise mitigation scheme is required and recommended.

7.7.11 The applicant has also submitted an air quality assessment which concludes that the development would not have a detrimental impact upon local pollution levels either during construction or once operational. The EHO Officer has accepted the findings of this report and has confirmed that no mitigation measures are required.

7.7.12 Overall, it is therefore considered that the proposed development would not create a situation that would result in significant harm to the privacy or residential amenity of the occupiers of neighbouring dwellings and would provide acceptable levels of amenity and a good quality living environment for potential future occupiers of the scheme. As such, the proposal is deemed to be in accordance with the relevant national and local planning policies as detailed above.

7.8 Highway impacts

7.8.1 Policy CP11 of the CSDMP reaffirms paragraph 108 of the NPPF that states that in assessing specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location; that safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree. Paragraph 109 also states that development should only be prevented or refused on highway

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Site access and parking

7.8.2 The development would be served by a new 5m wide vehicular access onto Brackendale Close and a parking area at the front of the site large enough to accommodate 30 vehicles (at one space per dwelling unit). In addition, two cycle storage buildings are proposed that will provide space for a total of 30 cycles. The County Highways Authority has reviewed the proposal and has confirmed that the visibility splays associated with the new access are suitable and that the proposed level of vehicle and cycle parking at 1 space each per dwelling is compliant with Surrey Heath Borough Council's adopted parking standards. Accordingly, it is concluded that the proposed parking provisions would be sufficient to accommodate resident parking on site.

7.8.3 Notwithstanding the above, it is recognised that some visitor parking may need to take place on Brackendale Close, however, given that no objection has been received from County Highways, it is concluded that any overspill of parking is not likely to cause a highway safety issue, nor a serious amenity issue on Brackendale Close. It is therefore not considered that this should form a reason for refusal.

Highway safety

7.8.4 The proposal would add 28 dwellings to the highway network in this area, and it is anticipated that it would generate approximately 104-108 vehicle movements per day with 10-11 movements in each of the peak hours. Whilst this may sound a significant increase for the area, County has confirmed that the proposed access and associated visibility splays are sufficient for dealing with the anticipated level of use and that the level of trip generation is not expected to have a material impact on the local highway network, given the double lane width of Brackendale Close and the open nature of its junction with Portsmouth Road.

7.8.5 It is noted that a number of objections have been received that raise concerns over the highway safety impacts of the scheme, particularly on pedestrians entering and moving across the junction of Brackendale Close and Portsmouth Road. However, the applicant has agreed to provide a pedestrian link to the public footpath on the western side of Portsmouth Road as well as an informal crossing point across Brackendale Close at the junction with Portsmouth Road, which would help to formalise and highlight pedestrian activity in and around the site and adjacent junction. Mindful of the fact that the County Highways Authority has accepted these arrangements, it is therefore considered that the scheme would not give rise to significant risks to highway safety.

Sustainability

7.8.6 In terms of sustainability, the site is located within the Camberley settlement boundary and is situated next to Portsmouth Road, and immediately adjacent to a bus stop that provides public transport links to Frimley and Camberley via the number 3 and X94 services. In addition, the public footpath on the western side of Portsmouth Road, immediately adjacent to the site is a designated

cycle route, and a pedestrian link is proposed within the scheme to provide direct access to this public right of way and bus stop to encourage their use.

7.8.7 In addition to the above, the applicant has confirmed that all of the proposed parking spaces will be provided with electric vehicle fast charging points in order to cater for and encourage the use of electric vehicle.

7.8.8 Overall, it is therefore considered that the proposed development would be acceptable on access, parking and highway safety grounds, in accordance with Policies CP11 and DM11 of the CSDMP, and NPPF, subject to the compliance of conditions to secure the implementation of the agreed arrangements, and the securing of a construction transport plan, as well as successfully obtaining a S278 agreement for the provision of improved pedestrian crossing facilities, which would have been applied / achieved in the event of the application being recommended for approval.

7.9 Affordable housing provision and housing mix

7.9.1 Policy CP5 of the CSDMP states that development of 15 or more units should provide 40% on site provision of affordable housing. Given that this proposal would deliver 100% affordable housing, in principle, the proposal would comply with adopted policy.

7.9.2 Policy CP6 establishes that the Council will promote a range of housing types and tenures with a percentages split between intermediate and social rented over 1 bed – 4 bed dwellings. However, all of the proposed units would be of shared ownership tenure, and either 1 or 2 bed, with 9 x 1-bed units (30%) and 21 x 2-bed units (70%) proposed. Given that the affordable mix and unit size mix would not comply with CP6, the applicant has submitted a viability assessment alongside the application which seeks to justify the provision.

7.9.3 The submitted viability assessment estimates the Benchmark Land Value of the entire site at £2,604,000 and concludes that the proposed scheme would deliver a residual land value of -£81,066, thereby making the provision of affordable rent housing unviable. The report goes on to state that the total operating profit of the scheme would be £243,544, which amounts to roughly 6 % of the GDV. This figure is below guidance set out within the national Planning Practice Guidance, which establishes that for the purpose of plan making, an assumption of 15-20% of GDV may be considered a suitable return to developers in order to establish the viability of development.

7.9.4 The Council's Viability Consultant has confirmed that whilst some of the inputs and assumptions can be adjusted, the scheme does not provide sufficient viability to provide affordable rent units in addition to intermediate housing. It should also be noted that the Council's Housing Services Manager has no objections to the provision of 100% of the units as intermediate as the provider regularly brings forward 100% affordable rent schemes and therefore in the interests of ensuring a balanced stock, in this instance, the proposed provision is acceptable. It is also recognised that there is a need for 1 and 2-bed units within this part of the borough, and that the proposal would provide a valuable source of affordable small homes for residents.

7.9.5 As such, there is no objection to the type of affordable housing proposed. However, as no legal agreement has been entered into in respect of the delivery of the affordable housing, this also forms a reason for refusal.

7.10 Impact on biodiversity

7.10.1 Paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 175 states that when determining planning applications, if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath, and that development that results in harm to or loss of features of interest for biodiversity will not be permitted.

7.10.3 The applicant has submitted a Ecology Report, including a Bat Survey. Whilst the report confirms the likely absence of active bat roost, given the mobility of bats, Surrey Wildlife Trust recommends that a precautionary approach to works be taken with the development implemented in accordance with the recommendations set out within the submitted Ecology Report, which can be conditioned. The report also confirms that it has not been possible to carry out an internal survey of 29 Brackendale Close and therefore a follow-up check should be carried out prior to the commencement of development by an experienced and suitably licensed ecologist.

7.9.4 SWT has recommended that a Construction Environment Management Plan should be secured via condition prior to the commencement of development that will include pre-works bat inspection of no.29 and other safeguards for biodiversity. Additionally, SWT proposes a condition for a Landscape Environmental Management Plan, given the trees providing important habitats, and the need to demonstrate biodiversity net gain in line with the NPPF.

7.9.5 Subject therefore to these conditions, the proposal would accord with Policy CP14A and the NPPF.

7.10 Impact on the Thames Basing Heath's Special Protection Area

7.10.1 Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).

7.10.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and the site lies approximately 2km from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA and that all elsewhere within the 5km zone of influence, all new development is required to either provide SANG on site for larger proposals) or for smaller proposals such as this, provided that sufficient SANG is available to be allocated to the development, a financial contribution towards SANG provisions, which is now collected as part of CIL. There is currently sufficient SANG available to be allocated to this development if it was being granted permission, and this development would be CIL liable, so a contribution would be payable upon the commencement of development.

7.10.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and depends on the sizes of the units proposed. SAMM is payable prior to a decision being made on the application, or a legal agreement is required to be completed to ensure payment of SAMM at a later date. Given that this application is not acceptable in other regards, the SAMM payment has not been requested from the applicant and as such it forms a reason for refusal. However, in the event of an appeal, this reason could be overcome by payment of the SAMM charge.

7.11 Other matters

7.11.1 This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. An informative will be added to the decision advising the applicant of the CIL requirements in the event of an appeal.

Flood risk and drainage

7.11.2 The application site is located within Flood Zone 1 and is less than 1 ha in size, and as such no Flood Risk Assessment was required. However, a FRA / Drainage Report has been submitted, which establishes that surface water from the development, including new impermeable parking area, will be subjected to restricted discharge rates through the implementation of areas of permeable paving and cellular onsite attenuation tanks. The LLFA has confirmed that the proposed drainage scheme complies with policy, subject to conditions to secure a final detailed drainage scheme prior to the

commencement of development as well as a final verification report to demonstrate that the agreed scheme has been implemented. The proposal would therefore comply with Policy DM10 of the CSDMP and the NPPF.

Refuse and recycling

7.11.3 The Joint Waste Solutions Operations Manager has reviewed the proposal and has confirmed that there are no objections to the access arrangements to the site. However, it has been assessed that the proposed units would require waste storage capacity of 5,850 litres for both general waste and recycling, as advised by the JWS' Operations Manager, and the submitted plans indicate that the proposed bin store would only provide sufficient space for 6 x 1100l Eurobins, which would provide a waste storage capacity shortfall of 5100l.

7.11.4 This shortfall in waste storage capacity would likely give rise to waste being left in unsuitable and unsafe places, which could result in harm to the visual amenities of the site as well as unsanitary and unhygienic conditions, which could pose a health risk to occupiers of the development as well as the occupiers of neighbouring properties. Accordingly it is therefore considered that the proposal fails to comply with criterion (vi) of Policy DM9 of the CSDMP.

Renewable energy

7.11.4 Policy CP2 of the CSDMP supports sustainable development including measures to promote energy efficiency. In this regard, the application is accompanied by a Sustainability and Energy Statement which indicates that the scheme could be served by a combination of photovoltaic panels, flue-gas heat recovery units and waste water heat recovery units, and that such installations could result in carbon reductions of up to 12.57%, which exceeds the 10% carbon reductions target detailed within Policy CP2. It is also confirmed that water efficiency measures would be installed within the apartments to restrict water usage to a maximum of 110l per person / per day in order to comply with building regulations requirements. As such, it is considered that these provisions would provide appropriate carbon savings and renewable energy sources on site and comply with the requirements of Policy CP2 of the CSDMP.

8.0 POSITIVE/PROACTIVE WORKING & PUBLIC SECTOR EQUALITY DUTY

8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraph 38 of the NPPF. This included one or more of 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 suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

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

9.0 CONCLUSION

9.1 There is a presumption in favour of sustainable development and the provision of additional housing in this location is considered to be acceptable in land use terms, given the site's existing use and situation within the Camberley. The provision of 100% affordable housing also weighs in favour of the proposal despite the lack of affordable rent accommodation and family sized (3 and 4-bed) units, although this has not been secured with a legal agreement. However, the proposal's layout, quantum of development and the scale and massing of its built form is not considered acceptable in terms of its significant impact on the verdant and spacious character, and development pattern of the Brackendale Close and upon existing trees surrounding the site which provide significant amenity value. The proposal would also fail to provide sufficient levels of waste and recycling storage which could lead to visual amenity and health concerns arising. In the officer's opinion these adverse impacts would demonstrably and significantly outweigh the social and economic benefits of the scheme, and it is therefore recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed development by reason of its scale, massing, general arrangement, proposed quantum and density of units would be harmful to the prevailing character and visual amenities of Brackendale Close by virtue of the fact that it would introduce a flatted development that far exceeds the general built form of other neighbouring and nearby properties within the local street-scene and would be inconsistent with the pattern of development found

within the close (where the site frontage is located), which is largely characterised by singular dwellings set within lineal curtilages of generally similar sizes. As such, the proposal would represent a dominant and incongruous form of development when viewed from within the context of the surrounding street scene and would therefore fail to respect and improve the character and quality of the area, including the Wooded Hill Character Area. It would also deliver an insufficient level of on-site parking for the number of residents that the scheme could potentially accommodate, plus associated visitors, and as such would be likely to result in the displacement of vehicles onto Brackendale Close, which would have a significant impact on the open character of the Close and introduce highway safety concerns due to the introduction of obstacles that would impede the free flow of traffic. In addition, the scheme does not allow for designated private amenity space for the ground floor flats and as such would provide insufficient amenity provisions for the occupiers of these units.

Accordingly, the proposal would fail to comply with Policies CP2(iv), DM9 and DM11 of the Surrey Heath Core Strategy & Development Management Policies 2011 - 2028, Principles 6.2, 6.4, 6.6, 6.7, 6.8, 7.3, 7.8 and 8.6 of the Residential Design Guide Supplementary Planning Document 2017, Principles WH1, WH2 and WH3 of the Western Urban Area Character Supplementary Planning Document 2012, and Paragraph 124, 127 and 130 of the National Planning Policy Framework.

2. The development scheme would offer a significant under provision of waste storage capacity for the number of units that are proposed, which would likely give rise to waste being left in unsuitable and unsafe places, thereby resulting in harm to the visual amenities of the site as well as unsanitary and unhygienic conditions that would pose a health risk to occupiers of the development as well as the occupiers of neighbouring properties. Accordingly, it is therefore considered that the proposal fails to comply with Policy DM9 (vi) of the Surrey Heath Core Strategy & Development Management Policies 2012.

3. The application fails to adequately demonstrate that it could ensure the protection of important green infrastructure and trees within and around the site that contribute to positively to the verdant character and appearance of the area including the Wooded Hills Character Area and does not provide sufficient space to accommodate new and future potential planning that would be able meet maturity. Accordingly, the proposal would be contrary to Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, and Principles WH1 and WH3 of the Western Urban Area Character Supplementary Planning Document 2012, as well as Paragraphs 131 and 174 of the National Planning Policy Framework.

4. 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 2009 (as saved) in relation to the provision of contributions towards Suitable Alternative Natural Greenspaces (SANGs) and 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 2019.

5. In the absence of a legal agreement to secure the required provision of affordable housing, the proposal is contrary to Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. In the absence of a legal agreement to secure the required provision of improved pedestrian crossing facilities at the entrance of Brackendale Close, the proposal is contrary to Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.

2. The proposal would require the infilling of an existing swimming pool located to the rear of no. 30 Brackendale Close. In the event of the submission of a further application, it should be clarified how this swimming pool will be removed and the land infilled, and what materials would be used to achieve this. It should be noted that a mixture of miscellaneous, contaminated or non-biodegradable materials would not be accepted.

AUTHORISATION

As agreed under the Council's Constitution and adopted Scheme of Delegation

Development Manager/Team Leader/ Principal Planning Officer (s)

Date: 19th May 2022

11/P Application Number: 21/1268 - 29, 30 & 30A Brackendale Close, Camberley

The application was for the redevelopment of site to provide 30 no. Affordable Apartments with associated access, hardstanding, carparking, landscaping, Bin and Cycle stores following the demolition of No. 29 and No. 30 Brackendale Close and associated outbuildings.

As the application triggered the Council's Public Speaking Scheme, Ms Lizzie Beresford spoke on behalf of the Brackendale Close Resident's Association in objection to the application.

Citing the nearby Scarlet Oaks development, Members felt that the level of proposed parking was inadequate for the proposed quantum of development which would have a knock-on effect on nearby residential amenity. It was agreed that an additional reason for refusal would be added to the officer's recommendation on the premise that the potential number of occupants along with visitor and disabled parking was insufficient for the location and environment and would result in an unacceptable level of cumulative impact.

The officer recommendation to refuse the application was proposed by Councillor Edward Hawkins, seconded by Councillor Victoria Wheeler and put to the vote and carried.

RESOLVED that

I. application 21/1268 be refused for the reasons in the officer report, and the additional reason for refusal; and

II. the wording of the additional reason for refusal be delegated to the Head of Planning in consultation with the Chairman, Vice-Chairman and Ward Councillors.

Note 1

It was noted for the record that

i. Councillor Edward Hawkins declared that he had been contacted by residents in respect of the application, but did not engage and came into the meeting with an open mind;

ii. Councillor Cliff Betton declared that his daughter use to own and live at 28 Brackendale Close, but had since sold and moved out of the property;

iii. Councillors Robin Perry and Edward Hawkins declared that all Committee members had received various pieces of correspondence relating to the application.

Note 2

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the officer recommendation to refuse the application:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, David Lewis, Robin Perry, Darryl Ratiram, Morgan Rise, Graham Tapper, Victoria Wheeler, Helen Whitcroft and Valerie White.