

<b>LOCATION:</b>	Hagthorne Cottage Nurseries , Lucas Green Road, West End, Woking, Surrey, GU24 9LZ
<b>PROPOSAL:</b>	Demolition of existing poly building and erection of detached storage building
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr D Dunne/Hagthorne Cottage Nurseries
<b>OFFICER:</b>	Duncan Carty

**This application is being reported to the Planning Applications Committee because the proposal is a major development (i.e. relating to a non-residential building over 1,000 square metres in floorspace)**

**RECOMMENDATION: GRANT subject to conditions**

## **1.0 SUMMARY**

- 1.1 This planning application relates to the erection of a building in place of the existing polybuilding for a car storage use. The site lies to the south west of the settlement of West End, located in the Green Belt.
- 1.2 The proposal is considered to not be inappropriate development in the Green Belt and acceptable in terms of its impact on local character, trees and streetscene; residential amenity; highway safety; drainage/flood risk; ecology and the Thames Basin Heath Special Protection Area (SPA).
- 1.3 The application is therefore recommended for approval.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site lies on the south side of Lucas Green Road. The site lies about 1.1 kilometres south west of the settlement of West End, lying within the Green Belt and about 100 metres from the Thames Basin Heaths Special Protection Area (SPA). Florence House, a House in Multiple Occupation (this use being considered under a lawful existing development certificate 22/0966/CEU) lies to the south west flank, and Spring Cottage and The Cottage lie to the rear of the site. Hagthorne Cottage, and its residential garden, forms part of the wider site and is owned/occupied by the applicant. Woodland, which is also common land, lies to the front of Florence House, between that property and Lucas Green Road. There is more extensive woodland opposite the site with the commercial Timber (Gregory's) Yard site lying behind part of this woodland on the north west side of Lucas Green Road.
- 2.2 The application site is a former nursery with a large polybuilding on the site and a former barn, and other structures. The authorised use of the site is as a car storage facility and preparation of cars for sale. The polybuilding is used as the car storage by West End Garage, as authorised, for up to 60 cars. The site is relatively flat and hardstanding dominates the appearance of the site.

- 2.3 The existing polybuilding is centrally positioned, but extending up to the south west flank boundary with Florence House. The existing polybuilding measures 29.7 metres in depth by 53 metres in width (having an area of 1,574 square metres) with a series of roof ridges extending to a maximum height of 5.2 metres, reducing to 3.9 metres at the eaves/valleys.

### **3.0 RELEVANT HISTORY**

- 3.1 19/0064 Change of use of nursery land and buildings to provide car storage and preparation along with parking and access (whilst retaining existing dwelling and associated garage).
- Approved in October 2019. The permission included conditions limiting the use of the polybuilding to the storage of cars and the barn building for the preparation of vehicles for sale elsewhere; limitations on hours of operations; limitations on the number (60) of cars stored at the site; with no heavy goods vehicle (including car transporters) or customers accessing the site. An informative was added to confirm that the valeting and light repairs to cars can be undertaken within the barn building.
- 3.2 23/0543/FFU Demolition of existing dwellinghouse with two outbuildings and erection of replacement house.
- Refused permission in November 2023.

### **4.0 THE PROPOSAL**

- 4.1 The application proposal relates to the replacement of the existing polybuilding with a storage building for the authorised use of the site for car storage and preparation.
- 4.2 The proposed building would be located a minimum of 3.3 metres from the flank boundary with Florence House, and a minimum of about 3.0 metres from the front boundary of the site. The other buildings on the site, including the host dwelling, Haghthorne Cottage, would be unaffected by the proposal.
- 4.3 The proposed building would have a width of 29.7 metres and a depth of 52.9 metres, providing an external floor area of 1,571 square metres, with a low-pitch gable roof with, in its amended form, a maximum height of 5.2 metres, reducing to 3.6 metres at the eaves. This amounts to a very small decrease in the floorspace of the principal (i.e. largest) building on this site (Section 7 of this report provides a comparison table of existing and proposed dimensions).
- 4.4 The proposed building would be used for the storage of cars (up to 60 cars) with ancillary accommodation including ancillary offices and staff welfare facilities (changing rooms, WCs and break out facilities). The facilities are required to be used to improve staff facilities at the site, noting the small increase in workforce (from 7 to 10 staff) and to provide air/water tight storage for the cars to reduce the need for repeated cleaning and their security before transfer to the main garage (West End Garage) for sale. The proposed materials include metal cladding with a horizontal split (at 2.25 metres above ground level) between two shades of green, with a lighter green provided for the top portion of the proposed building.
- 4.5 The site plan, as amended, indicates the proposed staff car park layout providing 12 spaces, as existing, to be provided towards the north east corner of the site, in front of the barn building and close to the main site access, with a hardstanding area between the barn building and the proposed car storage building for manoeuvring and servicing. The parking arrangement is as provided for the planning permission 19/0064 for the car storage use of the site and no increases in the level of parking provision is proposed. Soft landscaping is to be introduced to the south west flank boundary and to the front of the proposed building with

a more formal landscaped area, including a circular path and benches, proposed towards the south (rear) corner of the site.

- 4.6 Three EV charging points would be provided within the building. In addition, the revised drawings indicatively indicate the provision of photovoltaic panels to the roof. The planning statement indicates the management of all waste and recycling within the site with the re-use of rainwater collected on the site.
- 4.7 The following documents have been submitted in support of this application. Relevant extracts from these documents will be referred to in section 7 of this report:
- Planning statement;
  - Design and access statement;
  - Ecological appraisal;
  - Flood risk assessment (including drainage strategy); and
  - Tree report (including impact assessment and tree constraints plan).

## 5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
County Highways Authority	No objections are raised because the proposal would not result in a significant increase in traffic, compared with the existing use [ <i>See Annex A</i> ].
Lead Local Flood Authority	No objections subject to conditions
Environment Agency	No objections raised noting that where a connection to the public sewer system cannot be made, an Environmental Permit (which fall outside of the remit of the planning acts) from the Agency may be required.
Natural England	No objections.
Surrey Wildlife Trust	No objections subject to no net increase in external lighting; avoiding the nesting season for site clearance; using the precautionary approach outlined in the ecology report; protection of woodland and LNR; and that a Habitats Regulations Assessment (HRA) is undertaken if required by Natural England [ <i>Officer comment: It is noted that the final request above (i.e. the undertaking of a HRA) has not been requested by Natural England</i> ].
Thames Water	No objections.
West End Parish Council	Raise an objection on the height and urbanising impact, increased intensity of traffic movements on Lucas Green Road; polytunnel is a temporary building and proposal is more permanent; inadequate site drainage (discharge into watercourses) and risk to SPA (risk of electric car fires). [ <i>Officer comment: The assessment of the impact on character and the permanence of the existing polybuilding are set out in section 7 of this report. It is not considered, with the</i>

	<i>proposed conditions below, that the proposal would lead to a material intensification of the use of the site and the proposal would provide a drainage strategy which is supported by the LLFA. Natural England have considered that the proposal would not have a material effect on the SPA.]</i>
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5.2 The following internal consultees were consulted and their comments are summarised in the table below:

<b>Internal Consultation</b>	<b>Comments Received</b>
Arboricultural Officer	No objections.
Urban Design Officer and Heritage Consultant	No objections [See Annex B].

## 6.0 REPRESENTATION

6.1 A total of 32 individual letters of notification were sent out on 11 April 2023 and 32 further re-notification letters sent out on 20 December 2023, on the basis of the amended details. Press notices were published on 11 and 24 April 2023 (in different local papers). To date, 21 letters of representation raising an objection and 15 in support (including two responses from persons related to the applicant) have been received.

6.2 The table below summarises the material planning reasons for objection:

<b>Material Reason for Objection</b>	<b>Officer Response</b>
<u>Principle of Development and Green Belt</u>	
Impact on Green Belt openness	An assessment on Green Belt policy has been made on the impact of the development on openness, with the small decrease in building size, it is considered that the proposed building would not be materially larger than the existing polybuilding.
Contrary to Green Belt policy	It is considered that the proposal is in accordance with policies within the development plan and national policies.
Replacing temporary polytunnel with permanent industrial building would be against Green Belt policy	Under case law, the polybuilding is not a temporary building and its replacement with the proposed building would not be against Green Belt policy.
Very Special Circumstances have not been proven	The proposal is considered to be “not inappropriate” and as such the “very special circumstances” test is not applied.
<u>Character and Design</u>	
Out of keeping and impact on local area and character, including the wider rural character	The proposal would provide a building that would be built closer to the highway than the existing polybuilding. However, the proposal would not have an adverse impact on local character, noting the quality of the existing building.

Overdevelopment/overpowering, over shadowing	The proposed building would not have an overbearing or over shadowing of adjoining and nearby properties, nor be an overdevelopment of the site, noting the small reductions in the size of the building, when compared with the existing polybuilding.
Impact on listed buildings	The nearest listed buildings, Lucas Green Manor and Manor Cottage, are located over 600 metres from the application site and it is considered that the proposal would have negligible impact on the setting of these listed buildings. No objections on this ground are raised by the Urban Design and Heritage Consultant.
Higher than the existing building and not translucent (see through)	The existing polybuilding is not translucent and therefore takes the form of as a “solid” building. Amended drawings have reduced the proposed height to be similar to the existing polybuilding.
Additional facilities provided by the development would result in more employees at the site and intensification of use	It is not considered that there would be a material intensification of use, taking into consideration the restrictions proposed by the imposed condition to the planning application.
<u>Residential amenity</u>	
Increase in pollution, including noise with no assessment provided and dogs barking, and impact on well being	The proposal would not result in a material intensity of use and therefore would not materially impact on noise pollution. The EHO team has advised that they have not received any complaints from any noise or disturbance from the site.
Loss of privacy	The proposed building would be close to the flank boundary with Florence House but no windows are proposed in the flank wall facing this property. The proposal would be sited about 30 metres from the residential properties at the rear and no windows are proposed in the rear elevation facing these properties. No material increase in privacy is envisaged.
Spray painting at all hours (including weekends)	Limitations on use, by condition, would prevent such activities.
Activity/disturbance for 7 day a week operation	Limitations on hours of operation, by condition, would limit such activities.
Close to adjoining properties	The proposed building would not have a material adverse effect on residential properties due to its scale and siting
<u>Highways and Parking</u>	
Inadequate access from local road network, exacerbated by the narrowness of these roads, conflict of traffic with larger vehicles, speeding traffic on Lucas Green Road, safety of other road users (including pedestrians, babies in pushchairs, cyclists and horse riders), accident record on Lucas Green Road/Ford Road (two	The proposal, with the proposed conditions, would not result in a material intensification of use and therefore would not materially impact on the highway network. Furthermore, the County Highway Authority supports the development on highway grounds.

reported incidences), increase in traffic and no traffic assessment of this increased traffic.  Road is used as a bypass when there are holdups on A322 Guildford Road and increase traffic during peak times	
Inadequate parking provision and loss of parking	The proposal would provide sufficient levels of parking (12 spaces) for the proposed use.
Increase capacity for car storage/increase in use	The proposal would be limited to the storage of a maximum of 60 cars (as existing).
<u>Biodiversity</u>	
Affect local ecology	The proposal would have no greater material impact on local ecology than the existing development and use.
Waste water into overflowing local ditches/watercourses	A drainage solution for the proposal has been agreed with the LLFA, subject to conditions. As such, no objection has been raised on drainage matters.
Impact on nature sustainability and impact on wildlife – badgers and deer	The ecology report sets out how the proposal would be implemented without harm to any protected species any suggests the provision of bat and bird boxes to enhance biodiversity.
Impact on SPA (it falls within 400 metre buffer zone) and rare animals (birds and reptiles) on the SPA	Natural England has confirmed no adverse impact is envisaged from the proposal on the SPA.
Impact of security lights	Details of external lighting are proposed to be agreed by condition.
<u>Drainage and Flood Risk</u>	
Increased flood risk/surface water, no mains drainage and no effective way of disposing surface/foul water – proposal will exacerbate existing situation. Polytunnel was erected on permeable ground and presumed that proposed building base would be impermeable	The application site lies in an area of low flood risk. A proposed drainage strategy for this development has been assessed and is supported by the LLFA subject to conditions. As such, no objection has been raised on drainage matters.
Recent increases in hardstanding areas leading to increased flood risk	The proposal would allow landscaping to be provided including soft landscaping areas which would reduce the amount of hardstanding across the site.
Flow of car washing/cleaning into watercourses, release of paint pollutants/solvents into to the air/watercourses and existing drainage pipes currently discharge into ditches (which have collapsed and do not hold water discharging onto the road)	This separate issue has been considered under the pollution acts by Environmental Health and the Environment Agency
<u>Other Issues</u>	
Potentially contaminated land	This would have no material impact upon the current proposal.
Increased dog walking on SPA	It is not considered that the proposal has any material impact.

Horticultural use is a part of the defined use (storage use only in Building G)	The approved change of use of the site under permission 19/0064 relates to the change of use of the whole of the former horticultural site.
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6.3 The table below summarises the non-material planning reasons for objection:

<b>Non-Material Reason for Objection</b>	<b>Officer Response</b>
General dislike of the proposal	This is not explained further.
Strain on community facilities	It is not considered that there would be any material impact.
Insufficient details on application	Sufficient details have been provided for validation purposes.
Damage to road	This would be a matter for the County Highway Authority.
Tree removal prior to ecological and tree survey – by applicant	There has been tree loss on adjoining common land. There has been no substantiated evidence that these works were undertaken by, or on behalf of, the applicant. The trees lost were not protected under a Tree Preservation Order. As this relates to common land, it would be a matter for Surrey County Council.
The Garage has used a field (Heronbrook/Field 6800) for car storage opposite this site	This relates to a separate piece of land and has been considered directly through the Council's enforcement powers. A new application for this use of land is separately being considered under application 23/0983/FFU.
Polytunnel allowed because it related to an agricultural use	The polytunnel had been lawful over time and the change of use has ceased any agricultural use on the site.
No mention in application submission of restrictions under 19/0064	This is noted.
Questions whether floorspace is smaller than existing	This is confirmed in section 7 of this report.
Historical increases in traffic from other commercial sites in Lucas Green Road either through planning permission of lawful development certificates	This planning application is considered on its own merits.
Policing of car numbers on site	This would be an enforcement issue.
Cars delivered on site by wider trailer	The existing restrictions are that they cannot use car transporters.
Ditches have been blocked	This is a matter for the County Council as these are highway ditches.
Previous objections on highway safety grounds upheld on appeal	This relates to a different site/appeal (Lucas Green Nurseries - APP/D3640/W/21/3277880) relating to a prior approval.
Car preparation is B1 light industrial not B8 storage	The authorised use is for car storage with car preparation for sale only

6.4 The table below summarises the material planning reasons for support:

<b>Material Reason for Support</b>	<b>Officer Response</b>
Improvement to visual amenity, replacing leaky building with insulated building will improve outlook. Replacement building designed to blend in with surroundings and positioned sympathetically on the site, improving state of existing facilities. Improvements to appearance of site from Lucas Green Road	The proposal would provide an improvement to the appearance of the site, replacing a poor quality polybuilding.
Limited impact on local roads (7/8 movements per day) and no HGV vehicles visit the site	The proposal would not result in a material intensification of the site, nor increase traffic generation.
Building has been in place for over 20 years	This is noted and accords with the Council's historic aerial photography records.
Local businesses should be supported and encouraged to invest in local area	This is noted and is a benefit of the proposal.
Modern sustainable design (could use solar panels, rainwater harvesting and other measures to make it more carbon neutral). Improvements to drainage proposed	These matters are proposed (provided by condition).
Smaller structure to be provided	The proposal would result in the provision of a smaller structure when compared to the existing polybuilding.

6.5 The table below summarises the non-material planning reasons for support:

<b>Non-Material Reason for Support</b>	<b>Officer Response</b>
Ditches need to be cleared	This is a matter for Surrey County Council as these are highway ditches.
Larger vehicles use other sites (e.g. Gregory's Yard) not application site	The other commercial premises on this road are noted.
Highway damage due to lack of repairs by County Highway Authority	This is a matter for the highway authority (Surrey County Council).
Replace building which does not appear fit-for-purpose	The poor condition of the existing polybuilding is noted.

## **7.0 PLANNING CONSIDERATION**

7.1 This application is considered against advice contained with the National Planning Policy Framework (NPPF) where there is a presumption in favour of sustainable development. Regard will be given to Policies CP1, CP11, CP14, DM9, DM10, DM11 and DM13 of the adopted Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). In addition, regard will be given to the adopted Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS).

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

- Principle of the development and impact on the Green Belt;
- Impact on the character and appearance of the area and trees;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on drainage and flood risk; and
- Impact on biodiversity and the Thames Basin Heaths Special Protection Area.

### 7.3 Principle of the development and impact on the Green Belt

7.3.1 Policy DM13 supports the redevelopment of an existing building or operation in employment use outside of the core employment areas or Camberley Town Centre.

7.3.2 The lawful use of the application site is for car storage and preparation for sale, and no material change of use is proposed under this application. The polybuilding provides storage for the cars. Whether a structure is defined as a building is considered under case law against three criteria: (i) its size, (ii) permanence and (iii) physical attachment to the ground.

7.3.3 The case law indicates that a building would normally be something that was constructed on the site as opposed to being brought already made for the site. Noting the size of the polybuilding, it is clear that it would have been constructed on the site. The case law also indicates that a building normally denotes the making of a physical change of some permanence. In this case, from evidence held by this Council, the polybuilding has been in place for over 20 years which denotes a level of permanence. The polybuilding is physically attached to the ground with a number of supports to the building edge and within the building. Whilst the polythene covering has ripped in part over the years, it still remains as a building for the purposes of the planning acts, and provides a function and is used in conjunction with the authorised use of the site.

7.3.4 Paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt with a number of exceptions including the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces.

7.3.5 The following table sets out the differences between the existing polybuilding and proposed building:

	Existing	Proposed	Difference
Ridge height	5.2 m.	5.2 m.	None
Eaves height	3.9 m.	3.6 m.	-0.3m (-7.7%)
Floorspace	1,574 sq.m.	1,571 sq.m.	-3 sqm (-1.9%)
Volume	7,161.7 cub.m.	6,912.4 cub.m.	-249.3 cub.m. (-3.5%)

On the basis of these calculations, the proposed building would not be materially larger and in fact would be smaller than the existing building to be replaced, and the proposed building would be retained in the same use. Visually, the design and form of the proposed building would also not appear materially larger. Whilst the existing polytunnel has a series of valley roofs that break up the perception of massing and uses lightweight materials, the proposal's single span and shallow pitched roof, no higher than the existing and with a lower eaves height, would have a very similar visual impact.

7.3.6 The revised site plan indicates areas of the site which can provide new soft landscaping which would be a minor benefit to the visual amenity of the Green Belt.

7.3.7 It is therefore considered that the proposed building would not be inappropriate development in the Green Belt, complying with the NPPF.

## **7.4 Impact on the character and appearance of the area and trees**

- 7.4.1 Part 12 of the NPPF sets out that good design is a key aspect of sustainable development. Policy DM9 of the CSDMP promotes high quality design.
- 7.4.2 The proposed replacement building would be more prominent from Lucas Green Road due to its closer proximity (a minimum of 3 metres) to the front boundary of the site. Part of the building would be obscured by vegetation (a series of cypress trees/hedging at the front site boundary), but the proposed building would be higher than this vegetation. It would also be partly visible on the south west approach from Lucas Green Road, above similar vegetation at the flank boundary of the site. Whilst the existing building is lighter in appearance, it is poor in quality and the proposed building is to be finished in green powder coated metal finish. This material finish is typical for commercial buildings in this local area and given this context, on balance, the proposal is considered to be acceptable on street scene grounds. Furthermore, the proposed building would improve the visual amenity of the area.
- 7.4.3 The proposal would be acceptable in design terms and is supported by the Council's Urban Design and Heritage Consultant (see Annex B). The existing site is in a poor condition with extensive hardstanding areas. Whilst some hardstanding would remain to support the use of the site, including parking, a landscaping condition is to be imposed to reuse parts of the site as soft landscaping to enhance the visual amenity of the site. The revised site plan provides details of soft landscaping to the front and side of the proposed building along with a more formal landscape design to the rear of the proposed building. It is considered that these details would enhance the visual appearance of the site.
- 7.4.4 No objections are raised to the proposal on these grounds, with the proposal considered to comply with Policy DM9 of the CSDMP and the NPPF.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. The nearest residential properties are at Florence House, on the southwest flank boundary, and Spring Cottage and The Cottage to the rear.
- 7.5.2 The end elevation of the existing polybuilding faces the flank boundary with Florence House. The siting of the proposed building would be reorientated 90 degrees with the length of the proposed building facing this boundary. The proposed building would be located a minimum of approximately 3.3 metres, from the flank boundary with Florence House, which is similar to the existing relationship. However, the proposed building would extend much further forward from the front wall of Florence House (by 38.5 metres compared to the existing building that extends forward by 14.5 metres).
- 7.5.3 Whilst the proposed building would extend much further forward, this impact on the neighbour's amenity would be lessened because it would be adjacent to the common land/woodland in front of this residential plot. The front garden of Florence House is also predominantly used as a drive. The front windows of this dwelling are already affected by the existing polybuilding structure on the site. The proposal would extend the built form forward at this point but this is not considered to further materially affect light to the front of this dwelling because the additional built form would be provided at a longer distance forward of this dwelling. The proposal includes rooflights in the roofslope facing this dwelling. However, the low roof angle would limit any light spillage that could have any material impact on the occupiers of this property. It is not considered that the proposal would materially harm the residential amenities enjoyed by the occupiers of this dwelling.

- 7.5.4 Spring Cottage and The Cottage are located to the rear of the site and have rear boundaries which are set about 30 metres from the siting of the proposed building. The proposed building would be located no closer to these adjoining residential properties, or any other all other nearby residential properties, and at no greater height than the existing polybuilding thereby not increasing any harm to the occupiers of these dwellings. There would, however, be a noticeable reduction in width facing some of these properties which would provide some limited amenity benefits.
- 7.5.5 The proposal would provide improved storage facilities but no further increase in number of cars to be stored, the type of vehicles that can access the site and customers prohibited from accessing the site. It is therefore considered that no material increase in activity would occur, and therefore no greater harm from noise and disturbance.
- 7.5.6 As such, no adverse impact on residential amenity would occur with the development complying with Policy DM9 of the CSDMP.

## **7.6 Impact on highway safety**

- 7.6.1 Paragraphs 105 and 110 of the NPPF promotes sustainable transport objectives. This includes safe and suitable access for all users and has the benefit of reducing emissions. Policies CP1 and CP11 of the CSDMP reflect these objectives by directing development to sustainable locations. Policy DM11 of the CSDMP states that development would not be acceptable where there is an adverse impact on the safe and efficient flow of traffic.
- 7.6.2 The site is used for car storage and the preparation for sale for West End Garage, and restrictions to prohibit access to customers activity on this site has been imposed by condition (and proposed to be re-imposed). The proposal has been limited by the number of vehicles (60 cars) stored on the site by condition. It is considered appropriate to reimpose this condition for this development. Restrictions on the size of vehicle accessing the site, i.e. car transporters, would also be re-imposed.
- 7.6.3 The level of proposed staff car parking (12 spaces) facilities would remain the same as provided for the use under permission 19/0064 which was considered to be acceptable for the level of activity on the site. The applicant has confirmed a staffing level of 10 full-time workers at the site and it is considered that this level of parking, with no material increase in activity, would also be acceptable. The re-positioning and re-orientation of the building on the site would improve accessibility by improving the arrangements for car deliveries along with entering and leaving the site in forward gear.
- 7.6.4 Lucas Green Road is subject to traffic stress particularly from larger vehicles using this highway which is relatively narrow and is subject to a number of bends on its approach to West End village. There are a number of commercial premises on this road which clearly impact on this local traffic issue. This proposal, however, would not change the level of traffic generated at the site and the nature of the operation is not changing from the existing situation.
- 7.6.5 The County Highway Authority has raised no objections to the proposal on the basis that a material increase in traffic generation is not expected. Adequate parking facilities for staff would be provided. As such, no objections are raised on these grounds with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

## **7.7 Impact on drainage and flood risk**

- 7.7.1 Policy DM10 of the CSDMP sets out the sequential approach, reflecting the NPPF, to development and flood risk and development would be expected to reduce surface water runoff through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale and type of development.

7.7.2 The proposal has been supported by a Flood Risk Assessment, including a drainage strategy for the development. The site lies in a Zone 1 flood zone, with a low flood risk. It is noted that the site has a high proportion of hardstanding. The drainage strategy has suggested runoff from the proposed building to be discharged to a watercourse via attenuation to reduce flow being conveyed to the ditch (watercourse) at the front of the site. The LLFA has considered this approach to be acceptable subject to conditions. The Environment Agency and Thames Water have raised no objections but note that such arrangements would need to be agreed through separate environmental permit processes with the Environment Agency.

7.7.3 As such, no objections are raised to the proposal with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

## **7.8 Impact on biodiversity and the Thames Basin Heaths Special Protection Area**

7.8.1 Policy CP14 of the CSDMP states that development which results in harm to or loss of features of interest for biodiversity will not be permitted. The policy also sets out the hierarchy of important sites and habitats with the SPA the most important site.

7.8.2 The site lies about 100 metres from the SPA. It is considered that this separation distance, along with the scale of the proposal, would not result in any harm to the SPA. Whilst the Surrey Wildlife Trust has suggested a Habitats Regulations Assessment for this application, subject to the comments of Natural England, this requirement has not been requested by Natural England. As such and noting the separation distance to the SPA and the scale of the proposal, it is not considered necessary to undertake a HRA in this case.

7.8.3 As such, no objections are raised on the impact of the proposal on the SPA with the proposal complying with Policy CP14 of the CSDMP and the NPPF.

## **7.9 Other matters**

7.9.1 The use of the site, and operations including vehicles arriving at the site, were limited by conditions attached to planning permission 19/0064. For the avoidance of doubt, these conditions have been proposed in the list of conditions below. These conditions have been applied to limit the activity on the site to the same as the existing operation.

7.9.2 The current proposal would provide sustainability benefits by providing three electric vehicle charging points and the provision of photovoltaic panels to the roof. The planning statement indicates the management of all waste and recycling within the site with the re-use of rainwater collected on the site.

## **8.0 PUBLIC SECTOR EQUALITY DUTY**

8.1 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 The proposal is considered to not be inappropriate development in the Green Belt, complying with Green Belt policy because the replacement building would not be materially larger than the existing. The proposal is also acceptable in terms of its impact on character and trees, residential amenity, flood risk/drainage and ecology/SPA grounds. The application complies with adopted policy and is therefore recommended for approval subject to conditions.

## 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 proposed development shall be built in accordance with the following approved plans: PL/02/HCN Rev 03 received on 21 December 2023 and PL/06/HCN Rev B and PL/07/HCN Rev 02 received on 24 November 2023, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The car parking spaces shown on the plan PL/02/HCN Rev 03 shall be made available for use prior to the first use of approved development for any of the purposes shown on approved drawings and the parking spaces shall not thereafter be used for any purpose other than the parking of vehicles.

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

4. The replacement building shown on approved proposed site plan PL/02/HCN Rev 03 shall only be used for the storage of vehicles associated with the selling of cars elsewhere and the barn building shown on approved proposed site plan PL/02/HCN Rev 03 shall only be used for the preparation of vehicles for sale elsewhere and for no other purpose (including any other purposes in Classes B2, B8 or E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In the interests of visual and residential amenity and to protect the openness of the Green Belt and to comply with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

5. With the exceptions allowed by Condition 4 above, the land within the application site shall not be used for any purposes within Classes B2, B8 or E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In the interests of visual and residential amenity and to protect the openness of the Green Belt and to comply with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. The operations including the movement of cars within and in/out of the application site and uses allowed within the barn building, as shown on approved proposed site plan PL/02/HCN Rev 03 and as controlled by Condition 5 above, shall only take place between the hours of 8am and 6pm on Mondays to Saturdays with no activity associated with these operations and uses to 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 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 the National Planning Policy Framework.

7. There shall be no more than 60 vehicles associated with the uses, limited by Condition 4 above, stored on the application site.

Reason: In the interests of visual and residential amenity and to protect the openness of the Green Belt and to comply with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. There shall be no more than 60 vehicles associated with the uses, limited by Condition 3 above, stored on the application site.

Reason: In the interests of visual and residential amenity and to protect the openness of the Green Belt and to comply with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. There shall be no Heavy Goods Vehicle (including car transporter) deliveries to and from the application site.

Reason: In the interests of the amenities of adjoining residential occupants, the openness of the Green Belt and highway safety and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. There shall be no visitors (customers) to the site.

Reason: In the interests of limiting activity on the site to protect residential amenity and to protect the openness of the Green Belt and to comply with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. The development hereby approved shall be implemented in accordance with the recommendations set out in Section 5 of the Preliminary Ecological Appraisal and Bat Roost Assessment dated 9 November 2023 [Ref: 22/78] and details of the location of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development hereby approved. The approved details shall be implemented prior to the occupation of the approved development.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. Details of any external lighting shall be submitted to and approved by the Local Planning Authority prior to their installation. The approved details shall be implemented prior to the occupation of the approved development.

Reason: In the interests of nature conservation and residential amenity and to comply with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. No development shall commence until a Construction Transport Management Plan, 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 behind any visibility zones
- (f) HGV deliveries and hours of operation for construction
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (k) on-site turning for construction vehicles

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

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 protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

14. No construction of the development hereby approved shall take place until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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.

15. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national NonStatutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.8 l/s

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

d) Details of the condition and downstream connectivity of the adjacent watercourse.

e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

f) Details of drainage management responsibilities and maintenance regimes for the drainage system.

g) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

16. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

17. No external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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

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