

LOCATION: BROOK GREEN, & TINYBROOK WAVERLEY CLOSE,
CAMBERLEY, GU15 1JH

PROPOSAL: Outline application for the erection of two blocks of flats each containing 8 residential flats following demolition of two existing dwellings. Appearance and landscaping reserved.

TYPE: Full Planning Application

APPLICANT: Aventier Limited

OFFICER: Mr N Praine

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The outline application proposes the erection of 2 detached two-storey buildings, with accommodation in the roof space, each to contain 8 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with appearance and landscaping to be reserved.
- 1.2 The report concludes that the proposed development would have an adverse impact on the established character of this setting by reason of its cramped and visually prominent appearance within the plot. In addition, the absence of a legal agreement securing contributions in respect of affordable housing and SPA mitigation form reasons for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the north west side of Waverley Close and currently comprises two detached dwellings known as Brook Green and Tinybrook respectively. Brook Green is a modest detached two-storey dwelling while Tinybrook is a bungalow. Both front the highway, each with an access to Waverley Close and both have defined front gardens. To the rear each property currently benefits from good sized rear gardens.
- 2.2 The site is bounded to the rear by a flatted development known as Tides End Court which comprises two detached buildings each containing 6 flats with associated amenity space and parking. The rear boundary of the site also adjoins a very small section of 50 Portsmouth Road. To the south side of the site is a detached residential property known as South Lodge while the north side boundary adjoins the M3 Motorway. The front boundary is marked by the public highway at Waverley Close. The site is generally level and includes a number of trees and landscape features which are mostly located on the boundaries of the site.

3.0 RELEVANT HISTORY

- 3.1 SU/15/0291 - Outline application for the erection of two Blocks of flats each containing 9 residential flats following demolition of two existing dwellings. Appearance and landscaping reserved.

Refused June 2015 for the following reasons:

- *The development proposed by virtue of the scale and massing of the buildings, and contrived layout including the introduction of large areas of hard standing, would result in an incongruous, dominant and overly urbanised pocket of development which would fail to respect and enhance the character and appearance of the surrounding area, including the semi-rural and verdant character of the Wooded Hills Character Area;*
- *The development proposed, as a result of the depth of Block A beyond the rear elevation of South Lodge, in combination with the proximity to the shared boundary would give rise to an overbearing and unneighbourly impact on the amenities that the occupants of this neighbouring property enjoy, and*
- *Standard reasons for refusal pertaining to affordable housing provision; flooding / surface water run-off and SANG provision/ SPA mitigation respectively.*

3.2 SU/14/0609 - Outline application for erection of 2 detached buildings containing 9 two bedroom flats following the demolition of the existing buildings.

Refused November 2014 for character, protected species, planning infrastructure, affordable housing and SANG provision/ SPA mitigation reasons. Appeal subsequently dismissed.

4.0 THE PROPOSAL

4.1 This outline application proposes the erection of 2 detached two-storey buildings, with accommodation in the roofspace, each to contain 8 two-bedroom flats following the demolition of the existing dwellings. Matters of access, layout and scale are to be considered with matters of appearance and landscaping to be reserved.

4.2 The proposed buildings would be sited adjacent to each other in a slightly staggered arrangement. Two accesses are proposed onto Waverley Close with one access serving Block A and the other access serving Block B respectively. Parking areas would be to the front of the proposed buildings.

4.3 The main differences between the current scheme and that refused under SU/15/0291 (see paragraph 3.1 above) are set out below:

- The number of flats proposed has been reduced from 9 units to 8 units per Block,
- The height of the proposals would be to a maximum height of approximately 10 metres, previously this was 10.5 metres,
- At its widest, Block A measures approximately 14 metres in width and Block B approximately 18 metres. Under SU/15/0291 the two flatted blocks both measured approximately 17 metres in width.
- The maximum depth of each of the proposed Blocks measures approximately 13 metres. Under SU/15/0291 the maximum depth of the built forms was 24 metres.
- The closest building to the street frontage is set approximately 14 metres away. Under SU/15/0291 the buildings were set approximately 7.8 metres from the street frontage.
- Under the current proposal, 19 parking spaces are proposed to serve the 16 flats. Under SU/15/0291 a total of 20 car parking spaces to serve 18 flats were proposed.

- The parking layout provides formal parking to the front of the site. Under SU/15/0291 the parking area was more informal with spaces interspersed to the front and rear of the site.
- The separation distance from the south flank boundary shared with South Lodge has been increased by approximately 1 metre, however all other separation distances remain largely similar to the previous scheme.

5.0 CONSULTATION RESPONSES

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| 5.1 | Surrey County Council
Highway Authority | No objections subject to conditions and informatives |
| 5.2 | Surrey Wildlife Trust | No objections subject to conditions. |
| 5.3 | Lead Local Flood Authority | No objections subject to conditions. |
| 5.4 | SHBC Tree Officer | No objections subject to conditions. |
| 5.5 | Surrey Police Crime
Prevention Design Advisor | No objections subject to conditions. |

6.0 REPRESENTATIONS

- 6.1 At the time of the preparation of this report 8 letters of objection and one letter of support has been received. The letters of objection raise the following issues:
- Parking provision is insufficient [See *para. 7.4*]
 - Potential overbearing and unneighbourly impact [See *para. 7.3*]
 - Loss of privacy [See *para. 7.3*]
 - Congestion problems are likely to arise [See *para. 7.4*]
 - The development would be inappropriate development in a semi-rural location [See *para. 7.2*]
 - Development is too large for the plots and would appear over dominant [See *para. 7.2*]
 - A significant degree of landscape features have been removed prior to the submission of the application and the proposal would only serve to exacerbate this [See *para. 7.2*]
 - The development continues to reflect a very urbanising character [See *para. 7.2*]
 - Negative impact on highway safety [See *para. 7.3*].

7.0 PLANNING CONSIDERATION

7.1.1 The application site is located in the settlement area of Camberley as identified by the Proposals Map and accordingly it is considered that policies CP2, CP5, CP6, CP12, CP14, DM9, DM10 and DM11 and the NPPF are relevant to the consideration of this application. The guidance contained in the Western Urban Area Character SPD, the Developer Contributions SPD and the Thames Basin Heath Special Protection Area Avoidance Strategy SPD is also a material consideration.

7.1.2 In light of the reasons for refusal of SU/15/0291 and the development plan detailed above, the considerations in the determination of this application are:

- The impact of the development on the character of the area;
- The impact of the development on residential amenities;
- The level of parking and the impact of the development on highway safety;
- The impact of the proposal on the delivery of affordable housing;
- The impact on the Thames Basin Heaths Special Protection Area;
- The impact of the development on protected species and biodiversity; and
- The impact of the development on infrastructure provision.

7.1.3 This means that the following matters remain unchanged and were considered to be acceptable in the determination of application 14/0609 and 15/0291:

- The principle of residential development on the site; and
- The size and tenure mix of the dwellings proposed.

7.2 The impact of the development on the character of the area

7.2.1 The NPPF seeks a presumption in favour of sustainable development securing high quality design, as well as taking account of the character of different areas. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale and density of new development in relation to neighbouring buildings and the local area more generally. Policy DM9 of the Core Strategy is reflective of this, requiring development proposals to respect and enhance the local environment.

7.2.2 The application site is located at the north western end of Waverley Close which is a small cul-de-sac on the north side of the Portsmouth Road. The site is located within the Wooded Hills Character Area as identified by the Western Urban Area Character SPD (WUAC SPD). The SPD recognises the Wooded Hills area as being characterised by predominantly large irregular plots, winding roads/lanes, heavy vegetation and a scattering of Victorian/Edwardian buildings. The positive features of the area are identified as its soft green character and extensive tree cover, buildings set in generous heavily vegetated plots which all help to create a low density verdant character. The negative features of the area are the small pockets of development with an urban character which have more formal layouts, have lower levels of vegetative cover, lack enclosure and have large areas of hard surfacing and bulky

buildings.

- 7.2.3 Principle WH1 of the Wooded Hills Character Area advises that development should be set in spacious, irregularly shaped plots which provide for extensive space between and around buildings and which allows for the maintenance and development of a verdant character. Principle WH2 advises that development forms with closely set buildings, cramped appearances, and minimal provision of side gardens are considered to be out of keeping with the soft enclosed semi-rural character and will be opposed. Principle WH6 advises that high quality contemporary designs will be welcomed where they are respectful of the surroundings of the area.
- 7.2.4 The site currently comprises two detached dwellings set on good sized plots. While the existing properties do not share the Victorian/Edwardian characteristics of some of the other buildings in the Character Area the modest scale of the dwellings along with the spacing and landscaping around these existing dwellings does contribute to the low density, verdant character of the area. The current application proposes the demolition of these dwellings and the erection of 2 buildings of significantly greater presence than the existing buildings which characterise Waverley Close. In comparison to the refused scheme (SU/15/0291) the proposed buildings would measure only 0.5m lower at 10 metres in height; Block A is narrower at approximately 14 metres in width (previously 17 metres) and Block B has modestly increased in size from 17 metres to 18 metres.
- 7.2.5 The applicant advises that the current proposal addresses concerns raised in previous refusal and in respect of SU/15/0291 it is submitted that the increased set back from the highway of 15 metres for Block A and 20 metres for Block B goes some way addressing the concerns raised. However, it is not considered that the revised application goes far enough to alleviate the proposed overly urban layout and the excessive scale proposed. In this regard the height of the built forms, along with the lack of separation to the flank boundaries (3.0 metres to the southern boundary and 1.1 metres to the northern boundary) is considered to significantly erode the pleasant semi –rural quality of this setting and would lead to a cramped development within this streetscape which offered limited opportunities to provide landscaping to the side as per the requirements of Guiding Principles WH1 and WH2 of the Wooded Hills Character Area. Opportunities to provide landscaping within these tight gaps would also be further eroded when one has regard to the likely need to provide adequate light to the flank windows of the proposed buildings.
- 7.2.6 Turning to the wider streetscape, separation between the built form in this streetscape measures approximately 9 metres between Berrylands and Ashley House and approximately 18 metres between South Lodge and Tidybrook. To the north the separation would just be 1.1 meters, between Blocks A and B the separation would measure approximately 5 metres and to the south the separation between Block B and South Lodge would broadly respect existing separation. Given the limited separation between Block A and B and the tight gap to the north again it is considered that the proposal would appear visually cramped and incongruous within the wider spacious character area not according with Guiding Principles WH1 and WH2 of the Wooded Hills Character Area principles. This harm is compounded by the height and massing of the proposal as the two proposed buildings in combination with the limited lateral separation and height as proposed would appear significantly out of character within the prevailing and existing built form.
- 7.2.7 As part of the submission, the applicant draws a comparison between the height of Ashley House, located across the road, and the proposed built forms advising that the height of the building is in character with the existing locale. However, although Ashley House

measures 10.5 metres in height, it sits within generous spacing to the flank boundaries and has a solitary nature on the site which allows for a greater sense of spaciousness giving the perception of a more modest scale when viewed in the context of the wider street scene. In contrast, this proposal would have two flatted blocks in closer proximity to the flank boundaries and each other. The proposal would therefore appear cramped and out of scale within this context.

- 7.2.8 As such, despite the revisions to the scheme over the previous refusals, the proposed development would still give rise to a contrived and incongruous form of development that continues to appear as an overly urban layout that is out of scale and fails to integrate with the semi-rural character of this setting. The development therefore fails to accord with the design principles contained within Policy DM9 of the Core Strategy and the guiding principles WH1 and WH2 of the Wooded Hills Character Area as set out within the WUAC SPD.

7.3 The impact of the development on residential amenities

- 7.3.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties are respected.
- 7.3.2 The application site is bounded to the southeast by a residential property known as South Lodge which is set within a large curtilage. Block A would be sited approximately 3.0 metres from the common boundary with this property and is a significant reduction in length over the previous refusal (when viewed from South Lodge). Notwithstanding that the appearance of the building is a reserved matter it is considered that the building's siting and footprint in the current location and the separation of approximately 19 metres would not be harmful to the amenities that the occupants of South Lodge currently enjoy.
- 7.3.3 To the rear, the application site shares common boundaries with the flatted development at Tides End Court and with 50 Portsmouth Road. However, it is considered that the intervening distances and the screening on the boundaries would be sufficient to ensure that the development would not materially impact on the amenities the occupants of these properties enjoy. Similarly, while there are residential properties across the street at the front of the site, these are also sufficient distance from the development for it not to materially impact on these neighbouring amenities.
- 7.3.4 The development would increase the number of units and people on the application site and this is likely to result increase activity including vehicle movements. However, it is not considered that the resulting intensity of use on the site would be such as to give rise to unacceptable noise and disturbance to the occupiers of the adjoining properties. The application site is located adjacent to the M3 Motorway and as such the future occupants of the development may be subject to noise disturbance from the motorway. The site is bounded by an acoustic barrier which has improved the noise environment within the site and it is considered that unacceptable noise levels within the building could be prevented by mitigation measures to be secured by condition. Accordingly no objection should be raised to the proposals on these grounds.

7.4 The level of parking and the impact of the development on highway safety

- 7.4.1 With accesses off Waverley Close, the development proposes the creation of a parking area to the front of the site, which would provide 19 car parking spaces at a ratio of 1.2 spaces per unit. Surrey County Council's parking standards recommend 1 car parking space per two-bed flat and the development proposed would exceed this guidance. Given

the size of the units, location of the site and the public transport links available, it is considered that the level of parking is appropriate to meet the parking demand of the development. Furthermore, it is noted that cycle parking is also to be provided and the provision of this should be a condition in any permission granted for the development of the site.

- 7.4.2 The County Highway Authority has considered the application and has advised that it has no objection to the accesses or the development on highway safety, policy or capacity grounds. Accordingly it is not considered that the proposal would comply with Policy DM11 of the CSDMP.

7.5 The impact of the proposal on the delivery of affordable housing

- 7.5.1 The application proposes a net increase of 14 dwellings and Policy CP5 requires that 30% of the proposed units are affordable, split evenly between social rented and intermediate units.

- 7.5.2 The development should deliver 4 affordable units; however, in the absence of a completed planning obligation there is no mechanism to secure the provision of these units as affordable housing. Accordingly the development is contrary to the aims and objectives of Policy CP5 of the Core Strategy and Development Management Policies 2012 and is contrary to the objectives of the National Planning Policy Framework.

7.6 The impact on the Thames Basin Heaths Special Protection Area

- 7.6.1 The application site is located within 1km of the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 14 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

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

- 7.6.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. In the absence of a payment received in respect of SAMM or the completion of a legal agreement to secure this contribution, the proposal fails to accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

7.7 The impact of the development on protected species and biodiversity

- 7.7.1 The application site and surrounding areas include a number of mature trees and the form and current condition of Brook Green make the building potentially suitable for roosting bats. The applicant has submitted a Phase 2 Bat report in addition to the previously submitted Phase 1 report by P V Ecology. Surrey Wildlife Trust has advised that the development would not have a harmful impact on protected and important species on the site subject to conditions (which include an updated Phase 1 report). As such,

subject to conditions, the proposal accords with Policy CP14 of the Core Strategy.

7.8 The impact of the development on infrastructure provision

- 7.8.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in GIA floor area of 100 square metres or more.
- 7.8.2 The current proposal would result in a net increase in GIA floor space of approximately 1056 square metres. Accordingly the development is liable for an estimated contribution of £118,440.00 towards community infrastructure in accordance with the Council's CIL Charging Schedule. The final total will be stated in the CIL notices that will be served on the liable party(s).
- 7.8.3 In accordance with the requirements of the CIL Regulations 2010 (as amended) and the Council's Infrastructure Delivery Supplementary Planning Document, should this application be approved, a land charge will be levied on the land to which this application relates, with payment required prior to commencement of development.

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

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

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

9.0 CONCLUSION

- 9.1 The report concludes that the proposed development would have an adverse impact on the established character of this setting by reason of its cramped and visually prominent appearance within the plot. In addition, the absence of a legal agreement securing contributions in respect of affordable housing and SPA mitigation additional reasons for refusal in respect of these matters have also been included.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The development proposed by virtue of the scale and massing of the buildings and limited separation with a lack of spaciousness would result in an incongruous,

dominant and overly urbanised pocket of development which would fail to respect and enhance the character and appearance of the surrounding area, including the semi-rural and verdant character of the Wooded Hills Character Area. Accordingly the development would be contrary to Policy DM9 of the Core Strategy and Development Management Policies 2012 and would conflict with the objectives of the Western Urban Area Character SPD and the National Planning Policy Framework.

2. The proposal fails to contribute to the provision of affordable housing and as such would not deliver a development which would meet the housing requirement of all sectors of the community. The application is contrary to the aims and objectives of policies CP5 and CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
3. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

Informative(s)

1. Advise CIL Liable on Appeal CIL3