

LOCATION: WHITEHILL FARM, KINGS RIDE, CAMBERLEY, GU15 4LZ

PROPOSAL: Erection of 4 no. blocks part two storey /part two storey with accommodation in the roof, with balconies and roof gardens, to provide 21 no. two/three bedroom units and 20 no. two storey units of extra care residential accommodation along with car, cycle and buggy parking, access and landscaping including footpaths links.

TYPE: Full Planning Application

APPLICANT: Court House Care Ltd

OFFICER: Duncan Carty

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This planning application relates to the erection of four blocks of development in the form of two storey and two storey with accommodation in the roof accommodation to provide 21 two/three bedroom and 20 two bedroom units of extra care residential accommodation. This development is in addition to the 3,476 square metre, 64 bed two storey care home currently being built under permission SU/15/0106. The site is located on land at Whitehill Farm on the east side of Kings Ride located in the Countryside (beyond the Green Belt) close to the defined settlement of Camberley. The site lies very close to the Old Dean Common which forms part of the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 It is considered that the current proposal would have an urbanising impact spreading significant development across the site which would have an adverse visual impact on its countryside character and trees, and it is not considered that the proposal could be provided without an adverse impact on the integrity of the Thames Basin Heaths Special Protection Area. The current proposal is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is an irregularly shaped site, within which a care home development is under construction, falling within the Countryside (beyond the Green Belt). The application site has an area of about 6.3 hectares. The application site comprises an area predominantly of open grassland, with woodland to the north, east and south on land owned by the applicant. Part of this woodland, which falls predominantly outside the application site on land owned by the applicant, is protected by a Tree Preservation Order (TPO 07/86) and a portion is a Site of Nature Conservation Interest (SNCI).

- 2.2 To the east of the land owned by the applicant is the Old Dean Common which is a Site of Specific Scientific Interest (SSSI) within the Thames Basin Special Protection Area (SPA) both falling within the Countryside (beyond the Green Belt). Land to the south and immediately west of the land owned by the applicant falls within the settlement of Camberley. Housing formerly owned by the Ministry of Defence lies opposite the application site to the west, and to the north west of the application site. Residential properties in Woodlark Glade, Whitehill Close and College Close lie to the south of land owned by the applicant. The site access would be set over 200 metres from the junction of Kings Ride with College Ride and 750 metres from the junction with A30 London Road. A public footpath lies to the rear (east) boundary between land owned by the applicant and Old Dean Common.

3.0 RELEVANT HISTORY

The application site has an extensive planning history of which the following is most relevant:

- 3.1 SU/05/0028 Reserved matters application pursuant to planning permission SU/96/0494 as varied by planning permission SU/04/0731 for the erection of outdoor and indoor recreational facilities and associated parking area. Approved in December 2006.

This permission followed outline permission SU/96/0494 and a series of time limit extensions to that permission. This development remained extant until the construction of the care home (under SU/15/0106 below) because access works were constructed within the time limit to implement this permission. This would have provided a development of 1,365 square metres.

- 3.2 SU/11/0451 Erection of a 63 bedroom two storey residential care home and other associated development including landscaping, parking and access. Approved in April 2012. *This would have provided a development of 3,085 square metres.*

- 3.3 SU/15/0106 Erection of a 64 bedroom two storey residential care home and other associated development including landscaping, parking and access. Approved in May 2015 and under construction and will provide a development of 3,476 square metres.

- 3.4 SU/16/0948 Variation of Condition 7 of planning permission SU/15/0106 to allow the provision of an alternative parking layout. *This application is under consideration.*

4.0 THE PROPOSAL

- 4.1 The current proposal is to erect four blocks of development in the form of two storey and two storey with accommodation in the roof accommodation to provide 21 two/three bedroom and 20 two bedroom units of extra care residential

accommodation. A shared lounge is also proposed within this accommodation (in Block 1). The proposed blocks (Blocks 1 and 2, facing north and east respectively) would be provided to the front of the approved care home and to the north flank and rear (Blocks 3 and 4, facing south/east and west, respectively). Blocks 1 and 2 would face onto a parking area with Blocks 3 and 4 arranged around the car parking for these blocks. The car parking for the care home would be repositioned closer to the front of that building and along with the realigned access road would result in the alternative parking arrangements for the approved care home, proposed to be varied under application SU/16/0948. The access onto Kings Ride is proposed as previously approved under SU/16/0106 (and earlier permissions).

4.2 Each of the blocks would have a two storey form, with part accommodation in the roof, with flat roof (including roof level gardens) elements, providing predominantly wood cladding above a brick finish, with some render and glazing panels. Dormers and Juliet balconies are to be provided with narrow front and rear gardens for the ground floor units.

4.3 The following table provides further details of the proposal, as compared with the approved scheme SU/15/0106 (in metres/squared metres):

	APPROVED SCHEME	BLOC K 1	BLOCK 2	BLOCK 3	BLOCK 4
No. of units	64	12	6	16	7
Floor area	3476	1816	888	2410	1073
Maximum height	10.6	10.5	10.5	10.5	10.5
Eaves height	6.3	6.1	6.1	6.1	6.1
Maximum width	74.7	60.5	29.7	50.5	39.4
Maximum depth	43.8	15.9	12.9	33.0	13.0

The proposal would provide a total of 6,187 square metres of new accommodation, representing an increase of 178% over the approved care home proposal under SU/15/0106.

4.4 The applicant has defined the overall proposal as a “care village”. The scheme is proposed to be extra care accommodation, with a care package to support future residents. This form of development provides self-contained residential accommodation, but with a minimum care package on arrival for which the applicant considers to be Class Cc development and supporting accommodation e.g. shared lounges/bar and the use of the adjoining care home development.

4.5 A total of 41 car parking spaces would be provided across the wider site, arranged close to the respective blocks including to the front of the proposed building.

4.6 The approved care home building (under SU/15/0106) is set a minimum of about 100 metres from the front boundary of the site with Kings Ride and 80 metres from the rear boundary. Elements of the current proposal would be positioned a minimum of 14.8 metres from the front boundary of the site with Kings Ride (Block 2) and 14.8 metres from the rear boundary (Block 4).

4.7 The application has been supported by a planning statement which confirms the proposal occupancy as follows:

"The dementia care units within the care village will cater to older people with varying dependency levels and the units will create an environment that allows people with care needs to maintain their independence for as long as possible. The model is able to cater for residents with a high level of dependency and therefore also provide an alternative to a care home. In addition, the extra care units will be adjacent to a care home which will be capable of providing care to residents with a range of dementia needs, including those with a physical need in addition, and has been specifically designed for their requirements. With this ability, a number of high dependency residents who would otherwise have to have an enforced hospital stay, can be accommodated on a continuing-care basis."

4.8 In support of the application, the further documents have been submitted:

- design and access statement;
- planning needs assessment report;
- transport statement;
- sustainability statement;
- ecology report including updated ecological walkover report (addendum);
- habitats regulations assessment;
- landscape and visual appraisal report;
- waste management statement;
- flood risk assessment;
- ground investigation report; and
- arboricultural report.

5.0 CONSULTATION RESPONSES

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|-----|----------------------------|--|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Natural England | An objection is raised on the impact on the SPA. |
| 5.3 | Arboricultural Officer | An objection is raised on the impact on trees. |
| 5.4 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Committee. |
| 5.5 | West Surrey Badger Group | No comments. |
| 5.6 | Local Lead Flood Authority | No objections. |

5.7 Environment Agency No comments received to date. Any formal comments will be reported to the Committee.

6.0 REPRESENTATION

At the time of preparation of this report, no representations in support and 51 representations raising objections which raise the following objections:

- 6.1 Disregard for/impact on the environment [See Paragraph 7.3]
- 6.2 Doubling in size of development on the site [See Paragraph 7.3]
- 6.3 Too many retirement developments in Camberley [See Paragraph 7.3]
- 6.4 Impact on road infrastructure and wider road network and their users [See Paragraph 7.6]
- 6.5 Impact on character/rural location [See Paragraph 7.3]
- 6.6 Visual impact on local residents [See Paragraph 7.5]
- 6.7 Existing road conditions (such level of on-street parking in close proximity to site entrance) not taken into consideration in transport assessment [See Paragraph 7.6]
- 6.8 Impact on wildlife/biodiversity (including deer, woodpeckers, lizards, slow worms, grass snakes) [See Paragraph 7.4]
- 6.9 Uphill struggle for local communities against developers [Officer comment: *This is not a material planning consideration*]
- 6.10 Intention of the developer to develop all green areas on the site is now shown by “planning creep” [Officer comment: *Each application has to be assessed on its own merits*]
- 6.11 Impact on drainage, which is inadequate in the local area [See Paragraph 7.7]
- 6.12 Conditions on the previous permission SU/15/0106 have been ignored regarding future occupation [Officer comment: *The approved care home is not yet occupied*]
- 6.13 Current development (of the site) is causing distress and to extend the building time would have an impact [Officer comment: *This would not be a reason to refuse this application*]
- 6.14 Overlooking from roof gardens [See Paragraph 7.5]
- 6.15 Impact on residential amenity [See Paragraph 7.5]
- 6.16 Impact on the countryside [See Paragraph 7.3]
- 6.17 Increased activity on the site [See Paragraph 7.5]
- 6.18 Wooden bridge already provided to support the proposal [Officer comment: *The access has not been fully provided. The details of the access, and how they*

impact on trees, have been requested but are required to support the sale of units for the care home scheme under SU/15/0106]

- 6.19 Impact on woodland/trees/vegetation [*See Paragraph 7.3*]
- 6.20 Impact on the SPA/SSSI [*See Paragraph 7.4*]
- 6.21 Overdevelopment of the site [*See Paragraph 7.3*]
- 6.22 Submitted reports have been procured by the developer and should have come from an independent source [*Officer comment: This would not be a reason to refuse this application*]
- 6.23 Impact on local health services (doctors and dental practices) [*Officer comment: This would not be a reason to refuse this application*]
- 6.24 Impact on school places [*Officer comment: This would not be a reason to refuse this application*]
- 6.25 The development is Class C3 development [*See Paragraph 7.4*]
- 6.26 Warden's facilities should not be provided [*Officer comment: There is no warden accommodation proposed under this application*]
- 6.27 Impact on drainage from increasing hardstanding [*See Paragraph 7.3*]
- 6.28 Limitations of existing high way network to cope with traffic generation from emergency vehicles, services (e.g. laundry), staff and other visitors, etc. [*See Paragraph 7.6*]
- 6.29 The feasibility of controls on pets for this development [*See Paragraph 7.4*]
- 6.30 Highway safety hazard from the access path which accesses directly onto the carriageway with no pedestrian crossing [*See Paragraph 7.6*]
- 6.31 Whilst one resident may be impaired (e.g. with dementia) their partner may not [*See Paragraph 7.4*]
- 6.32 Overbearing, imposing and out of scale [*See Paragraph 7.3*]
- 6.33 Overlooking from upper floor windows [*See Paragraph 7.5*]
- 6.34 Overshadowing/loss of light [*See Paragraph 7.5*]
- 6.35 Insufficient (pre-)consultation with community. It is not known if any local residents were invited to the pre-application meeting for residents at Pennyhill Park [*Officer comment: There is no statutory requirement to provide a pre-application consultation or exhibition for local residents for this proposal*]
- 6.36 Impact of increased noise pollution [*See Paragraph 7.5*]
- 6.37 Loss of trees previously on the site [*See Paragraph 7.3*]
- 6.38 Proposed walkway would be an invitation to park outside the development [*See Paragraph 7.6*]

- 6.39 The proposed units are for sale (rather than rent) and therefore do not form a part of a residential institution (i.e. Class Cc) [*Officer comment: This would not be a reason to refuse this application*]
- 6.40 Bungalows be more appropriate for the elderly and others in care [*Officer comment: This would not be a reason t refuse this application*]
- 6.41 Light pollution [*See Paragraph 7.5*]
- 6.42 Impact on quality of life [*See Paragraph 7.5*]
- 6.43 Impact on sewage system [*See Paragraph 7.7*]
- 6.44 Layout and provision implies residential occupancy by able bodied residents [*See Paragraph 7.4*]
- 6.45 Proposal should be refused without the need for neighbour notification [*Officer comment: This would conflict with the Council's statutory duties*]
- 6.46 Presumption in favour of sustainable development in NPPF does not apply where development requires an AA [*See Paragraphs 7.3 and 7.4*]
- 6.47 Site is within 400 metre SPA buffer, where new residential development is not permitted [*See Paragraph 7.4*]
- 6.48 Development would support a wide choice of housing for different groups in the community and provides residents' parking with an adverse impact on the SPA [*See Paragraph 7.4*]
- 6.49 The extent of neighbour notification [*Officer comment: The original level of notification included all properties which were opposite or bounded the site and those which had previously made comments (for SU/15/0106) abut an increase neighbour notification has subsequently been undertaken*]
- 6.50 Lack of on-site parking and impact of overspill parking on local highway network [*See Paragraph 7.6*]
- 6.51 The benefits to Camberley would be limited where goods and services are procured from a wider area [*Officer comment: This is not a planning matter*]
- 6.52 Care home has been a "Trojan horse" for the new proposal [*Officer comment: Each application is considered on its own merits*]
- 6.53 Loss of trees/understorey to site frontage has opened up the site, which will be made worse by current proposal [*See Paragraph 7.3*]
- 6.54 Planning need for development has been too-tightly drawn [*See Paragraphs 7.3 and 7.4*]
- 6.55 Site should be afforded the same protections as Green Belt [*Officer comment: The site is designated as countryside*].

7.0 PLANNING CONSIDERATION

7.1 The application proposal is located within the defined Countryside (beyond the Green Belt) and forms a part of an SNCI and is very close to the SSSI/SPA. The proposal relates to the provision of an extra care residential development which are not CIL liable. Policies CP1, CP2, CP5, CP12, CP14, DM1, DM9, DM10, DM11 and DM14 of the Surrey Heath Borough Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); Thames Basin Heath Special Protection Area SPD 2012; along with the National Planning Policy Framework (NPPF) and guidance in the Planning Practice Guidance (PPG) are relevant.

7.2 It is considered that the main issues to be addressed in determining this application are:

- background and the need for the development;
- the impact on the Countryside (beyond the Green Belt), character and trees;
- the impact on biodiversity and the SPA;
- the impact on residential amenity;
- the impact on highway safety; and
- the impact on drainage and flood risk.

7.3 Background and the need for the development

7.3.1 The current proposal follows the approval of a leisure development at this site (which related to the site allocation for such use in the local plan in 1994, then withdrawn in the 2000 local plan), which was replaced by a care home development in a similar position, with each development proposal larger in floorspace terms than the earlier development. It was considered that the size of the most recent care home development under SU/15/0106 was at the limits of acceptability. That development provided a site location plan tightly drawn to the works required for the development including a smaller rear garden/amenity area for residents, parking area to the front and access road, with the remainder of the site remaining within its original woodland/agricultural use. It was considered that any further development on this site, particularly where it extended into the woodland/agricultural land, would be harmful to the countryside.

7.3.2 The applicant has provided an assessment of the need for this type of development which concludes that there is a substantial unmet demand for the proposed accommodation. Within a 7.5 mile radius of the application site, the assessment concludes that there is an unmet need of 255 units. However, whilst this level of need is noted, it is not considered that this demand is sufficient reason to overcome the objections raised below.

7.4 Impact on the Countryside (beyond the Green Belt), character and trees

7.4.1 The current proposal would provide a large extra care residential development in the Countryside (beyond the Green Belt). Paragraph 17 of the NPPF sets out a series of key principles including the recognition of the intrinsic character and

beauty of the countryside and the encouragement of the use of previously developed land, provided that it is not of high environmental value. Paragraph 58 of the NPPF indicates that development should respond to local character and be visually attractive as a result of good architecture and appropriate landscaping.

7.4.2 Policy CP1 of the CSDMP states that new development will come largely for the redevelopment of previously developed land in the western part of the Borough and development in the countryside which results in the coalescence of settlements will not be permitted. Policy CP2 of the CSDMP states that all land should be efficiently used within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 indicates that development should respect and enhance the local, natural or historic character of the environment; be it in a rural or urban setting.

7.4.3 Paragraph 5.6 of the CSDMP indicates that:

"Inappropriate development within the Countryside will include proposals that cause harm to its intrinsic character and beauty, landscape diversity, heritage and wildlife. In considering proposals for development regard will be had to national guidance as appropriate."

7.4.4 It is noted that a care home building is to be provided on this site. However, the current proposal would provide a significant increase in the amount of development on the site, in the form of four large blocks, with a similar height to this care home building, significantly increasing the amount of building floorspace/footprint and spread development significantly across the site, reducing the minimum gaps for the development to front and rear site boundaries (see table in Paragraph 4.4). This impact, along with the increased hardstanding and the resulting urbanisation of the application site, would have a significant impact on local character, particularly the beauty of this part of the countryside. The application site, even with the approved care home development, retains its rural character and setting. However, the proposed development would have a much greater impact, resulting in an adverse visual impact on this rural character.

7.4.5 The proposal would provide development much closer to the street (Kings Ride) (see table in Paragraph 4.4). Whilst the site frontage includes trees and could be enhanced by landscaping such as further trees, understorey and other vegetation, noting the proximity and height of the nearest blocks (1 and 2), the developed nature of the site would be much more apparent than for the approved care home. The proposed buildings would also have a much larger form than the domestic scale of the semi-detached dwellings in Kings Ride which face the application site. In addition, the rear of one of the blocks (Block 2) and the side of the other frontage block (Block 1) would face the street, which would further detract the visual impact of the application proposal in the streetscene.

7.4.6 The proposed buildings, particularly Blocks 1 and 2, would provide development located close to trees, most of which are protected under a predominantly woodland Tree Preservation Order 7/86. The Tree Preservation Order protects the trees which provide a public amenity value and significantly add to the quality of the area. The Council's Arboricultural Officer has raised an objection to the proposal raising concerns about the proposed tree loss, which follows earlier canopy losses, and the future pressures from the thinning/containment/removal of

adjacent vegetation due to light restriction, leaf litter nuisance and the perception of threat. Concern about the future of the vegetation frontage is also indicated and the loss of landscaping required for the care home development (SU/15/0106).

- 7.4.7 The current proposal would provide a building design which takes its cues from the approved care home development, in terms of its design (including wood cladding and gabled roofs with dormers) and height/mass. However, significant elements of the design are flat roofed, particularly over the stairwells and to provide the rooftop gardens, which provide a jarring appearance between the gable and flat roof elements. As indicated above, the frontage blocks (Blocks 1 and 2) would be visible from the street but would also compete with and, to a degree, shield the principal building, the care home, for the street. The rear blocks (Blocks 3 and 4) would be built much closer to the rear boundary of the site, and would be very visible from the public footpath which runs along this boundary. It is considered that the proposed development represents a poor form of development, in design terms, which is accentuated by its close proximity to the public domain to both the front and rear of the site.
- 7.4.8 An objection is therefore raised to the proposal on character and tree grounds with the proposal failing to comply, with Policies CP2 and DM9 of the CSDMP and the NPPF.

7.5 Impact on biodiversity and the SPA

- 7.5.1 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 states that "*within locally designated sites [such as the SNCI], development will not be permitted unless it is necessary for on site management measures and can demonstrate no adverse impact to the integrity of the nature conservation interest. Development adjacent to locally designated sites [such as the current proposal] will not be permitted where it has an adverse impact on the integrity of the nature conservation interest.*" The applicant had provided a biodiversity report in support of the care home scheme, for which an addendum has been provided.
- 7.5.2 The original ecological report considered that owing to suitable habitat within the wider site, the wider site has the potential to accommodate bats, dormouse great crested newts, reptiles, otters, water voles, badgers and breeding birds. Further assessment had confirmed that there is a low or negligible risk of the presence of dormouse, great crested newts, otters or water voles present at the site, and no adverse impact on badgers and bats. The Surrey Wildlife Trust raised no objections to the approved care home development. The addendum has indicated that with regular mowing, the siting of the proposed blocks would not have any significant impact on the existing ecology on the site. The comments of the Surrey Wildlife Trust are awaited and, subject to their comments, no objections are raised to the proposal on ecological grounds.
- 7.5.3 The application site lies close to, and within 400 metres of, the SPA. The Council has resisted proposals for residential (Class C3) development in such locations due to the impact of the recreational activity of future residents and their pets (i.e. dogs and cats) on the SPA. However, the approved care home (which falls within Class C2) provides a residential institutional form of development controlled by a management company and with limitations on occupation to persons who at the

time of admission are mentally and/or physically frail; have mobility problems; suffer from paralysis or partial paralysis; or are in the need for assistance with the normal activities of life. This was considered to be acceptable as it was demonstrated that there would not have an adverse impact on the integrity of the SPA.

- 7.5.4 The current proposal would provide self-contained units which although proposed to be provided for the occupiers needing a level of care, remaining within Class C2 development (subject to the level of care); a level of independence would be expected without the same level of reliance on care that would be provided for the approved care home. In addition, the size of the units could lead to pressure for the joint occupation with an able bodied partner or carer (on a temporary or permanent basis) and the provision of private gardens, some at roof level, would indicate a level of able-bodiedness for future occupiers. Natural England has raised an objection on the activity of the future occupiers and the resulting increase in recreational activity which could have an adverse impact on the integrity of the SPA.
- 7.5.5 No objections are therefore raised to the proposal in relation to its impact on biodiversity but an objection is raised to the proposal on SPA grounds, with the development failing to comply with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the Thames Basin Heath Special Protection Area Avoidance Strategy SPD 2012.

7.6 Impact on residential amenity

- 7.6.1 The proposed buildings would have a two storey height with accommodation in the roof and would provide roof top gardens and balconies. The nearest proposed buildings (Blocks 1 and 2) would be set about 38 metres from the nearest residential property on Kings Ride (facing the application site) with a landscaped belt with major trees in between. These buildings would also be set about 95 metres from the nearest property in Woodlark Glade with woodland in between. This level of separation will ensure that no adverse significant impact will occur from the proposed building to the occupiers of nearby residential properties. The proposal, in a similar manner to the approved care home scheme, incorporates a service yard facility to the south west (front) corner of the proposed building. This area is located over 75 metres from the nearest residential property, in Woodlark Glade, and this level of separation and woodland in between, would limit any impact on the occupiers of nearby residential properties. Any increase in noise from traffic that would emanate from the application site has to be seen in the context of the previously approved schemes and it is not considered that this would have any significant impact on residential amenity.
- 7.6.2 In addition to the self-contained accommodation provided for each residential unit, the proposal would provide some communal living accommodation (including living rooms, bars) for the development and occupiers would also be able to use the existing care home facilities. As such, it is considered that the proposal would therefore have no adverse impact on the residential amenity of the future occupiers of the proposed development.

7.6.3 No objections are therefore raised on residential amenity, with the development complying, in this respect, with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.7 Impact on highway safety

7.7.1 The proposal would provide an increase in traffic generation and parking would be provided for 43 spaces, an increase over the 27 spaces provided for the original care home development (SU/15/0106) which is considered to be acceptable. The increased traffic generation will have an impact on traffic movements on Kings Ride but the transport statement considers that the proposed development would not have a significant impact on the operation of the local highway network, particularly during peak periods. The County Highway Authority has raised no objections to the proposal in relation to its impact on highway safety.

7.7.2 No objections are raised on highway safety grounds with the development complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

7.8 Impact on drainage and flood risk

7.8.1 The application site falls within a Flood Zone 1 (low risk as defined by the Environment Agency) and the proposal has been supported by a flood risk assessment. The assessment indicates that the development would be appropriately safe for its lifetime taking account of the vulnerability of its users, the development would not increase flood risk elsewhere and, with the implementation of the drainage strategy would reduce the flood risk overall.

7.8.2 The application site lies adjacent to an area of wetland and close to a watercourse, which are on land in the ownership of the applicant. A surface water drainage strategy has been provided for this development and the LLFA have raised no objections on these grounds.

7.8.3 No objections are therefore raised on these grounds with the development complying with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

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

9.0 CONCLUSION

9.1 The proposed development is considered to be acceptable in relation to its impact on residential amenity, highway safety, biodiversity and drainage/flood risk. However an objection is raised to the proposal on character and SPA grounds. The application is recommended for refusal.

10: RECOMMENDATION:

REFUSE for the following reasons:

1. The proposal, by reason of its height, mass, design, orientation, significant increase in floorspace and spread of development across the site would:

(a) give rise to a quantum of built form which would have a harmful urbanising impact on the openness and the intrinsic rural character of the countryside;

(b) would have an adverse visual impact on the streetscene and views from the public footpath at the rear of the site; and

(c) would have an adverse impact on the public amenity value and health of trees protected under a predominantly woodland Tree Preservation Order 07/86

The development would therefore fail to respect and improve the character and quality of the area, contrary to Policies CP1, CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

2. The Planning Authority is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSW). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of

the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 and Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).