

2016/0554

Reg Date 09/06/2016

West End

LOCATION: LAND SOUTH OF 24-46 (EVENS), KINGS ROAD AND 6 & 9 ROSE MEADOW, WEST END, WOKING, GU24 9LW

PROPOSAL: Application for the approval of reserved matters (appearance, landscape, scale and layout) pursuant to outline planning permission APP/D3640/W/15/3028247 [SU/14/0532] for the erection of 84 dwellings (including 8 one bedroom flats, 34 two bedroom houses, 28 three bedroom houses and 14 four bedroom houses) with access from Rose Meadow. (Amended Plans and Additional Plan/Info - rec'd 07/12/2016). (Amended Info and Plans recv'd 12/12/16). (Amended and Additional Plans recv'd 13/12/16). (Amended Information recv'd 14/12/16). (Additional & amended plans recv'd 15/12/16). (Additional plans recv'd 16/12/16). (Amended plans recv'd 5/1/17 & 6/1/17).

TYPE: Reserved Matters

APPLICANT: William Lacey Group Ltd

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application relates to the approval of reserved matters pursuant to outline permission SU/14/0532, granted on appeal, relating to the erection of 84 dwellings on land to the south of Kings Road and Rose Meadow in West End with access from Rose Meadow. With the access details approved under the outline permission, the proposal relates to the approval of the appearance, scale, layout and landscaping. The development includes the provision of 8 no one bedroom flats, 34 no. two bedroom houses, 28 no. three bedroom houses and 14 no. four bedroom houses.
- 1.2 In terms of the principle, access, traffic generation, housing mix, archaeology and land contamination, these matters were considered at the outline stage. Contributions towards local infrastructure and SANG provision would be provided under the CIL scheme, and provision for SAMM and affordable housing were secured through a legal agreement attached to the outline permission. On this basis, the impact on local infrastructure, affordable housing provision and Thames Basin Heaths Special Protection Area were considered at the outline stage.
- 1.3 The reserved matters application proposal has been the subject to a Design Review and the recommendations have been taken into consideration in the revised proposal.
- 1.4 In terms of the impact on local character, trees/hedgerows, residential amenity, parking, highway safety, ecology, drainage, flood risk and crime, no objections are raised. As such, the current proposal is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to agricultural land to the south of Kings Road and Rose Meadow on land which is defined as Countryside (beyond the Green Belt) but has been retained as a part of a housing reserve site. The land falls from north to south and the majority of trees are located to site boundaries with a line of trees running through the site from north to south which marks a historic boundary between two fields. The River Bourne lies south of the application site with a small part of the site close to the south boundary falling within the floodplain (Zone 2).
- 2.2 Part of a historic (pre-war) landfill site lies within the south east corner of the site. The Rose Meadow properties have been built relatively recently, i.e. since 2000, but are traditional in design and materials (in brick), being two storey detached and semi-detached dwellings. The residential properties in Kings Road are more of a mix of styles and sizes, and built in different ages.
- 2.3 The site measures 3.51 hectares in area. Land to the south and east of the application site falls within the Green Belt.

3.0 RELEVANT HISTORY

- 3.1 SU/14/0532 Outline application for the erection of 84 dwellings (including 8 no. one bedroom flats, 34 no. two bedroom houses, 28 no. three bedroom houses and 14 no. four bedroom houses. Non-determination appeal was allowed in December 2015.

A copy of this appeal decision is provided at Annex 1.

4.0 THE PROPOSAL

- 4.1 The current proposal relates to the approval of the reserved matters (appearance, scale, layout and landscaping) pursuant to the approval on appeal of the outline permission SU/14/0532 for the erection of 84 dwellings with its proposed access from Rose Meadow. The housing includes 8 one bed, 34 two bed, 28 three bed and 14 four bed units, with 40% affordable provision, split between intermediate and socially rented housing. 200 car spaces are proposed.
- 4.2 The application proposal provides a linear form of cul-de-sac development, taking into consideration the shape of the site, and based upon the schematic layout provided at the outline stage. The sole access would be, as approved at the outline stage, from the southern end of the highway at Rose Meadow. Rose Meadow is a short cul-de-sac serving 8 dwellings. The proposal would increase the number of dwellings using this access to 92 dwellings, which access onto Kings Road and the wider highway network. The principal access road would lead from north to south towards the amenity land at the south boundary, including a (LEAP) and a (LAP), along with a balancing pond. Two link roads would be provided running west to east connecting to a further road, running north to south. The southerly link road, in its amended form, would have restricted emergency only access, in part.

4.3 The proposal would provide a two storey development form, arranged in detached, semi-detached and terraced forms, with typically traditional design. The ridge heights of these dwellings would be between 7.7 and 8.7 metres, with eaves heights at 5 metres. The dwellings would face the main highways and the layout has been split into component parts which have different design philosophies which include:

- The entry avenue (the north east part of the site)
- The mews and side streets (the north west part of the site)
- The parkland edge (the south part of the site).

4.4 The application has been supported principally by:

- Planning and Design and Access Statements;
- Transport Assessment and Travel Plan; and
- Housing Need and Supply Report.

Other provided reports include:

- Flood Risk Assessment;
- Housing Report;
- Noise Assessment;
- Tree Report;
- Ecological Assessment;
- Heritage Assessment and Landscape Visual Impact Assessment; and
- Community Consultation Event Statement.

5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	Amended details provided for which comments are awaited. Any formal comments will be reported to the Committee.
5.2	Environmental Services	No objections.
5.3	Surrey Police	Comments awaited. Any formal comments will be reported to the Committee.
5.4	Natural England	No objections subject to SPA contributions being provided to the Chobham Meadows SANG.
5.5	Environment Agency	No objections.
5.6	Archaeological Officer	Comments awaited. Any formal comments will be reported to the Committee.
5.7	Arboricultural Officer	No objections.

5.8	Surrey County Council (Education)	Comments awaited. Any formal comments will be reported to the Committee.
5.9	Local Lead Flood Authority (SCC)	Amended details provided for which comments are awaited. Any formal comments will be reported to the Committee.
5.10	West End Parish Council	Object to the proposal on density/character grounds and does not provide for the elderly. If approved suggest conditions regarding management/maintenance of certain planted areas; improvements to the access road; permitted development rights to be removed that would add height/bulk to the roof level which would provide accommodation at this third storey height and to prevent any future extension being subdivided; and, the play area should be provided before any dwelling is occupied and retained for this purpose.

6.0 REPRESENTATION

At the time of preparation of this report, no representations in support have been received and 57 letters of objection, including one from the West End Action Group have been received which raise the following issues:

6.1 Principle

- The earlier appeal decision was flawed [*See Paragraph 7.3*];
- The Local Plan's artificial designation of this site as Countryside (beyond the Green belt) in order to impose a strict policy of restraint which the NPPF makes clear that safeguarded land is not allocated for development at this time [*See Paragraph 7.3*];
- The land is safeguarded and development can only come forward after a Local Plan review [*See Paragraph 7.3*];
- Under-counting of eligible housing sites in the HLSP. Shortfall is a consequence of developers delaying development at Deepcut. Other developers should not be allowed to profit from this at the expense of local communities [*See Paragraph 7.3*];
- This application should be refused so that the original appeal can be re-challenged [*See Paragraph 7.3*];
- Concern that all of these applications are being considered at the same time [*Officer comment: the Council has to determine these applications in a timely manner, and cannot stagger their decisions*];
- There is an 8.5 years supply of housing without the need to develop on this site [*See Paragraph 7.3*];
- The Core Strategy states that 20 homes for West End [*See Paragraph 7.3*];
- Number of proposed dwellings too high [*See Paragraph 7.3*];

- HLSP 2015-2020 indicates that housing targets are being met without the need for development of West End's green fields [*Officer comment: The HLSP 2015-2020 has been replaced by HLSP 2016-2021 and see Paragraph 7.3*];
- Impact on buffer between West End and Bisley [*See Paragraph 7.3*];
- West End has already made a large contribution [*See Paragraph 7.3*];
- The proposal is not sustainable (site has Minus 15 rating in the Interim Sustainability Appraisal 2013) [*See Paragraph 7.3*];
- In the light of the deficiencies of the appeal decision, the current application should not have been validated [*See Paragraph 7.3*];
- Site should be returned to Green Belt [*See Paragraph 7.3*];
- Govt. policy indicates a brownfield first policy, not the release of green field sites [*See Paragraph 7.3*].

6.2 Character

- Adding to the village will destroy its character [*See Paragraph 7.5*];
- Size of the development [*See Paragraph 7.5*];
- Loss of trees/hedgerows. Some trees have already been removed in readiness for this application [*See Paragraph 7.5*];
- Impact on woodland [*See Paragraph 7.5*];
- Too large and out of keeping [*See Paragraph 7.5*];
- Inappropriate density of development (24 dph in an area of 19/20 dph) [*See Paragraph 7.5*];
- Buildings are too close to the streams [*See Paragraph 7.5*];
- The proposal is not in keeping with the neighbouring character area in the Village Design Statement [*See Paragraph 7.5*];
- Provision of houses/flats is not in keeping with bungalows/dormer bungalows in the local area [*See Paragraph 7.5*];
- Building heights are out of proportion [*See Paragraph 7.5*];
- Use of materials and layout are urban, not in keeping with rural aspect of the local area, conflicting with Village Design Statement [*See Paragraph 7.5*];
- Road layout is incongruous [*See Paragraph 7.5*];
- The buildings designs and materials do not enhance the streetscene [*See Paragraph 7.5*];
- Housing estate-type development would be out of character;
- Insufficient landscape buffer/boundary treatment to adjoining residential property (in Rose Meadow);

- Large roof forms will lead to future conversions [See Paragraph 7.5];
- Crowded and cramped streetscene with very little space between some dwellings in contrast with Kings Road which has a more open feel [See Paragraph 7.5].

6.3 Highways and transportation matters

- Impact of increased traffic on congestion on the highway network, reflected by the number of car parking spaces on the site [See Paragraphs 7.3 and 7.6];
- Impact on private roads, Rose Meadow and Kings Road, and measures should be put in place following consultations with residents [See Paragraphs 7.3 and 7.6];
- Increased traffic use of public highway from pupils in the village commuting to school elsewhere [See Paragraphs 7.3 and 7.6];
- Impact on highway safety [See Paragraphs 7.3 and 7.6];
- Unsuitable access through a small cul-de-sac [See Paragraphs 7.3 and 7.6];
- The access to the development should be restricted to Beldam Bridge Road (and not Kings Road) [See Paragraphs 7.3 and 7.6];
- Traffic survey undertaken during significant road works to Beldam Bridge Road and should be re-surveyed when road is back to normal use [See Paragraphs 7.3 and 7.6];
- Dangerous access onto a winding road [*Officer comment: This relates to a different site*];
- Proposed roads are too narrow, restricting access for emergency vehicles [See Paragraphs 7.3 and 7.6];
- Insufficient parking [See Paragraphs 7.3 and 7.6];
- Upgrading of local roads, suggested by the developer, as not occurred [See Paragraphs 7.3 and 7.6];
- Travel plan indicates that schools are within walking distance, but these are already full and over-subscribed [See Paragraphs 7.3 and 7.6];
- Lack of visitor parking spaces [See Paragraphs 7.3 and 7.6].

6.4 Residential amenity

- Impact of pollution from increased traffic generation on road system [See Paragraph 7.7];
- Impact of noise from increased traffic generation on road system [See Paragraph 7.7];
- Impact of noise and disturbance and loss of peace and tranquillity [See Paragraph 7.7];
- Development should be fully screened from residential properties [See Paragraph 7.7];
- Impact from air and light pollution [See Paragraph 7.7];
- Overbearing impact [See Paragraph 7.7];
- Loss of privacy [See Paragraph 7.7];
- Loss of visual amenity [See Paragraph 7.7].

6.5 Drainage

- Impact on drainage (including surface run-off on adjoining sites/downstream) [See *Paragraph 7.8*];
- Impact on flood risk [See *Paragraph 7.8*];
- Impact on flood risk elsewhere [See *Paragraph 7.8*];
- Part of the site is in the floodplain [See *Paragraph 7.8*];
- Upgrade to the sewage system is required [See *Paragraph 7.8*];
- Concerns about provision of a pumping station and the future responsibility for its maintenance [See *Paragraph 7.8*];
- Thames Water concerns about the ability of the local waste water operations [See *Paragraph 7.8*].

6.6 Other matters

- Impact on over stretched services (doctors, schools, local hospital, employment) [See *Paragraph 7.3*];
- Impact on wildlife/protected species (red kites, owls, frogs, bats, badgers, hedgehogs, grass snakes, sparrowhawks, woodpeckers (Lesser Spotted, Great Spotted, Green), deer, buzzards, foxes [See *Paragraph 7.3*];
- Increased population without added infrastructure [See *Paragraph 7.3*];
- Cumulative impact with other developments [See *Paragraph 7.3*];
- West End should remain as a village [See *Paragraph 7.3*];
- Impact on health[See *Paragraph 7.3*];
- Developer should consult with local residents [*Officer comment: This is not a requirement for this form of development*]
- Development cannot proceed without meeting the requirements of Condition no 6 of the appeal decision regarding SANG provision [*Officer comment: the site has been allocated to the Chobham SANG*]
- The Council has ignored comments regarding the combined impact of the nearby (housing reserve site) housing development on the SPA and, as such, an Appropriate Assessment would be required [*Officer comment: these sites have been allocated to the Chobham SANG, and as such an Appropriate Assessment is not required*]
- The proposal seeks to ignore objections made by local residents [*Officer comment: This would not be a reason to refuse this application*];
- Development includes five bedroom properties and this is blatant opportunism by the developer [*Officer comment: This would not be a reason to refuse this application*];
- Play area insufficient for the proposed number of dwellings [See *Paragraph 7.10*];
- No bungalows proposed in the development [See *Paragraph 7.3*];

- No allocated SANG for West End [See Paragraph 7.12];
- Allocation to a SANG in Chobham to offer protection mitigation for the SPA is not accepted [See Paragraph 7.12];
- Natural England has tried to meet with the Council with regards to SANG delivery in West End and this has not occurred [See Paragraph 7.12];
- Ecological survey is inadequate [See Paragraph 7.3];
- Planned swales under the tree lines is unacceptable [Officer comment: The revised drainage details have removed the swale from this location];
- The still pond/catchment basin is in a dangerous location, adjacent to play area and fenced by only a post and rail fencing [Officer comment: Details of fencing would be required as part of the landscaping condition, see below];
- Details of external lighting have not been provided [Officer comment: Details of external lighting would be required by condition, see below];
- Increase in energy consumption and impact on global warming [Officer comment: This would not be a reason to refuse this application];
- Impact during construction including disruption, noise, dirt and heavy traffic. Application should not be approved until developer has made assurances and provisions to ensure impact is minimised and any financial and other issues are addressed. Concerns regarding approval of working hours. There should be no parking on Rose Meadow or waiting to go on site with engines running, regular cleaning and maintenance of road surface, contributions towards long term maintenance of the road surface [Officer comment: The requirements of a method of construction statement are set out in Condition 7 of the appeal decision];
- Wildlife corridors have not been provided to all site boundaries [See Paragraph 7.3];
- Loss of green space [See Paragraph 7.3]; and
- Need for a construction management plan. The Management Company of the private road (Rose Meadow) requests a copy of this plan, which also needs to be agreed with the Council, and the developer (Shanley Homes) is keen to start in January 2017 [Officer comment: The requirements of a method of construction statement are set out in Condition 7 of the appeal decision].

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site is located within a site which has been part of a housing reserve site, adjoining the settlement of West End, but is defined as Countryside (beyond the Green Belt) and has received outline permission SU/14/0532, on appeal, for which the access has been agreed under this permission. This application seeks the approval of the remaining reserved matters – including the appearance, scale, layout and landscaping.
- 7.2 As such, the National Planning Policy Framework and its associated Planning Practice guidance as well as Policies CPA, CP2, CP3, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved); and, Policy H8 of the Surrey Heath Local Plan 2000 (as saved) are relevant. In

addition, advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Infrastructure Delivery SPD 2014; and West End Village Statement SPD 2016 (VDS) are also relevant. Regard will also be had to the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment (December 2014) and the Housing Needs Survey Paper 2015-2020 (February 2015).

7.3 Since the appeal decision, officers do not consider that there has been any significant change in circumstances. For completeness a copy of the appeal decision including the conditions is attached (Annex 1) and for reference purposes, the main issues and conclusions in this decision, which also apply to this submission, are summarised below:

1. The principle of the development has been approved;
2. The access arrangements (with the vehicular access from Rose Meadow) has been approved;
3. The density and housing mix has been approved;
4. No objections to the impact of the proposal upon highway safety including the level of parking. In addition, no objections were raised to the cumulative impact on increased traffic from this proposal (along with other developments within the housing reserve site) [*See Paragraphs 37-40 of appeal decision and Conditions 11 and 13*];
5. No objections in principle to the impact of the proposal on residential amenity grounds, particularly in relation to any increase in noise whilst noting the outline nature of the approved scheme [*See Paragraphs 46 and 47 of appeal decision*];
6. No objections to the impact of the proposal on ecology and archaeology [*See Paragraphs 41 and 48 of appeal decision and Conditions 4 and 12*];
7. No objections to the impact of the proposal on local infrastructure with the proposal being CIL liable. The contribution towards education requested by the education authority, Surrey County Council, was not justified during the consideration of the appeal [*See Paragraphs 43-45 and 51 of appeal decision*];
8. No objections to the impact of the proposal on affordable housing provision, the housing mix, crime and open space provision. A level of affordable housing (32 units) will need to be provided on site and this has been provided under a legal agreement attached to this appeal decision and, as such, no objections are raised on these grounds. [*See Paragraph 50 of appeal decision*]; and
9. No objections on drainage, flood risk and land contamination although further drainage details were expected at the reserved matters stage [*See Paragraph 42 of the appeal decision and Conditions 6 and 10*].

7.4 However, it is considered that all the following matters need to be considered. It is considered that the main issues to be addressed in considering this application are:

- Impact on local character, trees and hedgerows;
- Impact on parking capacity and highway safety; and
- Impact on residential amenity.

Other matters including:

- Impact on drainage and flood risk;
- Impact on crime;
- Open space provision; and
- Impact on the Thames Basin Heaths Special Protection Area.

7.5 Impact on local character, trees and hedgerows

7.5.1 Policy DM9 of the CSDMP indicates that development should respect and enhance the local, natural or historic character of the environment and provide high quality design layouts which maximise the opportunities for linkages to the surrounding area and local services. Paragraph 56 of the NPPF indicates that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 57 of the NPPF indicates that it is important to plan positively for the achievement of high quality design and inclusive design for all development. Paragraph 64 of the NPPF indicates that permission should be refused for development of poor design which fails take the opportunities available for improving the character and quality of an area and how it functions.

7.5.2 The application site falls outside of the character areas within the West End Village Design Statement SPD 2016 (VDS), just south of Character Area 3. The VDS indicates that this Character Area has an open and rural feel with larger rear gardens and vegetation between properties. The relationship of the proposed development with this adjoining Character Area is addressed below (Paragraphs 7.5.6 to 7.5.13).

7.5.3 The proposal would provide a cul-de-sac form of development formed off a main access road from Rose Meadow, with a connecting emergency access road. Whilst the applicant has no control over the land to the west (land south of 20-22 Kings Road), scope for a connection to this site would be provided. The proposed development would be set back from and on lower land than the Kings Road properties, but would be seen as a continuation of the short cul-de-sac in Rose Meadow. The majority of the site would not be clearly visible for the public domain (particularly Rose Meadow and Kings Road), with the exception of the entry avenue, clearly visible from Rose Meadow.

7.5.4 The application site is relatively self-contained, when viewed from the open land to the south and east (in the Green Belt). Paragraph 33 of the appeal decision indicated:

“The site is located on the edge of the village, to the rear of properties on Kings Road. The remaining boundaries are surrounded by established tree and hedgerow planting providing a good level of screening and visual containment. Whilst the development would be visible from a number of residential properties surrounding the site, wider views from the countryside would be limited.”

7.5.5 The proposed layout is broadly in a similar form to that shown at the outline stage (as a schematic layout), for which objections were not raised. However, the current application proposal has been the subject of a Design Review process in liaison with the Council's Urban Design Officer and, following the receipt of comments from the Design Review Panel, has been the subject of amendments. The main conclusions of the Panel and how those issues have been addressed follow. The Council's Urban Design Officer is satisfied that the scheme has addressed the comments of the Design Review Panel and will deliver a high quality housing scheme.

The design response to the wider context

- 7.5.6 The Design Review Panel considered that the site is visually contained and sits within a largely suburban edge of a village. The Panel acknowledged that the character of the immediate area is not a form or density to emulate, which gives the opportunity to respond more evidently to the site and its setting. The structure of the site is linear, with features running perpendicular to the brook (The Bourne). The retention of trees running approximately north to south within the site was welcomed by the Panel, but how the space they sit within is managed needed careful thought. Moreover, the Panel was of the opinion that how the site related to the surrounding area in terms of connectivity needed more work i.e. the site is in danger of being isolated and the original layout made introducing future linkages problematic.
- 7.5.7 In response, the applicant has retained the majority of the trees at the existing field boundary running north to south across the site, and trees to the site boundaries, but also a couple of oak trees close to the site entrance (to the front of Plot 3). The proposal has been amended to turn the residential dwellings Plots 72 and 73 to face the landscape buffer and trees to improve surveillance. The gardens of Plots 22 and 39 have been extended to include the landscape buffer (and retained trees) to more clearly define the future management of this land (also see paragraph 7.5.12 below). The access roads are provided to the south west corner of the site (adjacent to land to the south of 22-24 Kings Road, as a part of the housing reserve site which would assist future connectivity).

The layout and public realm

- 7.5.8 The Design Review Panel indicated that the main street (entry avenue) would be sinuous, with parallel kerb lines and geometries that are typical of roads built to prioritise the movement of vehicles, not people on foot or bicycle. The Panel indicated that there would be an opportunity to introduce traffic calming features into this street - on-street parking, pinch points, etc., to help moderate speeds whilst enabling the alignment of the street to better reflect the linear field patterns linked by less rigid east-west lanes which would introduce a hierarchy of streets and spaces, helping to make the scheme more navigable whilst adding character through a varied streetscape. The Panel encouraged the applicant to consider the choice of surface materials so that maintenance is manageable and noise from passing vehicles is reduced. This would not mean that the streetscape could not support diverse materials; rather they should be used to support other functions of the streets, such as where junctions occur or where a traffic calming feature is present. The original layout varied little in terms of density and massing across the site and it was considered by the Panel that the keeping of some of the existing stands of trees and modifying the density around the site would help differentiate parts of the site, which in turn will help reinforce character. The Panel also considered that the open space as originally proposed would not be as well-resolved as it could be with most of the space tucked away and faced by car parking and how this space integrates with the brook could be more explicit.
- 7.5.9 The revised submission has provided a design strategy with three distinct character areas, as confirmed in paragraph 4.3 above. The entry avenue has a lower density, predominantly detached, with main facades in brick to reflect the existing properties in Rose Meadow. This avenue is to be tree-lined with soft landscaping provided, especially to the plot edges. The mews and side streets character area would provide a mix of detached, semi-detached, terraced and flatted properties at a medium density and would introduce some render/tile hanging. The parkland edge character area would provide a mix of semi-detached, terraced and flatted properties in brick. This would provide each part with a more distinctive character and this approach is considered to be acceptable.

- 7.5.10 The entry avenue has been amended to be slightly more sinuous and, with the introduction of built-outs between Plots 4/78/79 and Plots 38/39/73, a ramp at the access and on-street parking and an emergency access restriction outside Plots 18-21 and opposite the open/play space. Whilst the details of surface materials for the roads are to be considered under condition 8 of the outline permission, some indication of a variety to road surfaces, at pinch-points (build-outs) and road junctions has been indicated.
- 7.5.11 As previously indicated, the proposal would retain a number of trees on the site, including more trees close to the site access. Trees to the site boundaries, particularly with the Green Belt, are also to be retained. This provision is to be enhanced by trees and hedging to the frontages of properties particularly in the entry avenue to reflect the VDS character area but also to the other streets and open space to the south boundary. This provision, along with its long term management, will be secured by condition, as set out below which would provide greater certainty of control over these spaces.
- 7.5.12 A plot boundary plan has been provided to more clearly defined the future ownership and control of all spaces within the site, defining the public and privately controlled spaces. The revised submission also included an indication of a range of different boundary treatments. Concerns were raised by the Urban Design Officer about the use of close boarded fencing, rather than hedging, to prominent boundaries. However, the consideration of boundary treatments and the long term management of the land outside of private ownership/control would be undertaken by condition.

The built form and materials

- 7.5.12 The Design Review panel did not feel that, for the originally submitted proposal, there was a considered rationale for the built form; what was proposed, where and why. The Panel indicated that the site presents an opportunity for something which diversifies the local offer adding to the character of the area. Varying the density, adding building height where the topography allows, and introducing variation in the continuity of the built edge to the street was considered by the Panel to all help in increasing the character of the street. The site's location at the village edge and the number proposed would represent an opportunity to introduce more imaginative housing types. The Panel was encouraged by the simple palette of materials but considered a better rationale for how the materials supported the different areas within the scheme, its different spaces and hierarchy of spaces could reinforce the character. The Panel also considered that the parking arrangements should be revisited with a mix of parking solutions required. An estate management strategy needed to be developed, to avoid ambiguity of the responsibilities for common and private areas.
- 7.5.13 The proposal has been amended to provide a more coherent material palette to reinforce, with the proposed changes to the road hierarchy, the character areas (as indicated in Paragraph 7.5.10 above). The proposal has been deliberately provided at a maximum of a two storey height to reflect the size of dwellings in the adjoining VDS Character Area, and it is considered that any increase in height, notwithstanding the change in levels across the site, would not reflect this character or its rural edge location.

Conclusion

- 7.5.14 The current proposal would provide a design strategy to clearly define and separate out different parts of the site which would provide a form of development which helps reinforce the characteristics of the neighbouring settlement edge, including the nature of the adjoining Character Area as set out in the VDS, and through the Design Review process genuine improvements have been provided. The proposal would provide landscaping and has been arranged around the retention of the significant trees on the site, particularly the line of trees on the existing field boundary within the site, and soft landscaping to the

property frontages, especially to the plot edges, which is a positive feature of the development. It is therefore considered that the proposal would not only integrate into its village setting but also genuinely enhance and improve the character and quality of the local area.

7.5.15 It is considered that the proposed development is considered to be acceptable in design and character terms, complying with Policies CP2 and DM9 of the CSDMP and the NPPF.

7.6 Impact traffic generation, parking capacity and highway safety

7.6.1 The proposal would provide a sole access through Rose Meadow a short cul-de-sac serving 11 dwellings. The proposal would increase the number of dwellings using this access to 95 dwellings, which access onto Kings Road and the wider highway network. Whilst the comments of the County Highway Authority are awaited for the current application, the Authority raised no objections to the outline proposal on traffic generation and highway safety grounds, subject to conditions.

7.6.2 The proposal would provide 191 garage or parking spaces, of which 20 spaces would be unallocated, would be provided to serve this development. This level of parking would meet parking standards and no objections are therefore raised on these grounds.

7.6.3 The Inspector at Paragraph 38 of the appeal decision indicates that *"the traffic assessment identifies that in combination with other developments in the area, future development in the area, future delays may be experienced on the A322 [Guildford Road] but the County Council is satisfied that suitable improvement works would increase capacity and improve the operation of the nearby [Fellow Green] roundabout. However, it is accepted that these improvements are not necessary to make the appeal proposal acceptable in planning terms. Notwithstanding this, the Council's CIL tariff would provide potential funding for any necessary future improvements."* The cumulative impact of the current proposal with other nearby housing proposals, and their combined impact on the highway network, have therefore been taken into account.

7.6.4 The Inspector for the appeal decision agreed with the County Highway Authority that the poor surface of Kings Road, particularly between Rose Meadow and A322 Guildford Road, and the effect of increased traffic on this highway would not be a reason to refuse this quantum of development on the application site. As such, and subject to the comments of the County Highway Authority, 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 residential amenity

7.7.1 The existing properties 6 and 9 Rose Meadow are positioned such that the flank walls of these properties face the application site, with windows at ground and first floor level. The nearest proposed dwellings (Plots 1 and 84) would have their flank walls set 4 metres for the mutual boundaries and 6.5-7 metres from the flank walls of these properties. These levels of separation are considered to be acceptable.

7.7.2 The remaining neighbouring dwellings which bound the application site (24-46 Kings Road) have rear gardens which face the application site. Proposed Plots 70-72 have a boundary with the long rear gardens of 38-44 Kings Road, with the 11 metre separation distance between the rear walls of Plots 71 and 72 facing this mutual boundary and 8.5 metres between the flank wall of Plot 70 and this mutual boundary. These levels of separation are considered to be acceptable.

- 7.7.3 The rear boundaries of Plots 60-65 and the flank boundaries of Plots 59 and 69 face the flank boundary of the long rear garden of 40 Kings Road with minimum separation distances of 11 and 4 metres respectively provided which would provide an acceptable relationship with this property and its respective garden.
- 7.7.4 The rear gardens of neighbouring dwellings 32-36b Kings Road would face the rear of Plots 55-59. A minimum distance of 10 metres from the rear wall of these dwellings to the mutual rear boundaries and 36 metres from the principal rear wall of the nearest existing property would be retained. This level of separation is considered to be acceptable.
- 7.7.5 The proposal would lead to an increase in traffic noise from increased movements on adjoining streets, especially Rose Meadow. In this respect, the applicant had provided an acoustic report for the appeal scheme to which the Council's Senior Environmental Health Officer had confirmed, that whilst the increase in road noise will be noticeable from the most affected houses in Rose Meadow, the level of increase would not be sufficient to make any significant impact on residential amenity. No objections are therefore raised on these grounds.
- 7.7.6 The current proposal is therefore considered to be acceptable on residential amenity grounds, with the proposal complying with Policy DM9 of the CSDMP.

7.8 Impact on drainage and flood risk

- 7.8.1 As indicated in Paragraph 7.3 above, no objections were raised at outline stage to the impact of the proposal on drainage and flood risk. The current application has been supported by a drainage strategy which would build upon Condition 10 of the appeal decision. No objections have been raised by the Environment Agency but the comments of the LLFA are awaited, following the receipt of amended drainage details, and will be reported to the Committee.
- 7.8.2 The proposed is considered to be acceptable, subject to the comments of the LLFA, complying with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.9 Impact on local infrastructure

- 7.9.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by the Full Council in July 2014. As the CIL charging schedule came into force in December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential development where there is a net increase in residential floor area, the development is CIL liable.
- 7.9.2 The CIL charging schedule includes payments, which do not need to be relevant to the development proposal in all cases, towards SANG, open space, local/strategic transport projects, play areas and equipped spaces, indoor sports, community facilities (e.g. libraries and surgeries), waste and recycling, and flood defence/drainage improvements. The Inspector for the appeal decision indicated, at paragraph 38, that the CIL tariff can include highway improvements to benefit the local highway network if future capacity issues arise.
- 7.9.3 Improvements to education do not form part of the CIL scheme and there is no mechanism to collect contributions from development for such needs. The impact of the proposal on local education and whether a contribution towards such improvements was separately assessed, under paragraphs 43-45 of the appeal decision, where it was concluded that a contribution towards education for this proposal had not been justified by the education authority, Surrey County Council. Consequently in the officer's opinion, requesting this contribution would not comply with the tests set out in Paragraph 204 of the NPPF.

7.9.4 At the time of writing of this report, the required CIL forms were submitted and the Council was able to calculate the liable sum, which is estimated to be about £1.125 million. CIL is a land charge that is payable upon commencement of works. As such, no objections are raised to the proposal on these grounds, with the proposal complying with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.10 Open space provision

7.10.1 Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires the provision of open space (including play space) within new residential developments to meet the needs of future residents. The proposed layout indicates the provision of open space of about 3,000 square metres (including play space of about 500 square metres) proposed towards the south boundary of the site. As such, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.11 Impact on the Thames Basin Heaths Special Protection Area

7.11.1 The application site falls about 0.8 kilometres from the Thames Basin Heaths Special Protection Area (SPA). Policy NRM6 of the South East Plan 2009 (as saved) seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of contributions towards Suitable Alternative Natural Green Space (SANGS) to offset any potential harm to the SPA.

7.11.2 As indicated in Paragraph 7.12.2 above, the CIL charging schedule incorporates SANGS funding. Whilst at the time of the assessment of the appeal it was not necessary to consider whether there is an availability of SANG capacity to accommodate this development at the time of that decision with Condition 5 of the appeal decision provided to deal with this uncertainty. Subsequently, the site now falls within the Chobham SANG and the release of SANG capacity has been provided for this scheme meeting the tests set out in The Conservation of Habitats and Species Regulations 2010. No objection is therefore raised to the proposal on these grounds.

7.11.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is not included with the CIL scheme, a separate contribution of £48,392 is required. This contribution has through the legal agreement attached to the appeal decision and, as such, no objections are raised on these grounds.

7.11.4 The current proposal is considered to be acceptable in terms of its impact on the SPA, complying with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

8.0 CONCLUSION

- 8.1 No objections are raised to the impact of the proposal on trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix, crime and the Thames Basin Heaths Special Protection Area. The outline permission (granted on appeal) provided a legal agreement to secure the provision of sufficient amount of affordable housing and a SAMM contribution.
- 8.2 The current proposal has been the subject to a Design Review process with significant benefits gained to local character building on the original outline planning permission SU/14/0532, granted on appeal. The development would integrate with the residential properties in Rose Meadow and the wider area and improve the character and quality of the area. As such, this application is recommended for approval.

9.0 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.

11.0 RECOMMENDATION

GRANT permission subject to the following conditions:

1. The proposed development shall be built in accordance with the following approved plans: P941.101 Rev. J, P941.102, P941.103 Rev. G, P941.104 Rev. G, P941.105 Rev. G, P941.106 Rev.G, P941.107 Rev. G, P941.108 Rev. C, P941.201, P941.202, P941.A. 201, P941.A.202, P941.A.203, P941.B.201, P941.B.202, P941.B.203, P941.C.201, P941.C.202, P941.C.203, P941.D.201, P941.D.202, P941.D.203, P941.D1.201, P941.D1.202, P941.D1.203, P941.E.201, P941.E.202, P941.E.203, P941.E.204, P941.F.201, P941.F.202, P941.F.203, P941.F1.201, P941.F1.202, P941.G.201, P941.G.202, P941.G.203, P941.G1.201, P941.H.201, P941.H.202, P941.H.203, P941.J.201, P941.K.201, P941.K.202, P941.L.201, P941.M.201, P941.M.202, P941.1.201, P941.1.202, P941.2.201, P941.3.203, P941.3.301, P941.3.302, P941.3A.201, P941.3A.202, P941.4A.201, P941.GAR.201, P941.GAR.202, P941.GAR.203 and P941.GAR.204; 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.

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

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

3. The garaging/parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and 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.
 1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
 3. A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of 20 years.

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.

5. Details of the play area equipment and boundary treatment for the play area shown on the approved drawings shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the occupation of the approved development.

Reason: To support the provision of informal recreation space within the development and to comply with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. The applicant is reminded that the conditions and legal agreement attached to outline permission SU/14/0532, granted on appeal, remain in force for the approved development.
2. Party Walls (etc) Act 1996 DE3
3. CIL Liable CIL1