

LOCATION: FLEXLANDS, STATION ROAD, CHOBHAM, WOKING, GU24 8AG

PROPOSAL: Erection of 8 x 2 bed and 6 x 3 bed dwellings, communal pavilion, car parks, bin store, entrance gates and associated landscaping, following demolition of existing buildings. (Amended plan recv'd 6/1/17)

TYPE: Full Planning Application

APPLICANT: Mr Quail
Blenheim Chobham Ltd

OFFICER: Emma Pearman

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site used to be the site of Flexlands School but has been empty for a number of years. The site comprises the disused school buildings which are in a dilapidated state, and open land to the rear. The site lies outside the settlement boundary of Chobham, and within the Green Belt. The site has had two permissions granted previously (in 2005 and 2009) for care homes to be built and these permissions are extant. The proposal is for 14 two-storey terraced and semi-detached dwellings to be built on the site, which would be a mixture of 2 and 3 bedroom units and intended as retirement homes. There would also be a small office/pavilion, and the site would be gated to the front with the existing open land to the rear as communal open space for the development.
- 1.2 The proposal is considered to be redevelopment of a previously developed site, and would not have a greater impact on openness than the existing development, and as such is not inappropriate development in the Green Belt. The proposal would attract considerably fewer vehicles than the previous use as a school, or either of the extant permissions as a care home. Sufficient parking is to be provided on site in line with the County Highway Authority's standards.
- 1.3 The site is partly within Flood zones 2 and 3 although the proposed housing would fall outside of these areas. Comments are awaited from the Environment Agency, and the LLFA have requested further information at this stage, although it is anticipated that this can be resolved through conditions. The site also proposes no affordable housing for financial viability reasons, and further information is required in this regard however again it is anticipated that this can be resolved before Committee. If these issues remain unresolved then the recommendation would be changed on this basis. It should also be noted that while the development is proposed for retirement homes, and the applicant is a developer of retirement properties, no conditions are proposed that would restrict the age of occupants as the proposal is considered to be acceptable in planning terms without such a restriction.

2.0 SITE DESCRIPTION

- 2.1 The application site is 1.2ha in size and lies to the north of Station Road, to the east of the settlement area of Chobham, and within the Green Belt. The site was formerly occupied by Flexlands School until 2005 and a separate Montessori nursery operated from part of the site for a few years after this. The site comprises the empty school buildings which are in a dilapidated state, hard surfacing to the front, and a courtyard between the buildings, open land to the rear with woodland to the north and two disused tennis courts. There is also a small pond located to the side of the main building. The boundaries of the site mainly comprise vegetation with a fence over the current access. There is a disused portacabin to the front of the site and public footpath 12 runs along the eastern boundary. The northern and western parts of the site lie within Flood Zones 2 and 3. There is residential development to the east of the site and on the opposite side of Station Road to the south, with open fields to the north and west.

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/1032 - Lawful Development Certificate for an existing use or operation comprising the implementation of planning permissions SU/05/0894 and SU/09/0037.

Agreed Lawful Use

- 3.2 09/0037 - Change of Use of school building to residential care home, to include the erection of a single storey side extension and two storey rear extension, following demolition and replacement of the rear section of the building. Erection of new pitched roofs to existing single storey flat roofed elements of the building and associated alterations.

Granted 23/06/2010 [and implemented]

- 3.3 06/0906 – Application for dual use of free standing school building for educational/recreational purposes

Granted 04/12/1996

Condition 1 reads as follows:

The permission hereby granted shall be limited to the period expiring on the 31.12.2001 on or before which date the use hereby permitted shall be discontinued and the premises reinstated to their former condition, to the reasonable satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the terms of the application after five years to ensure that the amenities of neighbouring residential amenities are not unduly prejudiced.

Condition 4 reads as follows:

The use of the building hereby approved shall not be used by any external organisation whilst the school is operating. In addition the hall will only be available to external organisations up to 11 p.m. after school, during school holidays and at weekends.

Reason: In order to safeguard the amenities of adjoining residential properties.

- 3.3 05/0894 - Change of Use of school buildings (D1) to residential care home (Cc) with associated alterations.

Granted 21/11/2006 [and implemented].

4.0 THE PROPOSAL

- 4.1 The proposal is for the erection of 8 x 2 bed and 6 x 3 bed dwellings, communal pavilion, car parks, bin store, entrance gates and associated landscaping, following demolition of existing buildings. The applicant states these will be for retirement housing. Twelve of the fourteen dwellings would have a single storey eaves height with dormers in the roofspace to provide a first floor, with eaves height of 2.7m and ridge height 7.3m approx. The remaining two dwellings would have the same ridge height but include front gabled elements at first floor level with eaves height 4.4m. The dwellings would be arranged around a communal garden area and pavilion to the front, in a similar layout to the existing buildings on the site. Plots 1-3 and 6-8 would be a terrace of three, with the remaining properties in semi-detached pairs.
- 4.2 All dwellings would have front and rear gardens, and timber framed car ports with two car spaces per dwelling. There would be four visitor parking spaces and a bin store to the front. The car ports would adjoin the side of the dwellings and be open on all sides other than the roof, with a 5m ridge height. The communal pavilion would be single storey with an eaves height of 2.1m and ridge height of 5m, with an open sided roof structure around two sides of the building at 3m in depth. The pavilion would comprise an office with concierge facility, WC and communal meeting/recreation room for the occupiers of the development.
- 4.3 The access to the site would remain as existing, with the existing hardstanding substantially reduced. One of the tennis courts to the rear would remain, but the open land to the rear would be communal for these properties with a pathway added. A new entrance gate of open construction and 1.6m approx. in height would replace the existing gate. The existing boundary hedge would be reinstated where required to form a continuous site enclosure.
- 4.4 The applicant has submitted the following, as well as the necessary plans, in support of the application which will be referred to as necessary in this report:
- Planning and Design and Access Statement
 - Accommodation Schedule
 - Arboricultural Report

- Archaeology Desk-Based Assessment
- Ecological Appraisal
- Flood Risk Assessment
- Geo-Environmental Desk Study and Risk Assessment
- Landscape and Visual Impact Assessment
- Transport Impact Assessment.

5.0 CONSULTATION RESPONSES

5.1	Surrey County Highway Authority	No objection, subject to conditions.
5.2	Environment Agency	Awaiting response.
5.3	Local Lead Flood Authority	Objection – need results of infiltration testing at this stage, though have recommended two conditions also.
5.4	Surrey Wildlife Trust	No objection, subject to conditions.
5.5	County Archaeological Officer	No objection.
5.6	Surrey Police	Has advised garages are used rather than car ports, communal areas should allow supervision from nearby dwellings
5.7	Council's Viability Consultant	Further information required to support the Viability Assessment.
5.8	Council's Arboricultural Officer	No objection, subject to condition.
5.9	Rights of Way	Awaiting response.
5.10	Environmental Health Officer	No objection, subject to conditions.
5.11	Chobham Parish Council	No objection, as long as main entrance remains of an open design, adjoining public footpath not diverted or obstructed, woodland within site to be preserved, should include a community facility as Flexlands School did. <i>[Officer comment: these matters are addressed in the report, see paragraphs 7.4.3, 7.5.7 and 7.13.3].</i>

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report four letters in support of the application have been received. Some of these letters, while being in support of the application overall, have areas of concern also mentioned. The issues raised are as follows:
- Design in keeping with character of adjacent properties [*Officer comment: see section 7.5*]
 - Intended use for dwellings for seniors will attract responsible buyers [*Officer comment: while the application states that they are intended as retirement homes, no condition is proposed in this regard as it is considered that the development is acceptable in planning terms whether or not the homes are for retirement use*]
 - Current site is unsightly and attracts anti-social behaviour – fly tipping, trespassing, and noise nuisance
 - Could parking restrictions be put in place on access road/Sandpit Hall Road [*Officer comment: see section 7.7*]
 - Please ensure units 13-14 have hedgerow to the rear to prevent overlooking [*Officer comment: see section 7.6*]
 - Concern about turning head on eastern side [*Officer comment: see section 7.7*]
 - Concern about flooding/drainage [*Officer comment: see paragraph 7.12.1*].

7.0 PLANNING CONSIDERATIONS

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CPA, CP2, CP3, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10 and DM11. It will also be considered against the National Planning Policy Framework (NPPF).
- 7.2 The main issues to be considered are:
- Principle of the development;
 - Impact on the Green Belt;
 - Impact on character;
 - Residential amenity;
 - Highways, parking and access;
 - Ecology, trees and landscaping;
 - Affordable housing provision;

- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Other matters including flooding, archaeology, rights of way and contaminated land.

7.3 Principle of the development

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to significantly boost the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development, and paragraph 47 also requires Local Planning Authorities to have a five-year supply of housing land. At present, Surrey Heath does not have a five-year housing land supply. This application would result in 14 additional residential units and accords with this aim of the NPPF. Policy CP6 requires a mix of housing sizes but indicates that 2 and 3 bedroom houses are in the shortest supply. This development seeks to provide 2 and 3 bedroom houses and as such no objection is raised to the housing mix.

7.3.2 The current D1 use has not been in operation since approximately 2005 so no objection is raised to the loss of this use. The site also has extant planning permissions for a Cc (care home) use, however the use is not operational and as such there is no net loss of Cc places.

7.3.3 The Parish Council have raised concern about the loss of a community facility, however there was no obligation through planning conditions for the school to provide such a facility. The school applied for permission to do this in 1996 (SU06/0906) and was allowed to use the Ann Mais building for other purposes outside school hours for a temporary period until 2001. This permission was not renewed, and neither the 2005 or 2009 permissions which are extant required any community use. As such it is not considered that the proposal would entail the loss of any community facility and nor would it be reasonable to impose such a condition on the applicant, given this planning history. The proposal would provide a room for recreational use for the future occupiers of the development.

7.3.4 It is therefore considered that the principle of the development is acceptable in terms of the above considerations, however the impact on the Green Belt and further considerations are set out below.

7.4 Impact on the Green Belt

7.4.1 Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence.

7.4.2 Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

7.4.3 Paragraph 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists some exceptions; which includes the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.4.4 It is considered that the part of this site where the existing buildings are located, and where the housing is proposed, can be classed as previously developed land. When considering the impact on openness over and above the existing development, it is necessary to look at the footprint, floorspace and volume of the buildings, as well as the level of hardstanding. The applicant has provided the following table in the report:

Existing volume of building	7468 m3	
Additional approved volume by extension (2009)	+149.4 m3	
Proposed Volume	7,468 m3	
Difference =	-149.4 m3	-2%
Existing footprint of building	1,623 sq m	
Proposed footprint of building	1,340 sq m	
Difference=	-283 sq m	-21%
Existing hard surface area	4,392 sq m	
Proposed hard surface	2,615sq m	
Difference =	-1,776 sq m	-40.5%

7.4.5 The table above shows that in terms of volume, the impact would be the same as the existing development (and less than the extant permission). In terms of footprint and hard surfacing, there would be a significant decrease over and above the existing development. In terms of floorspace, the applicant has used Gross Internal Area (GIA), however the Council use Gross External Area (GEA) when assessing impact on the Green Belt. The following table therefore shows the GEA of the existing and proposed development:

	Existing development (Block A, Block B and brick built outbuilding)	Additional floorspace allowed under 05/0894	Additional floorspace allowed under SU09/0037	Subtotal including extant permissions	Now proposed
Gross External Area	1947.7m ²	184.5m ²	78.6m ²	2210.8m ²	2385.3m ² (22% increase over existing, 7% increase over extant permissions)

7.4.6 It is considered that the volume is a more reliable indicator of built form than floor area, as floorspace is internal and within the fabric of the building and as such cannot be seen, though is often a useful indicator of size increase. In this case, there is no increase in volume. Moreover, there is a substantial decrease in the footprint and hard surfacing area. While there is an increase in the floor area, even without taking the extant permissions into account, in the officer's opinion this percentage increase is less than, and offset by, the decrease in footprint and hard surfacing. It is therefore considered that the proposal would not result in a greater overall impact on openness than the existing development, and taking into account the extant permissions also which could be implemented, this impact would be even less.

7.4.7 The part of the site to the rear is currently open with two disused tennis courts. The applicant does not propose any significant landscaping on this area which could affect openness, however a pathway and some benches only are proposed. To the front, an open timber gate is proposed and hedgerows around the boundary of the site. As such it is not considered that these elements will have any significant additional impact on openness.

7.4.8 It is therefore considered that the proposal is not inappropriate development in the Green Belt, as it is an exception under the last bullet point of paragraph 89 of the NPPF.

7.5 Impact on the character of the area

7.5.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.

7.5.2 Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density. Policy CP2 requires development to use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.

7.5.3 The proposed development is likely to be visible from the road to a limited degree, above the proposed hedgerow boundary treatments to the front and sides. The

proposed dwellings will be lower in height than the existing development which, particularly in its dilapidated state and with a number of extensions of varying styles, and large amount of hardstanding to the front, does not contribute positively to the appearance of the street scene. The closest part of the development to the road (other than the single storey car port) would be the side elevation of Plot 1, however this would be 26m from the road and 13m from the boundary of the site where the hedgerow would be, and as such given the significant set-back and boundary treatments, it is not considered that the side elevation facing the road would be harmful to the street scene. The rear elevations of Plots 1-5 are likely to be somewhat visible on the approach from Chobham, but they will be a minimum of 13m from the boundary, further than the existing development where the side elevations are currently visible on this approach, and again given this distance and the set back from the road, and the existing situation, it is not considered that this would be harmful to the appearance of the street scene.

- 7.5.4 The proposed dwellings would be two storey or single storey with roofspace accommodation and arranged in semi-detached pairs or terraces of three. Their cottage-style appearance is designed to be reflective of the rural setting, with the use of red brick and timber. Surrounding development along Sandpit Hall Road and Station Road mostly comprises detached dwellings on large plots, however further along Station Road towards the centre of Chobham, there are examples of semi-detached, red brick cottages not dissimilar from those proposed. Within the development, the houses would be arranged around the central pavilion and garden feature, with open space to the rear.
- 7.5.5 In the officer's opinion, it is therefore considered that the proposal would be likely to be an improvement over the existing situation in terms of the impact on local character. While Surrey Police have commented that garages should be used rather than car ports and communal areas overlooked by the development, the development as a whole would be gated and it would not be possible to arrange the housing overlooking the open land to the rear for reasons relating to flooding and Green Belt, though the boundary would be reinforced. The layout and design of the properties would sufficiently respect and enhance the character and quality of the area, and provide an efficient use of the land, as required by Policies CP2 and DM9. The proposed materials can be agreed by condition.

7.6 Residential amenity

- 7.6.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.6.2 The nearest property to the proposal is Sands, in Sandpit Hall Road. The rear of Plot 14 would be approximately 20m from the nearest point of this property, and the rear of Plots 13 and 14 would face the rear garden of Sands at a distance of 12m from the boundary with a public footpath in between. It would be over 20m to the garden area immediately behind the property itself. There is currently a close-

boarded fence with tall conifer trees above, along the western boundary of Sands, and the existing hedgerow is proposed to be reinstated and a new hedgerow where necessary. Further details of landscaping can be required by condition, however it is considered that, given the distance from the rear upper floor windows of Plots 13 and 14 to the most used garden areas of Sands, and the existing and proposed boundary treatments, it is not considered that there would be any significant adverse impact in terms of overlooking for this property.

- 7.6.3 Flexlands Cottage would be approximately 23m from the boundary of the proposed development and 34m approx. from the nearest dwelling. As such it is not considered that there would be any overbearing, overlooking or overshadowing impacts on this property.
- 7.6.4 No other properties are considered to be close enough to be significantly affected. It is therefore considered that the proposal is acceptable in terms of its impact on residential amenity, and in line with Policy DM9 in this regard.

7.7 Highways, Parking and Access

- 7.7.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy CP11 requires new development that will generate a high number of trips to be directed to previously developed land in sustainable locations, or demonstrate it can be made sustainable. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.7.2 The applicant's Transport Assessment predicts that the proposal would not generate more than seven two-way movements during the AM or PM peak hours, and states that given the proposed demographic of the occupiers, the movements are likely to be less than this prediction. The County Highway Authority has been consulted and have not raised any objection, subject to conditions. They have noted that the traffic movements are likely to be significantly less than the site's previous use as a school, and also less than the extant permissions for a care home. The Transport Assessment also notes that Tesco and Chobham High Street are approximately 500m from the development, so within walking distance and there is a bus service on the main road connecting the site to Chobham, Woking and Guildford.
- 7.7.3 The proposal would provide two parking spaces per dwelling, which is more than necessary for two bedroom units, and also would provide four additional spaces in the form of visitor spaces. The County Highway Authority have not raised objection in this regard and it is considered the level of parking is acceptable. Concern has been raised about vehicles currently using the area in front of the site for overnight parking, and whether restrictions can be imposed, however this area is outside the application site area and conditions could not be imposed through the planning process as they are a matter for County Highways.
- 7.7.4 The occupiers of Flexlands Cottage currently use a turning head within the application site boundary when larger vehicles, such as delivery vehicles, need to access their property. This turning head would be removed with the proposed

development and while the applicant has no obligation to provide a turning head, they will be replacing this with another turning place close to the entrance to Flexlands Cottage, to enable larger vehicles to turn using also the driveway of Flexlands Cottage.

- 7.7.5 There would be no change to the existing access to the site, with a gate provided across the entrance. It is therefore considered that the proposal is acceptable in terms of its impact on highways, parking and access, subject to the conditions required by the County Highway Authority, for space to be laid out for parking and turning prior to occupation, and for a Construction Transport Management Plan.

7.8 Ecology, Trees and Landscaping

- 7.8.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.8.2 The application site has potential for protected species given that there are disused buildings, where bats have been found in the past, and open land to the rear. The applicant has submitted an Ecological Appraisal which has been reviewed by Surrey Wildlife Trust (SWT), which found no evidence of bats in the buildings but the mature trees on site have some potential to support bats. The SWT state that the information is sufficient and that the application should be carried out in line with the recommendations and enhancements as set out in the report. Enhancements include managing the woodland to the rear including a buffer zone with different species, enhancement of the hedgerows, planting to attract bees and butterflies, and bird nesting boxes.
- 7.8.3 Policy DM9 requires the protection of trees and vegetation worthy of retention. The applicant has submitted an Arboricultural Survey and Landscape Masterplan which have been reviewed by the Council's Arboricultural Officer. There is a small area of Ancient Woodland to the rear of the site, but this is outside the application site boundary and proposed to be retained in its current condition. The proposal would see the removal of 7 trees for management and facilitation of the development, however the Arboricultural Officer is satisfied that this is acceptable and a comprehensive landscape management plan can be secured through conditions. It is therefore considered that the application is acceptable in terms of its impact on ecology, trees and landscaping, subject to conditions, and in line with Policies CP14A and DM9 in this regard.

7.9 Affordable Housing

- 7.9.1 Paragraph 174 of the NPPF states that local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. Paragraph 50 states that where local planning authorities have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial equivalent of broadly equivalent value can be robustly justified. Policy CP5 states that developments of 10-14 units should secure a 30% on-site provision.

7.9.2 The applicant has put forward a Viability Assessment which concludes that it would not be financially viable on the site to provide any provision for affordable housing. Their Assessment has been reviewed by the Council's Viability Consultants, who have concluded that while it is unlikely that the site could support any affordable housing, more evidence is required at this stage from the applicant to support their Assessment. It is anticipated this additional evidence can be submitted and reviewed before the Committee date, and given this intermediate conclusion, it is considered unlikely that the site will be able to support affordable housing and as such no objection is raised on this basis. If the Viability Consultants come to a different view, however, before Committee which cannot be resolved with the applicant, or the issue remains unresolved, then the recommendation would be changed to refuse on that basis.

7.10 Impact on Infrastructure

7.10.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.

7.10.2 Surrey Heath's 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 floor area of 100 square metres or more. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. An informative would be added to the decision advising the applicant of the CIL requirements.

7.10.3 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

7.11. Impact on the Thames Basin Heaths SPA

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

significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).

- 7.11.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.5km from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.11.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £7844 which has been paid by the applicant.
- 7.11.4 It is therefore considered that the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD. Informatives relating to CIL would also be imposed.

7.12 Other matters

- 7.12.1 Policy DM10 states that in order to manage flood risk, a sequential approach will be taken to determining planning applications and there should be an appropriately designed Sustainable Drainage System. The northern and western parts of the site are within Flood Zones 2 and 3, however the applicant has located the houses so they are out of these areas. The applicant has submitted a Flood Risk Assessment which has been reviewed by the LLFA, who have requested further information at this stage but it is anticipated that this issue will be resolved through the imposition of conditions by the Committee date. Comments are also awaited from the Environment Agency. As such no objection is raised on this basis provided that this issue is resolved in time for Committee, however if not then the recommendation would be changed to refuse on this basis.
- 7.12.2 Policy DM17 requires that application sites over 0.4ha submit an Archaeological Desk-based assessment. This has been submitted by the applicant and reviewed by Surrey County Council's Archaeology Team. They have stated that given the development already on site, the likelihood of archaeological finds is limited and as such, no conditions or further work is required on this basis.
- 7.12.3 There is a public footpath which runs along the eastern boundary of the site, outside the application site area. County Rights of Way have been consulted, but to date has not responded. However, it is not considered that the application would affect this area and informatives can be added reminding the developer that the footpath should not be obstructed during the construction period.

7.12.4 Policies CP2 and DM9 requires development to respect and enhance the quality of the environment. The applicant has submitted a Geo-Environmental Desk Study and Risk Assessment which has been reviewed by the Council's Environmental Health Officer. He has stated that the further work required can be covered by conditions, and as such the development is considered to be acceptable in this regard.

8.0 CONCLUSION

8.1 The proposal will provide 14 new units which are intended for use as retirement homes. The proposal is considered to be acceptable in terms of the principle of development, impact on Green Belt, character, residential amenity, highways, parking and access, ecology, trees and landscaping, infrastructure, and impact on the Thames Basin Heaths SPA, subject to conditions. Further information is required in respect of affordable housing provision and flooding. However it is anticipated that these matters can be resolved by the Committee date and the application is recommended for approval on this basis, however if they remain unresolved then the recommendation is likely to be changed.

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 suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans:

Location Plan 16-P1302-LP01 received 29.11.16

Site Plan 16-P1302-101.1 received 29.11.16

Proposed Floorplans and Elevations Plots 1/2/3 16-P1302-102 received 29.11.16

Proposed Floorplans and Elevations Plots 4/5 16-P1302-103 received 29.11.16

Proposed Floorplans and Elevations Plots 6/7/8 16-P1302-104 received 29.11.16

Proposed Floorplans and Elevations Plots 9/10 16-P1302-105 received 29.11.16

Proposed Floorplans and Elevations Plots 11/12 16-P1302-106 received 29.11.16

Proposed Floorplans and Elevations Plots 13/14 16-P1302-107 received 29.11.16

Pavilion Floorplan and Elevations 16-P1302-113 received 29.11.16

Bin Store Floorplan and Elevations 16-P1302-114 received 29.11.16

Entrance Gates Elevations 16-P1302-115 received 29.11.16

unless the prior written approval has been obtained from the Local Planning Authority.

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

3. 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. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. 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.

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to highway users, in accordance with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

5. No development shall commence until a Construction Transport Management Plan, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) measures to prevent the deposit of materials on the highway.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to highway users, in accordance with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

6. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Tim Moya Associates [Tracey Clarke] and dated September 2016. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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.

7. Prior to commencement of development, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority, which should be based on the Amended Landscape Masterplan P556001 Rev C received 6.1.17. The submitted details should include an indication of all level alterations, hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new planting to be carried out, which shall incorporate native rather than ornamental species, and shall incorporate the advice as set out in the Ecological Assessment received 29.11.16 and

Condition 8 below. All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species. The planting shall be carried out after completion of the building programme and prior to first occupation and shall be carried out fully in accordance with the approved details.

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 Document 2012.

8. The proposed development shall be carried out in accordance with all the precautionary, mitigation and enhancement measures as set out in paragraphs 4.10-4.54 of the submitted Ecological Appraisal by The Ecology Partnership, received 29.11.16.

Reason: To ensure no harm from protected species arises from the development, and to provide enhancement of biodiversity in accordance with Policy CP14A and the National Planning Policy Framework.

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) A design that satisfies the SuDS hierarchy
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
- c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (pre, Post and during) as detailed in the submitted Flood Risk Assessment
- d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events both on and off-site
- e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, to include details on how the existing soakaways will be protected
- f) Finalised drawings read for construction to include: a finalised drainage layout details the location of SuDS elements, pipe diameters and their respective levels and long and cross sections of each SuDS element including soakaway volume details
- g) A management and maintenance plan that details maintenance regimes and responsibilities.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and

Development Management Policies Document 2012 and the National Planning Policy Framework.

10. Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

11. No development shall commence until a scheme to deal with the suspected hydrocarbon and asbestos contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report/survey based upon (a);
- (c) a remediation action plan based upon (a) and (b) should it be established from (a) and (b) that there is contaminated material that requires remediation ;
- (d) a "discovery strategy" detailing how unforeseen contamination, not previously identified, discovered during development would be dealt with;
- (e) a "validation strategy" identifying measures to validate the planned identified remediation works

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

12. If during development, contamination not previously identified is discovered then in conjunction with the discovery strategy as detailed in Condition 11 (d) above, no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out. Thereafter a full assessment of the discovered, unforeseen contamination is required in order that a suitable remediation and a validation strategy is then submitted for approval in writing by the Local Planning Authority detailing how the unforeseen discovered contamination shall be dealt with. The remediation/validation strategy shall be implemented in accordance with the approved scheme and thereafter a verification report containing

substantiating evidence demonstrating that the agreed remediation has been carried out shall be submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

13. Prior to the first occupation of the development, a verification report containing substantiating evidence demonstrating that the agreed remediation has been carried out shall be to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

14. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with Conditions 11-14 above and shall be conducted in accordance with such details and timescales as may be agreed.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during development and to make the land suitable for the development without resulting in risk to workers on site, future users of the land, occupiers of nearby land and the environment generally, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

Informative(s)

1. Form 1 Needs Submitting CIL2
2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or cause damage to the highway

from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131,148,149).

4. Safe public access to the Public Footpath 12 must be maintained at all times. If this is not possible whilst work is in progress then an official temporary closure order will be necessary. Notice of not less than 6 weeks must be given and the cost is to be borne by the applicant.
5. There are to be no obstructions to the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.
6. Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Rights of Way Group, with at least 3 weeks' notice.
7. Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way. There should be no encroachments by new fascias, soffits, gutters etc over the boundary onto the public right of way.
8. Access along a public right of way by contractors vehicles, plant or deliveries can only be allowed if the applicant can prove that they have a vehicular right. Surrey County Council's Countryside Access Group will look to the applicant to make good any damage caused to the surface of the right of way connected with the development.
9. Building Regs consent req'd DF5
10. Decision Notice to be kept DS1