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Monday, 27 March 2017

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), David Mansfield (Vice Chairman),  
Richard Brooks, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan,  
Surinder Gandhum, Jonathan Lytle, Katia Malcaus Cooper, Adrian Page, Robin Perry,  
Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White)

**In accordance with the Substitute Protocol at Part 4 of the Constitution,  
Members who are unable to attend this meeting should give their apologies and  
arrange for one of the appointed substitutes, as listed below, to attend.  
Members should also inform their group leader of the arrangements made.**

Substitutes: Councillors Dan Adams, Rodney Bates, Ruth Hutchinson, Paul Ilnicki,  
Rebecca Jennings-Evans and Max Nelson

#### Site Visits

**Members of the Planning Applications Committee and Local Ward Members may  
make a request for a site visit. Requests in writing, explaining the reason for the  
request, must be made to the Development Manager and copied to the Executive  
Head - Regulatory and the Democratic Services Officer by 4pm on the Thursday  
preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber,  
Surrey Heath House on **Wednesday, 5 April 2017 at 7.00 pm**. The agenda will be set out  
as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

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#### AGENDA

	<b>Pages</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 12</b>

To confirm and sign the non-exempt minutes of the meeting held on 9 March 2017.

### 3 **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

#### **Human Rights Statement**

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

#### **Planning Applications**

- |   |  |                |
|---|--|----------------|
| 4 | <b>Application Number: 16/0652 - 24 and Greenaways 26 London Road, Bagshot, GU19 5HN</b> | <b>13 - 32</b> |
| 5 | <b>Application Number: 16/0840 - Erlwood Manor, London Road, Windlesham, GU20 6PG</b>    | <b>33 - 54</b> |
| 6 | <b>Application Number: 16/0961 - 325 Guildford Road, Bisley, Woking GU24 9BD</b>         | <b>55 - 72</b> |
| 7 | <b>Application Number: 17/0081 - Shatin, Westwood Road, Windlesham, GU20 6LP</b>         | <b>73 - 90</b> |
| 8 | <b>Exclusion of the Press and Public</b>   |                |

#### **EXCLUSION OF PRESS AND PUBLIC**

#### **RECOMMENDATION**

The Planning Applications Committee is advised to **RESOLVE** that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act, as set out below:

Item  
9

Paragraph(s)  
5

- |   |                       |                |
|---|-----------------------|----------------|
| 9 | <b>Exempt Minutes</b> | <b>91 - 92</b> |
|---|-----------------------|----------------|

To confirm and sign the exempt minutes of the meeting held on 9 March 2017.

## Glossary

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**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 9 March 2017**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr David Mansfield (Vice Chairman)

+ Cllr Richard Brooks	+ Cllr Adrian Page
Cllr Nick Chambers	Cllr Robin Perry
Cllr Mrs Vivienne Chapman	Cllr Ian Sams
Cllr Colin Dougan	Cllr Conrad Sturt
Cllr Surinder Gandhum	Cllr Pat Tedder
Cllr Jonathan Lytle	Cllr Victoria Wheeler
Cllr Katia Malcaus Cooper	Cllr Valerie White

+ Present

- Apologies for absence presented

Substitutes:

In Attendance: Lee Brewin, Ross Cahalane, Michelle Fielder, Jessica Harris-Hooton, Jonathan Partington and Emma Pearman

**61/P Minutes**

The open minutes were confirmed and signed by the Chairman.

**62/P Application Number: 16/1123 - Flexlands, Station Road, Chobham**

The application was 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. (Amended plan recv'd 6/1/17).

Members received the following updates:

*'CONSULTEE RESPONSES:*

*Affordable housing – The Council's Viability Consultants have received further evidence from the applicant in this regard, regarding the site valuation and how the costs associated with the development were arrived at. They have, however, not changed their recommendation, and still conclude that the development is not able to make a contribution towards affordable housing, and as such none is sought on this basis.*

*Flooding - The Local Lead Flood Authority have removed their objection, and not objected subject to two conditions, which are already included within the report (Conditions 9 and 10). No comments were received from the Environment Agency.*

*CONDITIONS:*

*An additional condition is proposed as follows:*

*15. The pavilion hereby approved shall be used as an office and meeting/event room, ancillary to the development, and for no commercial or other purpose without the approval in writing from the Local Planning Authority.*

*Reason: In order to retain control over the development and prevent any adverse impacts on amenity in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.'*

Some Members felt that the development would improve the site but sought clarification that the gate to the site would remain the same. Officers advised that a condition would be added so any change in the type of gate would have to be considered at committee. Members were also reassured that the ancient woodland adjacent to the site would not be affected by the development.

With regards to additional condition 15 outlined in the update, some Members requested that the condition be strengthened to ensure that the pavilion would be used for events/meetings related only to the site and its residents.

There was some concern about the height of the car ports but Members were advised that the height was lower than the top of the rooves on the dwellings and there were no walls on the car port areas.

Some Members asked about any habitats of bats on the site which may become apparent once demolition began. Officers advised an informative could be added in relation to bats. In addition an informative could be added to advise that the weight restriction on the High Street in Chobham was 18 tons.

**Resolved that application 16/1123 be approved as amended subject to:**

- **the conditions as set out in the report of the Executive Head – Regulatory;**
- **an additional condition to ensure any change in the gate area would go to committee for consideration;**
- **condition 15 be strengthened to ensure the pavilion would be used for events/meetings related only to the site and its residents; and**
- **informatives added regarding bat habitats on the site and weight limits of vehicles along the High Street.**

**Note 1**

It was noted for the record that Councillor Victoria Wheeler declared that she lived in Station Road.

**Note 2**

The recommendation to approve the application as amended was proposed by Councillor David Mansfield and seconded by Councillor Pat Tedder.

**Note 3**

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application as amended:

Councillors Richard Brooks, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

**63/P Application Number: 16/1114 - The Cottage, Hatton Hill, Windlesham, GU20 6AB**

The application was for the two detached two storey dwellings including new vehicular access following demolition of existing dwelling and garage.

The application would normally have been determined under the Council's Scheme of Delegation, however, it had been reported to the Planning Applications Committee at the request of Cllr Conrad Sturt, as he felt the development constituted an organic growth to the village and the school would receive much needed funding from the applicant.

Members were advised of the following updates:

*'An additional rebuttal letter has been received from the applicant in response to the officer's report, summarised below. This reiterates many matters already outlined in the applicant's submission but new points are commented on in turn:*

- If Woodcote School is forced to close due to lack of funding, it would not only result in the loss of school places and loss of employment, but also loss of additional community services in which the school provides, such as local youth football club and bridge club, the use of fields for local Primary School Sports Days and support for the local Royal British Legion and local charities through collections in weekly chapel services.*
- The benefits arising from the enabling development will be long-term and not short-term, as the refurbishment and upgrading of existing facilities will provide longevity to the functionality of this accommodation. The future viability of the school will also be guaranteed.*
- As a boarding school, Woodcote is limited in the number of pupils it can take by the number of dormitories and beds. To increase numbers significantly the school would need to invest heavily in new accommodation,*

*and the school's not for profit policy makes this impossible without the owning family disposing of assets.*

*Officer response:*

*The additional benefits outlined were not referred to in the original submission and may add further weight towards the Very Special Circumstances (VSC). There may also be a case for VSC based on an enabling case to allow the school to maintain and enhance existing facilities to allow it to continue to prosper. However, as the proposal amounts to a significant floorspace increase of over 300% and additional spread of development in the Green Belt, this case needs to be robust to outweigh this substantial harm to the Green Belt.*

*In this regard, further evidence would be required. For example, no indication has been given to the extent of the existing financial shortfall experienced by the school in its day-to-day running; how much revenue is expected from the enabling development; and, how much of a proportion of this will be allocated to plug this shortfall, or what specific school facilities need upgrade/expansion.*

*Additionally, the financial sustainability of the school's future expansion aspirations as outlined in the application has not been outlined. Permitting the current proposal as VSC may lead to future pressure to redevelop other Green Belt sites owned by the school nearby to enable such expansion and the associated capital and maintenance costs.*

*Overall, the VSC case outlined by the applicant is considered to be imprecise in terms of the amount of funding required; where the enabling funding will be allocated; and, how much of this would contribute to the existing school facilities and future expansion aspirations of the school. A 'masterplan' outlining the school's current needs, opportunities and future aspirations would assist.*

- There is still an intention to carry out regular fundraising, but the benefits are limited.*
- The refurbishment of the existing house for rental would provide insufficient funding.*
- The school has been advised that any increase in existing fees would be counterproductive due to the competitive local school market.*

*Officer response:*

*As already outlined at paragraph 7.11.3 on page 61 of the officer's report, it is still considered that insufficient detail has been given as to what fundraising activities have been undertaken/ explored and how this is insufficient to maintain the school. Similarly, no detail has been given in respect of the cost required to refurbish the existing house and the expected rental income. This is considered important as the house has been vacant for over one year. No appraisal of the existing fee structure vs those of competing schools has been provided to qualify that increasing school fees would be counter-productive.*

- The new development will be contained to the roadside/frontage of the site, and although the residential floorspace will be increased from existing, there will be no spread of built form from the established linear form of development adjacent to Hatton Hill. Therefore there will be little impact on openness because the site is not currently open in its nature.*

Officer response:

*Very limited weight is given to this argument. The significant expanse in footprint and spread of development across the site has already been outlined in the officer's report and the concentration of development towards the roadside does not diminish this harm to the openness of the Green Belt. The primary indicator of whether a development harms openness is the size of built form and not how open a site is or its relationship with neighbouring buildings.*

- *Similar schemes have been granted within the Borough at Camberley Heath Golf Club (13/0100) and in the neighbouring Hart Borough.*

Officer response:

*The above planning permission for four new dwellings at Camberley Heath Golf Club related to Designated Green Space within a defined Settlement Area, not Green Belt. Therefore, the material planning considerations are different and in any event, it involved a total encroachment of only 0.008% of the whole golf course site forming the Designated Green Space. Additionally, the proposal involved the loss of several existing warehouse-style buildings which appeared to add further weight in favour of the proposal. The case outlined in Hart Borough also granting permission for four dwellings was obviously subject to different local planning policies and it is therefore difficult to comment on how its merits relate to the current proposal. Notwithstanding this, each application must be considered on its own site-specific planning merits.*

- *In the event that Councillors agree to the proposed development then they will enter into a S106 Agreement in order to secure financial contributions towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy SPD.*

Officer response:

*The payment of the £842 financial contribution required towards SAMM would overcome the second reason for refusal. In this instance, it is not considered necessary to secure this payment via legal agreement assuming that the applicant is willing to pay this amount up front. Should Members be minded to grant permission, the SAMM payment could be secured under delegated authority.'*

Officers had recommended that the application be refused as they felt the proposal would be inappropriate development in the Green Belt.

Some Members agreed with officers' recommendation as they felt that funding a school did not outweigh the harm in the Green Belt. The development constituted a 300% increase in size.

Some Members felt that the village benefitted from the school and the new development would not be seen from the road and would not cause harm in the Green Belt. Members felt that the very special circumstances outlined by the applicant in the agenda report and update did outweigh any harm in the Green Belt.

**Resolved that application 16/1114 be approved due to the very special circumstances outlined by the applicant:**

- **the ongoing support for education and the benefits to the community;**
- **The wording of conditions to be finalised in consultation with the Chairman, Vice Chairman and Ward Members.**

**Note 1**

It was noted for the record that Members declared that they had received correspondence from the Planning Consultant.

**Note 2**

The recommendation to refuse the application was proposed by Councillor Victoria Wheeler and seconded by Councillor David Mansfield.

**Note 3**

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Edward Hawkins, David Mansfield, Adrian Page, Victoria Wheeler and Valerie White.

Voting against the recommendation to refuse the application:

Councillors Richard Brooks, Surinder Gandhum, Jonathan Lytle, Katia Malcaus Cooper, Robin Perry, Conrad Sturt, Ian Sams, Pat Tedder.

**The vote was lost.**

**Note 4**

The recommendation to approve the application was proposed by Councillor Conrad Sturt and seconded by Councillor Richard Brooks.

**Note 5**

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors Richard Brooks, Surinder Gandhum, Jonathan Lytle, Katia Malcaus Cooper, Robin Perry, Conrad Sturt, Ian Sams, Pat Tedder.

Voting against the recommendation to refuse the application:

Councillors Edward Hawkins, David Mansfield, Adrian Page, Victoria Wheeler and Valerie White.

**The vote was carried.**

**64/P Princess Royal Barracks**

Members received a report on the proposed amendments to the existing Section 106 agreement pursuant to planning permission 12/0546 for the redevelopment of the PRB site in Deepcut.

The applicant team wished to revisit the S106 agreement particularly the triggers for delivery of elements on and off site infrastructure and mitigation and some definitions and terminology. A deed of variation would be needed to make these amendments which would usually be dealt with under delegated authority. However as the development was of strategic importance the agreement of Members was sought at Committee.

A further paper was received by the Committee which outlined that discussions had taken place and this resulted in the applicant team withdrawing their request to amend triggers in respect of the on and off site highway works. This was due to the potential impact on the wider mitigation package and possibly unacceptable impacts on the free flow of traffic or highway safety. Therefore the highway triggers outlined in item 6 on the agenda had been deleted.

It was noted that the draft deed of variation reflected the changes to various elements of the triggers and the rationale for these changes were noted.

Revised wording for the paragraph 2.2 was agreed.

**Resolved that, subject to review by the Council’s legal advisers, the completion of the deed of variation be completed by the officers.**

**65/P Exclusion of Press and Public**

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public were excluded from the meeting for the following items of business on the ground that they involved the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act, as set out below:

<u>Item</u>	<u>Paragraph(s)</u>
66/P	3
67/P	5

**66/P Exempt Minute - PRB Deepcut**

The exempt minutes of the meeting held on 9 February 2017 were confirmed and signed by the Chairman.

**67/P Appeals Update**

The Committee received a verbal update report in relation to the appeals process.

**68/P Review of Exempt Item**

The Committee resolved that the information at 67/P remain exempt.

Chairman



2016/0652

Reg Date 27/07/2016

Bagshot

**LOCATION:** 24 & GREENWAYS 26 LONDON ROAD, BAGSHOT, GU19 5HN  
**PROPOSAL:** Erection of a three storey building to provide 15 No. one bedroom and 10 No. two bedroom retirement apartments with associated communal facilities, vehicular access, car parking and landscaping.  
**TYPE:** Full Planning Application  
**APPLICANT:** Churchill Retirement Living  
**OFFICER:** Duncan Carty

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 This planning application relates to the erection of three storey building (including accommodation at second floor level partly in the roof) to provide 15 no one bedroom and 10 no two bedroom retirement apartments with associated communal facilities, vehicular access, car parking and landscaping. The site is located on the east side of A30 London Road located in the defined settlement of Bagshot. The site lies about 500 metres from the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 It is considered that the current proposal would have an acceptable relationship with adjoining properties and would not have an adverse visual impact on character and trees, residential amenity nor highway safety. There would be a requirement for a contribution towards SANG, which is considered by condition, and SAMM, which is the subject of a Section 106 legal agreement to be provided. The current proposal is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is a roughly rectangular shaped site, within the settlement of Bagshot. The application site has an area of about 0.25 hectares. The application site comprises two residential properties and their associated gardens. The site includes mature vegetation (including a number of larger trees), particularly to the front and rear boundaries but no trees on the site are protected under a Tree Preservation Order. The site adjoins the Bagshot Park Care Home to the south and a public footpath (FP26) to the north flank boundary with the residential property 22 London Road further to the north (with the Sunrise Care Home beyond).
- 2.2 On the opposite side of A30 London Road are the grounds associated with Bagshot Park and forms a part of its Conservation Area. Residential properties in Lory Ridge lie to the rear of the site.

## 3.0 RELEVANT HISTORY

- 3.1 There is no relevant planning history for the application site.

## 4.0 THE PROPOSAL

- 4.1 The current proposal is to erect a three storey building to provide 10 two bedroom and 15 one bedroom units of retirement residential accommodation. Associated communal facilities including a shared lounge with tea making facilities and office/reception area are also proposed within this accommodation. The proposed block is roughly T-shaped in plan form, with an angled rear wing. The general width of the front part of the building would be 37.9 metres, reducing to 15.6 to 19.9 metres for the rear section with a maximum depth of 34.8 metres reducing to 32.3 metres at first floor (and above); and between 9 and 10.8 metres for the flank wings. The proposed building would have a pitched roof over to a maximum height of 10.6 metres but a predominant ridge height of 10.1 metres, reducing to between 5.5 and 6.5 metres at the eaves.
- 4.2 The proposed building, whilst a three storey development, would include roof accommodation in part, at the second storey level. The proposed building would be finished in a range of traditional materials; tile hanging, render, brick with quoin and window hood/sill detailing. Dormers and rooflights are to be provided with the accommodation within the roof.
- 4.3 A total of 12 car parking spaces would be provided to the front of the proposed building with the widening of an existing access provided onto A30 London Road. The proposal would result in the loss of landscaping on the site, including trees, with opportunities within the site for replacement.
- 4.4 The proposed building is set back a minimum of about 13.6 metres from the front boundary of the site with the A30 London Road and 7 metres from the rear boundary. The proposed building would be 2.5 and 2.9 metres from the north and south flank boundaries, respectively.
- 4.5 The application has been supported by a planning statement which confirms the proposal occupancy as follows:

*"The accommodation is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale contained within a single block. The apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those with a partner of at least 55 years, can live in the development...Whilst the age restriction contained in the lease is 60, from recent research...it is found that the average age of occupiers is 79.*

*Sheltered housing provides many benefits which can reduce the demands exerted on health and social services and other care facilities – not only in terms of the fact that many residents remain in better health, both physically and mentally, but also doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend visit several occupiers at the same time. This lead to a far more efficient use of public resources."*

Further to the communal facilities indicated in Paragraph 4.1 above, the statement also indicates the community facilities include a resident lodge manager, with an office at the site and working normal office hours, to oversee the maintenance of the site and general security/assistance to occupiers, a video entry system, a treatment room, communal lift, and overnight guest suite.

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

- design and access statement;
- planning and heritage statement;
- transport assessment report;
- contamination site investigation report;
- ecological appraisal report and Phase 2 bat assessment;
- drainage impact statement;
- arboricultural assessment and method statement;
- viability report (supported by further assessment); and
- supporting stakeholder engagement statement.

## 5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections.
5.2	Natural England	No objections to the principle. Comments regarding the SANG position are awaited. Any formal comments will be reported to the Committee.
5.3	Arboricultural Officer	Comments awaited. Any formal comments will be reported to the Committee.
5.4	Surrey Wildlife Trust	No objections.
5.5	Local Lead Flood Authority	No objections.
5.6	The Council's Viability Adviser (DixonSearle)	Comments awaited on further information. Any further comments will be reported to the Committee.
5.6	Environmental Health	No objections.
5.7	Windlesham Parish Council	An objection is raised on parking grounds and overdevelopment of the site.

## 6.0 REPRESENTATION

At the time of preparation of this report, no representations in support and 5 representations raising objections which raise the following objections:

- 6.1 Impact of construction phase on traffic and parking in surrounding area [See *proposed Condition 8*]

- 6.2 Insufficient parking and impact of overflow parking on the local public highway network [See Paragraph 7.3]
- 6.3 Loss of light from the retained trees on the rear boundary and requests their removal. Previous agreements and actions to keep the rear boundary trees at a manageable height have been reneged [See Paragraph 7.3]
- 6.4 Impact of roots of, and debris falling from, retained trees on the rear boundary on neighbouring property/land [Officer comment: This would not be a reason to refuse this application]
- 6.5 Loss of privacy [See Paragraph 7.3]
- 6.6 Impact on property value/resale [Officer comment: This is not a material planning consideration]
- 6.7 Impact from noise from plant accommodation [See Paragraph 7.6]
- 6.8 Three large trees (proposed to be retained) in the south east corner of the site are seriously overgrown and could be a danger to adjoining residential properties [See Paragraph 7.4]
- 6.9 Loss of light [See Paragraph 7.6]
- 6.10 Too many care homes in the area [Officer comment: Each application has to be assessed on its own merits]

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application proposal is located within the settlement of Bagshot and lies opposite the Bagshot Park Conservation Area. The proposal relates to the provision of retirement (sheltered) residential development. Policies CP1, CP2, CP5, CP6, CP12, CP14, DM9, DM10, DM11 and DM17 of the Surrey Heath Borough Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); Thames Basin Heath Special Protection Area SPD 2012; along with the National Planning Policy Framework (NPPF) and guidance in the Planning Practice Guidance (PPG) are relevant.
- 7.2 The site is located within a settlement area and relatively sustainable location. Such a location is, in principle, generally a preferable location than an open rural or green belt site. This is subject, however, to the following considerations which will be addressed in determining this application:
  - the impact on character and trees;
  - the impact on residential amenity;
  - the impact on the highway;
  - the impact on the SPA;
  - the impact on local infrastructure and financial considerations;
  - the impact on affordable housing provision; and
  - the impact on drainage and flood risk.

### **7.3 Impact on character, trees and conservation**

- 7.3.1 Paragraph 56 of the NPPF indicates that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 58 of the NPPF indicates that development should respond to local character and be visually attractive as a result of good architecture and appropriate landscaping.
- 7.3.2 Policy CP2 of the CSDMP states that all land should be efficiently used within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 indicates that development should respect and enhance the local, natural or historic character of the environment; be it in a rural or urban setting. Policy DM17 relates to development which, if it is considered to affect a Heritage Asset, should establish and take into account its individual significance and seek to promote the conservation and enhancement of the asset and its setting.
- 7.3.3 The proposed building would provide a three storey building across the two residential plots, which currently contain two storey dwellings, extending the width and depth of development on the site. The current proposal would provide a significant increase in the amount of development on the site. However, noting the setting (with an adjoining care home to the south and very close care home to the north, which are both significant buildings); the setback and set-ins from both flank boundaries; the design which breaks up the built form and provides relief; and the detailing provided to add interest to the proposal, it would not significantly have an adverse impact on the setting or local character.
- 7.3.4 The south wing of the proposal would line up with the flank wall of the adjoining care home at Bagshot Park Care Home, and with heavy landscaping to the front of that site, the proposed development would not be clearly visible from the southern approach on the A30 London Road. The proposed north wing would be positioned in front of the adjoining residential property, 22 London Road, and would be clearly visible on the northern approach to the site on the A30 London Road. However, this part of the development is narrower in depth and, at a two storey height (with accommodation in the roof), this relationship would not have an adverse visual impact on the streetscene.
- 7.3.5 The proposal would result in the loss of some landscaping, including significant trees on the site. These trees are not protected and most are in a poor condition, particularly to the site frontage. The applicant has provided amended landscaping details which show opportunities to provide improved landscaping to the site boundaries, including the frontage. These include landscaping to the front boundary including an instant evergreen hedge and fastigate heavy standard trees and trees/shrubs to flank boundaries. The proposal would provide amenity space of about 900 square metres to the rear. This level of provision is considered to be acceptable in terms of its location and proposed use, and would help provide a setting for the building which would not appear cramped.
- 7.3.6 Noting the distance from the Bagshot Park Conservation Area and the built development around the application site within the settlement, it is considered that the proposal does not affect the Conservation Area or its setting.
- 7.3.7 As such, no objections are therefore raised to the proposal on character, tree and conservation grounds with the proposal complying with Policies CP2, DM9 and DM17 of the CSDMP and the NPPF.

#### **7.4 Impact on residential amenity**

- 7.4.1 The proposed buildings would have a two storey height with accommodation in the roof and balconies. The nearest dwelling, to the north flank, is 22 London Road which would be set about 21 metres from the flank wall of the rear wing (13 metres to the flank boundary of this property) and 10.5 metres from the flank wall about 6 metres for the flank boundary of this property), an end elevation, with this property. This level of separation would limit any adverse impact on the amenities of the occupiers of this property.
- 7.4.2 The proposed development would be provided with an end elevation facing the rear boundary. Noting the separation distance, of 11 metres at first floor level and above to the rear boundary, and dense landscaping retained with the residential properties in Lory Ridge to the rear, no adverse impact on residential amenities of the occupiers of these properties is envisaged.
- 7.4.3 No objections are therefore raised on residential amenity, with the development complying, in this respect, with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

#### **7.5 Impact on the highway**

- 7.5.1 The proposal would provide an increase in traffic generation and parking would be provided for 12 spaces, which is considered to be acceptable on the basis of the proposed occupation for which only a limited amount of car ownership would be expected. The increased traffic generation will have an impact on traffic movements on London Road but the transport statement considers that the proposed development would not have a significant impact on the operation of the local highway network, particularly during peak periods. The transport assessment indicates that over a typical day, parking surveys at other comparable sheltered housing developments in the South East, indicate a usage at an average level of 0.3 spaces per residential unit, compared with 0.6 spaces proposed to be provided per residential unit. In addition, the site is fairly sustainable, close to bus routes, the rail station and the Bagshot centre.
- 7.5.2 The County Highway Authority has raised no objections to the proposal in relation to its impact on highway safety and level of parking provision indicating:

*"Sheltered housing developments are generally low traffic generators and car ownership/use amongst residents is very low. The parking provision is lower than the recommended maximum standards, however, the applicant has carried out parking surveys at other sheltered housing sites to demonstrate that the proposed parking will meet demand."*

The proposed use would provide one member of staff, the site manager, and visitors such as doctors and other practitioners during the working day with family more likely to visit out of office hours and at weekends. Noting the age restrictions on occupancy and the type of accommodation, which would be a low dependency accommodation (in contrast to the nearby care homes), the parking demand would be relatively low.

- 7.5.3 No objections are raised on impact of the proposal on the local highway network with the development complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## 7.6 Impact on the SPA

- 7.6.1 Policy CP14 of the CSDMP indicates that all new (net) residential development within 5 kilometres of the SPA is considered to give rise to the possibility of likely significant effect on the SPA. The application site lies about 500 metres from the SPA. Development between 400 metres and 5 kilometres, such as the application site, will be required to provide appropriate measures to avoid adverse effects on the SPA, which includes the contribution towards the provision of Suitable Alternative Natural Greenspaces (SANGs). For proposals of over 10 (net) residential units, the application site would need to be located within the catchment of these SANGs. In terms of the public SANGs, this part of the Borough falls outside of the catchment of these SANGs and an alternative solution is required.
- 7.6.2 The current proposal would provide self-contained retirement apartments with limited shared accommodation (owners' lounge) and it is anticipated that future occupiers would be active and mobile. As such, the proposed development would have to provide SANG mitigation against the impact of the proposal on the integrity of the SPA.
- 7.6.3 The applicant has put forward a case for providing a contribution towards the existing private SANG at Notcutts and the applicant is also aware that there is a proposal for a SANG at Windlemere Golf Club which is currently under consideration under application SU/16/1207. The application site falls within the catchments of both of these sites. However, clearly neither option is secured and may be extremely problematic to secure. The Notcutts SANGS was one of the first SANGS in Surrey Heath and dates back to a 2009 permission (SU/07/0702) in connection with the Earlswood Park estate. This includes a S106 Legal Agreement and management company responsibilities, with the current homeowners of Earlswood Park tied into the SANG through their deeds. There are currently unresolved issues with this SANG. Moreover, there is no guarantee that the Windlemere application will be granted. In the officer's opinion limited weight must therefore be given to the use of these SANGS.
- 7.6.4 However, notwithstanding this, in the appeal 2198634 for a development in Ash in the Guildford Borough, the Inspector took the view that:
- "I accept that there is no certainty that a suitable SANG will become available within the lifetime of a planning permission if the appeal were to succeed. However following the Judgement in Merritt v SSETR & Mendip DC..., it would be wrong of me refuse to impose a Grampian, or pre-condition, solely because there is no reasonable prospect of the action in question being performed within the time limit of the permission. Rather, so long as the condition would prevent any development until it was satisfied, refusal should only follow if there would be adverse planning implications from granting a permission which was not subsequently implemented."*
- On this basis, it is therefore considered that there would be no such adverse implications, imposing such a Grampian condition (see Condition 2), which limits the commencement of the approved development until the Council confirms in writing that the proposal has provided satisfactory arrangements for a SANG contribution to be provided.
- 7.6.5 Policy CP14B requires that all net new residential development provide contributions toward Strategic Access Management and Monitoring (SAMM) measures. A payment of £8,889 has been received in respect of SAMM and, as such, the proposal would accord with Policy CP14B of the CSDMP and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

7.6.6 No objections are therefore raised to the proposal in relation to its impact on SPA grounds, with the development complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the Thames Basin Heath Special Protection Area Avoidance Strategy SPD 2012.

## **7.7 Impact on local infrastructure and financial considerations**

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in 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. For example, the applicant is claiming part exemption due to the provision of affordable housing and at the time of writing the final amount of social housing relief is unknown. However, on the basis of the information submitted to date the amount of CIL payable is likely to be in the region of £111,720. Informatives would be added to the decision advising the applicant of the CIL requirements.

7.7.2 The CIL scheme provides for funding for SANG; open space; local transport projects and pedestrian safety improvements; play areas and equipped play space; indoor sports and leisure facilities; community facilities; waste and recycling; strategic transport projects; and flood defence and drainage improvements.

7.7.3 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. Whilst the implementation and completion of the development, if it were approved, would result in a local financial benefit, for reasons as already outlined it has been concluded that this proposal does not accord with the Development Plan as it would give rise to significant harm.

## **7.8 Impact on affordable housing**

7.8.1 Policy CP5 of the CSDMP indicates that affordable housing provision for 10 residential units would need to be provided on the site. This policy also confirms that this policy applies to private retirement homes. The current proposal has been supported by a viability report which indicates that the development would not be viable, if it were to provide any affordable housing at this site (or payment in lieu of such provision). The Council's Viability Advisers have indicated a payment in lieu of on-site provision is necessary on the basis of the evidence provided. The level of this contribution has been disputed by the applicant who has provided further evidence which has been provided by the applicant to support their position. An update will be provided by officers for the Committee.

7.8.2 Subject to the advice of the Council's Viability Advisers, there are no objections on these grounds with the proposal complying with Policy CP5 of the CSDMP and the NPPF.

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

7.9.1 The application site falls within a Flood Zone 1 (low risk as defined by the Environment Agency) and the proposal has been supported by a drainage impact assessment. The assessment indicates that it may not be possible to provide an infiltration system and volume storage would be provided with surface water discharged through a gravity system to the public network. The LLFA raise no objections subject to the imposition of conditions.



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

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

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

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

## **9.0 CONCLUSION**

9.1 The proposed development is considered to be acceptable in relation to its impact on character, SPA, residential amenity, highway safety, and drainage/flood risk. The application is recommended for approval.

## **10: 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: JBA 17-002SK1 Rev A, 2006BS/P02 (except where varied by drawing no JBA 17-002SK1 Rev A), 2006BS/P03, 2006BS/P04, 2006BS/P05, 2006BS/P06, 2006BS/P07, 2006BS/P08, 2006BS/P09, and 2006BS/P10, 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 written confirmation has been obtained from the Local Planning Authority that an appropriate contribution has been secured towards a Suitable Alternative Natural Greenspace (SANG) and no dwelling shall be occupied before written confirmation has been obtained from the Local

Planning Authority that the works required to bring the land up to an acceptable SANG standard have been completed.

Reason: To avoid significant effects of the development on the Thames Basin Heaths Special Protection Area and in the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved), the National Planning Policy Framework and advice in Thames Basin Heaths Special Protection Area SPD 2012.

4. 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.

5. The premises shall be used for retirement apartments occupied by persons aged no less than 60 years of age (with partners aged no less than 55 years of age) and for no other purpose (including any other purposes in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), unless the prior written approval has been approved by the Local Planning Authority.

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.

6. The parking spaces shown on the approved site plan no. 2006BS/P02 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.

7.
  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 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 five 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.

8. Retained tree means an existing tree, group of trees or hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development unless otherwise subject to a Statutory Control such as a Tree Preservation Order or Conservation Area.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. All tree works shall be carried out by a professionally qualified Arboriculturist in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement, unless otherwise agreed in writing with the Local Planning Authority. All facilitation and management tree works shall be carried out in accordance with **British Standard 3998: 2010 Tree Works - Recommendations**.

(b) If any retained tree is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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.

9. No development shall take place until a Method of Construction Statement, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding
  - (f) hours of construction

- (g) method for keeping the highway clean
- (h) confirmation that there will be no on-site burning of material

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the site clearance, demolition and construction periods.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. No development shall take place until further on-site ground investigation is undertaken in accordance with BRE 365 to confirm ground conditions including infiltration rate and ground water levels and if ground conditions are confirmed to be suitable for infiltration SuDS, an updated drainage strategy with infiltration SuDS using actual infiltration rates shall be submitted to and approved by the Local Planning Authority. If infiltration SuDS are not feasible due to ground conditions, runoff will be required to discharge offsite; details of the level of discharge and evidence of approval from the receiving body shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that surface water runoff does not lead to runoff onto adjoining land and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. No development shall take place until details of the design of a surface water scheme has been submitted to and approved by the Local Planning Authority. Details of the surface drainage scheme shall include:

- (a) a design which is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS;
- (b) evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+ 30% climate change allowance) for storm events;
- (c) Details of how the sustainable drainage scheme will cater for system failure or exceedance events, both on and off-site;
- (d) Finalised drawings ready for construction to include: a finalised, scaled drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and cross sections of each SuDS element and including details of any flow restrictions; and
- (e) a maintenance plan/regime including details of the asset manager/owner and their responsibilities.

Reason: To ensure that surface water runoff does not lead to runoff onto adjoining land and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No construction of the development hereby approved shall take place until details of how the sustainable drainage scheme, to be provided under Conditions 10 and 11 above, will cater for system failure or exceedance events both on and off-site and how the sustainable drainage scheme will be protected and maintained during

the construction of the development shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that surface water runoff does not lead to runoff onto adjoining land and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

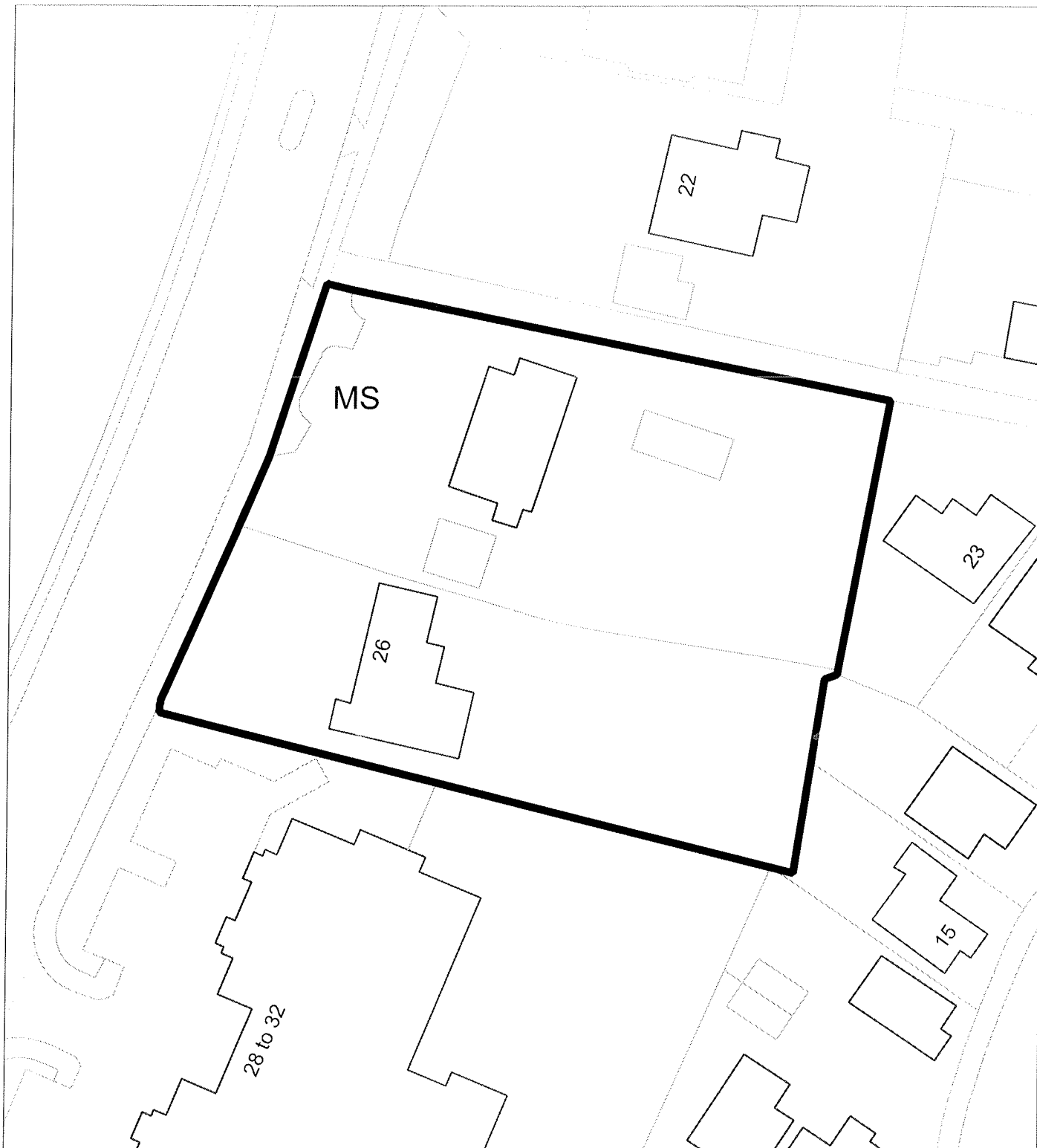
13. Prior to the development hereby approved is occupied, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority

Reason: To ensure the Sustainable Drainage scheme has been constructed as agreed under Conditions 9 and 10 of this permission and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. CIL Liable CIL1
2. Party Walls (etc) Act 1996 DE3

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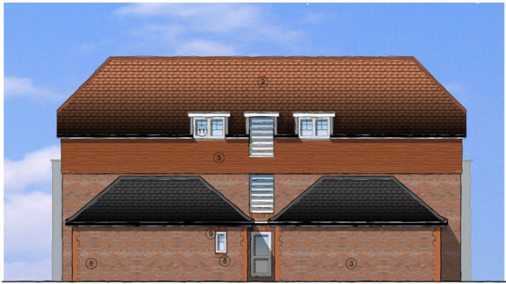
<b>Title</b>	Planning Applications	<b>Page</b>	2 of 6
<b>Application number</b>	16/0652	<b>Scale @ A4</b>	1:500
<b>Address</b>	24 LONDON ROAD, BAGSHOT, GU19 5HN	<b>Date</b>	20-03-2017
<b>Proposal</b>	Erection of a three storey building to provide 15 No. one bedroom and 10 No. two bedroom retirement apartments with associated communal facilities, vehicular access, car parking and landscaping.		
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Proposed rear elevations



Proposed north flank elevations





16/0652 – 24 & 26 LONDON ROAD, BAGSHOT GU19 5HN

Site photos

26 London Road



24 London Road





Rear gardens



2016/0840

Reg Date 12/10/2016

Windlesham

**LOCATION:** ERLWOOD MANOR, LONDON ROAD, WINDLESHAM, GU20 6PG

**PROPOSAL:** Erection of single storey building to provide restaurant and support services for existing business premises. (Amended & Amended Plans - Rec'd 07/12/2016). (Additional and Drainage Strategy Information - Rec'd 27/01/2017). (Additional Information rec'd 21/02/2017).

**TYPE:** Full Planning Application

**APPLICANT:** Mr Wheeler  
Eli Lilly & Company Limited

**OFFICER:** Michelle Fielder

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 This application seeks planning permission for a standalone ancillary restaurant / café building to service on site staff welfare requirements for an established employment site in the Green Belt.
- 1.2 The report notes the proposal would give rise to a 49% increase in floor area above that which was granted for a similar building granted planning permission in 2009; however the proposal is not considered to be inappropriate development in the Green Belt by virtue of the fact it constitutes the limited infill of a previously developed site. It is also noted that the site is occupied by a leading research and development company whom employs over 600 staff from the site. No objection is raised in relation to any material consideration addressed in the report and the application is recommended for approval.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is occupied by Eli Lily and is located between the settlements of Bagshot, Windlesham and Ascot. The site entrance is within 2 miles of junction 3 of the M3. The site is accessed from the A30 and the site campus extends to approximately 16ha.
- 2.2 The site comprises a mix of open grassland, formal garden area, mature woodland and a significant number of buildings located primarily in the centre of the site. The buildings on site are primarily two and three storey in height and include Erl Wood Manor, an unlisted Victorian building which has been extensively extended.
- 2.3 The proposed siting for the development is between a number of existing buildings and on the footprint of the restaurant / café building approved in 2009. As detailed elsewhere in this report this application is extant and that building can be built.

### 3.0 RELEVANT HISTORY

- 3.1 The application site has a fairly extensive planning history however the following application are particularly relevant to this application:
- 3.2 00/0883 Outline application for the erection of a part three part four storey research laboratory building with ancillary accommodation, a part three part two storey administration support building, a gatehouse together with rationalisation of existing car parking to include decked car parking following demolition of existing product development building, solvent store and other small ancillary buildings.
- Approved (05/08/2002), known as "the Masterplan".*
- 3.3 02/0994 Part reserved matters to comprise Phase 1 of the development approved in outline reference SU/00/0883, namely:- part of the research laboratory building (west of existing main building complex); energy compound (adjacent to existing); delivery dock and linking corridor (north west of existing main building complex); and decked car park, together with associated turning area, amendments to entrance road and visitor parking spaces.
- Approved (31/10/2002), known as "Phase 1".*
- 3.3 05/0447 Erection of a two storey laboratory building with basement level and a single storey gatehouse.
- Approved (07/03/2006), known as "Phase 2".*
- 3.4 09/0275 Erection of a two-storey office building and a single storey staff restaurant building following the demolition of an existing single storey laboratory building and a two-storey temporary office building. The application included the removal of a large area of hard surfacing used for parking and the landscaping of that area of the site.
- This application was considered to be similar to that approved by the masterplan application approved under 00/0883. This application remains extant with all but the restaurant building having been implemented.*
- 3.5 09/0275/1 Non Material Amendment - This NMA sought to add a condition listing the approved plans for the restaurant building approved in 09/0275 and in doing so rectify a discrepancy in the elevation plans which show that the overall height of this building is circa 3m as opposed to section plans which showed a height of 6m. *This NMA was approved.*

### 4.0 THE PROPOSAL

- 4.1 This application is seeks to amend the scale of a staff building approved in 2009. The revised proposal would be located in the same location on the site. The dimensions of the approved building and now proposed are given in the table below. The 2009 permission appears to have been lawfully implemented and the office building which was approved at the same time has been built.

4.2	Restaurant building approved in 2009	The current proposal	The increase
In m <sup>2</sup>	801	1,196 (with outdoor seating area of 343m <sup>2</sup> )	395m <sup>2</sup> or 49%
Height	Between 4.5m rising to a maximum 6.2m	6.2m (rising to 7.5 where services located)	No overall height increase across most of the building itself.

- 4.3 The proposed floor plans show that the building would function as a hub within the campus and provide the usual back and front of house facilities needed to function as a staff café / restaurant (up to 200 covers) while its design is stated as allowing for spontaneous working and social interaction.
- 4.4 The submitted documentation advises that the design is based upon that of the existing buildings on site with design cues taken from the existing materials and shapes while giving the building the character of a sculpture.
- 4.5 The proposed development includes a covered walkway to link this building to others on campus. This feature would be comprised of 2.8m high galvanised steel frame posts with a recessed light from which a frameless toughened glass canopy would be suspended. This would be sited above a block paved path and would not have enclosed sides. A bin store and substation are also proposed.
- 4.6 The submitted planning statement advises that Eli Lilly is an international pharmaceutical company with offices, research centres and production facilities worldwide. Eli Lilly and Company Limited (Lilly) is the UK affiliate and has been located at Erl Wood for over 45 years. The site is the focus for its UK research and development activity and plays a vital role in Lilly's world-wide research and development activities. There are currently approximately 645 staff at Erl Wood.
- 4.7 The statement adds that operations at the Erl Wood site have grown over the years as Lilly has invested in new and additional facilities. The development undertaken at the site since 2002 has been part of a phased expansion of the site as set out in the grant of planning permission ref 00/0883 for a total of 15,255m<sup>2</sup> of B1 space. While larger than the extant permission granted in 2009, this latest application is part of this planned expansion.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objection subject to conditions.
- 5.2 Arboricultural Officer Comments awaited.

- |     |                           |  |
|-----|---------------------------|--|
| 5.3 | Surrey Wildlife Trust     | No objections – suggest conditions.  |
| 5.4 | LLFA                      | No objection subject to conditions.  |
| 5.5 | Windlesham Parish Council | Queried whether this is inappropriate development in the Green Belt and whether the building is in context with other buildings on the site. |

## 6.0 REPRESENTATION

At the time of preparation of this report no letters of objection or support have been received.

## 7.0 PLANNING CONSIDERATION

- 7.1 Policies in the National Planning Policy Framework (NPPF); and, Policies CPA, CP2, CP8, CP11, CP14A, DM1, DM9, DM10, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) are relevant. Regard will also be had to advice contained in the Planning Practice Guidance (PPG).
- 7.2 At paragraph 2.4.1 of the planning statement the applicants advises that the main use of the site is B1 offices. This being the case the remit of Policy DM13 of the CSDMP applies. This policy recognises that employment development can occur outside of the core employment centres and this policy's supporting text acknowledges that these uses can play an important role in the Borough's economy and often comprise large bespoke sites not just confined to the urban area but also located in the Green Belt and countryside. Whilst the policy seeks to retain these uses, the policy restricts development on these sites to extensions or additions and promotes redevelopment where this would improve environmental and residential amenity. In principle, therefore, and given the site's established use there is no objection to the principle of development on this site, subject to the merits of the proposal not causing material harm. As such, the following main issues need to be addressed in determining this application:
- Green Belt appropriateness and harm;
  - Impacts on the character of the area, landscape and trees;
  - Highway impacts;
  - Impacts on residential amenity;
  - Impacts on biodiversity;
  - Other matters; and,
  - Very Special Circumstances.



### **7.3 Green Belt appropriateness and harm**

- 7.3.1 Paragraph 89 of the NPPF states that the construction of new buildings are inappropriate in the Green Belt but lists exceptions including limited infilling of previously developed sites 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. Paragraph 90 states that certain other forms of development are also not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. This includes engineering operations.
- 7.3.2 In light of the existing site coverage it is considered the proposed siting of the restaurant building and combined substation / bin store comprises part of the central core of the wider site and can be considered to be previously developed land with the proposed buildings being infill to the existing built form. This siting would also serve to contain the built form such that it did not extend out on to undeveloped areas while the height would largely be masked by the height of adjacent buildings. Accordingly it is considered the proposed development reasonably fulfils the exception cited at bullet point 5 of paragraph 89 of the NPPF in that it constitutes the limited infill of previously developed land which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 7.3.3 In the planning statement the applicant team provide an additional view that the proposed development could be considered as an extension to the building approved in 2009. In this respect it is considered this permission remains extant and that the restaurant building could be constructed and that this constitutes a fall-back position; however it is not accepted that the proposed building can be considered as not being inappropriate development due to it being an extension or alteration to an existing building, as, quite simply the building does not presently exist.
- 7.3.4 The proposed covered walkway would constitute an engineering operation and such works, can, as set out at paragraph 90 of the NPPF be considered to be not inappropriate provided they do not conflict with the purposes of including land in the Green Belt. This assessment is one of planning judgement and different conclusions are likely for different sites and different proposals. However having regard to the existing site coverage and the lightweight form of this aspect of the proposal it is not considered the development would conflict with the purposes of including land in the Green Belt.
- 7.3.5 Given that it is concluded that the development is not inappropriate development in the Green Belt it has not been necessary to consider whether a case of very special circumstances is present. However, in the event that the committee conclude differently for any aspect of the proposal this will be assessed at section 8 of this report. It is also important to note that in the event the committee concludes that the development proposal is inappropriate development, but that very special circumstances are present to justify the grant of planning permission, the matter would need to be referred to the Secretary of State due to the floor space exceeding 1,000m<sup>2</sup> and the site being in the Green Belt.

### **7.4 Impacts on the character of the area, landscape and trees**

- 7.4.1 The NPPF requires development to integrate into its natural, built and historic environments and Policy DM9 (ii) of the CSDMP reiterates this requiring development to respect and enhance the environment, paying particular attention to scale, materials, massing, bulk and density.

- 7.4.2 The proposed buildings would be located towards the centre of the site within an area that is currently largely surrounded by buildings. The development proposed would have limited visibility from any public vantage point and would have little impact on the character or the appearance of the surrounding area. The design proposed and the conceptual nature of the building being designed as a sculpture is unlikely to be to everyone's taste; however there is no denying this would provide a bespoke and high quality design. The siting of the proposed building between existing development would limit views of it from outside of the site and it is considered the building itself would not appear incongruous against the back drop of the existing buildings.
- 7.4.3 The location of the proposed building has already largely been cleared as a result of the works to implement the 2009 permission. The proposal would however entail the felling of 2 further trees. The Arboricultural Officer's comments are awaited; however it is considered unlikely that the removal of these trees would harm the site's landscape quality or profile, moreover it is considered mitigation planting could be secured to offset this loss.
- 7.4.4 The proposed covered walkway would extend the existing network; however this would have limited impact beyond the immediate environs and the lightweight and largely transparent cover and framework would be sympathetic to its surroundings.
- 7.4.5 The proposal also details landscaping to supplement the retained green and verdant character of the site. This is considered acceptable.
- 7.4.6 In summary and subject to suitable conditions it is considered that the proposal would not harm the character or appearance of the area in compliance with Policy DM9.

## **7.5 Highway impacts**

- 7.5.1 The applicant has advised that the proposed development will not increase the number of staff at the site and as a consequence it will be unlikely to give rise to an increase in the level of vehicle movements to or from the site. Moreover, following the approval of the Masterplan Eli Lilly implemented a Travel Plan and the applicant has advised that they will continue to maintain and develop the Travel Plan with the aim of reducing the reliance on the private car as a means to access the site. The decked car park which formed part of the Masterplan has been completed and there are currently 570 parking spaces on site. The total level of parking is limited by the Masterplan consent and it is not proposed to increase the level of parking available which is considered to be appropriate to serve the site.
- 7.5.2 The Highways Authority has reviewed the current application and raised no objection and do not have any requirements. It is noted that £204,000 contribution for highway improvements (to the junction of B3020 with the A30) has previously been secured with the final payment of £104,000 was paid upon commencement of the approved office building pursuant to application 09/0275. The current application is not CIL liable (see paragraph 7.8.2) and it is not considered a highways objection can reasonably be raised, as such the application is considered to be compliant with Policy DM11 of the CSDMP 2012.

## **7.6 Impacts on residential amenity**

- 7.6.1 The proposed building would not be closer to any neighbouring residential property than existing development on the site and the proposal development would not give rise to an increase in staff numbers. As such it is considered that the proposal would not result in adverse loss of residential amenity and would comply with Policy DM9 (iii) of the CSDMP.

## **7.7 Impacts on biodiversity**

- 7.7.1 Policy CP14 of the CSDMP seeks to conserve and enhance biodiversity and does not permit development that would result in harm to or loss of features of interest for biodiversity.
- 7.7.2 The application is supported by a bat activity survey report which indicates that at least six species use the site. This is a greater diversity of species than found in the previous studies. The report makes recommendations in respect of bat boxes and lighting. This has been reviewed by SWT as the Council's retained ecology advisor and no objection raised subject to conditions. A badger survey has also been provided at the request of officers and comments are sought from West Surrey Badger Group on this document. Any comments and recommendations from this group will be reported by way of an update. Subject to no objection being raised it is considered the proposed development would not conflict with Policy CP14.

## **7.8 Other matters**

- 7.8.1 Given that the site lies outside the floodplain and is under 1ha in size no flood risk assessment is required. However, in respect of surface water drainage in April 2015 the government changed requirements for major developments for sustainable drainage systems (SuDS). Under these requirements the Council must be satisfied during determination of the application that SuDS can be designed into a proposal, unless demonstrated to be inappropriate.
- 7.8.2 The application is not CIL liable because CIL only applies to residential or retail uses. Furthermore, in line with paragraph 204 of the NPPF planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. No such requirements have been identified. For advice however, the 2009 permission secured a highways contribution of £104,000 towards highway improvements and this was paid in full.

## **8.0 VERY SPECIAL CIRCUMSTANCES**

- 8.1 For the reasoning outlined in paragraph 7.3 above in the officer's opinion the development proposed is not inappropriate development in the Green Belt and as a consequence a case of VSC is not necessary. However, in the event Members conclude differently it is considered the matters detailed below carry weight and cumulatively amount VSC to outweigh the harm to the Green Belt which would otherwise arise.

The applicant's main very special circumstances to justify the development are summarised below, the merits of each will be considered in turn and then in combination:

- (i) The UK's pharmaceutical research and development sector is of national importance and a key part of the knowledge based industries
- (ii) The legacy of Eli Lilly being set up in the 1930's with occupation of the site since the 1960's
- (iii) Eli Lilly is a global company which has invested heavily in the current site and demonstrated a commitment to it

- (iv) Key to the continued operation is the retention and recruitments of top staff and scientists whom expect and are provided with accommodation of the highest standard
- (v) The proposal represents the last phase of the approved, 2002, masterplan
- (vi) Eli Lilly is therefore in a sector of importance and significance to the development of the regional and national economy

## 8.2 Assessment

8.2.1 The NPPF has a presumption in favour of sustainable development of which there are three dimensions i.e. economic, social and environmental. The economic role is *'contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.'* In order to deliver a strong and competitive economy paragraphs 18-20 of the NPPF states the following:

*18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meet the twin challenges of global competition and of a low carbon future.*

*19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight [Officer's underlining] should be placed on the need to support economic growth through the planning system.*

*20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.*

8.2.2 As part of building a strong and competitive economy, paragraph 21 of the NPPF encourages planning positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries. The applicant's desire to provide improved facilities on an existing employment site is therefore consistent with the NPPF.

8.2.3 At a local level the Council's 2020 Economic Development Strategy recognises the importance of specialist engineering firms and aims to support their growth aspirations. In context of this application it is noted that the proposal does not aim to support job creation but instead is focused on providing improved facilities. It must also be noted that any VSC must also take into account the fall back position; namely that the building approved in 2009 could be built at any time. In this context the question is whether there are VSC present to outweigh the additional harm which would arise from the increase in size proposed.

8.2.4 In the officer's opinion the combined weight of these very special circumstances marginally outweigh the harm to the Green Belt which would otherwise arise if planning permission were granted.

## **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 negotiated and accepted 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 CONCLUSION**

- 10.1 It is considered the proposed development is not inappropriate development in the Green Belt. If however Members conclude differently the matters set out at section 8 of this report are considered to amount to a case of very special circumstances to justify the grant of planning permission. No objection is raised to the development on character, highway, amenity or ecological grounds and it is recommended planning permission is granted.

## **11.0 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 development hereby approved shall be undertaken in accordance with the details agreed pursuant to condition 7 of planning permission ref: 09/0275 unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of any works in relation to the development hereby approved.

Reason: To ensure that satisfactory measures are put in place for addressing contamination issues before and during development in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

3. The development hereby approved shall be constructed in external materials as detailed on the submitted plans and as specified at question 9 of the application form.

Reason: To ensure a satisfactory form of development in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF 2012.

4. Prior to the commencement of any development the following details shall be submitted to and approved in writing by the local planning authority:

- Results of in-situ ground investigations / soakage tests to confirm that infiltration SUDS are not suitable for the site;
- Details of how the sustainable drainage systems will cater for system failure or exceedance event both on and off site; and,
- Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF 2012.

5. Prior to the first use of building hereby approved a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority in writing to demonstrate that the Sustainable Urban Drainage System has been constructed in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF 2012.

6. The development hereby approved shall only be undertaken in accordance with the recommendations contained within the submitted Bat Activity Survey Report.

Reason: To ensure the ecological and biodiversity value of the site is not harmed in accordance with PolicyCP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the NPPF 2012 and the Natural and Rural Communities Act 2006.

7. In order the implementation of this permission does not harm common reptiles:

- all clearance works shall be undertaken when common reptiles are likely to be fully active (April to September).
- clearance of logs, stones, rocks or piles of debris shall be undertaken by hand.
- Clearance of tall vegetation shall be undertaken using a strimmer or brush cutter with cuttings raked and removed the same day. Cuttings will only be undertaken in phased way which may include either:

- Cutting vegetation to a height of less than 30mm, clearing no more than one third of the site in anyone day; or,
- Cutting vegetation over three consecutive days to a height of no less than 150mm at the first cut, 75mm at the second cut and 30mm at the third cut.
- Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles from returning.
- Ground clearance of any remaining low vegetation (if required) and any ground works will only be undertaken following the works outlined above.
- Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.
- Any building materials such as bricks, stones etc will be stored on pallets to discourage reptiles using them as shelter. Any demolition materials will be stored in similar containers rather than in piles on the ground.
- Should any common reptiles be discovered during construction which is likely to be affected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified ecologist and works will only proceed in accordance with the advice they provide.

Reason: To ensure the ecological and biodiversity value of the site is not harmed in accordance with PolicyCP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the NPPF 2012 and the Natural and Rural Communities Act 2006.

8. Prior to the commencement of development a precautionary working method statement to demonstrate how the development is to proceed in a manner which will avoid killing, injuring or disturbing great crested newts shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

In the event great crested newts are identified within the site before or during the course of the development works must cease and the Local Planning Authority be contacted.

Reason: To ensure the ecological and biodiversity value of the site is not harmed in accordance with PolicyCP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the NPPF 2012 and the Natural and Rural Communities Act 2006.

9. The development hereby approved shall only be undertaken in accordance with Erl Wood Badger Survey 2016 and the accompanying plan.

Reason: To ensure the ecological and biodiversity value of the site is not harmed in accordance with PolicyCP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the NPPF 2012 and the Natural and Rural Communities Act 2006.

10. Prior to any works associated with the refuse area being commenced details comprising a floor plan, elevation plans, roof plan (all to a recognised scale and having a scale bar upon them) and external materials shall be submitted to and approved by in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF 2012.

11. No development shall take place until full details of 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 include details of the new planting to be carried out and shall make provision for the two trees felled to facilitate the development.

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.

Any trees or planting that, within a period of 5 years from the date of planting, dies, becomes damaged, diseased or is removed shall be replaced in kind.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. No mezzanine or first floor shall be installed in the restaurant building hereby approved. In addition the sides of the covered walkway shall not be enclosed at anytime.

In all regards the development hereby approved shall be built and retained in accordance with the approved plans ref:

A-SC001 Rev 2  
A-TP(00)005 Rev 3  
A-TP(00)006 Rev 3  
A-TP(00)007 Rev 1  
A-TP(10)001 Rev 2  
A-TP(11)001 Rev 2  
A-TP(11) 002 Rev 2  
A-TP(11) 003 Rev 3  
A-TP(12)001 Rev 2  
A-TP(12)002 Rev 2  
A-TP(27)001 Rev 2  
A-ST(68)001 Rev 1  
A-TP(68)001 Rev 2

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



13. The development hereby approved shall be used only in an ancillary capacity to the lawful use / occupier of the site and shall not be used in any separate or independent use to that primary lawful use.

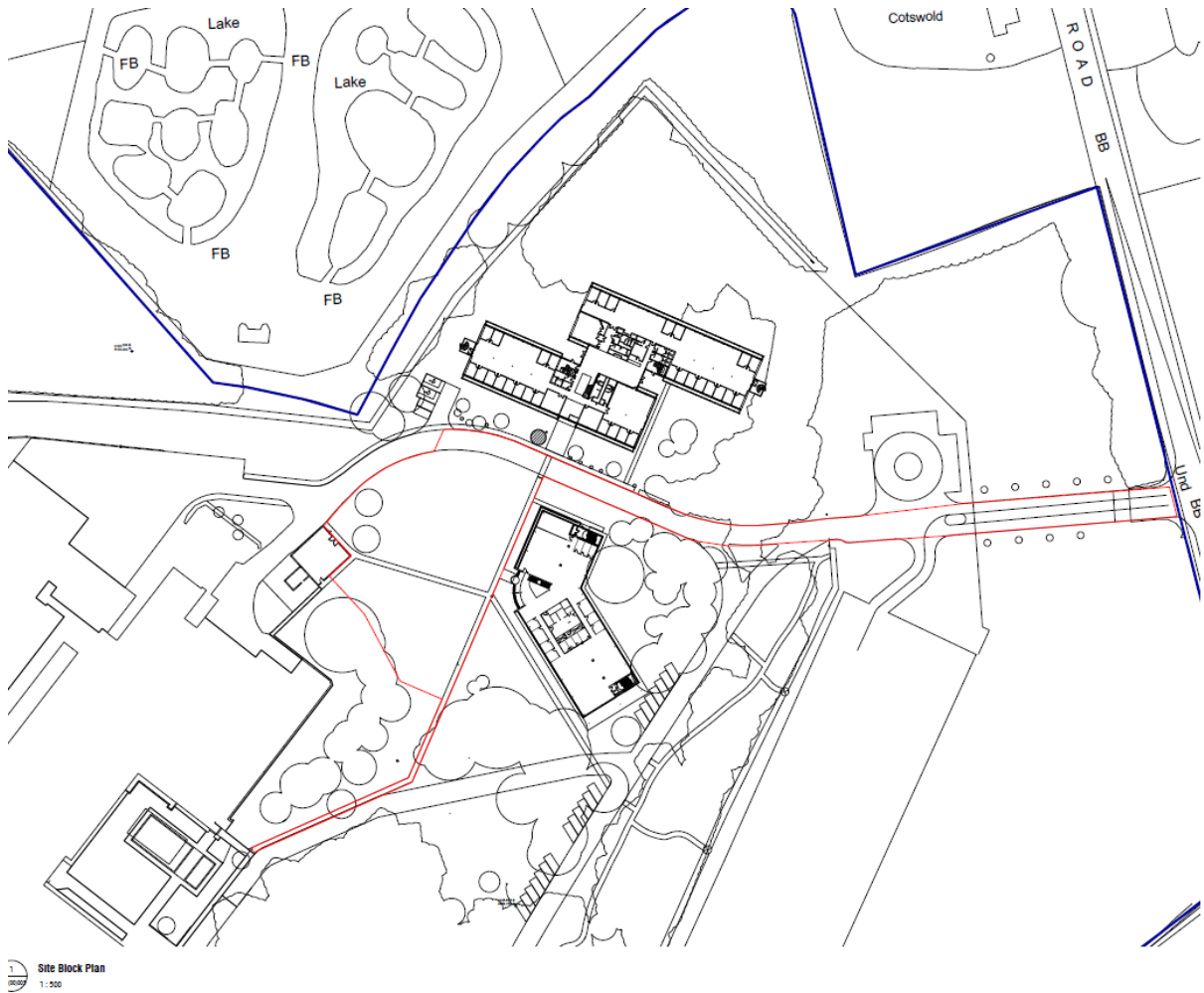
REASON: In the interest of ensuring a sustainable and not inappropriate form of development and to accord with Policy DM11 of the Core Strategy and the wider policy objectives of the NPPF 2012.

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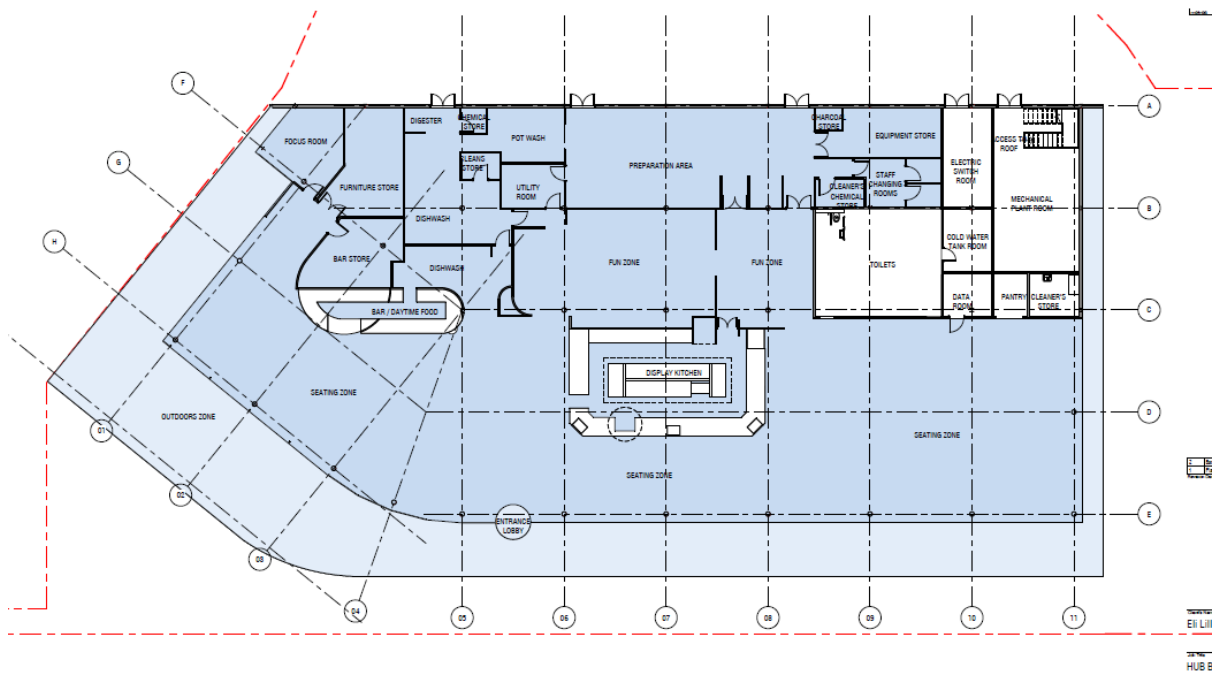
Location plan/context plan



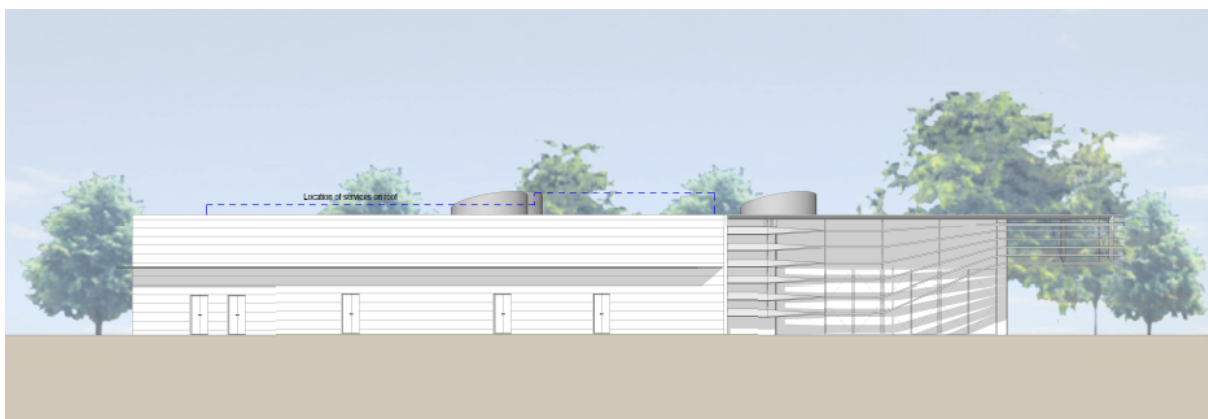
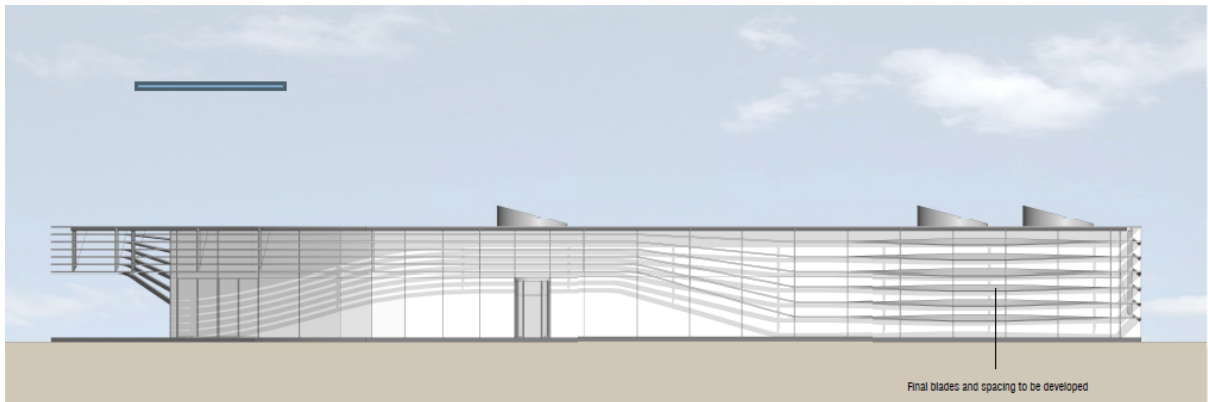
Proposed site layout

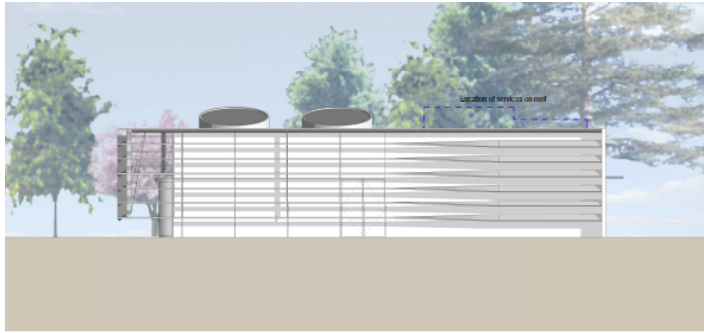


Proposed floor plan



Proposed elevations



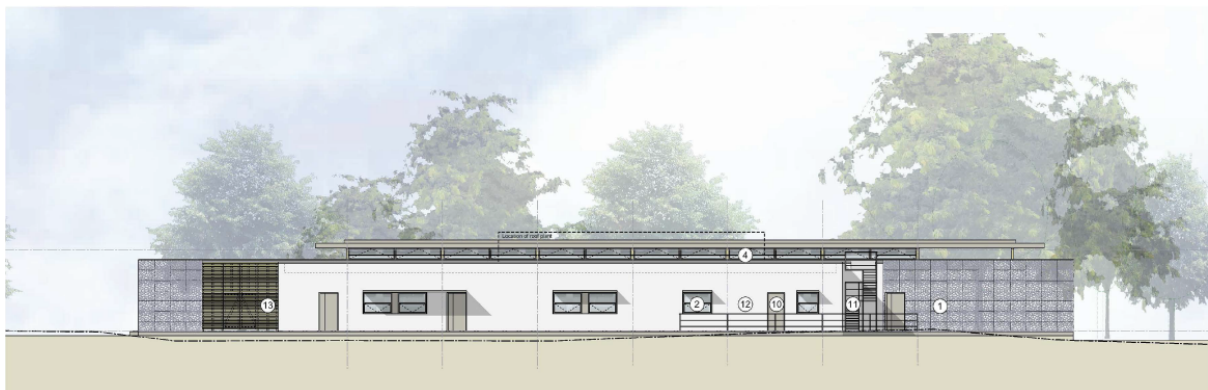


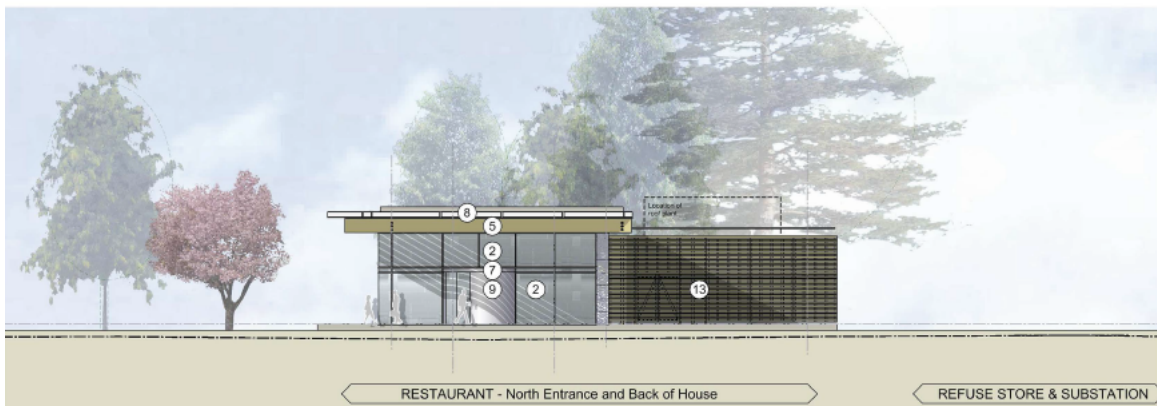
**Elevation 2**  
1:100



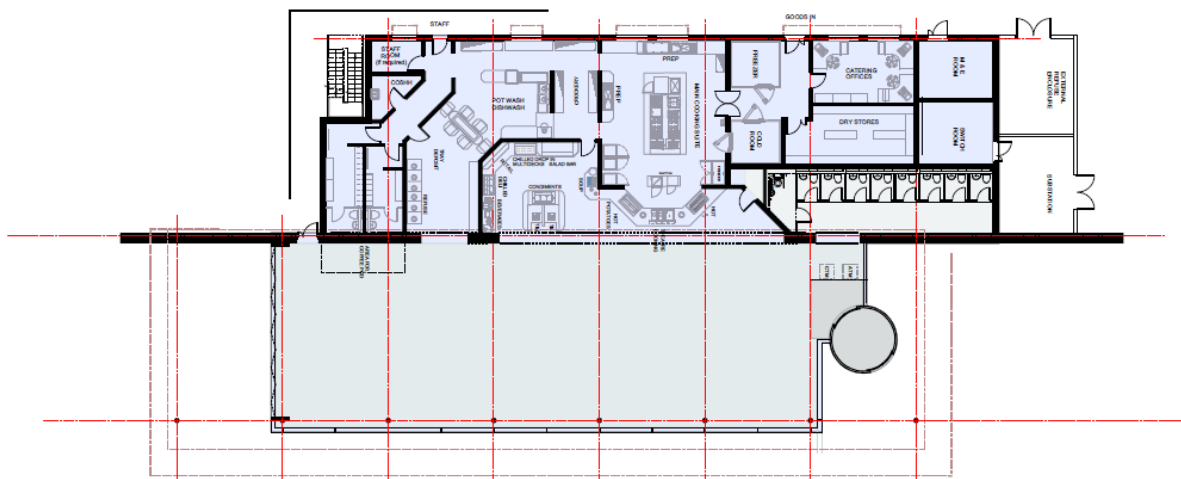
Resturant Building approved (and extant) in permission 09/0275

Elevations





Floor Plan of resturant building approved in 2009/0275





Site Pictures

Existing buildings on site (office building built pursuant to permission 2009/0275 to the right)



The office building built pursuant to permission 2009/0275



The landscape character of the site



2016/0961

Reg Date 12/10/2016

Bisley

**LOCATION:** 325 GUILDFORD ROAD, BISLEY, WOKING, GU24 9BD  
**PROPOSAL:** Erection of 6 three bedroom dwellings in the form of a pair of semi-detached houses and a terrace of two storey houses with accommodation in the roof and 6 two bedroom and 3 studio flats in the form of a three storey block with parking, landscaping and access from Guildford Road following demolition of existing building. (Amended info and plan recv'd 2/11/16) (Additional Info - Rec'd 16/02/2017). (Amended Plans - Rec'd 09/03/2017). (Additional Information recv'd 10/3/17).  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr & Mrs MacDonald  
 Affordable Rentals  
**OFFICER:** Duncan Carty

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The proposal relates to the erection of 6 houses and 9 flats on a former commercial site in the settlement of Bisley, with an access from Guildford Road. The proposal would sit alongside the recently completed Foxleigh Grange residential development (under permissions SU/10/0933 and SU/11/0559 on the site of the former Fox Garage, 333 Guildford Road).
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character and trees, residential amenity and highway safety. The current proposal is CIL liable and would require a contribution towards SAMM, which has been received. As such, the proposal is considered to be acceptable.

## 2.0 SITE DESCRIPTION

- 2.1 The application site lies on the north flank of Foxleigh Grange, the recently completed redevelopment of the former Fox Garage located within the settlement of Bisley. The application site relates to the former Affordable Rentals car and van hire site, a single storey building with hardstanding across the remainder of the site. The application site has a typical width of 40 metres and a depth of 115 metres. There is an access road to the immediate north boundary (serving residential properties 321 and 323 Guildford Road and the vacant industrial building (on which a residential redevelopment was recently granted under SU/13/0327) beyond. Part of this boundary is with 323 Guildford Road.
- 2.2 The application site includes access through the Foxleigh Grange development, which forms a part of the application site.

### 3.0 RELEVANT PLANNING HISTORY

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

- 3.1 BGR 461 Erection of a factory. Approved in August 1951 and implemented.
- 3.2 SU/05/0696 Change of use from general industrial (Class B2) to servicing, repair and MoT testing of motor vehicles (Class B2); and as an operating centre for motor car and van hire; alterations to existing building and provision of additional parking spaces (retrospective). Approved in March 2006.
- 3.3 SU/14/0262 Erection of 13 three bedroom, two storey (with accommodation in the roof) residential dwellings with parking, cycle stores, landscaping, ancillary works and access from Foxleigh Grange following the demolition of existing buildings.
- Refused permission in July 2014 on SPA grounds (lack of SANG capacity for the scale of the development proposal), and affordable housing and local infrastructure (refused without securing mitigation through a legal obligation).*
- 3.4 SU/14/1129 Erection of 9 dwellings (including four 2 storey (with accommodation in the roof) three bedroom, three 2 storey four bedroom and two 2 storey (with accommodation in the roof) five bedroom properties) with garages, parking, cycle stores, ancillary works, landscaping and access from Foxleigh Grange following the demolition of existing buildings. Approved in April 2015.
- 3.5 SU/16/0752 Erection of 12no three bedroom dwellings (in the form of 3 no terraced two storey blocks with accommodation in the roof) with parking, landscaping and access from Foxleigh Grange following the demolition of existing buildings. Currently under consideration.

### 4.0 THE PROPOSAL

- 4.1 The current proposal relates to the erection of 2 no. two storey (with accommodation in the roof) semi-detached dwellings, 4 no. two storey (with accommodation in the roof) terraced dwellings and 1 no. two storey building (with accommodation in the roof) to provide 6 no two bedroom and 3 no studio flats. The proposal would provide a total of 21 parking spaces.
- 4.2 The current proposal would provide three blocks of development, lining up roughly with the Foxleigh Grove development to the south east. The frontage block would provide a pair of semi-detached houses, sited slightly forward of 1-6 Foxleigh Grange, the middle block of flats aligning with 7 and 8 Foxleigh Grange and the rear block of four terraced houses aligning with 9-14 Foxleigh Grange. The proposed parking would be arranged between these blocks with access to the south east side of the site, adjacent to the existing Foxleigh Grange properties.
- 4.3 Each residential house would have a ridge height of about 9 metres, reducing to 5.1 metres at the eaves. The houses would have a front and a rear dormer each to provide roof level accommodation and, in terms of building height and design would reflect the residential properties in Foxleigh Grange. The middle block would have a crown roof over to a maximum height of 9.5 metres, reducing to 6.1 metres at the eaves.



## **5.0 CONSULTATION RESPONSES**

- |     |  |   |
|-----|--|---|
| 5.1 | County Highway Authority                           | No objections.  |
| 5.2 | Tree Officer                                       | No objections.  |
| 5.3 | Environmental Health                               | No objections.  |
| 5.4 | Surrey Wildlife Trust                              | No comments received to date. Any formal comments will be reported to the Planning Applications Committee.                            |
| 5.5 | The Council's Viability Adviser (DixonSearle)      | No objections.  |
| 5.6 | Local Lead Flood Authority (Surrey County Council) | Awaiting comments on revised details. Any formal comments will be reported to the Planning Applications Committee.                    |
| 5.7 | Bisley Parish Council                              | No objections subject to this Council considering that the development would not have an adverse impact on the SPA or highway safety. |

## **6.0 REPRESENTATIONS**

At the time of the preparation of this report, no representations had been received in support or raising an objection.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The current proposal is to be assessed against Policies CP1, CP2, CP5, CP6, CP8, CP9, CP11, CP14, DM9, DM11 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework (NPPF). In addition, advice in the Developer Contributions SPD 2011; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Interim Affordable Housing Procedure Note 2012; and, the Planning Practice Guidance (PPG) are relevant. The main issues in the consideration of this application are:
- Principle for the development;
  - Impact on local character;
  - Impact on residential amenity;
  - Impact on highway safety;
  - Impact on the Thames Basin Heaths Special Protection Area and CIL;
  - Impact on housing mix, affordable housing provision and financial considerations;
  - Impact on biodiversity; and
  - Impact on flood risk and drainage.

## **7.2 Principle for the Development**

- 7.2.1 Policy CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 indicates that the loss of other employment sites, such as the application site, will only be permitted where wider benefits to the community can be shown. The site is now vacant and it has previously been accepted that the site can come forward for redevelopment for non-commercial purposes. In addition, the proposal would remove a non-conforming use being the last in a group of commercial businesses (317-9, 333 and 335 Guildford Road) which have permission for redevelopment for residential purposes. It is therefore considered that the principle for the development is acceptable, complying with Policy CP8 of the CSDMP and the NPPF, subject to the assessment below.

## **7.3 Impact on local character and trees**

- 7.3.1 The application site falls within the settlement of Bisley with part of the north flank boundary and the east (rear) boundary with the Green Belt. The current proposal would result in the loss of an industrial building and associated hardstanding (to the front and around the site) which do not positively contribute to the quality of the local character. The frontage properties within the current proposal would replicate the design and overall height of residential units on the adjoining site and would appear as an extension to that development. This would include adequate spacings to both flank boundaries and soft landscaping to the frontage and northern flank boundary.
- 7.3.2 The proposal would provide a pair of semi-detached dwellings to the site frontage, smaller than the existing frontage terrace of 1-6 Foxleigh Grange. The proposed dwellings would be set back about 9 metres from the Guildford Road front boundary of the site which would result in these properties being positioned 4 metres in front of 1 Foxleigh Grange, with the flank wall of Plot 2 visible from the south approach on the A322 Guildford Road to the site. However, noting the curve in the public highway, the proportion of the flank wall of Plot 2 visible, and separation provided by the proposed access road this relationship is considered to be acceptable, and is a reduction to the approved development under SU/14/1129.
- 7.3.3 The proposed block to the centre would provide a crown roof form and would have a different appearance from the properties in Foxleigh Grove, with a greater depth and width than the adjoining properties. However, noting the level of set-back from the highway and set-in from the south east boundary of the site; the obscuring of this part of the development by the proposed frontage properties; and, given that this block would provide a traditional form, the appearance and siting of this block is considered to be acceptable.
- 7.3.4 The proposed rear block of four terraced dwelling would be set forward about 3 metres of the adjoining terraced block (9-14 Foxleigh Grange), with a gap of 2 metres between these blocks. This relationship is also considered to be acceptable, and is similar to the approved development under SU/14/1129.
- 7.3.5 There are three significant trees located close to the application site, including a Leyland Cypress to the north boundary, an Ash tree close to the north east corner of the site and a Goat Willow to the close to the south east corner of the site. None of these trees are considered to be of a high enough quality for protection under a Tree Preservation Order. However, these trees (all on third party land) are not likely to be adversely impacted by the proposal and, as confirmed in the submitted tree report, it is proposed that these trees are retained. The Tree Officer has raised no objections and with the opportunity available to provide improved landscaping (including fastigate trees), no objections are raised to the proposal on tree grounds.

7.3.6 As such, it is considered that the proposed development would be acceptable in terms of its impact on local character and trees, complying with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### **7.4 Impact on residential amenity**

7.4.1 The proposed Plot 2, i.e. the southern unit within the pair of semi-detached dwellings proposed to the front of the development, would be located to the flank, and forward, of 1 Foxleigh Grange. This forward projection would have a very limited impact on light to the front rooms of this property, given the orientation with the proposed development to the north and with the level of separation, the loss of light would not be material. The level of separation would also limit any overbearing impact on the front of this property. The rear wall of this proposed block would not project beyond the rear wall of 1 Foxleigh Grange, and with adequate level of separation from the proposed middle block (a distance of over 32 metres between the main rear wall of 1 Foxleigh Grange and the front main front wall of the middle block), no adverse impact to the rear is envisaged. No objections are raised to the impact of the proposed development on 1 Foxleigh Grange.

7.4.2 The proposed residential flatted block would be located to the flank of 7 Foxleigh Grange. The front and rear walls of this proposed dwelling would be located principally in line with the main front and rear walls of this property. There would be a single storey front and rear projections for this new block, but this block would set away from the flank boundary with 7 Foxleigh Grange and the relationship with this property is considered to be acceptable.

7.4.3 The proposed Plot 15, i.e. the southern end unit to the rear terrace, would be located to the flank of 9 Foxleigh Grange. The main front and rear walls of this proposed dwelling property would similarly be located in line with this neighbouring property. There would be a single storey front and rear projections for this new dwelling, but this projection would set away from the flank boundary with 7 Foxleigh Grange and the relationship with this property is considered to be acceptable.

7.4.4 The ground floor windows to the flank walls of 1, 7 and 8 Foxleigh Grange are secondary windows to serve living/dining rooms with first floor windows serving secondary accommodation (bathrooms) and so any loss of light to these windows would not be a reason to refuse this application. In addition, any increase in noise and disturbance to properties in Foxleigh Grange and any other residential property needs to be considered against the former use of the site and the background noise of the A322 Guildford Road to the front of the site, and an objection on these grounds cannot be sustained.

7.4.5 The dwelling proposed for Plot 12, i.e. the northern end unit to the rear terrace, would be positioned close to the mutual flank boundary of no. 323 Guildford Road, which is sited immediately to the north. The main front and rear walls would not extend beyond the main front wall of the dwelling and this neighbour's single storey rear extension. The principal rear elevation of no. 323 is sited further away and so it is considered that the level of impact on this neighbour would not be significant.

7.4.6 The impact of the proposal on the approved development at 317-319 Guildford Road also needs to be assessed in terms of its impact on the residential amenity of future occupiers of this development (if built). The flank wall of Plot 1 (within the frontage block) would be set approximately 13 metres from the flank wall of the nearest dwelling on that development which would front Guildford Road. The flank wall of Plot 5 would be set

about 14 metres from the flank wall of the nearest residential dwelling. These levels of separation, taking into consideration the height and mass of the proposal, would result in very little impact on the residential amenity of future occupiers of this development (if built).

7.4.7 The applicant has provided a ground investigation report to support the proposal with regards to contamination that has resulted from the existing use (and former industrial uses) of the ground, Environmental Health have raised no objections on these grounds.

7.4.8 As such, and in the same manner as the previously approved 2014 scheme, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of Surrey Heath Core Strategy and Development Management Policies 2012.

## **7.5 Highway safety and parking**

7.5.1 The proposal would provide 21 parking spaces to serve the development, to meet parking standards. The provision of a new access onto Guildford Road is considered to be acceptable to the County Highway Authority, who raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway and parking capacity grounds, complying with Policies CP11 and DM11 of the CSDMP.

## **7.6 Impact on the Thames Basin Heaths Special Protection Area and CIL**

7.6.1 The application site lies approximately 0.8 kilometres from the Thames Basin Heaths Special Protection Area (SPA). In January 2012, the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity (which is available for this proposal). The proposal is CIL liable and this provision would be provided under the CIL charging scheme.

7.6.2 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list). These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. CIL is a land charge that is payable at commencement of works. The current proposal is CIL liable and an informative advising of this would be added.

7.6.3 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution of £7,969 is required for the proposed development. A contribution of £1,144 has been received, in addition to a payment of £6,825 previously received for the development under planning permission SU/14/1129.

7.6.4 As such, the proposal complies with Policies CP12 and CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012, and the Infrastructure Delivery SPD 2014.



## **7.7 Impact on housing mix, affordable housing provision and financial considerations**

- 7.7.1 Policy CP6 of the CSDMP requires the provision of a mix of housing delivered across the Borough. For this proposal, the proposal provides a range of smaller houses (1 to 3 bedroom) which closely matches the overall provision, less the provision of larger, 4 bedroom units and over), which reflecting the adjoining development, in Foxleigh Grange. this approach is considered to be acceptable, complying with Policy CP6 of the CSDMP.
- 7.7.2 Policy CP5 of the CSDMP requires the provision of 40% on-site provision for affordable housing at this site (4 units). However, the applicant has provided a viability report and the Council's Viability Adviser has confirmed that, in viability terms, affordable housing (or a contribution in lieu of on-site provision) cannot be provided on this site. As such, it is concluded that affordable housing (or a contribution in lieu of on-site provision) is not required for this development and no objections are raised on these grounds, with the proposal complying with Policy CP5 of the CSDMP.
- 7.7.3 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. Whilst the implementation and completion of the development, if it were approved, would result in a local financial benefit, for reasons as already outlined it has been concluded that this proposal does not accord with the Development Plan as it would give rise to significant harm.

## **7.8 Impact on biodiversity**

- 7.8.1 The current proposal would seek the removal of existing buildings on the site and a Phase 1 and Phase 2 bat survey has been provided to support this application, which indicates that the existing buildings provide limited usage by bats. Mitigation measures are proposed include the provision of tree-mounted bat boxes in the short term with building-mounted bat boxes and raised tiles provided in the long term. Surrey Wildlife Trust previously raised no objections to the redevelopment of this site (under SU./14/1192) but their comments are awaited for the current proposal. It is therefore considered that, subject to the comments of the Surrey Wildlife Trust, the proposal is acceptable on these grounds, complying with Policy CP14 of the CSDMP and the NPPF.

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

- 7.9.1 The proposal has been supported by a surface water drainage strategy. The LLFA have raised no objections to the proposal on these grounds, subject to conditions. The application site falls within flood Zone 1 (low risk). As such, there are no objections to the proposal on drainage and flood risk grounds, with the proposal complying with Policy DM10 of the CSDMP.

## **7.10 Other matters**

- 7.10.1 Paragraph 206 of the NPPF indicates that:

*"Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and enforceable."*

The general level of separation between the new houses and the surrounding properties and size of rear gardens are considered to be acceptable but may be comprised by any future development which could be later provided through permitted development. In addition, there are some flank windows (either secondary or serving bathrooms) in the flank elevations of the blocks, which should be fitted with obscure glass to limit any

potential loss of privacy to adjoining properties. As such, it is considered prudent to remove such rights for the new dwellings by conditions which would meet the government tests.

## **8.0 CONCLUSION**

8.1 The proposed development is considered to be acceptable in relation to its impact on local character, SPA, residential amenity, biodiversity, flood risk, drainage and highway safety. The proposal is CIL liable and an informative to that effect is proposed. As such, the current proposal is considered to be acceptable.

## **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 drawings: 2016-14-04, 2016-14-05, 2016-14-10 and 2016-14-11 received on 12 October 2016; and 2016-14-03 Rev. C, 2016-14-03 Rev. C, 2016-14-06 Rev. B, 2016-14-07 Rev. B, 2016-14-08 Rev. B and 2016-14-09 Rev. B received on 9 March 2017, 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. 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 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.

5. Notwithstanding the provisions of Classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended, or any Order revoking and re-enacting that Order), no further extensions, garages or other buildings shall be erected within the Plots 1, 2, 12, 13, 14, 15, and 16, as shown on site plan drawing 2016-14-03 Rev. C, hereby approved, without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The development hereby approved shall be implemented in accordance with the requirements set out in Part 5 (Recommendations) of the Guildford Road Ecology 2016 Bat Survey Report by Hankinson Duckett Associates Ref. 708.1 dated September 2016 unless the prior written approval has been obtained from the Local Planning Authority.

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

7. The development hereby approved shall not be occupied until the proposed access from the site has been provided in accordance with the access arrangements shown on approved drawing No. 2016-14-03 Rev. C unless the prior written approval has been obtained from the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. No development shall take place until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials

- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) method for keeping the public highway clean during construction
- (h) confirmation that there will be no on-site burning during site clearance, demolition or construction phases

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

Reason: The condition above is required in order that the development should not prejudice residential amenity or highway safety; nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. No development shall take place until a scheme to deal with the suspected contamination of land has been submitted to and approved by the Local Planning Authority. The scheme shall include:
1. A contaminated land desk study and suggested assessment methodology;
  2. A site investigation report based upon 1. above;
  3. A remediation action plan based upon 1. and 2. above should it be established that there is contaminated material that needs remediation;
  4. A discovery strategy detailing how unforeseen contamination, not previously identified, discovered during the development process would be dealt with; and
  5. A Validation strategy identifying measures to validate the planned identified remediation works.

If during development, contamination not previously identified is discovered then in conjunction with the discovery strategy provided under 5. above, no further development shall be carried out unless the prior written approval has been obtained from the Local Planning Authority.

Prior to the occupation of the premises, a verification report containing substantive evidence demonstrated that the agreed remediation has been carried out shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during the development process and to make the land suitable for the development without resulting in risk to workers on site, future users of the land and occupiers of nearby land and the local environment and to comply with the National Planning Policy Framework.

10. 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 five 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.

11. Before first occupation of the development hereby approved, the first and second floor window(s) in the flank elevations shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. The approved development shall be implemented in accordance with the Arboricultural Report (Part 1: Tree Survey and Part 2: Arboricultural Implications Assessment) by Ian Keen Ltd. dated 27 October 2016 [Reference IJK/8388-RevB/WDC] and tree protection plan 8388/02 Rev. B received on 2 November 2016 unless the prior written approval has been obtained from the Local Planning Authority.



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.

#### Informative(s)

1. CIL Liable CIL1
2. Party Walls (etc) Act 1996 DE3

3. The applicant is advised that on the basis that there is a building on the site for which asbestos forms a part of its construction, it is recommended that a pre-demolition asbestos survey is conducted by a competent person to assess the quantity of asbestos containing material in the existing buildings. Asbestos is classified as hazardous waste and therefore there is a duty of care for its proper disposal.



<b>Title</b>	Planning Applications		<b>Page</b>	1 of 6
<b>Application number</b>	16/0961		<b>Scale @ A4</b>	1:1,000
<b>Address</b>	325 GUILDFORD ROAD, BISLEY, WOKING, GU24 9BD		<b>Date</b>	20-03-2017
<b>Proposal</b>	<p>Erection of 6 three bedroom dwellings in the form of a pair of semi-detached houses and a terrace of two storey houses with accommodation in the roof and 6 two bedroom and 3 studio flats in the form of a three storey block with parking, landscaping and access from Guildford Road following demolition of existing building. (Amended info and plan rec'd 2/11/16)</p>			
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Proposed site plan



Proposed Plots 1-2



Proposed Plots 3-11



Proposed Plots 12-15



Site photos

Application site





Foxleigh Grange (adjoining development)



2017/0081

Reg Date 02/02/2017

Windlesham

**LOCATION:** SHATIN, WESTWOOD ROAD, WINDLESHAM, GU20 6LP  
**PROPOSAL:** Detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings. (Additional info rec'd 07/03/2017)  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr O'Hare  
**OFFICER:** Ross Cahalane

**The application would normally be determined under the Council's Scheme of Delegation, however, it has been reported to the Planning Applications Committee at the request of Cllr Valerie White.**

## 1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings. The proposal forms a revision of the refused SU/2016/1020 replacement dwelling scheme that included a basement which has now been removed, with further reductions in roof volume and height.
- 1.2 This report concludes the current proposal would now not have a materially greater impact on the openness of the Green Belt than the existing development and as such is not inappropriate development in the Green Belt. The proposal is also considered to have no adverse impact upon the character of the surrounding area, residential amenities, mature trees, legally protected species or local infrastructure. On this basis the application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The 0.97ha application site is to the north of the settlement of Windlesham and also within the Metropolitan Green Belt. The application property comprises of a two storey detached dwelling located on the western side of Westwood Road. Neighbouring properties in the area vary in design, age and type.

## 3.0 RELEVANT PLANNING HISTORY

- 3.1 BGR/4818 Erect one house and garage  
*Granted (implemented)*
- 3.2 SU/1986/1089 Two storey side extension  
*Granted (implemented)*
- 3.3 SU/1999/0917 Erection of a rear conservatory  
*Granted (implemented)*

- 3.4 SU/2013/0456 Application for a Lawful Development Certificate for the proposed erection of a dormer window, loft conversion, 2 storey extension, 3 single storey extensions and the erection of a porch.

*Agreed (not implemented)*

- 3.5 SU/2013/0817 Application for a Lawful Development Certificate for the proposed erection of a dormer window, loft conversion, 2 storey extension and 4 single storey extensions

*Agreed (not implemented)*

- 3.6 SU/2014/0421 Application for a Lawful Development Certificate for the proposed erection of a detached pool/gym building

*Agreed (not implemented)*

- 3.7 SU/2014/0416 Application for a Lawful Development Certificate for the proposed erection of a detached double garage.

Decision: Agreed (not implemented)

- 3.8 SU/2016/1020 Detached two storey dwelling including basement and parking areas following demolition of existing dwelling and outbuildings

Refused for the following reason:

The proposed development, by reason of the cumulative impact arising from the proposed increase in footprint, volume and height over the existing dwelling on the site, would result in a materially larger dwelling than the one its replaces which is an inappropriate form of development in the Green Belt and would be prejudicial to its openness. There are no very special circumstances to outweigh the inappropriateness and harm to the Green Belt. The proposal is therefore considered to be contrary to the objectives of Chapter 9 of the National Planning Policy Framework 2012.

#### **4.0 THE PROPOSAL**

- 4.1 Permission is sought for the erection of a detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings.

- The proposed dwelling would consist of a crown roof hipped at the sides, and would have a maximum depth of approx. 16.6m, maximum width of approx. 21m, eaves height of approx. 7.6m and maximum roof height of 8.2m.

The proposal would utilise the existing vehicular access but would include a parking and turning area to the north and northwest of the main dwelling.

- 4.2 This proposal seeks to overcome refusal SU/2016/1020. This refusal included a basement which has now been removed. The applicant states that reductions in bulk from the refused 16/1020 scheme would be achieved through the lowering of the maximum height from that of the 16/1020 scheme and the replacement of its roof structure with an open structured mock pitch. The current proposed dwelling would be 0.9m higher in maximum roof height

than the dwelling proposed for demolition, and would be approx. 0.4m lower than the maximum height of the replacement dwelling refused under 16/1020. The applicant states that the dwelling will be lowered further by reducing ground levels by a further 0.5m, so that the dwelling will only appear 0.4m higher than the existing dwelling to be demolished.

## **5.0 CONSULTATION RESPONSES**

- 5.1 Surrey County Council Highways No objection or requirements to make.
- 5.2 Surrey Wildlife Trust Awaiting comments *[See Section 7.7]*
- 5.3 Council's Arboricultural Officer No objection, subject to condition *[See Section 7.8]*
- 5.4 Windlesham Parish Council No objections, however, comment that the footprint be checked as it is located in green belt land. *[See section 7.3]*

## **6.0 REPRESENTATION**

- 6.1 At the time of preparation of this report no representations have been received.

## **7.0 PLANNING ISSUES**

- 7.1 The application site falls within the Metropolitan Green Belt, detached from the settlement area of Windlesham as outlined in Policy CP1 of the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). Policies DM9, DM11 and CP14A of the CSDMP are material considerations in the determination of this application. The National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application.
- 7.2 The issues to be considered are:
- Impact on the Green Belt;
  - Impact on the character of the surrounding area;
  - Impact on residential amenities of neighbouring properties;
  - Impact on ecology;
  - Impact on trees; and,
  - Impact on local infrastructure

### 7.3 Impact on the Green Belt

7.3.1 The Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence (Paragraph 79 of the NPPF refers). Paragraph 89 of the NPPF also states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this. The sole exception relevant to this application is:

*“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*

7.3.2 The following table indicates the differences in floor area, footprint, volume and height in comparison with the existing dwelling and refused scheme (the figures in brackets show the respective percentage uplifts to the original dwelling):

	Existing	Refusal	Proposed
Floor area (m <sup>2</sup> )	466.3	853.8 (83.1%)	569.2 (22.07%)
Footprint (m <sup>2</sup> )	279.3	284.6 (1.9%)	284.6 (1.9%)
Volume (m <sup>3</sup> )	1,334.6	2,071.8 (55.4%)	1,798.6 (34.77%)
Height (m)	7.3	8.6	8.2

7.3.3 Although the NPPF does not contain specific percentage figures for replacement buildings in the Green Belt, as was the case in the determination of the 16/1020 scheme it is considered that the proposed 22.07% above-ground floor area increase arising from the replacement dwelling would not be materially larger than the floor area of the existing dwelling.

7.3.4 It is also acknowledged that floor area is only one indicator of size and as such it is also relevant to assess footprint, height, design, bulk and mass and the position of the dwelling within the plot. The submitted site plans indicate that the existing dwelling and two small outbuildings to the front (approx. 10 sq. m) and side (approx. 17 sq. m) have a combined footprint of 289.3 sq. m. However, the outbuilding at the front with a footprint of was demolished at time of site visit. Therefore the existing footprint and remaining outbuilding to the side is considered to be 279.3 sq. m as outlined in the table above. Such a minimal footprint increase of 1.9% is not considered to amount to a materially larger increase.

7.3.5 The proposed 0.9m total height increase in the context of the existing dwelling's height of 7.3m is not considered to amount to a material increase, and the proposed 0.5m reduction in ground level adds further weight in favour of this height increase.

7.3.6 It is considered that the current proposed volume increase of 34.77% above that of the existing dwelling would still form a significant increase. However, when balanced with the proportionate height increase as outlined above, the proportionate 22.07% floorspace increase and minimal 1.9% footprint increase, the overall additional impact upon the openness of the Green Belt arising from the replacement dwelling is not considered to be materially greater.



- 7.3.7 It is noted that further development could be undertaken to the existing dwelling under permitted development rights as outlined under some previous lawful development certificates for extensions and outbuildings. However, given that the existing dwelling is unoccupied and appears to be in some state of disrepair, in this instance it is considered that although technically possible, there is no real likelihood that the fallback position arising from the abovementioned consented extensions and outbuildings will actually be implemented. In any event, although very limited weight can be attached to this fallback position, the overall current proposed footprint, floorspace, volume and height increases above the existing dwelling are not considered to form a materially greater impact upon the openness of the Green Belt, as already outlined above.
- 7.3.8 It is stated in the Planning Statement that should permission be granted for the replacement dwelling, the Council would have the opportunity to control future buildings site by removing permitted development rights which would be beneficial in terms of protecting the visual amenities of the Green Belt. It is considered necessary and reasonable to impose a planning condition removing permitted development rights both for outbuildings in relation to the existing dwelling and extensions, alterations, and outbuildings to the proposed replacement dwelling, so that the openness of the Green Belt can be maintained.
- 7.3.9 In light of all the above considerations, the principle of the proposed development within the Green Belt is acceptable.

#### **7.4 Impact on the character of the surrounding area**

- 7.4.1 Policy DM9 (Design Principles) of the CSDMP continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework seeks to secure high quality design, as well as taking account of the character of different areas.
- 7.4.2 The proposed external design replicates that of the refused 16/1020 scheme in which the design in itself was considered acceptable notwithstanding the Green Belt objection, with the only changes arising from the height reductions and the removal of the fully subterranean basement. The proposed siting of the dwelling and associated access and parking is also the same as the previous scheme. However, a proposed materials schedule and landscape masterplan has now also been submitted.
- 7.4.3 The proposed dwelling would be visible from public vantage points near to the vehicular entrance area. However, the proposal would retain significant separation distances from the site boundaries. As such, it is considered that although the proposed roof forms and fenestration design forming an international neo classical style would vary significantly from the simpler post-war architecture of the existing dwelling, it would not give rise to adverse harm to the character of the surrounding area. Additionally, the proposed significant distances to the site boundaries would be sufficient to avoid a cramped or overdeveloped appearance.
- 7.4.4 The proposed external face and feature bricks, slate roof tiles and stone detailing are considered to be acceptable in appearance and would be appropriate to the design of the dwelling. The proposed landscape masterplan outlines retention of mature trees along the site boundaries with additional planting within the site, along with appropriate gravel permeable material for the driveway.

7.4.5 Therefore, in accordance with Policy DM9 (Design Principles) of the CSDMP the proposed development would sufficiently respect the character of the site and the surrounding area.

## **7.5 Impact on residential amenities of neighbouring properties**

7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

7.5.2 It is considered that although the front elevation of the proposed replacement dwelling would be angled slightly towards the detached dwelling of 'Badger's Crossing' to the northeast, the dwelling would be sited at sufficient distance of at least approx. 12m from its garden boundary (measured from the proposed dwelling northeast corner) and approx. 32m from the nearest neighbouring elevation to avoid adverse harm to amenity in terms of loss of light, outlook, privacy or overbearing impact.

7.5.3 It is considered that the proposal as a whole would be sited at sufficient distance from other neighbouring boundaries and elevations to avoid adverse harm to residential amenity, in compliance with Policy DM9.

## **7.6 Impact on highway safety**

7.6.1 Policy DM11 (Traffic Management and Highway Safety) 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 and mitigate such impacts to acceptable levels can be implemented.

7.6.2 The proposal would not involve a new or altered vehicular access, and would provide significant turning areas and off-street parking spaces. The County Highway Authority (CHA) has been consulted and has raised no objections on safety, capacity or policy grounds. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

## **7.7 Impact on ecology**

7.7.1 Policy CP14A seeks to conserve and enhance biodiversity within Surrey Heath, and states that development that results in harm or loss of features of interest for biodiversity will not be permitted.

7.7.2 The proposal is supported by a bat survey and a Phase 1 ecological survey which states that no evidence was found of the presence of bats or any other protected species of plants or animals or their potential habitats. Therefore, no further mitigation work or surveys were recommended. Surrey Wildlife Trust has been consulted but no response has been received at time of preparation of this report. However, it is noted that the same surveys were submitted under the recent 16/1020 scheme, whereby the Trust commented that the ecological appraisal would indicate that there appears to be no significant risk posed to legally protected species by the proposed building development.

7.7.3 On the basis that the Trust still considers that the submitted ecology information adequately demonstrates that there is no significant risk to legally protected species, no objections are raised on ecology grounds. If the Trust subsequently raises objection, an update will be provided and a reason for refusal may be proposed.

## **7.8 Impact on trees**

- 7.8.1 The same arboricultural impact assessment as submitted under 16/1020 has been provided, as the current proposal involves no additional footprint or hardstanding increase or amendment. The report and outlines that six trees are to be removed towards the northern site boundary, none of which have been categorised as being of high quality. A landscape masterplan has now also been submitted outlining hard surfacing specification and species type.
- 7.8.2 The Council's Tree Officer has been consulted and has raised no further objection, subject to a condition requiring compliance with the Arboricultural Report and provision of photographs from the retained consultant to the Council's Arboricultural Officer recording all aspects of tree and ground protection measures having been implemented in accordance with the arboricultural report. As such, subject to compliance with this condition it is considered that the proposal would not give rise to adverse impact upon surrounding mature trees.

## **7.9 Impact on local infrastructure**

- 7.9.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014, and came into effect on the 1st December 2014. An assessment of CIL liability has therefore been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in new build Gross Internal Area (GIA) of more than 100 sq. m, and in calculating GIA chargeable area the definitions in the RICS Code of Measuring Practice, 6th Edition (2007) are relied upon.
- 7.9.2 The proposed development is CIL liable, as the calculated new build GIA would be over 100 sq. m. The additional information form indicates that the applicant intends to apply for the self-build exemption, and the requisite exemption form has now been received. An advisory informative will be added.

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

- 8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development;
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## 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:  
Site Information Plan (Drawing No. 16 - P1344 - 201); Proposed elevations (Drawing No. 16 - P1344 - 202); Proposed streetscene (Drawing No. 16 - P1344 - 202); Proposed Section (Drawing No. 16 - P1344 - 213); - all received on 27 January 2017;  
Proposed floor plans (Drawing No. 16 - P1344 - 202) - received on 02 February 2017;  
Landscape Masterplan (Drawing No. 41 - received on 07 March 2017), unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The building works, hereby approved, shall be constructed in external fascia materials as outlined in the Materials Schedule received on 07 March 2017.

Reason: In the interests of the 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 permitted shall be carried out wholly in accordance with the submitted arboricultural details that have been approved in writing by the local planning authority. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer; these 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, unless otherwise agreed in writing with the LPA.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwelling hereby approved or additions to the roof shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a

dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; without the prior approval in writing of the Local Planning Authority.

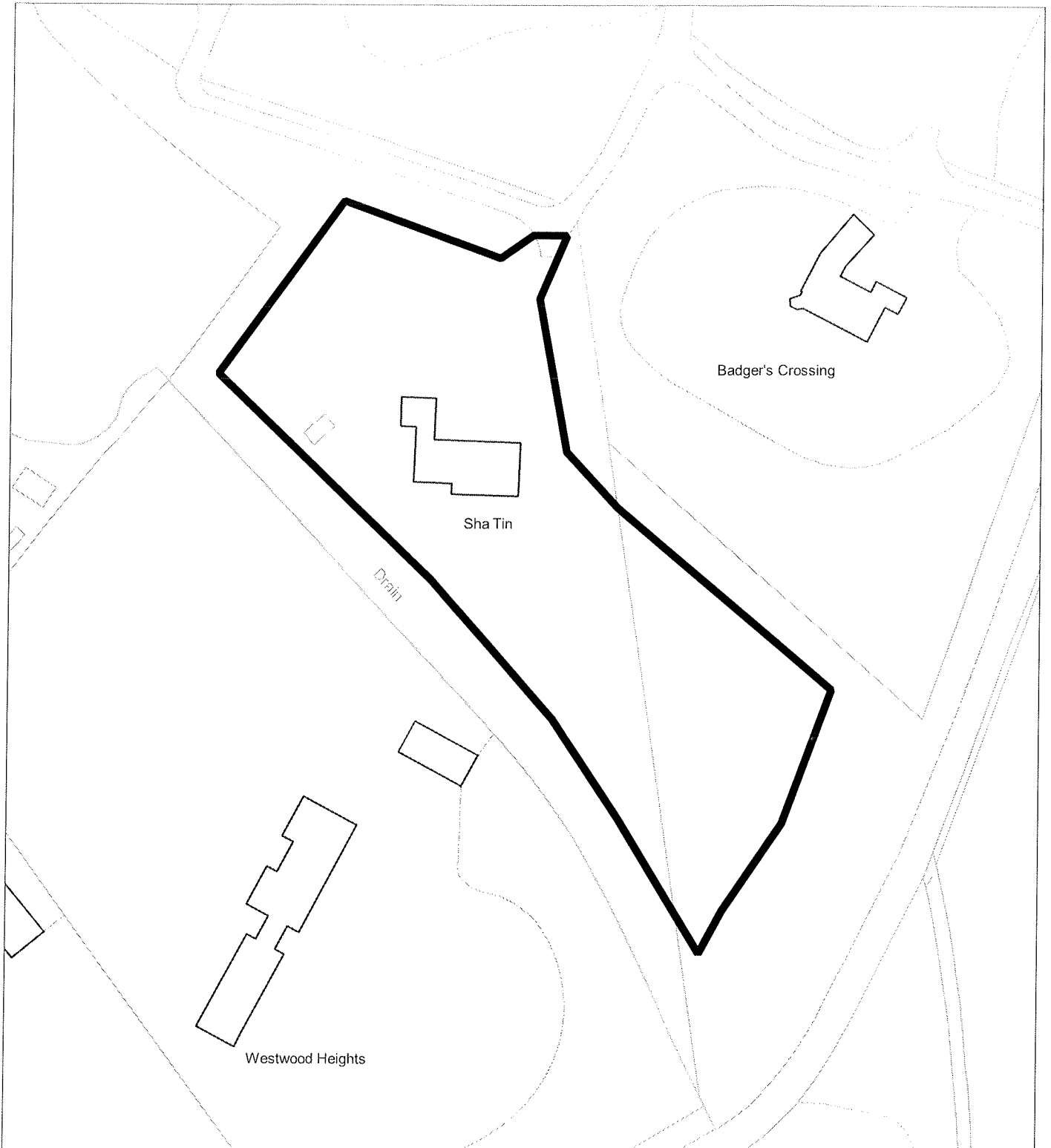
Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policies CP1, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

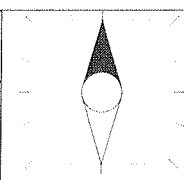

6. The development hereby permitted shall not be constructed until any additional outbuildings constructed after the date of this permission have been demolished and all resultant debris removed from the site, unless otherwise agreed in writing with the Local Planning Authority. Reason: To enable the Local Planning Authority to retain control over the enlargement of the development, in order to preserve the openness of the Green Belt, in accordance with the National Planning Policy Framework.

Informative(s)

1. CIL Liable CIL1
2. Form 1 Needs Submitting CIL2

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<b>Title</b>	Planning Applications		<b>Page</b>	6 of 6
<b>Application number</b>	17/0081		<b>Scale @ A4</b>	1:1,000
<b>Address</b>	SHATIN, WESTWOOD ROAD, WINDLESHAM, GU20 6LP		<b>Date</b>	20-03-2017
<b>Proposal</b>	Demolition of the existing dwelling and associated outbuilding with a replacement dwelling to be constructed.			
<small>© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017</small>				

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Location plan



Proposed streetscene





Proposed elevations



FRONT ELEVATION (NORTH)



SIDE ELEVATION (WEST)

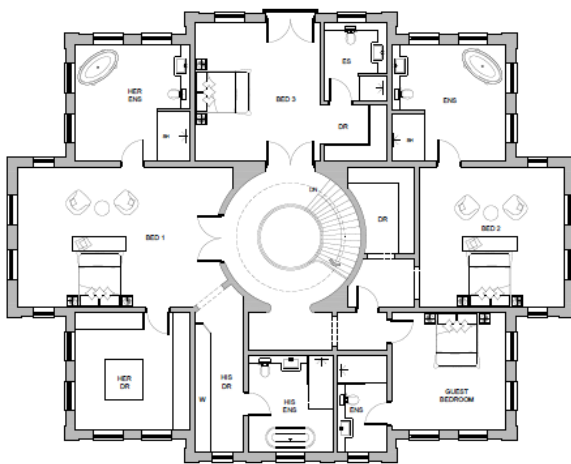


REAR ELEVATION (SOUTH)

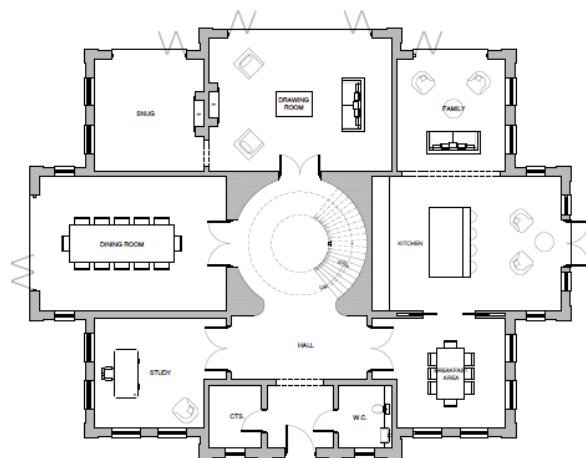


SIDE ELEVATION (EAST)

Proposed floor plans

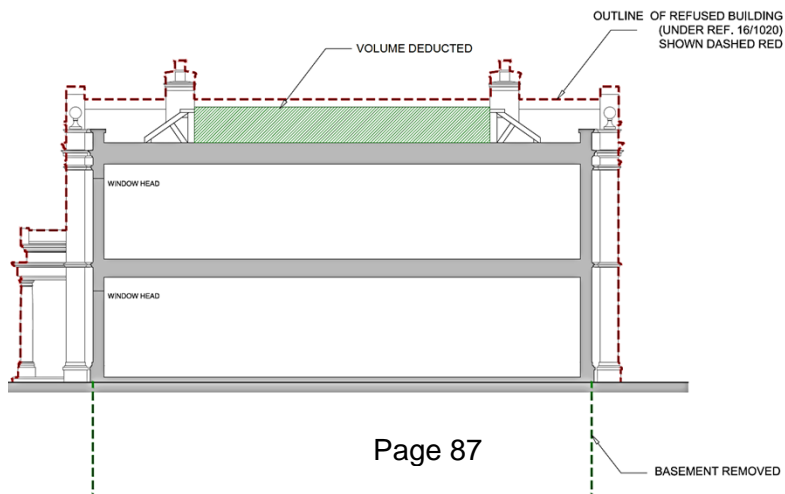


FIRST FLOOR PLAN



GROUND FLOOR PLAN

Proposed section plan





Site photos

Site entrance and existing dwelling



Rear elevation





Side elevations



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**APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR  
CONSIDERATION BY THE PLANNING APPLICATIONS COMMITTEE**

**NOTES**

**Officers Report**

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

**How the Committee makes a decision:**

The Planning Applications Committee's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

**The Committee cannot base decisions on:**

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

**Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995** (as amended) is summarised for information below:

<b>A1. Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
<b>A2. Financial &amp; professional Services</b>	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
<b>A3. Restaurants and Cafes</b>	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
<b>A4. Drinking Establishments</b>	Public houses, wine bars or other drinking establishments (but not nightclubs).
<b>A5. Hot Food Takeaways</b>	For the sale of hot food consumption off the premises.
<b>B1. Business</b>	Offices, research and development, light industry appropriate to a residential area.
<b>B2. General Industrial</b>	Use for the carrying on of an industrial process other than one falling within class B1 above.
<b>B8. Storage or Distribution</b>	Use for the storage or as a distribution centre including open air storage.
<b>C1. Hotels</b>	Hotels, board and guest houses where, in each case no significant element of care is provided.
<b>C2. Residential Institutions</b>	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
<b>C2A. Secure Residential Institutions</b>	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
<b>C3. Dwelling houses</b>	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
<b>C4. Houses in Multiple Occupation</b>	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
<b>D1. Non-residential Institutions</b>	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
<b>D2. Assembly &amp; Leisure</b>	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
<b>Sui Generis</b>	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.