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Tuesday, 20 June 2017

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Nick Chambers (Vice Chairman),  
Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Jonathan Lytle,  
Katia Malcaus Cooper, David Mansfield, Max Nelson, 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 David Allen, Ruth Hutchinson, Paul Ilnicki, Rebecca Jennings-  
Evans, Oliver Lewis and John Winterton

#### 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 **Thursday, 29 June 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

	Pages
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>3 - 6</b>

To confirm and sign the non-exempt minutes of the meeting held on 11 May 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**

<b>4</b>	<b>Application Number: 17/0202 - Land north of Beldam Bridge Road, West End, Woking GU24 9LP</b>	<b>7 - 48</b>
<b>5</b>	<b>Application Number: 17/0110 - Windlesham Garden Centre, London Road, Windlesham GU20 6LL</b>	<b>49 - 76</b>
<b>6</b>	<b>Application Number: 17/0293 - Magnolia House, Westwood Road, Windlesham GU20 6LP</b>	<b>77 - 102</b>

### **Glossary**

**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 11 May 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: Cllr Dan Adams (In place of Cllr Adrian Page), Cllr Ruth Hutchinson (In place of Cllr Victoria Wheeler) and Cllr Max Nelson (In place of Cllr Surinder Gandhum)

In Attendance: Lee Brewin, Duncan Carty, Jessica Harris-Hooton and Jonathan Partington

**74/P Minutes**

The minutes of the meeting held on 5 April 2017 were confirmed and signed by the Chairman.

**75/P Development Management Monitoring Report**

The Committee received a monitoring report for the period 1 October 2015 – 31 March 2016, from the Development Manager. The following areas were brought to the attention of Members:

- Applications Performance – there had been a dip in performance which had been due to long term sickness;
- Staff Turnover and Recruitment – interviews had been carried out;
- Government monitoring – there has been continuous monitoring by the Government and target thresholds had been increased;
- Enforcement – the Council only had one full time enforcement officer. Enforcement cases were being dealt with initially by the contact centre through the database and help had been received from other enforcement officers in the Council. This has taken some pressure from the planning department but if a planning judgement was required, this would fall to the planning officers. Cloud based software had been introduced so the

enforcement officer would be able to access and update records on site. There had been some teething problems but it was improving.

It was noted that overall, considering the points raised above, 2015/16 had been a good year for performance.

**Resolved that the report be noted.**

**76/P Application Number: 16/0582 - 154 Guildford Road, West End GU24 9LT**

The application was for the erection of entrance gates and walls (retrospective). (Amended plans recv'd 3/4/17 & 5/4/17).

The application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Cllr Mansfield.

Members were advised of the following updates:

*'One representation has been received from a neighbour confirming that the proposal does not interfere with the line of sight from their access onto Guildford Road and that the walls enhance the appearance of the property, so raising no objections.'*

Some Members felt that retrospective applications showed a disregard for planning policy. In addition the proposal's fencing line did not correlate with the original fence line. It was felt that this would have an impact on visibility on the highway.

Members were advised that the fact that the application was retrospective was not a reason to refuse an application and the development still needed to be assessed on its own merits. A condition had been added to ensure that no solid gates were installed at the entrance of the site in order to safeguard the openness of the area in the interests of the Green Belt.

**Resolved that application 16/0582 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to approve the application was proposed by Councillor Vivienne Chapman and seconded by Councillor Jonathan Lytle.

**Note 2**

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 Dan Adams, Richard Brooks, Nick Chambers, Vivienne Chapman, , Edward Hawkins, Ruth Hutchinson, Jonathan Lytle, Max Nelson, Robin Perry, Conrad Sturt, and Valerie White.

Voting against the recommendation to approve the application:

Councillors Malcaus Cooper and David Mansfield.



**77/P Application Number: 17/0095 - 21 HighView Road, Lightwater GU18 5YE**

The application was for the erection of a part two storey, part single storey front extension and single storey rear extension with a higher replacement roof over the host dwelling, converting it from a hipped roof to a gable roof with front and rear dormers. (Additional information rec'd 10/04/2017).

This application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor Valerie White.

Councillor White commented that she had called the application in at the request of the Parish Council but a full explanation regarding this application had been given after the call in.

**Resolved that application 17/095 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Councillor Malcaus Cooper declared that the applicant had been her child's teacher at Nursery School.

**Note 2**

The recommendation to approve the application was proposed by Councillor Max Nelson and seconded by Councillor Robin Perry.

**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:

Councillors Dan Adams, Richard Brooks, Nick Chambers, Vivienne Chapman, Edward Hawkins, Ruth Hutchinson, Jonathan Lytle, Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Conrad Sturt, and Valerie White.

**78/P Application Number: 17/0172 - Buffers, 25 Station Road, Bagshot GU19 5AS**

The application was for the erection of a part single storey, part first floor, part two storey first side and rear extension including the conversion of existing attached single garage and provision of attached single garage. (Amended plans rec'd 10/04/2017).

This application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor Valerie White.

Members were advised of the following updates:

*'Clarification/correction: The amended drawings referred to in the officer report, received on 10 April 2017, have deleted the garage for the proposal, replacing it with a store to the front. The description of the development proposal has been amended to that effect to state the following:*

*Erection of a part single storey, part first floor, part two storey side and rear extension (amended plans 10/04/2017)*

*Two parking spaces are to be provided to the front of the property instead. It is proposed to add a condition to provide and retain the two parking spaces.*

**ADDITIONAL CONDITION:**

*The parking spaces shown on the approved plan 17006-002 Rev. A, received on 10 April 2017, 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.'*

Councillor Valerie White commented that she had called the application in but the additional condition regarding car parking and the drop in the height of the building had allayed the concerns she had raised.

**Resolved that application 17/0172 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

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

**Note 2**

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 Dan Adams, Richard Brooks, Nick Chambers, Vivienne Chapman, Edward Hawkins, Ruth Hutchinson, Jonathan Lytle, Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Conrad Sturt, and Valerie White.

Chairman

2017/0202

Reg Date 09/03/2017

West End

**LOCATION:** LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP

**PROPOSAL:** Application for the approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission SU/16/0323 to provide for the erection of 85 dwellings into new access, landscaping and green space. (Additional plans and information recv'd 30/3/17). (Amended and additional plans, and additional information recv'd 10/5/17).

**TYPE:** Reserved Matters

**APPLICANT:** Taylor Wimpey UK Ltd.

**OFFICER:** Duncan Carty

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 This application relates to the approval of reserved matters pursuant to outline permission SU/16/0323, relating to the erection of up to 85 dwellings on land to the north of Beldam Bridge Road, with a new access, landscaping and open space. With the access details approved under the outline permission, the proposal relates to the approval of the appearance, scale, layout and landscaping. The development of 85 dwellings includes the provision of 8 no. one bedroom flats, 17 no. two bedroom houses and 6 no. two bedroom flats, 12 no. three bedroom houses, 24 no. four bedroom houses and 2 no. five bedroom houses. The housing element of the proposal is proposed to be built upon a housing reserve site with the open space provided within the Green Belt.
- 1.2 In terms of the principle, access, traffic generation, archaeology, surface water drainage and flood risk and ecology, these matters were considered at the outline stage. Contributions towards local infrastructure and SANG provision would be provided under the CIL scheme, and provision for SAMM and affordable housing were secured through a legal agreement attached to the outline permission. On this basis, the impact on local infrastructure, affordable housing provision and Thames Basin Heaths Special Protection Area were considered at the outline stage.
- 1.3 The reserved matters application proposal has been the subject to a Design Review and the recommendations have been taken into consideration in the revised proposal.
- 1.4 In terms of the impact on the local character, trees/hedgerows, Green Belt, residential amenity, parking, highway safety, housing mix, and crime, no objections are raised. As such, the current proposal is recommended for approval.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site relates to former nursery land to the north of Beldam Bridge Road on land which is predominantly defined as Countryside (beyond the Green Belt) but this element has been retained as a part of a housing reserve site. The land falls from north to south and the majority of trees are located to site boundaries. The remainder of the site, close to the east boundary, lies within the Green Belt.
- 2.2 The settlement of West End lies to the west and south west of the site with the nearest residential properties, in Beldam Bridge Road, of mixed age and size, but are traditional in design with a range of materials (e.g. brick/tile hanging/render).
- 2.3 The site measures 3.1 hectares in area. The land to the east of the application site, principally woodland or former nursery land, is within the Green Belt. Land to the north of the application site is also sited within the housing reserve site. Thurdon, fronting Beldam Bridge Road, lies to the west boundary of the site Oak Farm House, set within the aforementioned woodland, lies to the east of the site, within the Green Belt.

## **3.0 RELEVANT HISTORY**

- 3.1 SU/14/0594 Outline application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space. Non-determination appeal was withdrawn in June 2016.
- 3.2 SU/15/0884 Outline application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space. Approved in March 2016.
- 3.3 SU/16/0323 Outline application for the erection of up to 85 dwellings with new access, landscaping and open space. Approved in July 2016.

*This proposal relates to the same development as per the earlier schemes SU/14/0594 and SU/15/0884, with the exception of the deletion of the proposed SANG.*

*A copy of the officer report and decision notice is provided at Annex 1.*

## **4.0 THE PROPOSAL**

- 4.1 The current proposal relates to the approval of the reserved matters (appearance, scale, layout and landscaping) pursuant to the approval of the outline permission SU/16/0323 for the erection of up to 85 dwellings with its proposed access provided from Beldam Bridge Road.

The housing includes 8 no. one bedroom flats, 17 no. two bedroom houses and 6 no. two bedroom flats, 12 no. three bedroom houses, 24 no. four bedroom houses and 2 no. five bedroom houses, with 40% affordable provision, split between intermediate and socially rented housing. A total of 214 car spaces are proposed.

- 4.2 The application proposal provides a curved spine road with frontage development (behind the heavy vegetation screen to the site frontage) and cul-de-sac or mews development, taking into consideration the shape of the site.
- 4.3 The proposal for housing, and associated residential plots, falls within the housing reserve site, with open space to the east (within the Green Belt) and based upon the schematic layout provided at the outline stage. The sole access would be, as approved at the outline stage, from Beldam Bridge Road. The open space includes utility accommodation such as a pumping station and surface water attenuation pond (which are being considered under the surface water drainage details pursuant to the outline permission SU/16/0323, and shown on the schematic outline layout to be provided in this area of the site) with play space and footpath links.
- 4.4 The proposal would provide a two storey development form, arranged in detached, semi-detached and terraced forms, with typically traditional designs. The ridge heights of these dwellings would be between 7.7 and 8.7 metres, with eaves heights at 5 metres. The dwellings would face the main highways and the layout has been split into component parts which have different design philosophies which include:
1. The Beldam Bridge Road frontage (the south part of the site)
  2. The Green Belt edge (the north and east part of the site)
  3. The Central Mews (the central part of the site)
  4. The Primary Road (the remainder of the site).
- 4.5 The application has been supported by:
- Design and Access Statement;
  - Tree report; and
  - Statement of Community Involvement.

## **5.0 CONSULTATION RESPONSES**

- |     |                          |  |
|-----|--------------------------|--|
| 5.1 | County Highway Authority | No objections.   |
| 5.2 | Surrey Police            | No objections.   |
| 5.3 | West End Parish Council  | Concern raised about the cumulative impact of the development and its sustainability; the lack of elderly housing (i.e. bungalows) and that the site should not automatically be |

released for housing because of a lack of a five year housing supply. Careful consideration of parking provision, lack of trees within the site, style and density of housing, visibility splay at the site entrance, gateway, and speed limit restriction. If approved, suggest conditions regarding controls on house extensions to prevent roof conversions, the additional of a floor or create a terracing effect. No further objections, to the amendments.

## **6.0 REPRESENTATION**

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

- 6.1 Impact on infrastructure [*See paragraph 7.3*];
- 6.2 Independent studies on traffic flow and volume required. There is excessive traffic at peak times on local roads (including the A322 Guildford Road) [*See paragraph 7.3*];
- 6.3 Loss of woodland and impact on wildlife [*See paragraph 7.3*];
- 6.4 Profit making for developer and Council (e.g. Council Tax) and the local residents are ignored [*Officer comment: this is not a material planning consideration*];
- 6.5 Access unsuitable and speed limit reduction scheme will not work [*See paragraph 7.3*];
- 6.6 No footpath access and poor connections to village [*Officer comment: There is footpath and footway access into the site which would link to footway network on Beldam Bridge Road*];
- 6.7 Loss of Green Belt [*See paragraph 7.3*]; and
- 6.8 Use of black weatherboarding is inappropriate for West End [*See paragraph 7.5*].

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The application site is located primarily within a site which has been part of a housing reserve site, adjoining the settlement of West End, but is defined as Countryside (beyond the Green Belt), and partly within the Green Belt, and has received outline permission SU/15/0323, for which the access has been agreed under this permission. This application seeks the approval of the remaining reserved matters – including the appearance, scale, layout and landscaping.
- 7.2 As such, the National Planning Policy Framework and its associated Planning Practice guidance as well as Policies CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South

East Plan 2009 (as saved) (SEP); and, Policy H8 of the Surrey Heath Local Plan 2000 (as saved) are relevant. In addition, advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Infrastructure Delivery SPD 2014; and West End Village Statement SPD 2016 (VDS) are also relevant. Regard will also be had to the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment (2016) and the Housing Needs Survey Paper 2017-2022 (February 2017).

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

- The principle of the development has been approved [See *paragraph 7.4 of the officer report for SU/16/0323*];
- The access arrangements (with the vehicular access from Beldam Bridge Road) and site access visibility has been approved. The cumulative impact of the proposal on the highway network, in combination with other reserve housing site proposals, has been considered to be acceptable. [See *paragraph 7.4 of the officer report for SU/16/0323 and Conditions 8, 11 and 15 of SU/16/0323*];
- No objections in principle to the impact of the proposal on residential amenity grounds, particularly in relation to any increase in noise whilst noting the outline nature of the approved scheme [See *paragraph 7.4 of the officer report for SU/16/0323*];
- No objections to the impact of the proposal on ecology and archaeology [See *paragraph 7.4 of the officer report for SU/16/0323 and Conditions 7, 13 and 14 of SU/16/0323*];
- No objections to the impact on surface water drainage, land contamination and flood risk [See *paragraph 7.4 of the officer report for SU/16/0323 and Conditions 9, 10, 11 and 16 of SU/16/0323*];
- No objections to the impact of the proposal on local infrastructure with the proposal being CIL liable. The contribution towards education previously requested by the education authority, Surrey County Council, was not justified during the consideration of the outline permission (and other housing reserve sites) because the need justification provided by the County Council was generic and insufficient evidence was provided to meet the obligation tests set out in Paragraph 204 of the NPPF [See *paragraph 7.4 of the officer report for SU/16/0323*]; and
- No objections to the impact of the proposal on affordable housing provision and open space provision. A level of affordable housing (32 units) will need to be provided on site and this has been provided under a legal agreement attached to the outline decision and, as such, no objections are raised on these grounds. [See *paragraph 7.4 of the officer report for SU/16/0323*].

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

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

Other matters including:

- Impact on housing mix; and
- Open space provision; and
- Impact on the Thames Basin Heaths Special Protection Area.

## **7.5 Impact on local character, crime, Green Belt, trees and hedgerows**

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

7.5.2 As indicated above, the provision of open space to serve this development is within the Green Belt. Paragraph 89 of the NPPF indicates that new development would be considered to be inappropriate in the Green Belt, subject to a number of exceptions including the provision of appropriate facilities for outdoor recreation so long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Paragraph 80 of the NPPF outlines the purposes of the Green Belt, which includes safeguarding the countryside from encroachment. The provision of open space, including play space, would preserve the openness of the Green Belt and safeguarding the countryside from encroachment.

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

7.5.3 The proposal would provide a cul-de-sac form of development formed off a main access road from Beldam Bridge Road, with open space provided towards the east edge of the site (in the Green Belt). Whilst the applicant has no control over the land to the north, scope for a connection to this site would be provided. The proposed development would be set back from the Beldam Bridge Road frontage, behind the existing vegetative screen, but would be seen as a continuation of



development from the settlement to the west. The provision of traditional dwellings in form and design is considered to be the correct design response for this location.

- 7.5.4 The majority of the site, behind the road frontage, would not be clearly visible from the existing public domain, and views of the frontage properties limited by the aforementioned vegetative screen, but with the exception of the access, clearly visible from Beldam Bridge Road. The application site is relatively self-contained, when viewed from the woodland to the east (in the Green Belt). The north boundary (with another part of the housing reserve site) is predominantly open land, with the north west corner bounding land that has been used for commercial purposes.
- 7.5.5 The proposed layout is broadly in a similar form to that shown at the outline stage (as a schematic layout), for which objections were not raised. However, the current proposal has been the subject of a Design Review process at the pre-application stage. Following the receipt of comments from the Design Review Panel, the design has been amended to take account of these comments. The main conclusions of the Panel and how those issues have been addressed follow.

#### The design response to the wider context

- 7.5.6 The Design Review Panel considered that there were aspects of the wider context which could be better reflected in the design of the proposal, such as how the pedestrian routes around the site were brought through the layout and how the edges of the site worked with their immediate context. The Panel acknowledged that the main vehicular entrance to the site was well-resolved and supported the general approach to the frontage to Beldam Bridge Road; in particular the lowering of the speed limit along this stretch of the public highway reducing the amount of landscape loss to the site frontage. There was concern over the pedestrian linkages within and outside the site. The Panel encouraged the use of the contextual analysis of the wider landscape setting to generate a strong rationale for how the site was to be developed.
- 7.5.7 In response, the applicant has revised the scheme to improve the pedestrian linkages within the site. This includes a reinforcement of the pedestrian link from the south west corner of the site, onto Beldam Bridge Road, in front of the residential properties, and accessing the open space to the east. An access road, with pavement, is provided to the north boundary north of the site, adjoining another part of the housing reserve site, which would assist future connectivity.

#### The layout and public realm

- 7.5.8 The Panel indicated that the layout was too homogenous with little to distinguish the site from one part to another. A hierarchy of spaces and streets, each with its own character and identity, was therefore recommended. It was also recommended that the road network should reinforce this movement hierarchy intention by use of materials and providing a less standardised street network. The Panel encouraged the applicant to consider the retention of some of the existing trees within the site which, in the near future, could provide real maturity to the site, help connect the design to the site and enable the transition to the Green Belt to be handled more subtly. The surface water drainage scheme could play a

bigger role in supporting the character and identity of the scheme, including the use of swales and a better integration of the pond into the open space. Hedging to the east residential boundary, rather than fencing, would further assist the transition to the Green Belt. The pedestrian links with the open space, from the main street and the main pedestrian access (at the south west corner) could be improved. Plot 85 should be re-orientated so that it adds natural surveillance over the open space.

- 7.5.9 The proposal has provided four character areas, as indicated in Paragraph 4.4 above. These areas are distinctive in terms of their role in the overall development, whether they are proposed to reflect the development edge (the Beldam Bridge Road frontage or Green Belt edge) or reinforce the character within the site (the Primary Road or Central Mews). The revised submission has included an amendment to the categorising of these areas, with the whole of the frontage facing the open space provided as a complete character area (the Green Belt edge). The surfacing of the road layout has shown differing treatments between character areas, so that the access road within the Primary Road area is predominantly tarmac with the roads in the other character areas having different coloured block paving treatments (e.g. red block paving for the Central Mews).
- 7.5.10 The proposal has re-orientated some of the properties, including Plot 85, within this character area so that they either front or have dual aspect and as such have a more active frontage with the open space. The pedestrian link extends to the west edge of the open space in front of these properties. This provides this character area with a more distinctive and cohesive character, with soft landscaping including hedging to this edge, softening the appearance of the development when viewed from the open space (and the Green Belt).
- 7.5.11 Trees within the site are poor in condition, and whilst the Panel's views are noted, only a small number of trees are proposed to be retained. This will provide the opportunity to provide a landscaping for the site include more appropriate species and improved provision, an approach supported by the Council's Tree Officer. However, the major trees to the site boundaries, particularly within the Green Belt, are to be retained. The provision of landscaping within the site including hedging and other soft landscaping to the frontages of properties particularly to the Beldam Bridge Road frontage, Primary Road and Green Belt edges to reflect the VDS character area. This provision, along with its long term management, will be secured by condition, as set out below which would provide greater certainty of control over these spaces.
- 7.5.11 A plot boundary plan has been provided to more clearly define the future ownership and control of all spaces within the site, defining the public and privately controlled spaces. The revised submission also included an indication of a range of different boundary treatments. However, the consideration of boundary treatments and the long term management of the land outside of private ownership/control would be undertaken by condition.

#### The built form and materials

- 7.5.12 The Design Review Panel indicated that there was little to distinguish the design approach of one part of the site from any of the others. The edges of the site should be designed so they reflect their differing contexts. The edge of the Green

Belt should have its own design approach that uses buildings, materials and landscape detailing to manage the transition from urbanised village to the Green Belt beyond. The main frontage to the Beldam Bridge Road is distinct from the rest of the scheme as it has the potential to have a strong relationship with the existing houses opposite, but could become hidden from the village and would not support the streetscene. The approach to the design detailing should reflect its location, rather than just being a repetition of the approach to the approach found in the site interior. The mews streets could work well as a type, but more work was needed to be done to make these distinct spaces. At that time, the distribution of unit types was overly complex, making many parts of the site indistinguishable from another. More order and logic to house types was required to aid legibility and wayfinding, and it could help express the Green Belt location within the layout. The approach to “fabric first” to energy performance (i.e. to provide performance in the building e.g. insulation, to reduce the requirement for the addition of renewable technology) was welcomed by the Panel, but measures to allow passive solar gain was recommended.

- 7.5.13 The proposal has been amended to provide a more coherent material palette to reinforce, with the proposed changes to the character areas (as indicated in Paragraph 7.5.10 above). The revised submission has provided a design strategy with four distinct character areas, as confirmed in paragraph 4.3 above. Each character area has a more distinctive material palette. The Green Belt edge and Central Mews character areas will be finished in wood cladding, with black cladding to the Green Belt edge, particularly reflecting the traditional Surrey barn finish, and white cladding to the Central Mews. The Beldam Bridge Road frontage and the Primary Road character areas would be finished predominantly in tile hanging and brick, respectively, with some minor variations to add interest, particularly at more prominent locations (e.g. Plots 76 and 77). This would provide each part with a more distinctive character and this approach is considered to be acceptable. The applicant has advised that each new building would be subject to a SAP assessment to ensure energy efficiency within each building and the orientation of the buildings, where this is possible, to provide sufficient levels of daylight and natural ventilation to habitable rooms.
- 7.5.14 The Surrey Police have provided comments that the scheme has considered crime prevention measures to meet the key principles of “Secured-by-Design” including natural surveillance from the single vehicular point of access and footpath links, with active frontages and routes are wholly integrated within the scheme, so long as the open space and visitor parking spaces are maintained in the longer term. There are some concerns about surveillance of all of the parking spaces but it is considered that this limited impact would not have a detrimental impact on the overall scheme.

### Conclusion

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

the significant trees on the site, particularly the line of trees on the existing field boundary within the site, and soft landscaping to the property frontages, especially to the plot edges, which is a positive feature of the development. It is therefore considered that the proposal would not only integrate into its village setting but also genuinely enhance and improve the character and quality of the local area, so complying with Policies CP2 and DM9 of the CSDMP and the NPPF.

## **7.6 Impact traffic generation, parking capacity and highway safety**

- 7.6.1 The proposal would provide a sole access from Beldam Bridge Road, which was approved at the outline stage, for which the County Highway Authority raised no objections on traffic generation and highway safety grounds, subject to conditions, subsequently provided for the outline scheme.
- 7.6.2 The proposal would provide 214 garage or parking spaces, of which 11 spaces would be unallocated, would be provided to serve this development. This level of parking would meet parking standards and no objections are therefore raised on these grounds. No objections are raised to the proposal by the County Highway Authority.
- 7.6.3 As such, the proposal complies with Policies CP11 and DM11 of the CSDMP and the NPPF.

## **7.7 Impact on residential amenity**

- 7.7.1 The existing property, Thurdon, is positioned to the north west boundary of the site. Noting the relationship of the proposed dwellings with this property, with the front and rear walls of the dwelling serving plot 1 roughly in line with this dwelling (fronting Beldam Bridge Road) and the dwellings (serving plots 19-32) positioned a minimum of 10 metres from the flank boundary of this property and with some retained soft landscaping/trees on or close to this boundary, no adverse impacts on the residential property are envisaged. These levels of separation are considered to be acceptable.
- 7.7.2 Beyond the long rear garden of Thurdon is the mixed residential/commercial site of 24 & 26 Benner Lane (beyond part of the north west boundary of the application site), which has been the subject of a residential redevelopment proposal under planning permission SU/15/0375 (not implemented). For either the existing development or the approved development on this site, the relationship with the current proposal is acceptable noting the levels of separation provided, including about 10 metre rear garden depths for the nearest plots (plots 32-38), the vegetation on the mutual boundary, and the orientation/set-in of the existing/proposed dwellings on that site (set perpendicular to, and about 10 metres from, the mutual boundary).
- 7.7.3 Oak Tree Farm lies to the east of the application site. The garden of this property also extends towards the boundary with the application site. However, the proposed development would be set over 70 metres from the proposed dwellings, with a small part of the open space in between, and with landscaping close to the site boundary, no adverse impact on this property.

- 7.7.4 The frontage properties will face dwellings on the south side of Beldam Bridge Road, within the settlement of West End. Noting the levels of separation, and the heavy landscaping in between, no adverse impact to these residential properties is envisaged.
- 7.7.5 The proposal would lead to an increase in traffic noise from increased movements and general activity. In this respect, the applicant had provided an acoustic report for the outline scheme to which the Council's Senior Environmental Health Officer had confirmed the level of increase would not be sufficient to make any significant impact on residential amenity. No objections are therefore raised on these grounds.
- 7.7.6 The current proposal is therefore considered to be acceptable on residential amenity grounds, with the proposal complying with Policy DM9 of the CSDMP.

## **7.8 Impact on housing mix**

- 7.8.1 Policy CP6 of the CSDMP promotes a range of dwellings across the Borough which includes for market housing a provision equally weighted between smaller (1 and 2 bed units) with larger properties (3 bed units plus) with affordable housing weighted towards the smaller units. The current proposal is weighted towards the larger units which is acceptable in this settlement edge location. The proposed is considered to be acceptable, complying with Policy CP6 of the CSDMP.

## **7.9 Impact on local infrastructure**

- 7.9.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by the Full Council in July 2014. As the CIL charging schedule came into force in December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential development where there is a net increase in residential floor area, the development is CIL liable.
- 7.9.2 The CIL charging schedule includes payments, which do not need to be relevant to the development proposal in all cases, towards SANG, open space, local/strategic transport projects, play areas and equipped spaces, indoor sports, community facilities (e.g. libraries and surgeries), waste and recycling, and flood defence/drainage improvements. The Inspector for the appeal decision indicated, at paragraph 38, that the CIL tariff can include highway improvements to benefit the local highway network if future capacity issues arise.
- 7.9.3 At the time of writing of this report, the required CIL forms were submitted and the Council was able to calculate the liable sum, which is estimated to be about £332,500. CIL is a land charge that is payable upon commencement of works. As such, no objections are raised to the proposal on these grounds, with the proposal complying with Policy CP12 of the CSDMP 2012 and the NPPF.

## **7.10 Open space provision**

- 7.10.1 Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires the provision of open space (including play space) within new residential developments to meet the needs of future residents. The proposed layout indicates the provision of open space of about 3,800 square

metres (including play space of about 200 square metres) proposed towards the east of the site (within the Green Belt). As such, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM16 of the CSDMP.

## **7.11 Impact on the Thames Basin Heaths Special Protection Area**

- 7.11.1 The application site falls about 0.8 kilometres from the Thames Basin Heaths Special Protection Area (SPA). Policy NRM6 of the South East Plan 2009 (as saved) seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of contributions towards Suitable Alternative Natural Green Space (SANGS) to offset any potential harm to the SPA.
- 7.11.2 As indicated in Paragraph 7.9 above, the CIL charging schedule incorporates SANGS funding. The site falls within the Chobham SANG and the release of SANG capacity has been provided for this scheme meeting the tests set out in The Conservation of Habitats and Species Regulations 2010. No objection is therefore raised to the proposal on these grounds.
- 7.11.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is not included with the CIL scheme, a separate contribution is required, which will be provided under the requirements of the legal agreement attached to the outline permission SU/16/0323, and, as such, no objections are raised on these grounds.
- 7.11.4 The current proposal is considered to be acceptable in terms of its impact on the SPA, complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

## **8.0 CONCLUSION**

- 8.1 No objections are raised to the impact of the proposal on trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix, crime and the Thames Basin Heaths Special Protection Area. The outline permission provided a legal agreement to secure the provision of sufficient amount of affordable housing and a SAMM contribution.
- 8.2 The current proposal has been the subject to a Design Review process with significant benefits gained to local character building on the original outline planning permission SU/16/0323.

The development would integrate with the residential properties in Beldam Bridge Road and the wider area and improve the character and quality of the area. As such, this application is recommended for approval.

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

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

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

## **11.0 RECOMMENDATION**

**GRANT** permission subject to the following conditions:

1. 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, wood cladding, 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.

2. The proposed development shall be built in accordance with the following approved plans: 6356/01 Rev. L, 6356/04 Rev. C, 6356/06 Rev. A, 6356/10 Rev. E, 6356/12 Rev. C, 6356/15 Rev. C, 6356/17 Rev. C, 6356/18 Rev. C, 6356/20 Rev. C, 6356/22 Rev. C, 6356/30 Rev. C and 6356/31 received on 10 May 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 full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority, which should built upon the provided landscape drawings CSA/2943//102 Rev. A, CSA/2943//103 Rev. A, CSA/2943//104 Rev. A, CSA/2943//105 Rev. A and CSA/2943/107, 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]. It would be expected that the soft landscaping shall include plant material which would reflect and enhance the landscape character of the wider area as opposed to the use of high ornamental species.

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**. 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 [ten](#) 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.

4. No development including demolition shall take place until a detailed arboricultural method statement, with tree protection plan, has been submitted and approved in writing by the Local Planning Authority. The statement, which should build upon the Arboricultural Impact Assessment by Ian Keen Limited (Ref: JTK/8169/APP2/so), will be in accordance with British Standard 5837:2012 “Trees in Relation to Design, Demolition and



Construction” and shall contain details of pruning or removal of trees, specification and location of tree and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for hard surfaces. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. This site supervision should include a mechanism to include a pre-commencement meeting with the Council’s Arboricultural Officer (or other nominated officer) to agree the tree and ground protection required for the duration of the construction period. All works to be carried out in strict accordance with the approved details.

Reason: To preserve and enhance the visual amenities of the locality and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

5. Details of the play area accommodation, including details of the surfacing, play equipment, surrounding fencing and seating, building upon the details shown on Drawing No.CSA/2943/106, shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the development hereby approved and retained in perpetuity.

Reason: To ensure a satisfactory play area is provided for the occupiers of the development and in accordance with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### Informative(s)

1. Party Walls (etc) Act 1996 DE3
2. CIL Liable CIL1
3. The applicant is reminded that the conditions and legal agreement attached to outline permission SU/16/0323, remain in force for the approved development.

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**Surrey Heath Borough Council**

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**Our Ref:** 16/0323

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ANNEX 1

Mr Woolf  
Woolf Bond Planning  
The Mitfords  
Basingstoke Road  
Three Mile Corss  
Reading, Berkshire  
RG7 1AT

22 July 2016

## **TOWN & COUNTRY PLANNING ACT 1990**

### **Town & Country Planning (Development Management Procedure) (England)** **Order 2010**

Application Type: Outline

Drawing No./Date Stamped: CSA/1586/120(A), /121, 99BB001 SHEET 1, 2, 3, 8169/01 1/2 REV B, 2/2 REV B, ITB9076-GA-006(D), 01/04/16.

The Council as Local Planning Authority **GRANTS** outline planning permission for the following development subject to the conditions (if any) specified in the schedule below:-

**Proposal:** Outline planning application for the erection up to 85 dwellings with new access, landscaping and open space.

**Location:** LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP

The applicant is advised that all conditions must be fully complied with in accordance with the time frame set out in the condition. Failure to do so may result in action being taken against you or the permission becoming void.

Requests to discharge conditions must be submitted on the appropriate IAPP application form (available from the Planning Portal: [www.planningportal.gov.uk](http://www.planningportal.gov.uk), or via the Surrey Heath Website: [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk) and select Planning). A fee is now payable for this service.

The applicant must advise the Local Planning Authority in writing 14 days prior to the implementation of the permission of the intention to commence work. Letters should be sent to the Council's Planning Compliance

**SCHEDULE OF CONDITION(S) (If any)**

1. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. With the exception of the layout shown and the details required by Condition 12 below, the proposed development shall be built in accordance with the following approved plans: CSa/1586/120 Rev A and ITB9076-GA-006 Rev D (included within the Transport Statement received 31/3/16) , unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until 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) confirmation that there will be no on-site burning of material during any site clearance, demolition and construction works

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 and 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.

4. No development shall take place until details of the surface materials for the roads, car parking areas and driveways shall be submitted to, and approved in writing by the Local Planning Authority. Once approved, the agreed surfacing materials shall be used in the construction of the development.

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

5. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including all roads and driveways, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. Prior to the first occupation of the development hereby approved on site details of cycle and refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of residential and visual amenities and nature conservation and to accord with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. Prior to the first occupation of the development hereby approved, a Travel Plan to promote sustainable patterns of movement shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved details.

Reason: To promote sustainable modes of transport 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.

9. Prior to the granting of the last reserved matter pursuant to the development granted under this outline permission, details of a drainage strategy is to be submitted to and approved by the Local Planning Authority. The details of this strategy should include:

1. Evidence of how infiltration is feasible (on-site geology, soils and groundwater levels)

and, where this is not possible, a sustainable drainage system (SuDS) designed accordingly;

2. Calculations confirming the peak discharge rates for the site in 1 in 1, 1 in 30 and 1 in 100 (+30% climate change) storm events and details of the attenuation storage;
3. A drainage layout detailing the location of SuDS elements, pipe diameters and manhole hole locations; and their respective levels;
4. Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to avoid risks to people and property; and
5. Long and cross sections of each proposed SuDS element.

The approved development shall be implemented in accordance with the approved details.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the construction of the dwellings hereby approved (under this outline planning permission and all subsequently approved reserved matters), details of the protection during the construction process for, and future maintenance of, the sustainable drainage system shall be submitted to and approved by the Local Planning Authority. The maintenance plan should include the maintenance frequencies and ownership and responsibilities for the maintenance of the SUDS features.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a verification report shall be submitted to and approved by the Local Planning Authority which shows that the ~~Sustainable Urban Drainage System has been constructed in accordance with the details~~ approved in accordance with Conditions 9, 10 and 16 below.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No development shall take place until details of the proposed access onto Beldam Bridge Road including any required visibility zones have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the visibility zones kept permanently clear of any obstruction.

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.

13. No development shall take place until a Written Scheme of Investigation with a programme

of archaeological work and details of compliance with the resulting implemented programme of work has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that there is a record of any found archaeological evidence and to comply with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

14. The approved development shall be implemented in accordance with the mitigation measures set out in Section 5.0 of the Ecological Appraisal by CSa Environmental Planning dated March 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 Policies 2012 and the National Planning Policy Framework.

15. A scheme to revise the speed limit on Beldam Bridge Road is to be submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the approved development.

Reason: In the interests of highway safety and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

- a) A design that satisfies the SuDS hierarchy;
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statements on SuDS;
- c) Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+30% allowance for climate change) storm events during all stage of the development (pre, post and during), associated discharge rates and storage volumes shall be provided with a greenfield discharge rate offsite no greater than a total of 11.26 litres per second for the whole site area.

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

## Informatives:

1. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the Council will issue a Liability Notice in respect of chargeable development referred to in this decision as soon as practicable after the day on which this decision first permits development. The Liability Notice will confirm the chargeable amount calculated by the Council in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Surrey Heath Charging Schedule. Please note that the chargeable amount is a local land charge.

Failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this decision may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Council's website.

2. The applicant proposes to discharge to a watercourse. The applicant has not supplied details showing whether discharge infiltration is feasible. The applicant needs to undertake infiltration in accordance with BRE Digest 365 or show suitable evidence that infiltration is not feasible. If feasible, the applicant could adapt their design so that permeable paving and attenuating SuDS assets can discharge directly into the ground instead of into a piped network. A full geotechnical survey that details bore logs, ground water levels, details of ground water source protection zones and details of any contamination should be supplied. Only if infiltration is then found not to be feasible should discharge to watercourses be considered. Should the applicant propose to discharge into a Main River, a Flood Defence Consent is required from the Environment Agency. Should the applicant propose to discharge into a watercourse, they should check that the watercourse is able to receive the additional flows and is fully functional.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.



Executive Head - Regulatory  
Duly authorised in this behalf  
(ATTENTION IS DRAWN TO THE NOTES ATTACHED)



**LOCATION:** LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END,  
WOKING, GU24 9LP

**PROPOSAL:** Outline planning application for the erection up to 85 dwellings with  
new access, landscaping and open space.

**TYPE:** Outline

**APPLICANT:** Mr Woolf  
Taylor Wimpey UK Ltd.

**OFFICER:** Duncan Carty

**RECOMMENDATION: GRANT subject to a legal agreement and conditions**

## 1.0 SUMMARY

- 1.1 The current outline application relates to the erection of up to 85 dwellings on land to the north of Beldam Bridge Road. The proposal relates to the approval of the access only. This application is identical to the proposal under earlier permission SU/15/0884, with the exception of the deletion of a proposal for a Site of Alternative Natural Greenspace (SANG) that was proposed under this earlier permission.
- 1.2 In terms of the impact on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix and crime, and in a similar manner to previous permission SU/15/0884 (and earlier application SU/14/0594), no objections are raised. A legal agreement is to be provided to secure affordable housing and a SAMM contribution, and the SANG contribution would be delivered through the CIL process.
- 1.3 It is considered that in the light of the recent appeal decision for SU/14/0532 (land south of Kings Road and Rose Meadow), the current housing delivery rate, and earlier permission SU/15/0884, the site should be released for housing. No objections are raised to the current proposal.

## 2.0 SITE DESCRIPTION

- 2.1 The housing part of the site relates to former nursery land to the north of Beldam Bridge Road on land which is defined as Countryside (beyond the Green Belt) but has been retained as a housing reserve site. Part of the land that is to be provided as open space, and also the eastern access visibility splay, would fall within the Green Belt. The land falls gently from north to south and the majority of the significant trees are located to site boundaries of this site. This site has previously been used as a production tree nursery but is now redundant stock land. The land has not been used for about 10 years and is now in a poor condition.
- 2.2 The site measures 3.2 hectares in area. Land to the south and east of the proposed housing site fall within the Green Belt. The application site falls within an area of low flood risk (Zone 1 as defined by the Environment Agency).

## 3.0 RELEVANT HISTORY

On the application site:

- 3.1 SU/14/0594 Outline planning application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space (details of access only to be considered). Non-determination appeal has been withdrawn.
- 3.2 SU/15/0884 Outline planning application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space (details of access only to be considered). Approved in February 2016.

*A copy of the officer report for this application is appended to this report (see Annex 1).*

*This decision was subject to a subsequent challenge by a local resident. This challenge was rejected by the Court for the following planning reasons:*

- It was clear that the application related to an outline application and not a form of reserved matters proposal;*
- The decision on the principle of residential development is obviously debatable on its planning merits, but in the light of the Inspector's decision [for SU/14/0532 below] was obviously not irrational or unlawful in some other way; and*
- The fact that means of access was not a reserved matter does not preclude its precise form being dealt with by a condition of the sort here [Conditions 2 and 12]; there was no unlawfulness.*

Other related West End/Windlesham housing reserve site proposals:

- 3.3 SU/14/0532 Outline planning application for the erection of 84 dwellings with access from Rose Meadow (access only to be considered) on land south of 24-46 Kings Road and 6 & 9 Rose Meadow. Non-determination appeal allowed in December 2015.

*A copy of the appeal decision is appended to this report (see Annex 2). The Council had taken Counsel's advice in respect of this appeal decision and had concluded that there were no grounds to challenge this decision.*

- 3.4 SU/15/0455 Erection of residential development to provide 95 dwellings with vehicular/pedestrian accesses, parking, landscaping and open space on land north and east of Malthouse Farm, Benner Lane, West End. Refused in October 2015 on housing supply/spatial strategy (this objection now withdrawn on the basis of the appeal decision SU/14/0532 above), affordable housing and SAMM provision, and character grounds. Subsequent appeal hearing to be held in September 2016.
- 3.5 SU/15/0590 Outline planning application for the erection of up to 140 dwellings and community facilities, with associated landscaping, open space, car parking and access from Woodlands Lane, and use of land to provide publicly accessible recreation space (SANG) details of access only to be agreed at Heathpark Woods, Heathpark Drive, Windlesham. Refused in March 2016 on loss of safeguarded land/spatial strategy, impact on protected species and the SPA, and affordable housing provision grounds.

4.1 The current proposal relates to the erection of up to 85 dwellings with its proposed access from Beldam Bridge Road and provision of open space. The access would be provided at roughly the midpoint of the frontage onto Beldam Bridge Road, east of the road junction with Kings Road. The exact amount and mix of dwelling units has not been defined under this application; only that the scheme would provide for up to 85 units. The proposal relates to the approval of the access only.

4.2 The application is in an outline form with only the access to be determined at this stage. However, a schematic layout has been provided which indicates a form of development for this proposal which arranges the housing around a cul-de-sac form of development.

4.3 The application has been supported principally by:

- Planning and Affordable Housing Statement;
- Design and Access Statement; and
- Transport Statement and Framework Travel Plan.

Other provided reports include:

- Flood Risk Assessment and Preliminary Surface Water Drainage Strategy;
- Tree Report;
- Ecological Appraisal;
- Preliminary Services Appraisal;
- Cultural Heritage Assessment;
- Landscape Visual Appraisal; and
- Statement of Community Involvement.

These reports are similar to those provided for the earlier applications SU/14/0594 and SU/15/0884.

4.5 The assessment in Paragraph 7.0 below has taken into consideration the content of these reports provided by the applicant and seen in the light of the recent planning permission at the site at Paragraph 3.2 above and appeal decision highlighted at Paragraph 3.3 above.

## 5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections.
5.2	Environmental Services	No objections.
5.3	Surrey Police	No objections and make suggestions to make the development "secure by design" which would be dealt with at the reserved matters stage.
5.4	Surrey Wildlife Trust	No comments received but raised no objections to previous application.
5.5	Natural England	No objections.
5.6	Environment Agency	No comments received but raised no objections to previous

application.

- |      |  |  |
|------|--|--|
| 5.7  | Archaeological Officer                                   | No objections.   |
| 5.8  | Arboricultural Officer                                   | No objections (verbal).  |
| 5.9  | Surrey County Council<br>(Local Lead Flood<br>Authority) | No objections.   |
| 5.10 | Drainage Engineer  | No comments received but did not raise an objection to previous application.   |
| 5.11 | Surrey County Council<br>(Education)                     | No objections raised, subject to the provision of a contribution towards education provision (£741,336).   |
| 5.12 | West End Parish<br>Council                               | An objection is raised on the grounds that the release of the reserve site should only come through following a local plan, with the presumption on favour of sustainable development (in the NPPF) does not take precedence. Further objections are raised on surface water drainage, local infrastructure and ecology grounds. |

## 6.0 REPRESENTATION

At the time of preparation of this report, one representation in support (making no specific comments) and 65 representations, including one from the West End Action Group and one from the Heathpark Woods Action Group, raising an objection had been received which raise the following issues:

### 6.1 Impact of alternative SANG provision

- SANG mitigation will now be not within walking distance of the village, leading to an increase in car journeys [see Paragraph 7.5]
- The omission of the SANG needs to be assessed under the Birds Directive (Paragraph 19 of the NPPF) [see Paragraph 7.5]
- The omission of the SANG is a retrograde step for West End [See Paragraph 7.5]
- Loss of SANG makes the scheme even less desirable [See Paragraph 7.5]
- Impact on Brentmoor SSSI/SPA. [Officer comment: The site is located about 800 metres from the SPA and would not have any direct impact. Also, see Paragraph 7.5]

### 6.2 Principle

- No change in position since previous rejection (to SU/14/0594) by this Council [Officer comment: Each application is to be determined on their own merits and in the light of the most up-to-date position. See Paragraph 7.4 below]
- Combined impact with other proposals. Applications should be considered together [Officer comment: Each application is to be determined on their own merits]
- Other sites should be developed instead. The West End reserve sites need not be used [see Paragraph 7.4]
- Amount of houses is in excess of the core strategy requirement (20 houses), particularly in taking into account the housing that will be delivered on appeal site (SU/14/0532) [see Paragraph 7.4]

- Impact on Green Belt status of land [Officer comment: The housing site is within the Countryside (beyond the Green Belt)]
- West End does not need any more housing and has provided its fair share of housing in the past. Development is too large for the village [see *Paragraph 7.4*]
- Development proposal is premature and unsustainable. Proof of need for this housing has not been satisfactorily demonstrated [see *Paragraph 7.4*]
- Adequate provision of housing has been/will be provided elsewhere [See *Paragraph 7.4*]
- The slow pace of development at the Princess Royal Barracks site should not be a justification for this proposal [See *Paragraph 7.4*]
- Development is proposed before sites allocation document is published [see *Paragraph 7.4*]
- Development is proposed before a local plan review [see *Paragraph 7.4*]
- The Council has demonstrated that it has more than sufficient land available for housing (8.5 years-worth) to meet 5 year target (Housing Land Supply Paper 2015) [see *Paragraph 7.4*]
- The mis-information of the housing supply position in the HLSP 2015-2020 [Officer comment: *This HLSP 2015-2020 indicated that there was an adequate supply of housing, based upon the CS policy requirements. However, the Inspector for SU/14/0532 appeal took the view that the higher OAHN housing supply requirement should take place, for which there was not an adequate level of supply. The OAHN housing supply requirement is has been reflected in the HLPS 2016-2021*]
- Significant under counting of housing supply position [Officer comment: *There is no evidence to suggest that this is the case*]
- Non-conformity with NPPF policy on sustainable development. Brownfield sites should be released before green field sites [see *Paragraph 7.4*]
- Site should be returned to Green Belt [Officer comment: *This can only be undertaken through a Green Belt boundary review*]
- The flawed appeal decision (SU/14/0532), which is the subject of a legal challenge, should not be used as a justification for current proposal. Previous application SU/15/0884 was decided on the basis of an appeal (SU/14/0532) where the Inspector failed to take account of local and national policies [Officer comment: *There is no legal challenge for this appeal decision, Also, see Paragraph 7.4*]
- NPPF's presumption in favour of development does not apply in this case. It is excluded due to Paragraph 85 of the NPPF. Safeguarding is a policy indicating development should be restricted [See *Paragraph 7.4*]
- The principle for sustainable development in the NPPF does not apply where an appropriate assessment (under the Habitats regulations) is required [See *Paragraph 7.4*]
- The refusal of the Windlesham Site (Heathpark Woods – SU/15/0590) sets precedent for this proposal [See *Paragraph 7.4*]
- Legal challenge (for SU/15/0884) makes the current decision (outline planning permission of SU/15/0884) unsafe and Committee decision for that application unsound and should not be used as a precedent [See *Paragraph 7.4*]

### 6.3 Highway and transportation matters

- Impact on road infrastructure [see Paragraph 7.4]
- Increased traffic resulting in traffic congestion and increased risk of accident at local road junctions and wider road network [see Paragraph 7.4]
- Highway implications of dangerous access and increased traffic accessing onto a bend in a narrow, winding road [see Paragraph 7.4]
- Parking for SANG would be used as overspill housing [see Paragraph 7.4]
- Limited footpath access to site [Officer comment: Such details would be a reserved matter]
- Use of Kings Road as a cut through would have an impact on highway safety on this road [see Paragraph 7.4]
- Traffic statements should not be relied upon for assessing traffic impacts. It uses standardised data and will not reflect the higher car ownership levels on the area. Independent traffic surveys required [see Paragraph 7.4]
- Development would increase car-use [see Paragraph 7.4]
- Unsustainable location with a lack of local facilities [see Paragraph 7.4]
- Permission SU/15/0884 required approval of “means of access” only but these details were not approved by the Committee [Officer comment: This related to the imposition of further details by condition. Also, see Paragraph 7.4]

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### 6.4 Character and Green Belt reasons

- Building on diminishing countryside [see Paragraph 7.4]
- Impact on the character of the village and countryside [see Paragraph 7.4]
- Impact on character of green space [see Paragraph 7.4]
- Loss of trees and woodland [see Paragraph 7.4]
- Destruction of rural land/countryside [see Paragraph 7.4]
- Too dense a form of development [Officer comment: Layout is a reserved matter. Also, see Paragraph 7.4]
- Overbearing impact of development and overdevelopment of site [see Paragraph 7.4]
- Destruction of ancient fields and woodland [see Paragraph 7.4]
- Being built next to Green Belt [see Paragraph 7.4]
- Destruction of existing conservation/area of beauty [Officer comment: The site has no such statutory or non-statutory designation]

### 6.5 Residential amenity

- Increase in noise and general disturbance from development and increased traffic [see Paragraph 7.4]

- Increased light pollution [see Paragraph 7.4]

## 6.6 Other matters

- Impact on wildlife and their habitats – bats, bees, buzzards, sparrows, goldfinches, greenfinches, kingfishers, woodpeckers, cuckoos, red kites, deer, owls, ducks, foxes and frogs. Animals cannot be translocated because they are territorial [see Paragraph 7.4]
- Impact on drainage (including local ditches/Bourne stream, high water table) and flooding [see Paragraph 7.4]
- Misleading information about previous flooding events in the provided Flood Risk Assessment [see Paragraph 7.4]
- Impact on the floodplain (Zone 2 – medium risk) [*Officer comment: The site does not fall within the floodplain, it falls within a Zone 1 low risk area*]
- Flood zone needs to be re-classified [*Officer comment: This is a matter for the Environment Agency*]
- Impact on local infrastructure and local/public services (school places, doctors, hospitals) which is unsustainable [see Paragraph 7.4]
- Development is not wanted by local people. Level of local opposition (85%) from an exit poll which followed the public consultation for the proposal. Objections to the previous proposals should not be ignored [*Officer comment: This is noted but is not, in itself, a relevant planning matter*]
- Request that Members visit the site during peak period [*Officer comment: This request is noted but such a request needs to be made by a Member*]
- Request to add objections to the previous application (SU/14/0594) for identical proposal [*Officer comment: This is not legally possible. However, a summary of all previous comments (for SU/15/0884) can be seen on the attached report*]

## 7.0 PLANNING CONSIDERATIONS

- 7.1 The housing part of the application site is located within a site which has been part of a housing reserve site, adjoining the settlement of West End, but is defined as Countryside (beyond the Green Belt).
- 7.2 As such, the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG) as well as Policies CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved); and Policy H8 of the Surrey Heath Local Plan 2000 (as saved) are relevant. In addition, advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Infrastructure Delivery SPD 2014 are also relevant. Regard will also be had to the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment (December 2014) and the Housing Needs Survey Paper 2016-2021 (2016).
- 7.3 The application is in an outline form which seeks the approval of the access only and follows the earlier planning permission for an identical proposal at this site (SU/15/0558), except for the deletion of the SANG proposal, and the appeal decision (SU/14/0532). These decisions are material considerations for this application (see Annexes 1 and 2).

7.4 Aside from the appeal decision (for SU/14/0532) and the implications of the change on SANG delivery, officers do not consider that there has been any significant change in circumstances since the grant of planning permission SU/15/0884, and refusal of the high court challenge. For completeness a copy of the previous report is attached (Annex 1) and for reference purposes, the main issues and conclusions in this report, which also apply to this submission, are summarised below:

- No objections are raised to the principle of the development on the basis of the housing supply position. The reasons for the refusal of the high court challenge for SU/15/0884, as set out in Paragraph 3.2 above, would apply for this proposal and the decision at Heathpark Woods, Windlesham under SU/15/0590 would not be a reason to depart from the approach taken for the planning permission SU/15/0884, which relates to the application site [See Paragraph 7.6 of SU/15/0884];
- No objections to the impact of the proposal upon highway safety including the level of parking and use of access to the site from Beldam Bridge Road. In addition, no objections were raised to the cumulative impact on increased traffic from this proposal (along with other developments, such as under appeals SU/14/0532 and SU/15/0445) [See Paragraph 7.4 of SU/15/0884];
- No objections to the impact of the proposal on local character grounds (and impacts on trees and hedgerows), if the site was to be released for housing at this stage, and no objections to the impact on the Green Belt [See Paragraph 7.4 of SU/15/0884];
- No objections to the impact of the proposal on residential amenity grounds, particularly in relation to any increase in noise and bearing in mind the outline nature of the proposal (only access to be agreed) [See Paragraph 7.4 of SU/15/0884];
- No objections to the impact of the proposal on ecology and archaeology [See Paragraph 7.4 of SU/15/0884];
- No objections to the impact of the proposal on drainage and flood risk, for which the Local Lead Flood Authority have raised no objections for this application. In addition, no objections to the impact on land contamination [See Paragraph 7.4 of SU/15/0884];
- No objections to the impact of the proposal on local infrastructure with the proposal being CIL liable. The contribution towards education requested by the education authority, Surrey County Council, was not justified during the consideration of the previous permission SU/15/0588 [See Paragraph 7.4 of SU/15/0884]; and
- No objections to the impact of the proposal on affordable housing provision, the housing mix, crime and open space provision. A level of affordable housing will need to be provided on site. However, whilst this matter can be dealt with at the reserved matter stage, a legal agreement to confirm an obligation to meet this requirement is well advanced and expected to be completed by the time of the Committee meeting, and no objections are raised on these grounds. [See Paragraph 7.4 of SU/15/0884].

7.5 Having regard to all of the above, it is considered that the principal considerations to be addressed in the determination of this application is:

- Impact on the Thames Basin Heaths Special Protection Area.

7.6 **Impact on the Thames Basin Heaths Special Protection Area**



- 7.6.1 The application site falls about 0.75 kilometres from the Thames Basin Heaths Special Protection Area (SPA). Policy NRM6 of the South East Plan 2009 (as saved) seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of Suitable Alternative Natural Green Space (SANGS) to offset any potential harm to the SPA or by contributing towards SANGS provision. The threshold for delivering on-site SANG is 100 dwellings. As this proposal provides less than this threshold, it can provide towards a SANG elsewhere, so long as it falls within the SANG catchment.
- 7.6.2 As indicated in Paragraph 7.7.2 of the officer report for SU/15/0884 [Annex 1], the CIL charging schedule incorporates SANG funding, except where a SANG is proposed under the same (or linked) development. The development under SU/15/0884 proposed to provide a SANG on adjoining land to the housing proposal as a part of the overall proposal. However the current proposal seeks to provide a contribution towards SANG delivery (in this case the Chobham Meadows SANG) instead. The application site falls within the catchment (5 kilometres) of this SANG. This approach is considered to be acceptable.
- 7.6.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is not included with the CIL scheme, a separate contribution is required. This contribution has not been received to date, and cannot be calculated where the number and size of dwellings is not provided. However, whilst this matter can be dealt with at the reserved matter stage, a legal agreement to confirm an obligation to meet this requirement is well advanced and expected to be completed by the time of the Committee meeting, and no objections are raised on these grounds.
- 7.6.4 As such, the current proposal is considered to be acceptable in terms of its impact on the SPA, complying with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

## **8.0 CONCLUSION**

- 8.1 As with the earlier planning permission SU/15/0588, no objections are raised to the principle, impact of the proposal on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix and crime. Whilst there is no legal agreement in place to provide affordable housing and a SAMM contribution, the required legal agreement is at an advanced stage and it is expected to be completed by the time of the Committee. The proposal is acceptable in terms of its impact on the Thames Basin Heaths Special Protection Area, with a contribution for SANG delivery elsewhere in the Borough provide through the CIL scheme.
- 8.2 The application is therefore recommended for approval.

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

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

This included the following:-

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

## 11.0 RECOMMENDATION

GRANT, subject to the following conditions:

1. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
  - (a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.
  - (b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

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2. With the exception of the layout shown and the details required by Condition 11 below, the proposed development shall be built in accordance with the following approved plans: CSa/1586/120 Rev A and ITB9076-GA-006 Rev. D, 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 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) confirmation that there will be no on-site burning of material during any site clearance, demolition and construction works

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 and 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.

4. No development shall take place until details of the surface materials for the roads, car parking areas and driveways shall be submitted to, and approved in writing by the Local Planning Authority. Once approved, the agreed surfacing materials shall be used in the construction of the development.

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

5. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including all roads and driveways, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. Prior to the first occupation of the development hereby approved on site details of cycle and refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of residential and visual amenities and nature conservation and to accord with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. Prior to the first occupation of the development hereby approved, a Travel Plan to

promote sustainable patterns of movement shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved details.

Reason: To promote sustainable modes of transport 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.

9. Prior to the granting of the last reserved matter pursuant to the development granted under this outline permission, details of a drainage strategy is to be submitted to and approved by the Local Planning Authority. The details of this strategy should include:
  1. Evidence of how infiltration is feasible (on-site geology, soils and groundwater levels) and, where this is not possible, a sustainable drainage system (SuDS) designed accordingly;
  2. Calculations confirming the peak discharge rates for the site in 1 in 1, 1 in 30 and 1 in 100 (+30% climate change) storm events and details of the attenuation storage;
  3. A drainage layout detailing the location of SuDS elements, pipe diameters and manhole hole locations; and their respective levels;
  4. Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to avoid risks to people and property; and
  5. Long and cross sections of each proposed SuDS element.

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The approved development shall be implemented in accordance with the approved details.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the construction of the dwellings hereby approved (under this outline planning permission and all subsequently approved reserved matters), details of the protection during the construction process for, and future maintenance of, the sustainable drainage system shall be submitted to and approved by the Local Planning Authority. The maintenance plan should include the maintenance frequencies and ownership and responsibilities for the maintenance of the SUDS features.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a verification report shall be submitted to and approved by the Local Planning Authority which shows that the Sustainable Urban Drainage System has been constructed in accordance with the details approved in accordance with Conditions 8 and 9 above.

Reason: To ensure that the drainage system meets technical standards and to comply with

Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No development shall take place until details of the proposed access onto Beldam Bridge Road including any required visibility zones have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the visibility zones kept permanently clear of any obstruction.

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.

13. No development shall take place until a Written Scheme of Investigation with a programme of archaeological work and details of compliance with the resulting implemented programme of work has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that there is a record of any found archaeological evidence and to comply with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

14. The approved development shall be implemented in accordance with the mitigation measures set out in Section 5.0 of the Ecological Appraisal by CSa Environmental Planning dated March 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 Policies 2012 and the National Planning Policy Framework.

15. A scheme to revise the speed limit on Beldam Bridge Road is to be submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the approved development.

Reason: In the interests of highway safety and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### Informative(s)

1. CIL Liable CIL1

APP. NO	WARD	LOCATION & PROPOSAL	TYPE	DECISION
2016/0323	WES	LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP	<u>OOU</u>	AF

DC Outline planning application for the erection up to 85 dwellings with new access, landscaping and open space.

**ACTION**

APPROVE (SUBJECT TO ADDITIONAL AND AMENDED CONDITIONS AND ADDITIONAL INFORMATIVE)

Additional Condition:

16. The development hereby permitted shall not commence until details of the design of as surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

A design that satisfies the SuDS hierarchy;

A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statements on SuDS;

Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+30% allowance for climate change) storm events during all stage of the development (pre, post and during), associated discharge rates and storage volumes shall be provided with a greenfield discharge rate offsite no greater than a total of 11.26 litres per second for the whole site area.

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

Additional Informative:

The applicant proposes to discharge to a watercourse. The applicant has not supplied details showing whether discharge infiltration is feasible. The applicant needs to undertake infiltration in accordance with BRE Digest 365 or show suitable evidence that infiltration is not feasible. If feasible, the applicant could adapt their design so that permeable paving and attenuating SuDS assets can discharge directly into the ground instead of into a piped network. A full geotechnical survey that details bore logs, ground water levels, details of ground water source protection zones and details of any contamination should be supplied. Only if infiltration is then found not to be feasible should discharge to watercourses be considered. Should the applicant propose to discharge into a Main River, a Flood Defence Consent is required from the Environment Agency. Should the applicant propose to discharge into a watercourse, they should check that the watercourse is able to receive the additional flows and is fully functional.


Amendment to Condition 2:

Replace reference to 'Condition 11' with 'Condition 12'

Amendment to Condition 11:

Replace reference to 'Conditions 8 and 9' with 'Condition Nos 9 and 10, and 16 below'



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<p><b>Application number</b></p>	<p>17/0202</p>		<p><b>Scale @ A4</b></p>	<p>1:2,500</p>
<p><b>Address</b></p>	<p>LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP</p>		<p><b>Date</b></p>	<p>12-06-2017</p>
<p><b>Proposal</b></p>	<p>Reserved matters planning application for the approval of appearance, landscaping, layout and scale pursuant to outline planning permission 16/0323 which provides for the erection of up to 85 dwellings with new access, landscaping and open space</p>			

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Location plan



Principal contextual elevations



Elevation C: frontage to main access drive, looking towards western & northern site boundaries



Elevation B: frontage to open space



Elevation C: frontage to main access drive, looking towards western & northern site boundaries



Elevation C: frontage to main access drive, looking south



Elevation D: frontage to Mearns Area, looking south

Typical proposed elevations

PA49



Plot 4  
Back



Plot 1  
Tile Hanging



Plots 42 & 43  
Weatherboard

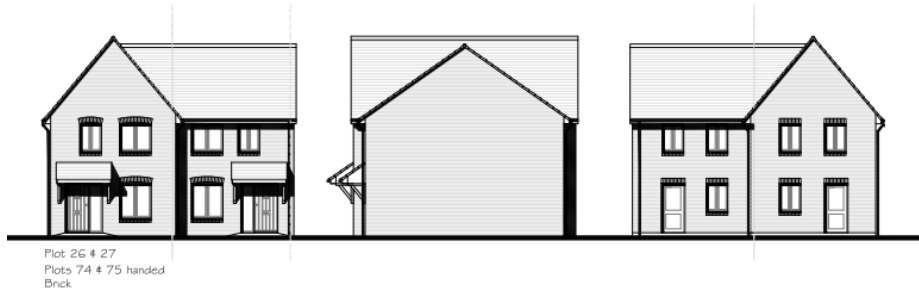


Plot 45  
Weatherboard



Plot 83  
Tile Hanging

and best viewing angle for the purposes of Planning Applications. The contractor should check all dimensions on site. It is the contractor's responsibility to ensure compliance with Building Regulations.



Site photos

Site frontage onto Beldam Bridge Road





Within site





2017/0110

Reg Date 23/02/2017

Windlesham

**LOCATION:** WINDLESHAM GARDEN CENTRE, LONDON ROAD, WINDLESHAM, GU20 6LL

**PROPOSAL:** Outline application for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Access and layout only to be agreed.

**TYPE:** Outline

**APPLICANT:** Wyevale Garden Centres Ltd.

**OFFICER:** Emma Pearman

**This 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 Edward Hawkins.**

**RECOMMENDATION: GRANT subject to conditions and legal agreement**

## **1.0 SUMMARY**

- 1.1 This proposal is an outline application for the redevelopment of Windlesham Garden Centre, to provide nine detached dwellings, two of which would be affordable. The application seeks to determine the matters of access and layout only at this stage, with the scale and appearance of the dwellings, and landscaping to be determined at reserved matters stage. The site lies on the A30, within the Green Belt and outside any settlement area. The existing buildings are arranged around the front and middle of the site with large areas of open land and woodland within the boundary to the north and west. The proposed houses would be arranged in a similar format, largely where the existing buildings are situated.
- 1.2 The proposal is not considered to be inappropriate development in the Green Belt, as it would constitute the redevelopment of a previously developed site in the Green Belt, and with the layout details provided at this outline stage, it appears that its layout would not have a greater impact on openness than the existing development. While an objection has been raised to the loss of the existing garden centre, the applicant states that the garden centre has been loss making for a number of years, supported only by concessions. It is recognised that the existing use is constrained from further development by its Green Belt designation and there is no policy protection for out of town retail uses. As such no objection is raised in this regard. The proposal is considered acceptable at this outline stage in respect of all other matters, subject to conditions and the signing of the agreed S106 prior to the decision being issued, to secure the proposed affordable housing and SAMM/SANG payments.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site extends to 4.13ha and is located on the northern side of the A30, outside the settlement area of Windlesham and within in the Green Belt. The site comprises a number of buildings which make up the garden centre, including the main garden centre building and a number of smaller concession buildings laid out around the large central car park. To the rear there are a number of large storage areas including one used by a demolition company. There is a large area of open land at the northern end of the site with woodland beyond, and an area on the western side of the site is also covered by woodland. The site is within Flood Zone 1 and is shown as being potentially contaminated (though is categorised as very low risk).

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 16/0945 - Outline application for the erection of 15 dwellings (comprising 9 market houses, four 2 bed affordable flats and two 3 bed affordable houses) and associated parking, access improvements (including re-provision of parking to serve Homestead Cottages) garages, landscaping and cycle storage, following demolition of existing garden centre buildings. Access and layout only to be agreed.

*Application withdrawn 23/02/2017 [lack of SANG capacity for more than 9 units in this area]*

## **4.0 THE PROPOSAL**

- 4.1 The proposal is an outline application for the access and layout only for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Details of the appearance, scale and landscaping would be determined as reserved matters.
- 4.2 The access would be in the same location as the existing access, with an area to the right of the access retained for parking for neighbouring Homestead Cottages, as at present. The layout shows 9 dwellings arranged around a central access road, with the smaller affordable units as Plots 1 and 2 on the western side nearest the access, and plots 3 and 4 on the west, plots 5, 6 and 7 to the rear of the site with very large plots incorporating the open land to the rear, and plots 8 and 9 on the eastern side.

## 5.0 CONSULTATION RESPONSES

- |      |                                    |  |
|------|------------------------------------|--|
| 5.1  | Surrey County Highway Authority    | No objection, subject to conditions.   |
| 5.2  | Council's Arboricultural Officer   | No objection, subject to conditions.   |
| 5.3  | Local Lead Flood Authority         | No objection, subject to conditions.   |
| 5.4  | Environmental Health Officer       | No objection, subject to conditions regarding contamination.                   |
| 5.5  | Surrey Wildlife Trust              | No objection, subject to condition.  |
| 5.6  | Environment Agency                 | No response received.  |
| 5.7  | SCC Archaeology                    | No objection, subject to condition.  |
| 5.8  | Council's Housing Services Manager | Supports the delivery of affordable housing on this site.                      |
| 5.9  | Natural England                    | No objection as long as development complies with Thames Basin Heaths SPA SPD. |
| 5.10 | Windlesham Parish Council          | No objection.  |

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report one letter of objection has been received which raises the following issues:
- Petfood company has been trading at the site for over 30 years and have a successful business which will be forced to close with no compensation for this
  - Will cause at least 9 staff at this business to lose their job as well as staff at other businesses on the site
  - Other businesses may benefit from our closure but we are a family run business providing a personal service which will be lost

*[Officer comments: The Council is not able to prevent the closure of a business and the above issues raised, and as such can only consider whether the proposed use of the land is acceptable. See section 7.4].*

## **7.0 PLANNING CONSIDERATION**

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CPA, CP2, CP5, CP6, CP8, CP12, CP14A, CP14B, DM9, DM10, DM11, DM13 and DM17. It will also be considered against the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are:

- Impact of the development on the Green Belt;
- Loss of the existing use and principle of residential development;
- Impact on character and trees;
- Highways, parking and access;
- Affordable housing and housing mix;
- Impact on residential amenity;
- Ecology;
- Impact on the Thames Basin Heaths SPA;
- Impact on infrastructure; and
- Other matters – archaeology, contaminated land, flooding.

### **7.3 Impact of the development on the Green Belt**

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

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

7.3.3 Paragraph 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists some exceptions; which includes the redevelopment of a previously developed site, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land in Green Belt.



- 7.3.4 The proposed layout shows that the new dwellings would be arranged approximately where the developed parts of the site currently are, with the open land to the rear forming part of the gardens of plots 5-7. The existing footprint of the buildings is 5,138m<sup>2</sup> and the proposed footprint is 2921m<sup>2</sup>, which would be a reduction of 43%. The total hardstanding at present is 12,518m<sup>2</sup> and proposed would be 5,338m<sup>2</sup>, a reduction of 57% approx. The indicative volume would see an increase from 20,325m<sup>3</sup> to 23,035m<sup>3</sup>, however the scale and design is a reserved matter so the exact volume could be determined at reserved matters stage and it is likely the Council would seek a reduction in the proposed volume that has been suggested at this stage, to ensure there is no greater impact on openness from the proposed development. An informative will be added in this regard.
- 7.3.5 There is a large area of open land to the rear including woodland, and this was originally shown as being part of the residential curtilage of plots 5-7. However, it was considered that if this area formed part of the curtilage, (which would have been very large for these dwellings) it would be more landscaped than at present, and could give rise to sheds and outbuildings etc., which may have harmed the openness of the Green Belt. The site plan has therefore been amended and while these areas may still be in the ownership of these dwellings they would not be within the curtilage area.
- 7.3.6 It is therefore considered that, at this stage, the development is acceptable in terms of its impact on the Green Belt, and the scale, volume and floorspace of the development would be agreed at reserved matters stage. It is likely that permitted development rights would be removed at reserved matters stage to ensure no further impact on the Green Belt by way of extensions and outbuildings.

#### **7.4 Loss of the existing use and principle of residential development**

- 7.4.1 Policy CP8 states that the Council will seek to make provision for 7500 jobs by ensuring a flexible supply of high quality employment floorspace, utilising existing employment areas. Policy CP2 seeks to promote smart economic growth which aims to supply a range of accessible employment opportunities. Policy DM13 seeks to limit employment uses outside the town centre and core employment areas.
- 7.4.2 This site is in A1 retail use, rather than any Class B employment uses which are protected by Policy CP8. The site also lies in the Green Belt, outside any town centre or core employment area, and as such there is no policy that protects the loss of these sites. The applicant states that the garden centre has been loss making for the last six years and has only been kept afloat by concession income. There are other garden centres including Longacres and Hilliers in close proximity to the site, and any growth of this site is restricted by its position in the Green Belt. While the closure of the garden centre and concessions would result in a loss of jobs, and an objection has been received in this respect, the Local Planning Authority could not prevent the closure of the site or concessions being forced to leave the site by the landowner in any case. The applicant asserts that while garden centre uses are typically out of town, the concessions are smaller scale and more suited to town centre uses and as such may be able to find alternative accommodation locally more easily.

- 7.4.3 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes and to boost significantly the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development and paragraph 47 also requires Local Planning Authorities to have a five-year supply of housing land. At present, Surrey Heath does not have a five year housing land supply and as such this application would result in 9 additional units which are in need in the borough. While Policy CPA directs housing to settlement areas, it also acknowledges that smaller villages such as Windlesham, housing provision will come forward largely through redevelopment of existing sites.
- 7.4.4 It is therefore considered that, given that the site has been loss making and as such could close anyway, the proximity of other similar garden centres, the location in the Green Belt which restricts expansion of the centre, and the fact that there are no policies protecting out of town retail uses, in the Officer's opinion it would be unreasonable to object to the loss of the existing use.

## **7.5 Impact on character and trees**

- 7.5.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.
- 7.5.2 Policy DM9 of the CSDMP states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.5.3 The layout proposes nine detached dwellings of varying sizes, around a central access road. Given the Green Belt location, the area surrounding the site is not densely developed, with a sporadic mixture of larger detached dwellings, large buildings having been converted to flats, and smaller cottages, interspersed with open space. The site itself is surrounded by a mixture of these types of dwellings, and as such the proposed residential use and detached dwellings of varying sizes, is not considered to be harmful to character. It appears from the layout that the side elevation of Plot 1 would be facing the road, however it is set back 15m from the road with considerable space for landscaping in between, and whether this is acceptable can be determined at reserved matters stage when the elevation plans and landscaping details are received. While the scale and appearance of the dwellings is a reserved matter, it is not considered that the layout as proposed would cause any harm to the character of the area, given the existing variation in the types of dwellings surrounding the site. The proposed materials would also be required by condition.
- 7.5.4 The site is surrounded by a considerable amount of woodland, particularly to the western side and to the north-west of the site. It appears that the woodland itself has not been managed and the trees individually do not appear to be of high quality, however the wooded area in its entirety does contribute positively to the character of the area. Most of this woodland would be within the curtilage of Plots 4 and 5. There are also several areas of evergreen trees which appear to be

used for screening purposes along the boundaries and between different areas of the site. The woodland area has not yet been subject to a detailed survey as no trees are proposed to be removed at this stage. The Arboricultural Officer has commented that this is acceptable at this stage and given the trees are not of high quality, it is likely that a comprehensive landscaping scheme can compensate for any loss, if this is the case at reserved matters stage.

- 7.5.5 The Arboricultural report submitted states that the vast majority of trees are of very limited arboricultural significance, and no tree removal is proposed at this stage. Tree protection is proposed around third party trees on the boundary and several more significant individual trees, and the Arboricultural Officer has stated that the proposal is acceptable subject to a condition for the necessary protection of retained trees. A further detailed survey at reserved matters stage of the woodland area, and a comprehensive landscaping plan can be secured by condition.
- 7.5.6 It is therefore considered that the layout as proposed would not cause any harm to the character of the area and further details of the appearance, scale and landscaping would be determined at reserved matters stage.

## **7.6 Highways, parking and access**

- 7.6.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 This outline application seeks to agree the access to the site, which will be in the same position as the existing access. The site currently is open 7 days a week and provides parking space for up to 94 cars. The applicant's Transport Strategy estimates that the existing use has the potential to generate in the region of 861 vehicular trips per day. The use as residential would clearly generate significantly fewer vehicles than the existing use. While the site is in a rural, Green Belt location, access to the dwellings would be directly onto the A30 and as such the site is well connected by road to a variety of services. There is a bus route along the A30 and Sunningdale railway station is 2km away.
- 7.6.3 Parking would again be a reserved matter when further detail of the proposed dwellings are received, however the applicant states that garages and off-road parking would be provided in line with SCC's Vehicular Parking Standards and it appears that there would be sufficient space to provide enough parking. The existing parking area serving the neighbouring Homestead Cottages would also be retained. The County Highway Authority has not objected to the scheme, but has requested that a number of conditions are imposed, relating to visibility zones for the existing access, space for parking laid out and for vehicles to turn inside the site prior to occupation, and for a Construction Transport Management Plan to be provided prior to commencement.

It is therefore considered that the proposed access is acceptable, subject to the above conditions, and that the use would not be likely to cause any other harm in terms of its impact on highways or parking provision.

## **7.7 Affordable housing and housing mix**

- 7.7.1 Policy CP5 of the CSDMP states that developments of 5-9 units should secure a 20% on-site provision of affordable housing. In this case the Written Ministerial Statement would not be taken into account as the proposed floorspace is considerably in excess of the 1000m<sup>2</sup> limit. As such, the developer proposes two of the units to be affordable, which would be 3-bed units for shared ownership housing. This is supported by the Housing Services Officer, who has reviewed the S106 agreement. The S106 has been agreed and finalised, and as such the proposal is considered to be in line with Policy CP5, subject to the signing of the agreement before the decision is issued.
- 7.7.2 Policy CP6 states that the Council will promote a range of housing types and tenures, and for market housing suggests that this should be approximately 10% 1-bed units, 40% 2-bed units, 40% 3-bed units and 10% 4+ bed units. In this case, the two affordable units are proposed to be 3-bed units, and the remaining mix of the dwelling sizes is unknown, however from the size shown on the layout it appears likely they would all be in excess of 4 bedrooms. This area is not covered by a SANG catchment area and as such any development that does not propose on-site SANG is limited to a maximum of 9 units. As such, providing smaller units instead may make the development financially unviable, and a larger number of units (that could incorporate some small units) could not be provided without SANG onsite, which is not proposed. Given this limitation, no objection is raised at this stage to housing mix, and the final mix will be determined in any case at reserved matters stage.

## **7.8 Impact on residential amenity**

- 7.8.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of the CSDMP states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.8.2 The site is surrounded by several residential dwellings. On the western side there is Lavershot Court and Lavershot Cottage, however the proposed Plots 1-4 all are shown on the site plan as being over 20m away from these dwellings, and as such it is unlikely that overbearing and overlooking impacts would occur. On the eastern side, Plots 7-9 are all at least 29m away from the adjoining dwellings Lane End, Holm Place, The Bear House and Homestead Cottages.

The impact can be assessed further at reserved matters stage when the placement of windows, landscaping and boundary treatments can be taken into account.

- 7.8.3 The neighbouring dwellings are all likely to experience a reduction in noise from the site given that the existing use generates more traffic and noise than nine residential dwellings would. It is therefore considered that, at this stage, there is no reason to object on the grounds of impact on residential amenity.

## **7.9 Ecology**

- 7.9.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.

- 7.9.2 The applicant has undertaken an Ecological Assessment and Bat Survey Report. This concludes that an invasive species management plan should be developed, that while some buildings and one tree have features suitable for roosting bats the survey did not find any roosts and as such no further surveys are identified, and the tree is proposed to be retained in any case. It states that the site may be used by breeding birds and reptiles and as such recommends limiting the time of year for habitat clearance. No evidence of badgers was found on the site but they may be present in the wider area so precautionary working methods should be used. Enhancements in terms of native species, log piles, bat and bird boxes are proposed, as well as a pond.

- 7.9.3 Surrey Wildlife Trust has not objected, subject to conditions for the recommendations and enhancements as set out in the Ecological Report and Bat Report to be carried out. The Trust recommends that if the woodland area to the north-west is to be used as part of the development it should be further surveyed for reptiles as the Ecological Assessment relies on the woodland/tall grassland area being retained as it has low-moderate potential to support reptiles. Again this supports the concerns in section 7.3 above that this area should be outside the residential curtilage, and conditions can be imposed in this regard.

- 7.9.4 It is therefore considered that the proposal is acceptable in terms of its impact on ecology and in line with Policy CP14A in this regard.

## **7.10 Impact on Infrastructure**

- 7.10.1 Policy CP12 of the CSDMP states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery.

- 7.10.2 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. At this stage, the CIL form indicates that the proposed Gross Internal Area of floorspace would be less than the existing floorspace. If this is the case at reserved matters stage, as long as the applicant could prove that the development has been in use for the required period of 6 months out of the last 3 years, the development would not be CIL liable. However the final figure would need to be agreed at reserved matters stage when floorspace is known, and following the submission of the necessary forms. The affordable housing element would not be CIL liable. Informatives would be added to the decision advising the applicant of the CIL requirements.

## **7.11 Impact on the Thames Basin Heaths SPA**

- 7.11.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.11.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.6km from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL (or a separate SANGS charge if not CIL liable). There is currently sufficient SANG available, for up to 9 units only in this location as it is outside SANG catchment areas for larger development. Natural England have not objected, provided that the development is in accordance with this SPD.
- 7.11.3 At this stage, the CIL form indicates that the proposed Gross Internal Area of floorspace would be less than the existing floorspace. If this is the case at reserved matters stage, as long as the applicant could prove that the development has been in use for the required period of 6 months out of the last 3 years, the development would not be CIL liable but would be liable for the lower rate of SANG instead, at £112.50 per square metre. If at reserved matters stage, the floorspace is higher than existing, it would instead be CIL liable at a rate of £220 per square metre, although there would be a discount for existing floorspace that is still in use. The dwellings would also be liable to the SAMM charge.
- 7.11.4 The applicant proposes that the S106 agreement secures the required payments at this stage, and this has been agreed and finalised. Subject to this being signed prior to the decision being issued, it is considered that the proposal is in

accordance with Policies NRM6, CP14B and the Thames Basin Heaths Avoidance Strategy SPD.

## **7.12 Other matters**

- 7.12.1 Policy DM10 of the CSDMP states that development on sites greater than 1ha within Flood Zone 1 will not be supported unless it can be demonstrated through a specific Flood Risk Assessment that the proposal would reduce risk or at least be risk neutral, and that appropriate mitigation is included where risks are identified. The sites lies wholly within Flood Zone 1, however given the size of the site the applicant has submitted a Flood Risk Assessment. The Local Lead Flood Authority has been consulted, and has not objected, subject to conditions.
- 7.12.2 Policy DM17 of the CSDMP requires that application sites over 0.4ha submit an Archaeological Desk-based assessment. The applicant has submitted an assessment that has been reviewed by the County Archaeologist. They have not objected, but consider that there is still potential for some archaeological remains to be in situ. As such, they have recommended a condition to secure a scheme of archaeological work, prior to development commencing.
- 7.12.3 Policies CP2 and DM9 of the CSDMP require development to respect and enhance the quality of the environment. The applicant has submitted a ground conditions report which has identified that there may be ground contamination. The Environmental Health Officer has been consulted and has not objected, subject to conditions being imposed for further testing, prior to commencement of any further development.

## **8.0 CONCLUSION**

- 8.1 The proposal is for the redevelopment of a previously developed site in the Green Belt, which currently is occupied by a garden centre and concessions, for residential housing, with details of the access and layout only to be agreed at this stage. It is considered that at this stage the proposal appears to be acceptable in terms of its impact on the Green Belt as it does not appear that it would have a greater impact on openness than existing. The scale and appearance of the buildings, including volume and floorspace would be determined at reserved matters stage, along with landscaping.
- 8.2 The proposal also appears to be acceptable in respect of the impact on other matters as discussed above, and as such it is considered that permission can be granted, subject to the agreed S106 agreement being signed before the decision is issued, in respect of the required SANG/SAMM payments and affordable housing provision.

## **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. Approval of the details of the scale appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
  - (a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.
  - (b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. The proposed access and layout shall be built in accordance with the following approved plans: Amended Proposed Site Layout A-PI-101D received 18.04.17, 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. As shown on the Amended Proposed Site Layout Plan A-PL-101D received 18.04.17, the residential curtilage of Plots 5, 6 and 7 shall not extend to the northern boundary but shall be separated in the location as shown by a suitable boundary treatment, to be agreed as part of the landscaping details to be agreed under Condition 1 above.

Reason: To reduce harm to the openness of the Green Belt and also to assist with reptile mitigation, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Certhia Consulting Limited [Guy Watson] and dated January 2017. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until the completion of all works hereby permitted.

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

5. Prior to commencement of development, a BS5837:2012 compliant Tree Survey/Report, including Arboricultural Method Statement, Impact Assessment and Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. This report shall assess the impact of the development, including proposed landscaping, upon those trees within the application site which have not already been surveyed by the submitted Arboricultural Report by Certhia Consulting Limited dated January 2017.

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.

6. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to London Road (A30) has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and

Development Management Policies 2012 and the National Planning Policy Framework.

7. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, for vehicles/cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the vehicle and cycle parking and vehicle turning area(s) shall be retained and maintained for their designated purpose(s).

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. No development shall commence until a Construction Transport Management Plan, 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) measures to prevent the deposit of materials on the highway

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

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. The development shall be carried out fully in accordance with the precautionary and mitigation measures as set out in Sections 5.2.1, 5.2.2, 5.3.2, 5.3.3 and 5.3.4, and the enhancement measures as set out in Section 5.4, of the Preliminary Ecological Appraisal by WYG dated September 2016; and with the precautionary and mitigation measures as set out in Sections 5.1 and 5.2, and enhancement measures as set out in Section 5.3, of the Bat Survey Report by WYG dated September 2016.

Reason: In order that the development should not cause adverse effects to protected species, and that it provides biodiversity enhancement, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. No lighting shall be installed on site unless and until a Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Strategy shall take into account the advice as set out in Section 5.2.1 of the submitted Bat Survey Report by WYG dated September 2016.

Reason: In order to prevent any adverse effects to bats, and prevent harm to residential amenity, in accordance with Policies CP14A and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to commencement of development, the following information shall be submitted to and approved in writing by the Local Planning Authority:

a) Geotechnical Investigations - In-situ ground investigations shall be undertaken in accordance with BRE 365 to determine infiltration rate and ground water level to confirm the feasibility of infiltration. If infiltration is feasible, infiltration SuDS shall be designed using actual infiltration rates.

b) Drainage Design

i) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.

ii) Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+climate change allowance) for storm events.

iii) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.

c) Exceedance Flow Routes - Details of how the SuDS will cater for system failure or exceedance events, both on and off-site.

d) Construction Management and Maintenance - Details of how the existing watercourses and SuDS will be protected and maintained during the construction of the development.

e) Lifetime Management and Maintenance Plan - Details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetimes of the systems, including riparian responsibilities for maintaining the watercourses to the east and south of the site ensuring they are clear of debris, silt and excess vegetation.

Reason: To ensure that a suitable sustainable drainage system is constructed and maintained, in order to manage flood risk and ensure that the development does not give rise to increased flood risk elsewhere, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. Prior to first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to

and approved in writing by the Local Planning Authority, to demonstrate that the Sustainable Urban Drainage System has been constructed as per the approved scheme.

Reason: To ensure that a suitable sustainable drainage system is constructed and maintained, in order to manage flood risk and ensure that the development does not give rise to increased flood risk elsewhere, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect any remains of archaeological significance in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. Prior to commencement of development, a Scheme to assess the nature and extent of any contamination on site must be submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with the Scheme, and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination;
- ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwater and surface water
  - ecological systems
  - archaeological sites and ancient monuments.
- iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR11.*'

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to property, controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and off-site receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to commencement of development, a detailed Remediation Scheme to bring the site to a condition suitable for the intended use, by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. This Scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to property, controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and off-site receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. The approved Remediation Scheme under Condition 16 above must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved Remediation Scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to property, controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and off-site receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 15, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 16, both of which shall be submitted to and approved in writing

by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, in accordance with the requirements of Condition 17 and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to property, controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and off-site receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### Informative(s)

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially a Section 278 Agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
2. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
3. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
5. The developer is reminded that it is an offence to allow materials to be

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

6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The applicant is reminded that further ecology surveys may be necessary at reserved matters stage, depending on when reserved matters are submitted and depending on the final landscaping design and if further woodland/scrub clearance is required.
8. The applicant is advised that the Local Planning Authority is likely to seek a reduction in volume at reserved matters stage, from that currently indicated, to ensure that there is no greater impact on the openness of the Green Belt as a result of this proposal, in line with paragraph 89 of the National Planning Policy Framework.

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Existing site plan



Proposed site layout



Entrance to the site along A30



Parking area for Homestead Cottages at front (to be retained)





17/0110 WINDLESHAM GARDEN, LONDON ROAD, WINDLESHAM

Car park with concessions and garden centre building beyond



Looking from near the back of the site towards the entrance





Open land at the back (north end) of the site



Wooded areas on the western boundary





Views of existing garden centre buildings/areas within the site





2017/0293

Reg Date 20/04/2017

Windlesham

**LOCATION:** MAGNOLIA HOUSE, WESTWOOD ROAD,  
WINDLESHAM, GU20 6LP

**PROPOSAL:** Detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building. (Additional information recv'd 19/5/17) (Additional information recv'd 1/6/17).

**TYPE:** Full Planning Application

**APPLICANT:** Mr M Sandiradze

**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 Conrad Sturt.**

## 1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.
- 1.2 This report concludes the development is inappropriate development in the Green Belt which would be harmful to it. Further harm to the openness of the Green Belt would arise as a result of the additional built form. It is considered that the very special circumstances presented by the applicant do not clearly outweigh the substantial harm to the Green Belt as identified. The application is therefore recommended for refusal.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is to the north of the settlement of Windlesham and also within the Metropolitan Green Belt. The application property comprises of a detached two storey dwellinghouse on a large plot. Neighbouring properties in the area are detached two storey dwellinghouses on large plots that vary in design, age and type.

## 3.0 RELEVANT PLANNING HISTORY

- 3.1 BGR/4477 Erect one house with double garage.  
Decision: Granted (1964 - implemented)
- 3.2 SU/2008/0992 Erection of a replacement two storey dwelling following demolition of existing.  
Decision: Withdrawn

3.3 SU/2011/0844 Certificate of Lawful Development for the proposed erection of a single storey side extension, two storey rear extension and conversion of existing roof space along with the insertion of rooflights in the rear of the building.

Decision: Agreed (not implemented)

3.4 SU/2010/0456 Certificate of Lawfulness for the proposed erection of two

Decision: Agreed (not implemented)

3.5 SU/2012/0323 Certificate of Lawful of Proposed Development for the erection of two outbuildings.

Decision: Split decision (not implemented)

3.6 SU/2013/0520 Permitted Development Prior Notification for the erection of a single storey rear extension to a depth of 8 metres beyond the original rear wall of the dwelling house with a ridge height of 4 metres.

Decision: Prior Approval (not implemented)

3.7 SU/2013/0555 Application for a Lawful Development Certificate for the proposed erection of a single storey side and rear extension, single storey rear extension, hip to gable roof conversion, insertion of 2 dormer windows, conversion of roofspace to habitable accommodation and insertion of 5 rooflights.

Decision: Agreed (implemented – foundations started)

3.8 SU/2013/0581 Creation of a Basement.

Decision: Refused

3.9 SU/2013/0797 Erection of gates, boundary fencing and creation of access (part retrospective).

Decision: Granted (fencing implemented only)

3.10 SU/2014/0462 Certificate of Lawful Proposed Development for the erection of an outbuilding.

Decision: Refused

3.11 SU/2014/1040 Application for a Lawful Development Certificate (Proposed) for the erection of an outbuilding.

Decision: Agreed (implemented but not complete)

3.12 SU/2016/0188 Application for a Lawful Development Certificate for the proposed erection of a detached pool/gym building.

Decision: Withdrawn

- 3.13 SU/2016/0268 Application for a Certificate of Lawful Development for proposed erection of an outbuilding to serve as a garage for 4 vehicles.

Decision: Agreed (implemented but not complete)

- 3.14 SU/2016/1046 Detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.

Decision: Granted (not implemented)

## **4.0 THE PROPOSAL**

- 4.1 Permission is sought for the erection of a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.
- 4.2 The proposed dwelling would consist of a flat roof with parapet wall, and would have a maximum depth of approx. 15.2m (excluding front portico), maximum width of approx. 32.4m (reducing to approx. 24.1m at first floor level), maximum eaves height of approx. 8m and maximum roof height of approx. 8.7m from adjacent ground level. The proposal would utilise the existing vehicular access off Westwood Road.
- 4.3 The proposal is similar in design to the dwelling approved under 16/1046 but would be larger in size by virtue of the single storey wings and increased two storey depth.

## **5.0 CONSULTATION RESPONSES**

- 5.1 Windlesham Parish Council No objection.
- 5.2 Council Highway Authority No objection raised.
- 5.3 Surrey Wildlife Trust Awaiting comments [See Section 7.6].

## **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 CPA 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 guidance contained in the National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application. The main issues to be considered are:

- Impact on Green Belt;
- Impact on character of the surrounding area;
- Impact on residential amenities of neighbouring properties;
- Impact on highway safety;
- Impact on ecology;
- Impact on local infrastructure; and,
- Very Special Circumstances.

## 7.2 Impact on Green Belt

7.2.1 Paragraph 79 of the National Planning Policy Framework 2012 (NPPF) states that;

*“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*

Paragraph 87 of the NPPF continues to advise that:

*“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*

7.2.2 Paragraph 89 of the NPPF states that:

*“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt”.*

The applicant contends that the current proposed replacement dwelling would not be materially larger than the unimplemented replacement dwelling approved under 16/1046. However, the relevant listed exception at paragraph 89 is:

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

As such, to assess the impact upon the Green Belt the starting point must be to consider the current proposal against the existing development on the site, not the 16/1046 approved dwelling.

7.2.3 The NPPF does not contain specific percentage figures for replacement buildings in the Green Belt. However, it is long established that one method of assessing a proposal's impact on openness involves a comparative assessment of the size of the existing and the proposed development. As outlined in the officer's report for the extant 16/1046 replacement dwelling scheme (see Annex 2), it is also acknowledged that further extensions to the existing dwelling could be added under

permitted development, which forms an additional material consideration to be addressed below.

7.2.4 The following table summarises the floor area and footprint of the existing dwelling comparing this with the relevant cumulative floorspace and footprint figures above the existing/original dwelling, including the part-implemented single storey side and rear extensions granted certificates under 13/0520 and 13/0555:

Floorspace

<b>Existing</b>	<b>16/1046 approved dwelling</b>	<b>Lawful extensions (13/0520 + 0555)</b>	<b>Current proposed dwelling</b>
333 sq. m	527 sq. m (+ 58.3%)	527 sq. m (+ 58.3%)	685 sq. m (+ 105.7%)

Footprint

<b>Existing</b>	<b>16/1046 approved dwelling</b>	<b>Lawful extensions (13/0520 + 0555)</b>	<b>Current proposed dwelling</b>
237 sq. m	293 sq. m (+ 23.6%)	290 sq. m (+ 22.4%)	407 sq. m (+71.7%)

7.2.5 The combined GIA arising from the existing dwelling and the abovementioned lawful and part-implemented extensions matches the GIA of the 16/1046 unimplemented replacement dwelling scheme, which was considered to amount to very special circumstances. However, as demonstrated in the table above the current proposed dwelling would have a significantly greater impact upon the openness of the Green Belt in terms of additional floorspace and footprint. This additional increase in width, depth and bulk is considered to nullify the benefits arising from approval 16/1046 which consolidated built form on the site compared to the existing dwelling. Additionally, the proposed dwelling would be up to approx. 0.5m higher than the dwelling proposed for demolition.

7.2.6 No volume calculations of the proposed extensions have been provided by the applicant and it is acknowledged that the abovementioned lawful extensions would have a significant volume. However, given the significant additional footprint, bulk and height above the existing development on site as outlined above (including the implemented lawful extensions), it is considered that the proposed replacement dwelling does not benefit from support under Para 89 of the NPPF and is therefore inappropriate development in the Green Belt. Furthermore, owing to this substantially greater footprint, bulk and height, the proposal would be more harmful to the openness of the Green Belt than the existing dwelling and implemented lawful extensions.

7.2.7 Although the applicant maintains that the proposal is policy compliant in the Green Belt, notwithstanding this Very Special Circumstances are put forward within the Planning Statement and are outlined further in section 7.8, below.

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

7.3.1 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.

- 7.3.2 The proposed dwelling would be widely visible from public vantage points when viewed from the vehicular entrance area. However, the current proposal would still retain significant separation distances from the site boundaries and views further to the northeast along Westwood Road would be largely restricted by screening within and along the front boundary and along the highway verge. 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.
- 7.3.3 Therefore, whilst the proposal would be harmful to Green Belt openness, in visual amenity terms the proposed development would sufficiently respect the character of the site and the surrounding area in accordance with Policy DM9 of the CSDMP.

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

- 7.4.1 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.
- 7.4.2 The current proposed replacement dwelling would have an additional two storey depth to the rear but would remain sited at significant distance of approx. 3m from the rear garden side boundary of the detached dwelling Springwood House (marked as Heyho Place on the site plan). Given the significant separation distance to all boundaries, it is considered that the proposal would not lead to adverse harm to the amenity of the above neighbour and other surrounding neighbours in terms of loss of light, outlook, privacy or overbearing impact, in compliance with Policy DM9.

#### **7.5 Impact on highway safety**

- 7.5.1 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.
- 7.5.2 The proposal would utilise the existing vehicular access off Westwood Road which leads to a large parking area. The County Highway Authority (CHA) has been consulted and has no comments to make 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.

## **7.6 Impact on ecology**

- 7.6.1 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.
- 7.6.2 No ecological survey information was provided under the 16/1046 scheme, as the proposal site is not located within any local or statutory areas of ecological conservation and the existing dwelling appears to have been constructed in the 1960s and contains no weatherboarding or hanging tiles. As such, having regard to the Criteria for Bat Surveys in the Planning Process as outlined by the Surrey Bat Group it was considered unlikely that the proposal would affect existing bat roosts.
- 7.6.3 A preliminary ecological appraisal has been submitted as part of the very special circumstances case for the current application (see Section 7.8 below). As this was only received on 01 June, no response has been received from Surrey Wildlife Trust. The ecological appraisal concludes that the site was found to be of overall low ecological value, with no evidence of protected species recorded on the site and limited habitat suitability for any species of wildlife, other than some potential bird nesting habitat. Due to the low ecological value of the site, no specific mitigation measures are considered necessary; however, a number of general ecological mitigation and enhancement measures have been recommended. The proposed enhancement measures include provision of soft landscaping species of known wildlife value to provide enhanced habitat for nesting birds and invertebrates and an availability of berries and nectar through every season of the year.
- 7.6.4 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.

## **7.7 Impact on local infrastructure**

- 7.7.1 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.

The proposed development is CIL liable, as the calculated new build GIA would be over 100 sq. m. However, the applicant has applied for the self-build exemption, which is subject to conditions as outlined in the CIL Regulations. An advisory informative will be added, should an appeal be submitted and allowed by the Planning Inspectorate.

## **7.8 Very Special Circumstances**

- 7.8.1 Paragraph 88 of the NPPF states that:

*“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt*

*by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”*

7.8.2 It is contended in the Planning Statement that as the proposed dwelling is not materially larger than the one it replaces, in policy terms it is not necessary to consider whether there are very special circumstances. That said, it is also stated that there are planning benefits which this proposal offers that are equivalent in evidential weight to very special circumstances, and can be summarised and assessed in turn below:

(i) The proposal continues to offer a high quality design. The addition of the wings provides a high quality and symmetrical design;

(ii) The proposal will be a low carbon development (the Design and Access Statement refers); and,

(iii) The proposal provides a materially important improvement of the ecology and landscape on site by advancing a landscape scheme and an ecology report from a nationally recognised consultant.

7.8.3 Policy DM9 of the CSDMP and the NPPF both require new development to be of a high quality design in order to be acceptable and therefore, the design merits of the proposal cannot be considered to amount to VSC. The design as approved under 16/1046 is also symmetrical and therefore, the current proposed symmetrical approach is not considered to possess any additional particular design merit or provide any additional enhancement to the character of the surrounding area than what has already been approved. The low carbon benefits arising from the proposed replacement dwelling are noted. However, again such benefit would be similar to the 16/1046 scheme already approved. Finally, Policy CP14A of the CSDMP requires development to conserve and enhance biodiversity within Surrey Heath and therefore, the potential ecological benefits as outlined are also prerequisite requirements for development to be policy-compliant and thus cannot reasonably amount to VSC.

7.8.4 As such, it is considered that the VSC, either alone or in combination, as outlined by the applicant does not outweigh the inappropriateness and harm of the development in the Green Belt as already outlined above.

## **8.0 CONCLUSION**

8.1 The proposed replacement dwelling, by reason of its significant additional footprint, bulk and height, would result in a materially larger dwelling than the existing development it replaces (including implemented lawful extensions), constituting an inappropriate form of development within the Green Belt which would also be prejudicial to its openness. There are no known very special circumstances, outlined by the applicant or otherwise, which either alone, or in combination, clearly outweigh the harm to the Green Belt which would arise. The application is therefore recommended for refusal.



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

9.1 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.

**10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

- 1. The proposed replacement dwelling, by reason of its significant additional footprint, bulk and height, would result in a materially larger dwelling than the existing development it replaces (including implemented lawful extensions), constituting an inappropriate form of development within the Green Belt which would also be prejudicial to its openness. There are no known very special circumstances, outlined by the applicant or otherwise, which either alone, or in combination, clearly outweigh the harm to the Green Belt which would arise. The proposal is therefore contrary to the objectives of Chapter 9 of the National Planning Policy Framework 2012.

Informative(s)

- 1. Advise CIL Liable on Appeal CIL3

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# DELEGATED REPORT SHEET

**CASE NO:** 2016/1046  
**LOCATION:** MAGNOLIA HOUSE, WESTWOOD ROAD, WINDLESHAM, GU20 6LP  
**PROPOSAL:** Detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Sandiradze  
**OFFICER:** Ross Cahalane

Registration Date	Earliest Decision Date	Statutory Expiry Date
17/11/2016	21/12/2016	12/01/2017

Site Visit(s): 14/12/2016

## 1.0 NEIGHBOURS CHECKED

1.1 Yes, see file for details.

## 2.0 RELEVANT PLANNING HISTORY

2.1 SU/2016/0268 Application for a Certificate of Lawful Development for proposed erection of an outbuilding to serve as a garage for 4 vehicles.

Decision: Agreed (implemented but not complete)

2.2 SU/2016/0188 Application for a Lawful Development Certificate for the proposed erection of a detached pool/gym building

Decision: Withdrawn

2.3 SU/2014/1040 Application for a Lawful Development Certificate (Proposed) for the erection of an outbuilding.

Decision: Agreed (implemented but not complete)

2.4 SU/2014/0462 Certificate of Lawful Proposed Development for the erection of an outbuilding.

Decision: Refused

2.5 SU/2013/0797 Erection of gates, boundary fencing and creation of access (part retrospective).

Decision: Granted (fencing implemented only)

2.6 SU/2013/0581 Creation of a Basement.

Decision: Refused

2.7 SU/2013/0555 Application for a Lawful Development Certificate for the proposed erection of a single storey side and rear extension, single storey rear extension, hip to gable roof conversion, insertion of 2 dormer windows, conversion of roofspace to habitable accommodation and insertion of 5 rooflights. Page 87

Decision: Agreed (implemented – foundations started)

- 2.8 SU/2013/0520 Permitted Development Prior Notification for the erection of a single storey rear extension to a depth of 8 metres beyond the original rear wall of the dwelling house with a ridge height of 4 metres

Decision: Prior Approval (implemented – foundations started)

- 2.9 SU/2012/0323 Certificate of Lawful of Proposed Development for the erection of two outbuildings.

Decision: Split decision (not implemented)

- 2.10 SU/2011/0844 Certificate of Lawful Development for the proposed erection of a single storey side extension, two storey rear extension and conversion of existing roof space along with the insertion of rooflights in the rear of the building.

Decision: Agreed (not implemented)

- 2.11 SU/2010/0456 Certificate of Lawfulness for the proposed erection of two outbuildings.

Decision: Agreed (not implemented)

- 2.12 SU/2008/0992 Erection of a replacement two storey dwelling following demolition of existing.

Decision: Withdrawn

- 2.13 BGR/4477 Erect one house with double garage

Decision: Granted (1964 - implemented)

### **3.0 CONSULTATION RESPONSES**

- 3.1 Windlesham Parish Council: No objection
- 3.2 Surrey County Council Highway Authority: No objection raised

### **4.0 REPRESENTATION**

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

### **5.0 SITE DESCRIPTION**

- 5.1 The application site is to the north of the settlement of Windlesham and also within the Metropolitan Green Belt. The application property comprises of a detached two storey dwellinghouse on a large plot. Neighbouring properties in the area are detached two storey dwellinghouses on large plots that vary in design, age and type.

### **6.0 THE PROPOSAL**

- 6.1 Permission is sought for the erection of a detached two storey dwelling with associated landscaping following demolition of existing dwelling and annexe building.

- The proposed dwelling would consist of a flat roof with parapet wall, and would have a

maximum depth of approx. 13m (excluding front portico), maximum width of approx. 24.1m, eaves height of approx. 8m and maximum roof height of approx. 8.7m from adjacent ground level. The proposal would utilise the existing vehicular access off Westwood Road.

## 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 guidance contained in the National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application.

### 7.2 Impact on Green Belt

- 7.2.1 Policy DM9 (Design Principles) 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 guidance contained in the National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application.

- 7.2.2 Paragraph 79 of the National Planning Policy Framework 2012 (NPPF) states that;

*“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*

Paragraph 87 of the NPPF continues to advise that:

*“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*

- 7.2.3 Paragraph 89 of the NPPF states that:

*“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt”.*

One of the listed exceptions at paragraph 89 are:

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

- 7.2.4 The NPPF does not contain specific percentage figures for replacement buildings in the Green Belt. The Local Planning Authority would normally seek to ensure that the gross external area (GEA) of a replacement house does not exceed 30% over the existing. Whilst the applicant has only provided Gross Internal Area (GIA) figures, these would be similar to the GEA amounts and can therefore still be assessed. It is agreed that the GIA of the existing dwelling and annexe building amounts to approx. 333 sq. m. The proposed replacement dwelling would have a GIA of approx. 527 sq. m (194 sq. m above existing), which would amount to an increase of approx. 58.26% over the existing dwelling GIA (194 / 333 x 100). This is considered to be disproportionate for the purposes of the NPPF.

- 7.2.5 It is acknowledged that GIA is only one indicator of size and as such it is also relevant to assess footprint, height, design, volume and the position of the dwelling within the plot. The footprint of the existing dwelling, including the single storey annexe element, amounts to approx. 237 sq. m. The proposed dwelling would have a footprint of approx. 293 sq. m (56

sq. m above existing), which would amount to an increase of approx. 23.63% over the footprint of the existing dwelling (56 / 237 x 100). The proposed dwelling would be up to approx. 0.44m higher than the dwelling proposed for demolition.

- 7.2.6 Although no volume calculations of the existing and proposed buildings have been provided by the applicant, it is however accepted that some discernible consolidation of built form would nonetheless arise through the demolition of the existing annexe building. Additionally, the proposed footprint increase of approx. 23.63% above that of the existing dwelling would be proportionate for the purposes of the NPPF. The design merits of the proposal are assessed under Section 7.3 below.
- 7.2.7 It is also noted that further extensions to the existing dwelling could be added under permitted development rights, as outlined under the lawful development certificate/prior approval refs 13/0520 and 13/0555. The single storey side and rear extensions approved under 13/0520 and 13/0555 have a total GIA of approx. 158 sq. m. The roof extension approved under 13/0555 has a GIA of approx. 36 sq. m.
- 7.2.8 The fall-back position in terms of implementation of lawful extensions is a material consideration, although the weight to be given depends on the real likelihood of any fall-back position actually being exercised in the event of refusal. It is noted that the existing dwelling is stated within the Design and Access Statement as being in a poor structural state. However, a site visit revealed that the dwelling is still occupied and that the abovementioned extensions have been partially implemented. As such, it is considered that these extensions represent a realistic fall-back position and accordingly, this should be given weight in the determination of the current application.
- 7.2.9 The combined GIA of approx. 527 sq. m arising from the existing dwelling and the abovementioned lawful and part-implemented extensions would match the GIA of the proposed dwelling. Therefore, the impact on the openness of the Green Belt in this respect is considered to be neutralised. Additionally, the combined footprint of the existing dwelling and the above extensions is calculated to be approx. 290 sq. m, which would be only approx. 3 sq. m below the footprint currently proposed. In any event, the proposed footprint increase above that of the existing dwelling is considered to be proportionate as already outlined above. The acceptable design (as outlined in Section 7.3 below) and consolidation of development arising from the demolition of the annexe building adds further weight in favour of the proposal.
- 7.2.10 In light of the above, it is therefore considered that in this instance, very special circumstances exist that, on balance, outweigh the harm to the Green Belt. This is on the basis that a planning condition can be imposed removing permitted development rights for any further extensions or outbuildings, so that the openness of the Green Belt can be maintained.

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

- 7.3.1 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.
- 7.3.2 The proposed dwelling would be widely visible from public vantage points when viewed from the vehicular entrance area. However, the proposal would retain significant separation distances from the site boundaries and views further to the northeast along Westwood Road would be largely restricted by screening within and along the front boundary and along the highway verge. 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. The precise specification and detailing of the proposed landscaping can be secured by means of a planning condition.

- 7.3.3 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.

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

- 7.4.1 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.
- 7.4.2 It is considered that the proposed replacement dwelling would be sited at sufficient distance of from the surrounding neighbouring elevations and site boundaries to avoid adverse harm to amenity in terms of loss of light, outlook, privacy or overbearing impact, in compliance with Policy DM9.

#### **7.5 Impact on highway safety**

- 7.5.1 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.
- 7.5.2 The proposal would utilise the existing vehicular access off Westwood Road which leads to a large parking area. The County Highway Authority (CHA) has been consulted and has no comments to make 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.

#### **7.6 Impact on ecology**

- 7.6.1 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.
- 7.6.2 Although no ecological survey information has been provided, the proposal site is not located within any local or statutory areas of ecological conservation. Following a site visit and having regard to planning records held by the Council the existing dwelling appears to have been constructed in the 1960s and contains no weatherboarding or hanging tiles. As such, having regard to the Criteria for Bat Surveys in the Planning Process as outlined by the Surrey Bat Group it is considered unlikely that the proposal would affect existing bat roosts. An advisory informative will however be added.

#### **7.7 Impact on local infrastructure**

- 7.7.1 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.

- 7.7.2 The proposed development is CIL liable, as the calculated new build GIA would be over 100 sq. m. However, the applicant has applied for the self-build exemption, which is subject to conditions as outlined in the CIL Regulations. 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:

Proposed front elevation (Drawing No. MGL/PL/13.1; Proposed rear elevation (Drawing No. MGL/PL/13.2; Proposed north side elevation (Drawing No. MGL/PL/13.3); Proposed south side elevation (Drawing No. MGL / PL / 13.4); Proposed roof plan (Drawing No. MGL/PL/12.3; Proposed ground floor plan (Drawing No. MGL/PL/12.1); Proposed first floor plan (Drawing No. MGL/PL/12.2); Proposed site plan (Drawing No. MGH/PL/11.2) - all received on 10 November 2016, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.



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

4. 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].

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. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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.

6. Notwithstanding the provisions of Schedule 1, Part 2, Classes A, B and E 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, 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 of the development hereby approved, further spread of development across the site, and any further development prior to its implementation, in order to preserve the openness of the Green Belt, in accordance with the National Planning Policy Framework.

7. 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.

the development, in order to preserve the openness of the Green Belt, in accordance with the National Planning Policy Framework.

### Informative(s)

1. Decision Notice to be kept DS1
2. Exemption Informative CIL5

3. Bat roosts

The applicant is advised that all British bat species are afforded protection under the Wildlife and Countryside Act 1981 through inclusion on schedule 5, and additionally under the Conservation (Natural Habitats &c.) Regulations 1994 (which were issued under the European Communities Act 1972), through inclusion on schedule 4. These make it illegal to kill, injure, capture or disturb bats; or to obstruct access to, damage or destroy bat roosts. A bat roost is interpreted as "any structure or place used for shelter or protection" whether or not bats are present at the time. Therefore, all contractors working on site should be informed of the procedure to follow should a bat be unexpectedly found during any point of the development i.e. all work must stop and further advice sought from a bat licenced ecologist.

### Trees

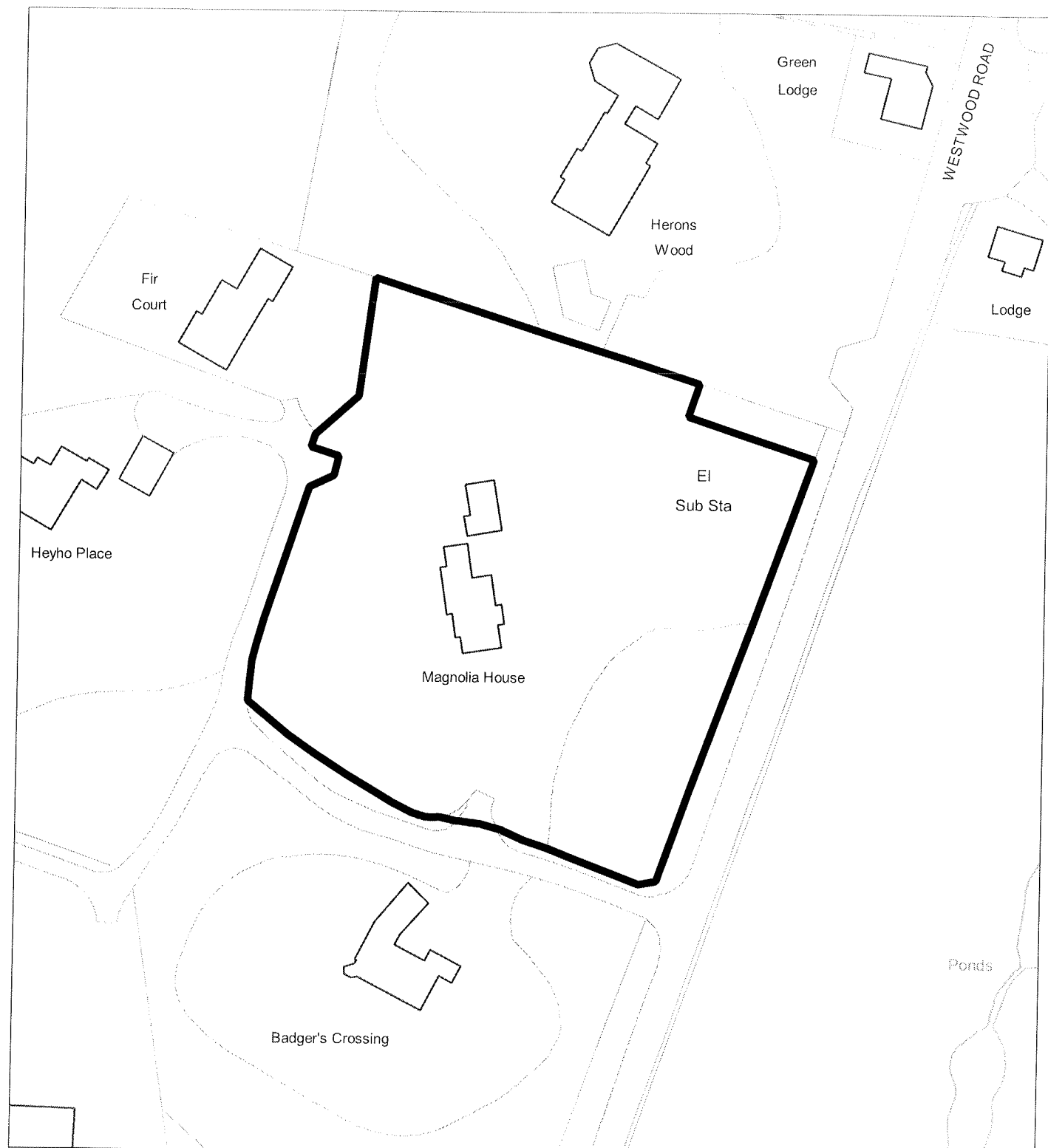
The applicant is advised that any mature trees to be removed as part of the development process should be assessed by an experienced ecologist for the possible presence of bat roosts and active birds nest prior to their removal and any required mitigation undertaken.



### External Lighting

The applicant is advised that any new external lighting should be shaded and directed to avoid illuminating the treed edges of the site which may be used by foraging and commuting bat species, some of which are known to be adversely affected by artificial lighting. Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series".

Issued Authorised By:

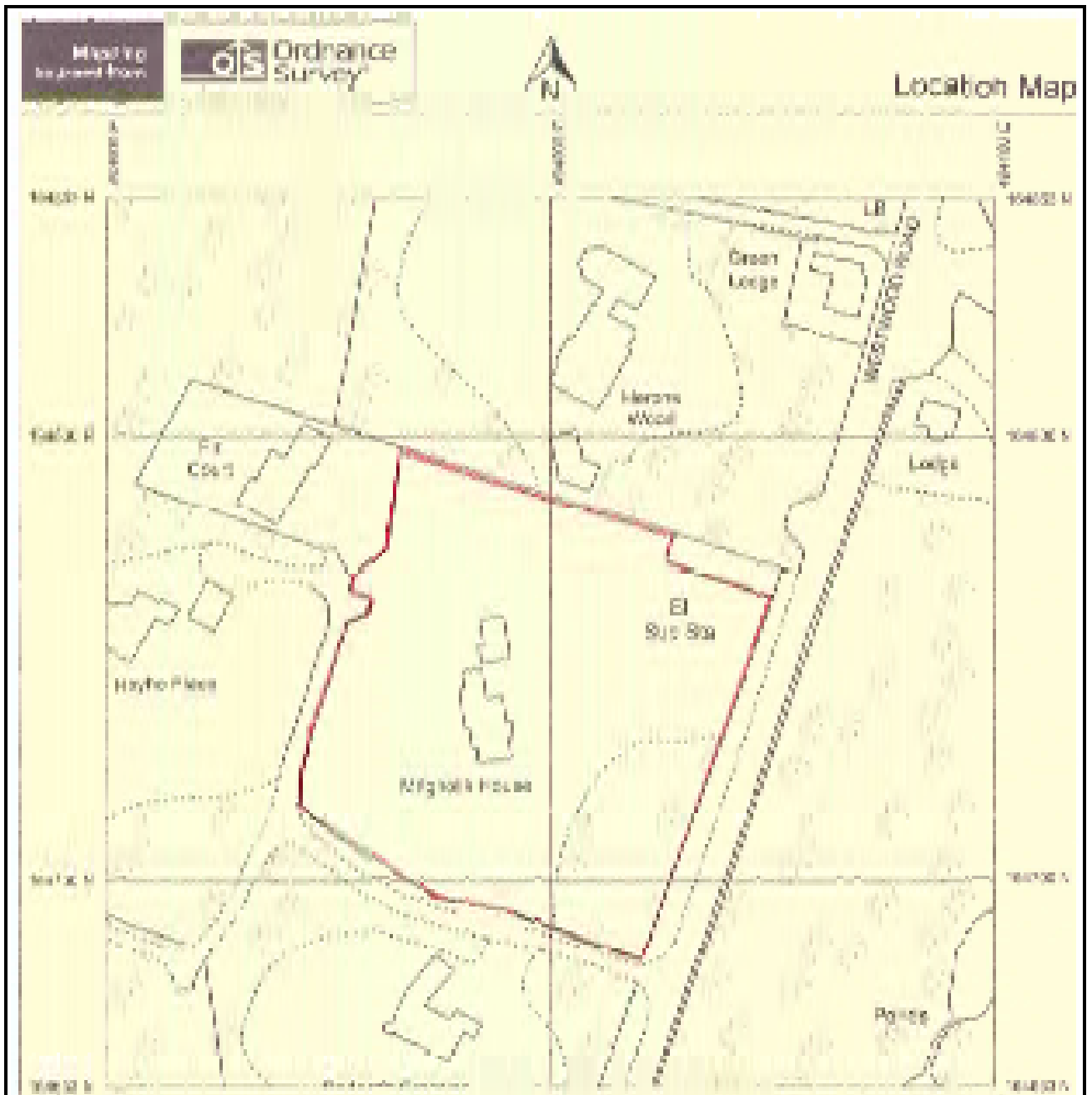
Date:



<b>Title</b>	Planning Applications		<b>Page</b>	2 of 3
<b>Application number</b>	17/0293		<b>Scale @ A4</b>	1:1,000
<b>Address</b>	MAGNOLIA HOUSE, WESTWOOD ROAD, WINDLESHAM, GU20 6LP		<b>Date</b>	12-06-2017
<b>Proposal</b>	Demolition and replacement of a detached family house.			
<small>© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2017</small>				

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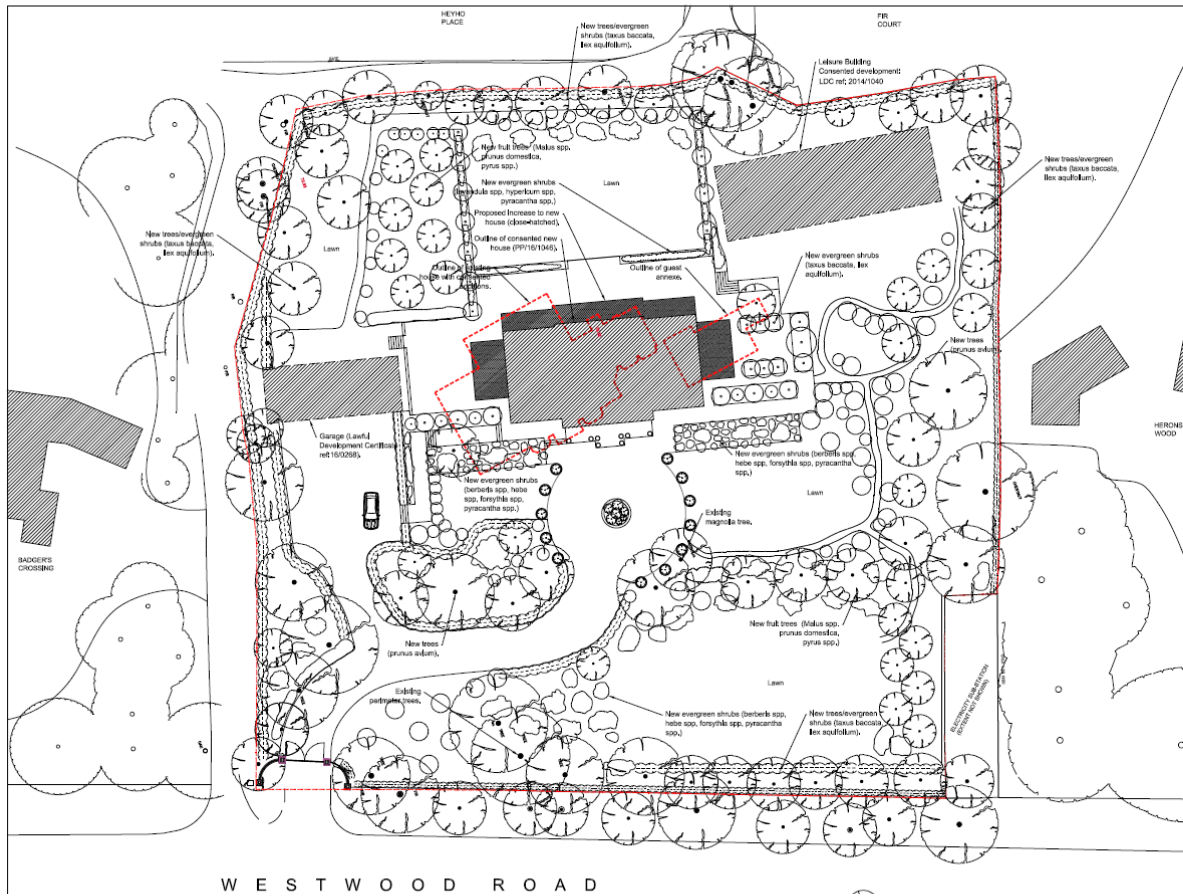
Location plan



Indicative streetscene



Proposed site layout



Proposed elevations – front and rear

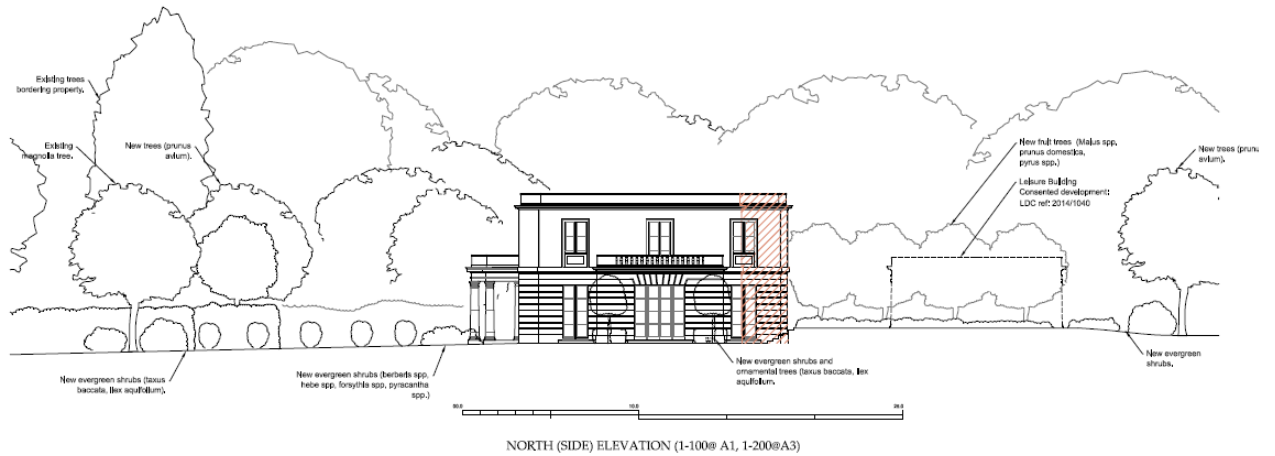


EAST (FRONT) ELEVATION (1-100@A1, 1:200 @ A3)

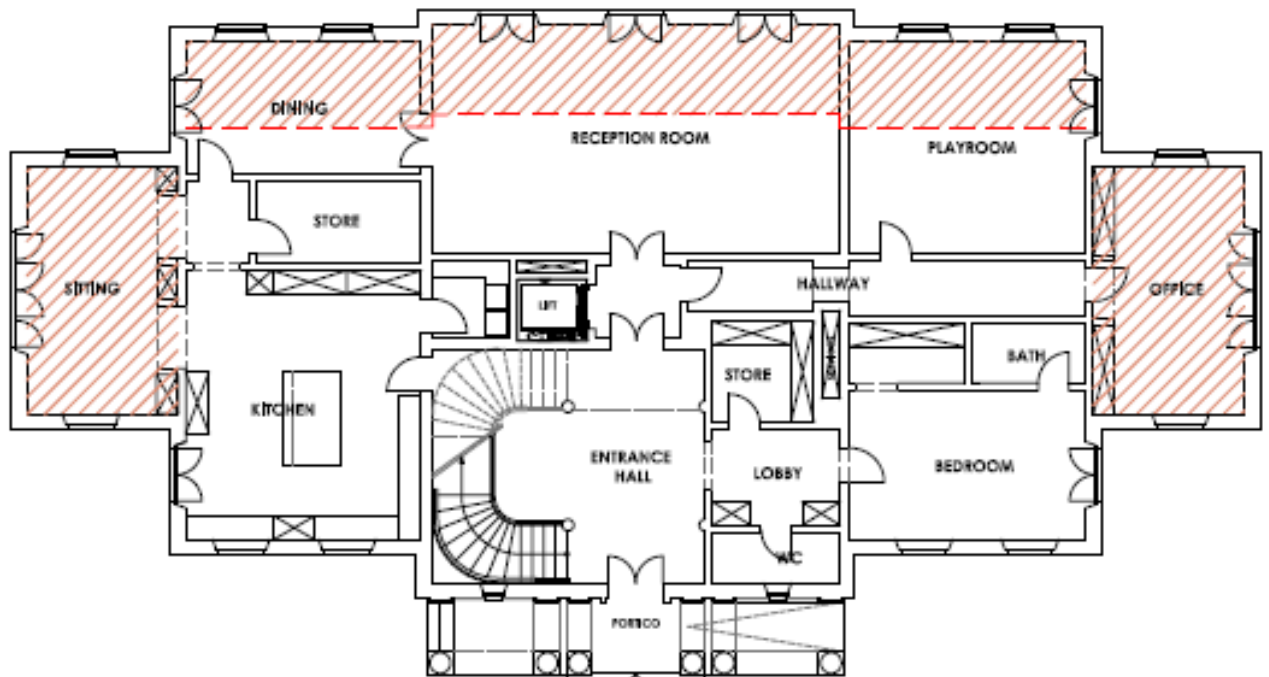


WEST (REAR) ELEVATION (1-100@A1, 1:200 @ A3)

Proposed elevations – side



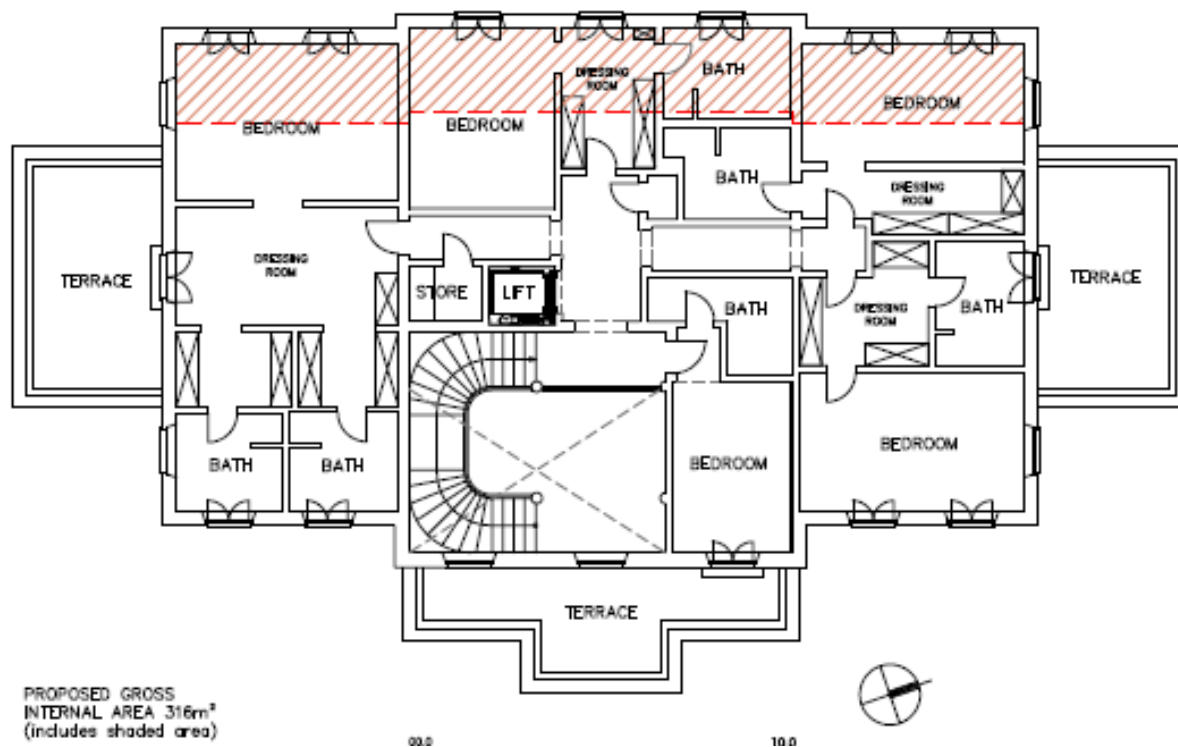
Proposed ground floor



PROPOSED GROSS  
INTERNAL AREA 369m<sup>2</sup>  
(Includes shaded areas)



Proposed first floor



Site photos

Existing dwelling





Existing annexe/garage



Rear elevation



Entrance driveway



Site frontage with Westwood Road



**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.