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Tuesday, 26 February 2019

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Valerie White (Vice Chairman),  
Nick Chambers, 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 and Victoria Wheeler)

**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, Bill Chapman, Ruth Hutchinson, Paul Ilnicki,  
Rebecca Jennings-Evans 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, Knoll Road, Camberley, GU15 3HD on **Thursday, 7 March 2019 at  
7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

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#### AGENDA

	<b>Pages</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes of Previous Meeting</b>	<b>3 - 8</b>

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 7 February 2019.

### **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.

<b>4</b>	<b>Application Number: 18/0033 - Kings Court &amp; Land to front of Kings Court, 91-93 High Street, Camberley, GU15 3RN</b>	<b>9 - 34</b>
<b>5</b>	<b>Application Number: 18/1025 - Wyvern House, 55 Frimley High Street, Frimley, Camberley, GU16 7HJ *</b>	<b>35 - 62</b>
<b>6</b>	<b>Application Number: 18/0991 - 79-81 Windsor Road, Chobham, Woking, GU24 8LD *</b>	<b>63 - 96</b>
<b>7</b>	<b>Princess Royal Barracks, Deepcut - Affordable Housing Provision</b>	<b>97 - 106</b>

**\* indicates that the application met the criteria for public speaking**

### **Glossary**



**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 7 February 2019**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr Valerie White (Vice Chairman)

+ Cllr Nick Chambers	+ Cllr Max Nelson
- Cllr Mrs Vivienne Chapman	+ Cllr Adrian Page
- Cllr Colin Dougan	- Cllr Robin Perry
- Cllr Surinder Gandhum	+ Cllr Ian Sams
+ Cllr Jonathan Lytle	- Cllr Conrad Sturt
+ Cllr Katia Malcaus Cooper	+ Cllr Pat Tedder
+ Cllr David Mansfield	+ Cllr Victoria Wheeler

+ Present

- Apologies for absence presented

Substitutes: Cllr Paul Ilnicki (in place of Cllr Robin Perry)

Officers Present: Ross Cahalane, Duncan Carty, Michelle Fielder, Gareth John, Shannon Kimber, Jenny Rickard, Eddie Scott and Patricia Terceiro.

**40/P Minutes of Previous Meeting**

The Minutes of the meeting held on 10 January 2019 were confirmed and signed by the chairman.

**41/P Application Number: 18/1061- Land South West of Frith Hill Road and Deepcut Bridge Road, Deepcut, Camberley**

The application was for the change of use of use of land/hardstanding for film-making, including construction of sets and use of land for filming, stationing of support services, associated storage and parking for a temporary period. (Amended plan rec'd 09/01/2019.) (Additional information & plans Rec'd 17.01.2018)

This application would have normally been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor Deach because of concerns about the impact upon neighbouring residential properties.

Members were advised of the following updates:

“The construction of the film set is currently underway. Notwithstanding the current application, the applicant has advised that they are exercising their permitted development rights [under Class B, Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

amended)] which allows the use of the land for 28 days (in any calendar year) as a film set by preparing the site for this purpose. The current proposal would, in effect, extend this time period to about six months, if approved. The construction sets (building frontages and scaffolding supports) are on pads and it is not considered that this would be development under the Planning Acts. As such, the current operations on the site are considered to be lawful.

Amended/additional details have been received from the applicant as follows:

- Access to the site is to be from Frith Hill Road with the exit from main access onto Deepcut Bridge Road (a reverse of the originally proposed arrangements, as requested by the County Highway Authority) and amended details have been provided in this respect;
- Additional details of the car parking arrangements to the front of the site;
- A conditions survey for the existing accesses was undertaken in mid-January 2019 and provided (any works required to repair any damage to these accesses would be a matter for the County Highway Authority); and
- Local spend is on average £32,000 per day slightly dependent upon the amount of set build/reinstatement works; whether overnights are being paid; whether the intention is to hire locally set dressings; couriers; taxis; retail – wood suppliers for set building, location fees, extras, unit base parking, etc. If the site is used for 10 days the local spend could be over £300,000 with over £500,000 for 20 days filming (which is likely amount for this project).

The County Highway Authority has raised no objections, subject to conditions. These suggested conditions relate to the provision of parking and turning area for the duration of the temporary use and the provision of an after condition survey and details to be agreed of a commitment to fund the repair of any damage to the accesses during the temporary use (and associated site set-up and strike). The provision of parking is to be imposed as a condition but the conditions survey and commitment to pay for any damage to the highway accesses would not meet the tests for imposing planning conditions and is proposed as an additional informative.

The British Film Commission (the Government's national organisation responsible for supporting inward investments in film and television production in the UK) has supporting the proposal indicating the following:

*"[The British Film Commission] are currently working with the production team behind a major new high-end television series from leading US streaming service, Netflix [for which the current proposal supports]. The BFC funded and supported a UK-wide recce in order to secure the project for the UK due to the value it will bring in terms of investment, employment and global profile for the UK...Netflix spent \$12 billion on content in 2018 and this is expected to rise to \$15 billion this year. The company has quickly become one of the UK's most important and valuable clients having already invested millions in UK-made drama. With a dedicated production office now based in London, there are extensive plans for further UK-based activity in 2019 and beyond."*

## AMENDED CONDITION

*5. The traffic management for the use shall be undertaken in accordance with the Appendix 2 - Traffic Information provided on 17 January 2019 (as amended by email on 31 January 2019), and revised vehicle routing plan provided on 6 February 2019; unless the prior written approval has been obtained from the Local Planning Authority.*

*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 2018.*

## ADDITIONAL CONDITION:

*6. The parking and servicing area shown on the approved Site plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.*

*Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

## ADDITIONAL INFORMATIVE:

*2. The applicant is advised that any damage to the accesses from Frith Hill Road and the main access onto the site will need to be repaired through a licence procedure undertaken with the approval of the Highway Authority under the Highway Acts."*

As a result of Members concerns, informative 3 below was added to the decision notice:

The developer is reminded that it is an offence to allow material to be carried from the site and deposited on or damage 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).

The officer recommendation to approve the application was proposed by Councillor Jonathan Lytle and seconded by Councillor Paul Ilnicki.

**RESOLVED that application 18/1061 be granted subject to the conditions set out in the Officer Report as amended.**

### **Note 1**

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 grant the application:

Councillors Nick Chambers, Edward Hawkins, Paul Ilnicki, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

**42/P Application Number: 18/0681 – 34 Curley Hill Road, Lightwater, GU18 5HY**

The application was for the erection of a two storey (with part basement), 4 bedroom detached dwelling house, following demolition of the existing.

This application would have normally been determined under the Council's Scheme of Delegation, however, it had been reported to the Planning Applications Committee at the request of Councillor Valerie White, on the grounds of overdevelopment of the site and impact on character of the area.

The officer recommendation to approve the application was proposed by Councillor Max Nelson and seconded by Councillor Katia Malcaus Cooper.

**RESOLVED that application 18/0681 be granted subject to the conditions set out in the Officer Report.**

**Note 1**

It was noted for the record that Councillor Nick Chambers declared that the applicant was a friend of a friend.

**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 grant the application:

Councillors Nick Chambers, Edward Hawkins, Paul Ilnicki, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams, Pat Tedder and Victoria Wheeler.

Voting against the recommendation to grant the application:  
Councillor Valerie White.

**43/P Application Number: 18/0943 – Windlemere Golf Club, Windlesham Road, West End, Woking, GU24 9QL**

The application was for the variation of condition 2 of 16/1207 (change of use of golf club to SANG land) to allow for an enlarged and repositioned SANG car park.

This application had been reported to the Planning Applications Committee because Surrey Heath Borough Council was the applicant.

The officer recommendation to approve the application was proposed by Councillor Victoria Wheeler and seconded by Councillor Valerie White.

**RESOLVED that application 18/0943 be granted subject to the conditions set out in the Officer Report.**

**Note 1**

It was noted for the record that the Councillor Edward Hawkins declared on behalf of the Committee that the applicant was Surrey Heath Borough Council.

**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 grant the application:

Councillors Nick Chambers, Edward Hawkins, Paul Ilnicki, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Adrian Page, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

**44/P Exclusion of the Press and Public**

The Committee resolved, that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for minutes 46/P and 47/P, on the ground that it would involve a likely disclosure of exempt information as defined in paragraph 1 and 3 of Part 1 of Schedule 12A of the Act.

**45/P Enforcement**

It was noted that Councillor Wheeler had received a request by a member of the public to read out a statement in relation to the agenda item. It was noted she had sought advice from the Council's monitoring officer and as a result did not read out the statement.

**RESOLVED that the report be noted.**

**46/P Review of Exempt Items.**

It was resolved that the agenda report and annexes relating to minute 45/P remain exempt.

Chairman

2018/0033

Reg Date 22/06/2018

Town

**LOCATION:** KINGS COURT & LAND TO FRONT OF KINGS COURT, 91-93 HIGH STREET, CAMBERLEY, GU15 3RN

**PROPOSAL:** Change of use of existing building to provide 23 x 1-bed and 7 x 2-bed apartments and extensions to existing building to provide a further 32 x 1-bed and 17 x 2-bed apartments and 2 retail units, with associated parking, access and layby, roof garden, bin and cycle storage, following part demolition of existing building. (Amended plan rec'd 04/07/2018, 21/12/2018 & 11/02/2019.) (Amended information recv'd 19/11/18).

**TYPE:** Full Planning Application

**APPLICANT:** IPM Estates

**OFFICER:** Duncan Carty

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

#### UPDATE

- (i) The application was reported to the Planning Applications Committee meeting on 15 November 2018, where it was deferred to allow for negotiations with the County Highway Authority to address the original reasons for refusal (Reasons 1 and 2). The wider impact of the amendments to the proposal, that have been provided to address these concerns, are addressed below as well as the other original reasons for refusal (Reasons 3, 4 and 5). The original officer report is set out at the end of this update report.
- (ii) The amendments to the scheme has reduced the amount of proposed residential accommodation (reflected in the revised title of the development proposal above); including the reduction in number of units from 81 to 79, as well as varying the number of one and two bed units, see paragraph (iv) below.

#### Impact on highway safety

- (iii) Following the deferral of this application, officers of the Council have met with the County Highway Authority and the applicant/agent and a revised scheme has subsequently been provided. The principal issue related to the safeguarding of a road widening scheme, for the length of the road frontage, for Portesbery Road. This road widening forms a part of the highway network improvements to the Camberley Town Centre as required by Policy TC8 of the Camberley Town Centre Area Action Plan SPD 2014.
- (iv) The revised scheme proposes the following amendments:
- A setback of 1.6 metres from the Portesbery Road frontage;

- A corresponding widening of the highway to include an increase in the size of the highway (carriageway width increase to up to 8.4 metres with a footway of up to 2.6 metre width), as a part of the road widening scheme for this highway;
  - A resulting reduction in the residential accommodation level to 55 no one bedroom and 24 two bedroom flats (from 48 no one bedroom and 33 no two bedroom flats, as originally approved); and
  - Associated internal and fenestration alterations and deletion of some balconies on the north elevation.
- (v) The County Highway Authority has raised no objection to the revised proposal, with the amendments overcoming their original objections (as set out on original refusal reasons 1 and 2).

Impact on residential amenity

- (vi) The proposal, by reducing the depth of the building would reduce the amount of amenity accommodation provision (at fourth floor level) by 38.8 square metres. The level of such accommodation (302 square metres) would be acceptable in terms of the level of provision in this town centre location.
- (vii) The minor increase in separation to the north boundary of the site, and removal of the nearest balconies, would lead to minor improvements to residential amenity for future residents of the flats that are to be provided in the mixed use development (under permission SU/16/0949 (or as amended by SU/18/0212) at Hayward House, now under construction. The original scheme would have had an acceptable residential amenity relationship; and so, no objections are raised to the amended proposal.

Impact on drainage and flood risk

- (viii) Following the deferral of this application, the applicant provided revised drainage details which include changing to existing impermeable areas to permeable/porous areas; creating a new central courtyard where SuDS can be incorporated; and, providing oversized SuDS storage restricting outflow to 2 litres per second.
- (ix) The Local Lead Flood Authority has considered that, on the basis of these details, they can support the application proposal, subject to conditions, overcoming their original objection (as set out on original refusal reason 3).

Impact on affordable housing provision and the SPA

- (x) The proposal would require the provision of a legal agreement to provide contributions towards affordable housing provision elsewhere in the Borough and SAMM, to overcome original refusal reasons 4 and 5.
- (xi) The proposal has amended the level of accommodation (i.e. the number/size of dwellings); such that a reduced SAMM contribution of £31,928 would now be required for this proposal.
- (xii) As such, subject to the completion of the required legal agreement (including the revised SAMM contribution), no objections are raised on these grounds.



## Conclusion

- (xiii) Subject to the completion of a legal agreement relating to a contribution towards the delivery of affordable housing elsewhere in the Borough and a (revised) SAMM contribution, the application is considered to be acceptable.

## **RECOMMENDATION**

**GRANT, subject to the completion of a Section 106 legal agreement for the provision of a contribution towards the delivery of affordable housing elsewhere in the Borough and a SAMM contribution by 8 April 2019, or any longer period as agreed with the Executive Head of Regulatory, and 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: 17.17-D-101 Rev B, 17.17-D-103 Rev A, 17.17-D-210 Rev F, 17.17-D-211 Rev D, 17.17-D-212 Rev D, 17.17-D-213 Rev D, 17.17-D-214 Rev C, 17.17-D-310 Rev E, 17.17-D-311 Rev D, 17.17-D-312 Rev B, 17.17-D-313 Rev C, 17.17-D-315 Rev B, and 17.17-D-316 Rev A received on 11 February 2019, unless the prior written approval has been obtained from the Local Planning Authority.

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

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

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

4. 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) measures to keep the public highway clean
- 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 highway safety or residential amenity; 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 2018.

5. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. the required drainage details shall include:

- (a) the results of infiltration testing completed in accordance with BRE Digest: 2365 and confirmation of groundwater levels;
- (b) evidence of the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of development (pre, post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2 litres/sec (as per SuDS pro-forma or otherwise as agreed by the Local Planning Authority);
- (c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc.);
- (d) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
- (e) details of management responsibilities and maintenance regimes for the drainage system; and
- (f) a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Only the approved details shall be implemented during the construction period.

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on and off the site and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

6. Prior to the occupation of the development hereby permitted, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This report must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of the management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restrictions and outfalls).

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

7. No development shall take place until details of the specific acoustic glazing and ventilators for both inward and outward facing facades of the development have been submitted to and approved by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: In the interests of the residential amenity of the future occupiers of the development and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. No development shall take place until a scheme to deal with contamination of the site has been submitted to and approved by the Local Planning Authority. This scheme shall include:

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d); and
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out.

The development shall be carried out and completed wholly in accordance with the agreed details unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

9. The amenity area, with the layout as shown on Drawing No. 17.17-D-212 Rev D received on 11 February 2019, shall be provided prior to the occupation of the extension to the building hereby approved unless the prior written approval has been obtained from the Local Planning Authority. Once approved this area shall be retained for this purpose in perpetuity.

Reason: in the interest of the amenities of the future occupiers of the development hereby approved and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. The car parking and servicing area, and access thereto and road widening, shown on Drawing No. 17.17-D-210 Rev F received on 11 February 2019 shall be

provided prior to the occupation of the extension to the building hereby approved unless the prior written approval has been obtained from the Local Planning Authority. Once approved these areas shall be retained for the purposes of the use as indicated on this approved drawing in perpetuity.

Reason: In the interest 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 2018.

**If the Section 106 legal agreement is not completed, the application is to be REFUSED for the following reasons:**

1. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) in relation to the provision of contribution towards Strategic Access Management and Monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).
2. The proposal fails to provide a satisfactory legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a contribution towards the delivery of affordable housing elsewhere in the Borough. The proposal therefore does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

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**ORIGINAL COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 15 NOVEMBER 2018**

**RECOMMENDATION: REFUSE**

**1.0 SUMMARY**

- 1.1 This planning application relates to the conversion of the existing building and extension to provide a flatted development with two retail units and associated car parking, service bay, roof garden and cycle storage, following the part demolition of the existing building. The site is on the south side of Portesbery Road and east side of High Street in Camberley Town Centre including Kings Court and land to the front (the site of the former Magistrates Court), close to the rail and bus stations.
- 1.2 The application proposal has been considered through the Design Review process, at the pre-application stage, for which revisions have overcome the

concerns from the Panel. The proposal is acceptable in terms of its principle and the impact on local character, residential amenity, infrastructure, housing mix and land contamination.

- 1.3 However, the proposal would prejudice the delivery of a road widening scheme to the frontage onto Portesbery Road for which an objection has been raised by the County Highway Authority. Sufficient surface water drainage details have not been provided and an objection on these grounds has been made by the Local Lead Flood Authority. To date, no legal agreement to secure contributions towards SAMM and the provision of affordable housing elsewhere in the Borough has been provided.
- 1.4 As such, the application is recommended for refusal.

## **2.0 SITE DESCRIPTION**

- 2.1 The site is an area of 0.23ha which sits on the corner of Portesbery Road and the High Street in Camberley Town Centre. The site is currently occupied by a four-storey building which was formerly offices, and has now been internally converted to residential use under permitted development, following several years of being vacant. The front of the site, which relates to the former Magistrates' Court site, is currently open and mostly surrounded by timber hoarding, and is laid to hardstanding. There are eight marked parking bays along part of the existing frontage of the site.
- 2.2 The site abuts the railway line to the rear (south), with two commercial properties to the east and residential units beyond along Portesbery Road. To the west is the High Street and the station, and to the north Portesbery Road and beyond this the shops of the High Street. The property lies within Camberley Town Centre and is the site of the former Magistrates Court.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 The site formerly housed the Magistrates Court to the front of the existing building. The most relevant applications are listed below:
- 3.2 SU/06/0930 – Outline application for redevelopment of site with commercial ground floor use and erection of flats above 13 residential units, layout and access to be considered [at the Magistrates Court].  
*Refused for reasons related to the SPA*
- 3.3 SU/13/0768 – Erection of fifth floor (roof level) extension to office building (B1a use) and refurbishment of building including balconies.  
*Granted but never implemented*
- 3.4 SU/14/0336 – Prior notification under Class J, Part 3, Schedule 2 of the Town and County Planning (General Permitted Development) Order 1995 as amended for the change of use of the building to provide 30 residential flats.

*Approved and expired*

- 3.5 SU/17/0717 – Prior notification under part 3, Class O of the General Permitted Development Order for conversion of ground, first, second, third and fourth floors from B1 (office) to C3 (dwelling) to provide 23 x one-bed flats, and 7 x two-bed flats.

*Approved*

#### **4.0 THE PROPOSAL**

- 4.1 The proposal is for the change of use of the existing building to provide 23 x 1-bed and 7 x 2-bed apartments and extensions to existing building to provide a further 25 x 1-bed and 26 x 2-bed apartments and 2 retail units, with associated parking, access and layby, roof garden, bin and cycle storage, following part demolition of existing building. The new building would have between four and six storeys, and would have extensions to the existing building to the front and on both sides. The six storey elements would be on the southern side, on top of the existing building, and the western corner. A courtyard area would be created in between the blocks, which would be used for parking, with a new access and layby created from Portesbery Road.
- 4.2 The height of the building would be between 14m and 20m, compared to 13-18m for the existing building. The new build elements would include four infill units on the ground floor, two retail units on the northern/western sides and a bin store on the northern side. There would be 18 spaces in the courtyard and on the eastern side under the building, with a large bike store on the south-east corner. On the first to third floors, there would be nine additional units on each, to the east, west and north of the existing building. The new fourth floor would house 10 units and a communal roof garden on the eastern side, and there would also be 10 units on the fifth floor. The main pedestrian entrances to the building would be on the north-west corner on the roundabout, and on the western side in a similar location to existing. The new layby and vehicular access would be on the northern side.
- 4.3 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement;
  - Affordable Housing Statement and Viability Report;
  - Design and Access Statement;
  - Flood Risk Assessment and SuDS Strategy report;
  - Contaminated land desk assessment;
  - Internal Daylight analysis;
  - Daylight, Sunlight and Overshadowing Report;

- Noise Impact Assessment.

5.1	County Highway Authority	Objection – The proposed development does not make provision for the proposed highway improvements as set out in the Camberley Town Centre Area Action Plan Policy TC8 of the AAP or Policy CP10 of the CSDMP. As such the development would prevent the implementation of future highway improvements in this part of the town, restricting the free flow and efficient use of the highway contrary to Policy CP11 of the CSDMP.
5.2	Environment Agency	No comments on this application.
5.3	Local Lead Flood Authority	Recommend refusal because insufficient information has been provided/significant issues have been identified regarding the proposed surface water strategy.
5.4	Environmental Health	No objection subject to conditions in respect of noise and asbestos. The Council's Scientific Officer recommends contamination condition.
5.5	Surrey Police	Recommend that it achieves secured by design accreditation.
5.6	Network Rail	No response received.

## **6.0 REPRESENTATION**

- 6.1 At the time of preparation of this report 3 letters of objection have been received, which raise the following issue:
- Insufficient parking for residents vehicles; would support the application if there was adequate parking.

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application proposed is considered against Policies CP1, CP2, CP5, CP6, CP11, CP12, CP14A, CP14B, 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 the National Planning Policy Framework 2018 (NPPF). It will also be considered against advice within the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 (RDG); and the Camberley Town Centre Area Action Plan SPD 2014 (AAP) and the Camberley Town Centre Masterplan and Public Realm Strategy SPD 2015 (PRS).

7.2 The main issues to be considered are as follows:

- Principle of the development;
- Impact on the character and appearance of the townscape;
- Impact on residential amenity;
- Highways, parking and access;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA ;
- Flooding and Drainage;
- Affordable Housing and Housing Mix.

### **7.3 Principle of the Development**

7.3.1 Policies CP1, CP3 and CP10 of the CSDMP all identify residential development within the town centre as key to meeting the Borough's housing needs. Surrey Heath is currently under performing on its housing supply and so, in principle, delivery of housing at a highly sustainable town centre location, such as this, that is within walking distance of the train station and bus links is supported. By providing 81 dwellings (51 new dwellings and 30 already approved), this application would result in a significant contribution to the borough's housing numbers.

7.3.2 It is not considered necessary to address the loss of the office use, given that a permitted development application exists in any case for conversion to residential use, and prior to that the building stood vacant for some time. Policy CP10 also supports development that contributes towards retail uses and meeting the borough's housing needs.

7.3.3 Paragraph 85 of the NPPF recognises that residential development often plays an important role in ensuring the vitality of centres, and states that residential development should be encouraged on appropriate sites. Policy TC19 of the AAP for this particular site states that redevelopment of the site should comprise one or more town centre uses which include residential and retail. Policy TC1 of the AAP requires development to be appropriate in terms of use, and make the best of redevelopment opportunities, and Policy TC2 of the AAP encourages retail development in the town centre. By providing a mixture of residential and retail on this site, it is considered that the proposal is in principle, in accordance with the development envisaged for the town centre and this site in particular, and will support the ongoing vitality of the centre. Although the site is outside the primary and secondary retail frontages, it is immediately adjacent to the secondary retail frontage of the High Street and as such it is not considered that two units in this location would harm the vitality of the town centre.

7.3.4 It is therefore considered that the principle of the residential and retail use on this site is acceptable and in accordance with the relevant policies.



## **7.4 Impact on the character and appearance of the townscape**

7.4.1 Paragraph 127 of the NPPF states that developments should be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping, and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing change such as increased densities. Paragraph 128 states the importance of early engagement with the LPA and the community in terms of the design.

7.4.2 Policy CP2 of the CSDMP states that land should be used efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should achieve high quality design that respects and enhances the local character, paying regard to scale, materials, massing, bulk and density. Trees and other vegetation worthy of retention should be protected and high quality hard and soft landscaping provided. Policy CP10 of the CSDMP states that development should create a high quality, well designed environment.

7.4.3 The AAP states that a redevelopment scheme on this site ought to include the adjacent Kings Court office block as this would allow for an improved gateway to the town centre from the south. Policy TC19 (Former Magistrates Court) of the AAP states that any redevelopment of this site should be in accordance with the following principles:

- (i) One or more town centre uses comprising retail, housing, offices, leisure or community facilities;
- (ii) That part of the building on the junction of High Street with Portesbery Road should pay due regard to views down the High Street; and,
- (iii) Be no more than 3-5 storeys high, subject to respecting its locality and impact on neighbouring properties as appropriate.

This policy also advises that the site is located on a gateway to the town centre and the quality of new buildings should reflect this role and respect the adjoining High Street Character Area.

7.4.4 Principle 6.2 of the RDG states that residential developments should create a legible hierarchy of streets based on character and form, use layouts that make walking and cycling more attractive, design strongly active frontages, use vegetation to create a strong, soft green character, and include small amenity spaces. Principle 6.4 of the RDG states the highest density possible should be achieved without adversely impacting on the amenity of neighbours or compromising local character.

7.4.5 The proposals were subject to scrutiny by Design South East at pre-application stage, and many of their suggestions have been incorporated into the scheme, as

follows:

<b>Design South East recommendations</b>	<b>How they have been incorporated</b>
More active ground floor along Portesbery Road; need to find a solution for the refuse lorries such as a layby	A layby is now proposed and along Portesbery Road at ground floor level. A second retail unit is now proposed along Portesbery Road creating a more active frontage.
Change the existing unattractive atrium entrance to Kings Court, should not still be visible	The building now wraps around to join up with the existing entrance rather than having a gap here, so there will be a new entrance.
Building should wrap around the corner by the roundabout to create strong built form and should consider six storeys on this corner like Ashwood House, to address the larger scale Pembroke Broadway	Building now wraps around the corner instead of there being a gap on the western side. It goes to six storeys on the corner by the roundabout.
Cannot see case for outdoor space on corner of Portesbery Road and High Street	This has been removed, with the new building now joining the existing building and wrapping around the corner, as suggested.
Uncomfortable contrast between the height on the eastern end and buildings on Portesbery Road	This related to the indicative street scenes provided to Design South East, though appearance will be a reserved matter. The layout has been loosened with more space between buildings in the southern parcel than previously proposed. Some dwellings have been replaced with water features instead.
Support the use of brick as the primary elevation material, should be warm red reflecting use throughout Camberley	Red brick is proposed for the vast majority of the elevations other than the top two storeys on the corner and to the rear.
Should step back the building line from Portesbery Road	At ground floor the bin storage has been stepped back with pillars close to the road.

7.4.6 The site is currently constrained by its size and shape, the railway line, the existing building and the juxtaposition between higher buildings on Pembroke Broadway, and the lower heights on Portesbery Road and opposite on the High Street. While Policy TC19 (iii) suggests 3-5 storeys on this site, there have since been proposals at Ashwood House for six storeys and Design South East's view was that at the time the policy was written, there was less national pressure for higher densities

near transport hubs. The six storey elements are on the corner, western elevation, and on top of the existing building only. Given the higher buildings on Pembroke Broadway, it is considered that six storeys on this side would not be harmful to the townscape. The upper top two storeys have been stepped back from the edge of the building which softens the impact somewhat. Moreover, the combination of glazing, and use of recesses in the brickwork with balconies, assists in providing interest to the overall building. The fact that the building turns the corner also assists in ensuring that the building would not give the impression of a monolithic development. Unlike Ashwood House, however, which would utilise lightweight glazing on the upper floors to reduce the perception of massing, this development's use of cladding for the upper floors would appear more bulky in built form.

- 7.4.7 Half of the northern elevation, and the eastern elevation along Portesbery Road are both four storeys. While this is still higher than most of the 2-3 storey buildings within close proximity to the site, it is noted that Hayward House opposite has permission for a four storey building which is currently under construction. The northern elevation of the building on this side has also been stepped back such that it is approximately in line with the adjacent buildings on Portesbery Road. The site is surrounded by commercial properties on Portesbery Road and given the variety in architecture and the existing spacing of buildings, it is not considered that the building would appear significantly out of place, and it signals the change from residential uses on the edge of the centre to the higher density, town centre buildings.
- 7.4.8 Kings Court currently does not contribute positively to the character of the area, being of fairly poor architectural design and having been neglected externally for some time. The existing tarmac area to the front also provides particularly poor impacts on visual amenity and a poor gateway into Camberley town centre from the east or south. The proposed new extensions would utilise the existing tarmac area, and while taking some design cues, for example in terms of windows shape and spacing from existing, would sufficiently blend with the existing building while providing a significantly more attractive elevations. Red brick would be used, which is used throughout Camberley and can be seen on buildings opposite. The glass atrium part of the building which was of particularly poor design will be removed and a higher quality designed entrance provided. The views down the High Street towards the Conservation Area will not be compromised, as the building's elevations are not forward of those in the High Street and are set back at the corner.
- 7.4.9 It is considered that the high density of development would be appropriate to this town centre location, adjacent to the train station and bus routes. While no landscaping is proposed to the exterior of the building, it is accepted that there is very limited space to do so while still achieving the necessary spacing between the elements of the building, and that given the size of the building, a small amount of landscaping along the pavement edge is not likely to add significant benefits in terms of character. Other nearby properties do not have landscaping externally. Landscaping is proposed on the roof garden at fourth floor, and the details for this can be secured by condition.
- 7.4.10 It is therefore considered that the proposal has been through a rigorous design

process and has adapted to suit the characteristics of the site and the design advice received. It is considered that the proposal would create a strong entrance to Camberley in this important location and that its design and density is appropriate to the location. It will be a significant improvement on the current Kings Court, which does not contribute positively to the character of the area. The proposal is therefore considered to be acceptable in character terms, subject to conditions, thereby complying with Policy DM9 of the CSDMP.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.3 of the RDG states that the occupants of new dwellings should be provided with good quality daylight and sun access, and that developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.1 states that new development should have a degree of privacy and should not have a significant adverse effect on the privacy of neighbouring properties. Principle 8.4 sets out the minimum amenity space standards, and Principle 7.6 that all new dwellings should conform to the National Minimum Space Standards.
- 7.5.2 The nearest properties to the site to the east are both commercial properties, and as such the nearest residential property on this side is 9 Portesbery Road. The garden of this property is approximately 29m from the proposed eastern side elevation of the building, and given this distance, no significant overbearing or overshadowing impacts are considered to arise. The existing building is approximately 38m from the garden boundary of this dwelling, and has windows on all floors facing towards the garden. The proposed building would have bedroom windows on the southern side of the eastern elevation, which would be 9m closer to the garden. However, given the separation distance, the existing situation, and the fact that they would look towards the end of the rear gardens and not the rear elevations, it is considered that these are acceptable in terms of overlooking. The eastern elevation would also have windows along the remainder of the elevation, which may give rise to views further towards the rear elevation of the properties, however these will serve the corridors internally and as such could be obscure glazed by condition. At the front of the eastern elevation, again there are windows serving living accommodation, however given that these will overlook the front of properties in Portesbery Road only, they are considered to be acceptable. The communal roof garden on the 4<sup>th</sup> floor will also have views towards these properties, however landscaping along the eastern boundary could prevent any significant views arising and given the height, the views are likely to be mostly of roofs.
- 7.5.3 The northern elevation on Portesbery Rd would be 11m approximately from the properties opposite. However 85 High Street is a commercial property and most of the windows are adjacent to the north-western side corner of the new building rather than being directly in front. Given the use of this property is not considered that there would be any significant adverse impacts. Hayward House is currently in the process of being redeveloped, and it is noted that application SU/16/0949 would provide residential accommodation with balconies on the upper floors. The

windows of the residential accommodation would be set back from the edge of the pavement such that the separation distance of just under 15m between the two elevations is likely to be achieved, although less to the balconies. There are no balconies on the northern side of the proposed building which prevents any mutual overlooking between balconies. While the proposal will cause some impacts on the privacy of the new occupiers of Hayward House, particularly on the balconies, balconies are not completely private in any case as they are facing Portesbery Road and as such, this is considered, on balance, to be acceptable.

- 7.5.4 To the rear, the nearest residential properties are the flats on Upper Gordon Road, known as Camberley Towers. The flats are approximately 38m from the rear of the building with the railway line in between. The existing windows on Kings Court face towards the rear of this building and will not be any closer as part of the proposal, though there will be additional storeys and additional windows to the east of the existing building. However, given the separation distance, it is not considered that any significant adverse impacts on amenity would arise from the proposal for these properties. To the west is Camberley station and as such it is not considered that there are any residential properties to the west close enough to be affected.
- 7.5.5 The proposal would provide accommodation which would meet the requirements for minimum unit sizes to comply with Principle 7.6 of the RDG. The proposal would provide a minimum gap of about 15 metres between the south wall of the existing building and the north wall of the proposed extension which would be acceptable as the new residential units face away from these elevations.
- 7.5.6 The proposal has been supported by a noise report which indicates recommended window attenuating properties being adequate to satisfy internal BS:8233 standards. The Council's Environmental Health Officer has raised no objections to the proposal on these grounds. The proposal would provide urban living in this location which are considered to provide an acceptable level of amenity for the future occupiers of the building.
- 7.5.7 As such, no objections are raised on residential amenity grounds, in terms of its impact on residential properties (existing and approved) on nearby and adjoining sites and for future occupiers of the development, with the proposal complying with Policy DM9 of the CSDMP and the RDG.

## **7.6 Highways, Parking and Access**

- 7.6.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented. Policy CP11 states that new development that generates a high number of trips should be in sustainable locations or be required to demonstrate that it can be made sustainable, and that it should be appropriately located in relation to public transport and the highway network.

- 7.6.2 Policy TC8 of the AAP indicates that land required for junction and highway improvements will be safeguarded. This includes land to the front of the application site and the County Highway Authority has indicated that up to a 4 metre depth within the application site is required. The current proposal would infringe this safeguarded land and the County Highway Authority has raised an objection on this basis. This part of Portesbery Road forms an important part of the road network as a town centre gateway location and its improvement will secure wider town centre benefits (e.g. assisting in the High Street pedestrianisation). This junction improvement is key objective of the public realm strategy as outlined in the PRS. In addition, the proposal would result in the partial obstruction of the footway along Portesbery Road which would be prejudicial to highway safety. Policy TC8 also seeks a financial contribution towards highway improvements but given that costings have not been provided by County in the officer's opinion it would not meet the NPPF tests for securing obligations. In any event CIL includes highway infrastructure which is likely to include monies going towards town centre public realm works.
- 7.6.3 The proposal would provide 19 car parking spaces which equates to a 0.23 provision per flat. This level of provision is considered to be acceptable in this location because of its highly sustainable location, centrally located and close to rail and bus stations and public car parks and the County Highway Authority has raised to objections to this level of provision. The proposal would also provide a servicing area and refuse vehicle layby to reduce the impact on traffic congestion and highway safety noting the more limited width of the highway on Portesbery Road, and its location close to the rail crossing, which results in intermittent tail backs on this highway. There are also no objections to this element of the proposal on highway safety grounds.
- 7.6.4 Given that this proposal would conflict with the junction improvements in the vicinity the proposal therefore fails to comply with Policies CP11 and DM11 of the CSDMP and Policy TC8 of the AAP.

## **7.7 Impact on infrastructure and the Thames Basin Heaths SPA**

- 7.7.1 The Council charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development would be CIL liable and be charged at £180 per square metre in this location being payable on commencement of development.
- 7.7.2 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. If it has been concluded that the proposal accords with the Development Plan, whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.
- 7.7.3 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.5km from the SPA at its nearest point. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to

mitigate effects of new residential development on the SPA. Sufficient SANG can be allocated to this development. The proposal is also liable for a SAMM payment which has to be received (or a legal agreement finalised) prior to the decision being issued. The applicant has stated that they intend to provide a legal agreement, and as long as this is received and signed prior to the decision then this will be acceptable. The proposal is therefore considered to be acceptable in terms of its impact on the Thames Basin Heaths SPA, subject to the legal agreement for SAMM, complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the NPPF.

## **7.8 Flooding and Drainage**

- 7.8.1 Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 163 states that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere, and that development should only be allowed in areas at risk of flooding where it is appropriately flood resistant and resilient, incorporates sustainable drainage systems, residual risk can be safely managed and safe access and escape routes are included. Policy DM10 of the CSDMP reflects this advice.
- 7.8.2 The proposal has been supported by a flood risk assessment and SuDS strategy concludes that there is the possibility of a significant betterment for the existing un-attenuated 100% impermeable site with significant SuDS oversizing possible. However, the Local Lead Flood Authority (LLFA) has considered that insufficient information has been provided regarding the surface water strategy to comply with the requirements under the Technical Standards and recommend the refusal of this application on this ground. Further details have not been provided.
- 7.8.3 It is considered that the proposal has not demonstrated that it can be built without an adverse impact on surface water drainage failing to comply with Policy DM10 of the CSDMP and the NPPF.

## **7.9 Housing Mix and affordable housing provision**

- 7.9.1 Policy CP5 requires 40% on site provision of affordable housing, for sites in excess of 15 units. In this case, the viability analysis has concluded that a contribution of £666,000 should be sought in lieu of on-site provision. A legal agreement to seek these contributions and without this secured the application would be refused on these grounds. To date, the contribution is not secured and as such, the application proposal fails to comply with Policy CP5 of the CSDMP.
- 7.9.2 Policy CP6 sets out the need for housing sizes across the whole of the Borough, which is different for market and affordable housing, however indicates a strong need for 2 and 3-bed properties for both sectors. For social rented housing there is a stronger need for 1-bed properties. The Issues and Options Consultation Draft of the new Local Plan indicates that for market housing, there is still a strong need for 2-bed and 3-bed properties, and for affordable housing the need for 1, 2 and 3 beds is similar. In this case, the proposal provides a larger properties of smaller units which reflects its town centre location, with larger units provided in less central locations, and there no objections raised on this ground, with the proposal complying with Policy CP6 of the CSDMP.

## **8.0 CONCLUSION**

- 8.1 The proposal is acceptable in terms of its principle and the impact on local character, residential amenity, infrastructure, housing mix and land contamination.
- 8.2 However, the proposal would prejudice the delivery of a road widening scheme to the frontage onto Portesbery Road for which an objection has been raised by the County Highway Authority. Sufficient surface water drainage details have not been provided and an objection on these grounds has been made by the Local Lead Flood Authority. To date, a legal agreement to secure contributions towards SAMM and the provision of affordable housing elsewhere in the Borough has also not been received.

## **9.0 POSITIVE/PROACTIVE WORKING**

- 9.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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**

REFUSE for the following reason(s):-

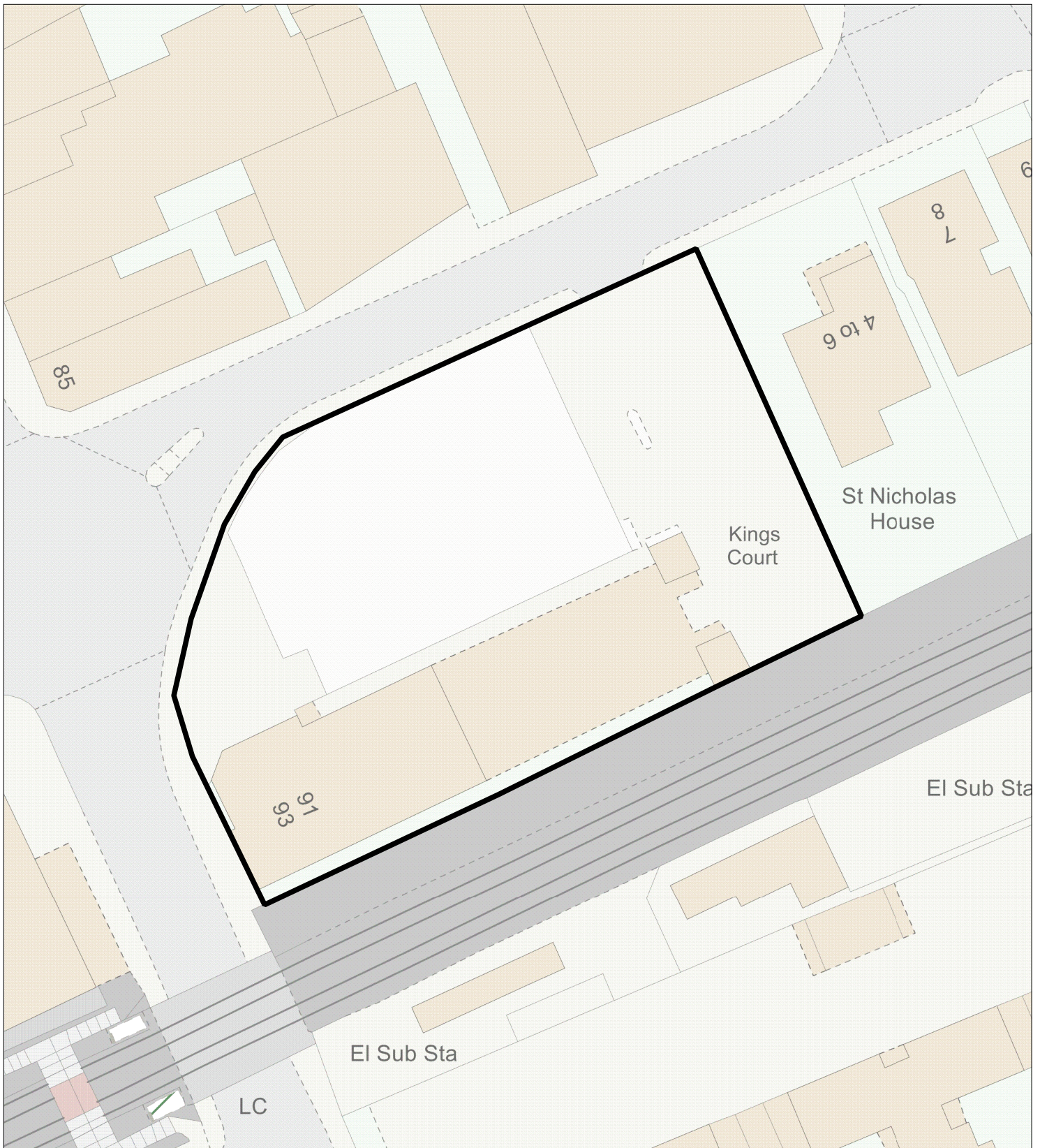
1. The proposed development would not make provision for the proposed junction highway improvements and as a result would prevent the implementation of future highway improvements in this part of the town restricting the free flow and efficient use of the highway; and, would conflict with the aims and objectives of improvements to the public realm within the Pembroke Broadway Opportunity Area and wider town centre. As such the proposal would be contrary to Policy TC8 of the Camberley Town Centre Area Action Plan Supplementary Planning Document 2014, the Camberley Town Centre Masterplan and Public Realm Strategy Supplementary

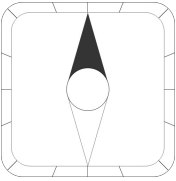
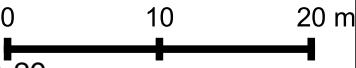


Planning Document 2015 and Policies CP10, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

2. The proposed development would result in the partial obstruction of the footway along the site frontage of Portesbery Road, as a result the development would impede the flow of pedestrians causing them to step out into the road on this busy thoroughfare between the east of the town and the railway station leading to conditions prejudicial to highway safety, and at conflict with the improvements to the public realm, contrary to the Camberley Town Centre Masterplan and Public Realm Strategy 2015 and Policies DM11 and CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.
3. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal could be provided with an acceptable surface water design strategy including: no plans to show existing and impermeable areas; information on existing drainage arrangement and existing discharge rates; insufficient evidence to demonstrate that the discharge from the site would be as close as reasonably practicable to greenfield run off rates; no management and maintenance information; and, no indicative exceedance routing plan. The proposal would therefore fail to comply with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework 2018 and the accompanying Planning Practice Guidance and Technical Standards.
4. The proposal fails to provide a satisfactory legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a contribution towards the delivery of affordable housing elsewhere in the Borough. The proposal therefore does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.
5. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) in relation to the provision of contribution towards Strategic Access Management and Monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

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<b>Title</b>	Planning Applications		
<b>Application number</b>	18/0033	<b>Scale @ A4</b>	1:500
<b>Address</b>	KINGS COURT & VACANT LAND, 91-93 HIGH STREET, CAMBERLEY, GU15 3RN	<b>Date</b>	14 Feb 2019
<b>Proposal</b>	4 No. new apartments to be formed on the ground floor and 10 No. apartments to be formed on the roof of the existing building including the construction of new residential block consisting of 37 No. apartment and 2 No. A1 shop units on the ground floor to the vacant land in front of the existin	 	
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019	
		Author: DE	

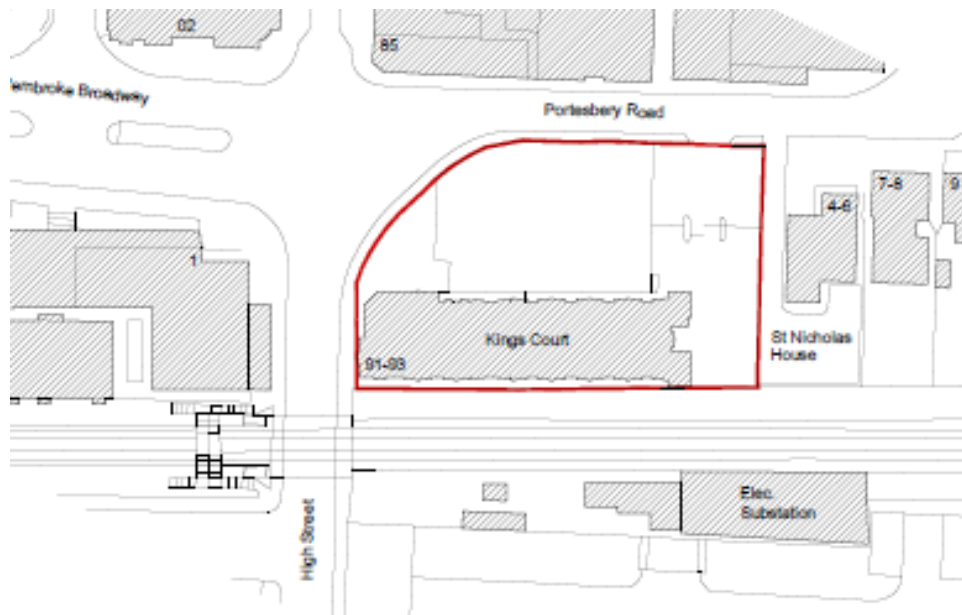


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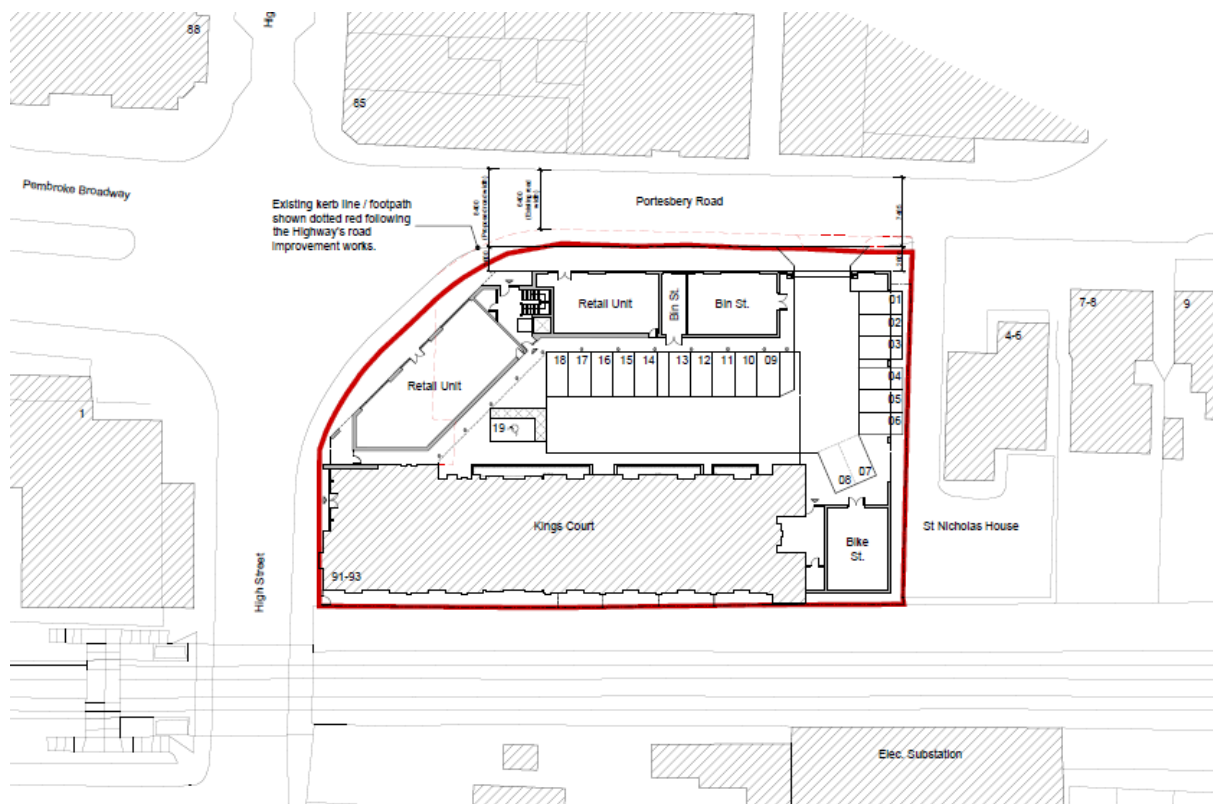


18/0033 – KINGS COURT AND LAND TO THE FRONT, 91-93 HIGH STREET, CAMBERLEY

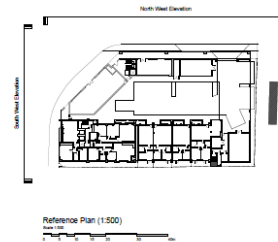
Location plan



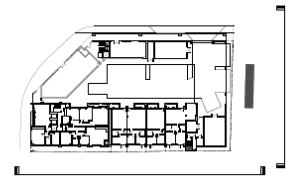
Proposed site plan



## Street elevations



## Other external elevations



Site Photos

View from Portesbery Road



View from High Street



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2018/1025

Reg Date 19/11/2018

Frimley

**LOCATION:** WYVERN HOUSE, 55 FRIMLEY HIGH STREET,  
FRIMLEY, CAMBERLEY, GU16 7HJ

**PROPOSAL:** Second floor extension including dormer windows above to facilitate conversion of offices (class B1) to 42 flats (36 one bed, 5 two bed, 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close.

**TYPE:** Full Planning Application

**APPLICANT:** Wyvern Development Holdings Ltd

**OFFICER:** Ross Cahalane

**RECOMMENDATION: GRANT subject to conditions and completion of a legal agreement.**

## 1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a second floor extension including dormer windows above to facilitate conversion of offices (class B1) to 42 flats (36 one bed, 5 two bed, 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close. The existing building benefits from extant Prior Approval (17/1011) for full conversion of the existing building to 35 flats. The current proposal would provide an additional seven flats in a highly sustainable location.
- 1.2 This proposal seeks to overcome refusal 18/0143 which was for a total of 48 flats, summarised at paragraph 3.5 of this report. The proposed parking provision would now be much more closely aligned to the overall number of flat units, and it is considered that the current proposed built form and intensity of use would now be sufficiently contained by the additional surrounding amenity space/landscaping now proposed. The communal amenity area is also now considered to be of sufficient size and layout for the proposed flats, and each additional flat would now also be provided with sufficient outlook. It is also considered that the separation distances to all surrounding boundaries would avoid adverse harm to neighbouring amenity.
- 1.3 Following submission of a viability report which has been subject to independent review, a financial contribution of £40,384 has been agreed, in lieu of one on-site affordable housing unit as part of the net additional seven units from the 17/1011 approval. Subject to the planning conditions as outlined and a legal agreement to secure the affordable housing and SAMM payments, the application is recommended for approval as the reasons for refusal of 18/0143 are considered to have been overcome.

## 2.0 SITE DESCRIPTION

- 2.1 The application site comprises a three storey office block located at the junction of Frimley High Street (B3411) and the residential cul-de-sac of Maybury Close. The building contains pitched and crown roof forms hipped at each side, with the lower

two storey form (where the second floor extension is proposed) containing a flat roof form contained within parapet walls. The external elevations mainly contain sand-coloured brick and the overall design and layout is typical of office buildings built in the late 1980s/early 1990s. The site benefits from a parking area accessed via Maybury Close.

- 2.2 The site is within settlement area of Frimley. The surrounding area is mixed in character as although it is near to the High Street and District Centre area of Frimley containing shopping parades up to three storeys in height, Maybury Close is residential containing two storey detached and semi-detached dwellings and detached and semi-detached bungalows. Further piecemeal residential estates surround the other site boundaries - two storey/single storey terraced/mews dwellings are located to the northwest and to the southwest, and the layout changes to two storey semi-detached/detached to the south/southeast. More residential development is located across Frimley High Street, along with a public car park and recreation area. Frimley Rail Station is located further to the southwest.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 SU/1988/0626 Construction of a three-storey office building with associated highway improvements, car parking and landscaping.

*Decision: Granted*

- 3.2 SU/2007/0014 Installation of front entrance lobby.

*Decision: Granted*

- 3.3 SU/2016/1131 Application for Prior Approval under schedule 2, part 3 (Class O) of the General Permitted Development Order for the conversion of existing offices (Class B1) to 35 residential units with associated parking.

*Decision: Granted*

- 3.4 SU/2017/1011 Application for Prior Approval under Schedule 2, Part 3, Class (O) of the General Permitted Development Order for the conversion of existing offices (Class B1) to 35 residential units with associated parking.

*Decision: Granted*

- 3.5 SU/2018/0143 Second floor extension including dormer windows above and within existing roof space to facilitate conversion of existing offices (Class B1) to 48 flats (37 one bed, 10 two bed and 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close.

*Decision: Refused*

*In summary, the application was refused for the following reasons:*

*1. Harm to the character of the area, due to the number of units together with the increased quantum of built form and low proportion of landscaping and amenity space in relation to the size of the site, leading to an unacceptable intensification in relation to its surroundings;*

*2. Lack of amenity space for the additional units;*

*3. An unacceptably deficient level of outlook for future occupiers of one of the additional flats.*

*4. Lack of financial contribution towards Affordable Housing.*

*5. Lack of financial contribution towards SAMM measures.*

3.6 SU/2018/0833 Erection of replacement window corner screens.

*Decision: Granted*

3.7 SU/2019/0084 Installation of replacement windows.

*Decision: Pending*

#### **4.0 THE PROPOSAL**

4.1 Planning permission is sought for the erection of a second floor extension including dormer windows above facilitate conversion of offices (class B1) to 42 flats (36 one bed, 5 two bed, 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close. The current proposal would contain 35 identical flat layouts as approved under 17/1011 across the existing ground, first and second floors.

4.2 The differences between the current 42 unit proposal and the 48 unit proposal refused under 18/0143 are as follows:

- Six dormer windows are now proposed - all contained above the proposed extension, as opposed to 15 dormers under 18/0143 spread across the whole building;
- The two existing vehicular accesses to the site off Maybury Close (currently in/out) would now be remodelled. One access to the rear car park would be retained, with the second access closed off to provide a usable landscaped area (approx. 250 sq. m) including pathway and provision of 43 cycle spaces;
- The existing parking area would also be remodelled to provide a larger communal amenity space for all flats (approx. 185 sq m compared to approx. 92 sq. m under 18/0143) . The remodelled car park would provide 40 parking spaces for the proposed 42 flats (as opposed to 39 spaces for 48 flats proposed under 18/0143), along with a communal bin storage area.

- 4.3 The current 42 proposed units would still all provide market housing. A viability appraisal report was submitted under 18/0143 and following negotiation, the applicant offered to provide a financial contribution of £75,000 towards Affordable Housing. A proportionate amount of £40,384 has been offered for the current proposal involving a lower net increase of seven units above the 35 units already consented.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority: No objection raised, subject to conditions  
*[See Section 7.6]*
- 5.2 Environment Agency: No objection raised *[See Section 7.7]*
- 5.3 Council Environmental Health No objection raised *[See Section 7.5]*
- 5.4 Surrey County Council Lead Local No objection raised, subject to condition  
*[See Section 7.7]*
- 5.5 Council Scientific Officer: No objection raised, subject to condition  
*[See Section 7.11]*

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, objections from 24 properties have been received, raising the following concerns:

- Overdevelopment of site  
*[Officer Comment: See Section 7.4]*
- Loss of outlook and overbearing impact from roof extension
- Overlooking
- Proposed units are too small
- Impact on air quality and increased noise pollution – additional strain on health services
- Rooftop green space should be provided  
*[Officer Comment: See Section 7.5]*
- Increased vehicle movement on and off the site
- Site unable to accommodate increased parking needs – overspill on to Maybury Close and surrounding areas – impede emergency access  
Children will not be able to play on street

- Access from Maybury Close to Frimley High Street will be dangerous and increased pedestrians crossing – no traffic light or other controls in place and accidents have occurred
- Transport Statement uses Census figures from 2011 – not representative of current traffic conditions in Frimley
- Figures in Transport Statement are incorrect
- Actual number of office parking spaces historically used is much lower than capacity
- Building has now been vacant for at least two years
- Surrounding Infrastructure already overloaded

*[Officer Comment: Refer to Section 7.6]*

- Additional yellow lines needed along Maybury Close

*[Officer Comment: Parking control requests must be sent separately to Surrey County Council as the operator of the highway]*

- Insufficient neighbour notification

*[Officer Comment: All surrounding neighbours were notified in accordance with the statutory requirement]*

- Proposal has no regard to existing community
- No substantial change to current application and previous application was rejected
- Developer should not be allowed make repeated applications

*[Officer Comment: Each application must be considered on its own planning merits).*

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application site is located in Frimley, a settlement area as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The site is also within the “Intense Terrace” Character Area as defined under the Western Urban Area Character Supplementary Planning Document (WUAC SPD). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP8, DM9, DM10 and DM11 of the CSDMP, the WUAC SPD and the NPPF 2018. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted 2017 and therefore forms an additional material consideration in the determination of this application.

7.2 The main issues to be considered are:

- Principle of development;
- Impact on character of the host building and surrounding area;
- Impact on amenities of neighbouring properties and future occupiers;
- Impact on access, parking and highway safety;
- Impact on flood risk;
- Impact on local infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Affordable Housing and;
- Other matters.

### **7.3 Principle of the development**

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. The application site is within a defined settlement area of Frimley and it is considered that the proposal would be a sustainable form of development, being within this settlement area and very close to Frimley District Centre and its rail station and bus links. Although the proposal would lead to the loss of office accommodation, the site is outside of a Core Employment Area and benefits from extant Prior Approval (17/1011) for full conversion of the existing building to 35 flats.

7.3.2 The principle of additional residential development in this location is therefore considered acceptable, subject to the other planning considerations as outlined below.

### **7.4 Impact on character of the host building and surrounding area**

7.4.1 The revised NPPF 2018 requires planning policies and decisions to ensure that new development makes efficient use of land and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character and history, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (paragraphs 122, 127 and 130 of the NPPF). Policies CP2 (iv) and DM9 (ii) of the CSDMP reflect these requirements.

7.4.2 The site is also within the “Intense Terrace” Character Area as defined under the WUAC SPD, which also covers the Bridgemead estate to the southwest. Guiding Principle IT1 for the ‘Intense Terraces’ character area states that new development should pay particular regard to the following criteria:

*(a) Provision of high quality hard and soft landscaped space around buildings. Provision of large scale soft landscaping elements such as swathes of low level planting and, where practicable, mature trees will be expected. Particular attention should be paid to publicly visible space to the side and front of buildings.*

*(b) Use of high quality architectural design and detailing to articulate and break up the building mass and provide visual interest*

*(c) High quality hard and soft landscaping to be provided in parking areas*

*(d) Maintenance and retention of existing green space around buildings*

Guiding Principle IT2 states that:

*Development that intensifies the existing building mass without providing softening elements in the form of landscaping and articulation of facades will be resisted.*

- 7.4.3 The site is also surrounded by other WUAC SPD Character Areas - Frimley High Street and the northern side of Maybury Close is within the Historic Routes Character Area (Commercial Nodes Sub-area) and the southern side of Maybury Close and the other estates beyond are within the Post-War Open Estates Character Area. The Guiding Principles of the Commercial Nodes Sub-area reflects the mixed function and historical context of Frimley High Street containing buildings of up to three storey, whereas the Guiding Principles of the Post-War Open Estates Character Area expect lower heights and retention of space between buildings to reflect the suburban scale and open characteristics of the area. This mix of character designations in the vicinity is reflective of the mixed character of the area and in such settings, development of the scale proposed is expected to respect all surrounding built form and character areas and not just the context of the Character Area in which the site sits in.
- 7.4.4 Principle 7.4 of the Residential Design Guide (RDG SPD) advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted unless it can be demonstrated that the proposals would make a positive contribution to the streetscape and that where a building has been designed to reflect traditional forms and styles, a flat roof should not be used to span overly deep buildings.
- 7.4.5 The proposed second floor extension would have the same crown roof form as the 18/0143 scheme, but with two fewer dormer windows above. The extension as a whole would have the same integrated fenestration design, height, hipped side elevation and additional maximum height of approx. 5.1m (sited approx. 13.9m above adjacent ground level). The extension would be sited above an existing flat roof and parapet, which is flanked by the main three storey form to the north and an additional floor with a hipped roof along the southern side elevation. The maximum height and eaves level would remain as the same as the existing adjoining main roof form and additionally, the crown roof form would span the same depth as the existing crown roof. It is therefore considered that the current proposed extension would integrate well within the form and articulation of the existing building to avoid an incongruous impact upon the surrounding area.

7.4.6 The extension also includes third floor dormer windows above – three on the elevation facing Maybury Close and three on the other side facing Bridgemean. Whilst there are examples of dormers of varying design in the vicinity, there are no other examples at third floor level. However, no overall height increase is proposed and the proposed dormer widths would be modest in comparison to the roof form of the building as a whole. The dormers would also be well set within the sides of the existing roof form. Given the proposed scale set at the same level of the existing highest roof form and the varied building heights and roof forms in the vicinity, in this instance it is considered that the proposed dormers would not lead to an over-dominant or incongruous addition to the host building and surrounding area. The proposed external brick and roof tile materials would match those of the existing dwelling. A planning condition can be imposed to ensure that the final proposed external materials for the dormers and balustrades are appropriate for the character of the surrounding area.

7.4.7 Principle 6.4 of the RDG SPD advises that:

*Housing development should seek to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area. Residential developments in higher intensity locations (Camberley town centre and centres along the B3411) will be expected to be supported by generous green infrastructure provision.*

Paragraph 6.12 further expands on this by stating that:

*High quality, denser development at locations which are sustainably located will be encouraged, provided they are supported by adequate green infrastructure. This could include pocket parks, roof gardens, green walls, community gardens and communal amenity space. Such locations are likely to include Camberley Town Centre and the string of town and neighbourhood centres along the B3411 [this includes Frimley High Street].*

7.4.8 The existing access arrangement and parking areas within the site would now be totally remodelled to provide additional landscaping areas. The associated remodelled car parking area would now provide 40 spaces for 42 flats, as opposed to 39 spaces for 48 flats proposed under 18/0143. The proposed landscaping to the front includes closing one of the existing in/out vehicular accesses to provide approx. 250 sq m of landscaping, including a pathway with benches, a cycle rack for all flats, formal lawn and planting areas. Although this area is open and adjacent the highway, a more secluded communal amenity area is proposed to the rear totalling approx. 185 sq m compared to approx. 92 sq m under 18/0143. It is considered that these additional proposed landscape/amenity areas would be of sufficient size or layout to function as green infrastructure to relieve the additional development and intensity of use.

7.4.9 The current proposed parking provision would now be much more closely aligned to the overall number of flat units, and it is considered that the additional built form and intensity of use would now be sufficiently contained by the surrounding amenity space/landscaping now proposed. This layout is now considered to comply with the design principles of Policy DM9 (iii) of the CSDMP and the relevant Principles of the



WUAC SPD and the RDG SPD as outlined above, to overcome the first reason for refusal of 18/0143.

## **7.5 Impact on amenities of neighbouring properties and future occupiers**

- 7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the Draft Residential Design Guide SPD states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Paragraph 8.4 of the RDG SPD advises that a minimum distance of 20m is this Council's generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship). It is also stated here that extra separation may be needed where there are significant changes in level between buildings, or where new development is greater than 2 storeys in height.
- 7.5.2 The proposed second floor extension and dormers above would be sited approx. 21m from the rear elevations of the terraced bungalows of Nos 40-42 Bridgemoor to the southwest, with a public walkway from Frimley High Street and a drainage stream sited in between. This meets the minimum 20m separation quoted above, but there would be significant height difference between the proposed second/third floor development and these neighbouring bungalows. However, given the existing first and second floor elevations at same proximity which benefit from lawful residential use under 17/1011, it is considered that the proposed extension and dormers would not lead to adverse harm in terms of loss of privacy.
- 7.5.3 The siting of the proposed extension to Nos 40-42 Bridgemoor would restrict any potential loss of sunlight to early morning during the spring and summer months. It is considered that the orientation, existing built form and separation distances would be sufficient to avoid adverse harm in terms of loss of light, outlook or overbearing impact.
- 7.5.4 The proposed eastern dormers facing the front elevations of the two storey semi-detached dwellings of Nos 2 & 3 Maybury Close would be at a distance of approx. 24m, which is considered sufficient to avoid adverse harm in terms of loss of privacy. Given the existing built relationships and separation distances, it is considered that no adverse impact would arise upon these neighbours in terms of loss of outlook, privacy or overbearing impact.
- 7.5.5 It is considered that the proposed development as a whole would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid adverse harm to neighbouring amenity.
- 7.5.6 Principle 8.5 of the RDG SPD advises that flatted developments should provide outdoor amenity space for each unit. In flatted developments, communal open space will be expected. This should be: connected to the building; easily accessible to all residents; screened from public view; free of vehicles; located to receive sunlight for a substantial part of the day, and; actively overlooked to provide surveillance and security. The proposed landscaping to the front includes closing one of the existing in/out vehicular accesses to provide a pathway with benches, formal lawn and planting areas. Although this area is open and adjacent the

highway, a more secluded communal amenity area containing approx. 185 sq m of usable space is proposed to the rear. This amenity area is considered to be of sufficient size and layout for the proposed flats to meet the aims of Principle 8.5 of the RDG SPD.

- 7.5.7 Principle 8.6 of the RDG SPD advises that unless conservation, privacy or heritage issues negate against the use of balconies, all flats above ground floor should be provided with balconies which: are a minimum of 1.5m deep; are wider than their depth, and; provide for privacy – screens, recesses and orientation are potential design solutions to provide for this. None of the four proposed second floor flats within the side extension contain balconies, but all three of the proposed third floor flats above would benefit from external balcony space served by the dormers. Although this still means that four of the proposed seven additional units do not meet the recommended RDG private balcony space provision, it is considered that this would now be offset by the proposed additional amenity areas outlined above. It is therefore considered that the second reason for refusal of 18/0143 has been overcome.
- 7.5.8 Many of the proposed units do not comply with the national technical housing standards in terms of their internal living space. However, all these units already benefit from consent under 17/1011. The current proposed seven additional units on the second and third floors would all comply with the minimum floor areas as set out in the technical housing standards.
- 7.5.9 Principle 8.2 of the RDG SPD advises that all habitable rooms in new residential development should maintain at least one main window with an adequate outlook to external spaces where nearby man-made and natural features do not appear overbearing or visually intrusive. The additional proposed second and third floor units now all have good sized windows serving each habitable room, without having to rely on rooflights for natural light. It is therefore considered that the third reason for refusal of 18/0143 has been overcome.
- 7.5.1 A noise report has been provided and under the 18/0143 proposal, the Council's  
0 Environmental Health Officer (EHO) raised no objection, commenting that the industrial and commercial sources have been adequately assessed and the impact upon future occupiers would be minimal. The EHO acknowledged the recommendation to provide windows that attenuate surrounding traffic noise, but has not recommended a planning condition as this was not a legislative requirement for the extant 17/1011 scheme. The EHO has raised no other objections to the proposal. It is noted that a separate planning application has been submitted for replacement windows for the 35 flats already consented, and this will be reviewed by the EHO.

## **7.6 Impact on access, parking and highway safety**

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 The current proposed scheme provides 40 marked off-street parking spaces within the site to serve 42 flats. This is an improved provision from the 39 spaces for 48

flats proposed under 18/0143. However, this previous scheme was not refused or objected to by the County Highway Authority (CHA) for insufficient parking or any other highway-related reason. This level of parking provision is considered sufficient, given the size of the flats proposed and the site's location within a highly sustainable location adjacent to Frimley High Street, bus routes and Frimley rail station. To quantify the anticipated trip provision arising from the proposed development, the TRICS database has been utilised to indicate the peak hour and daily person and vehicular trip rates.

- 7.6.3 Concerns have been raised by neighbours in respect of lack of parking provision, the data provided within the Transport Statement and the existing site access adjacent a junction with Frimley High Street and Station Road. However, the CHA has advised that it is reasonable for the applicant to use the latest 2011 Census figures available for the Transport Statement. The use of TRICS data to establish the lawful trip capacity is common industry practice and although the current offices appear to have not been used at full capacity for some time and are now vacant, the County Highway Authority (CHA) has maintained no objection on safety, capacity or policy grounds, subject to conditions including the pre-occupation provision of on-site car and cycle parking and electric vehicle charging sockets. No objections are therefore raised on grounds of highway safety, capacity or policy.

## **7.7 Impact on flood risk**

- 7.7.1 The majority of the application site falls within Flood Zone 1 and an area of low risk from surface water flooding, which are the lowest probability categories for flooding. However, the southern part of the site containing the parking area is located within Flood Zones 2 and 3a and an area of high risk from surface water flooding.
- 7.7.2 A flood risk and drainage technical note has been provided by the applicant, which correctly identifies the above flood risks and concludes that flood compensation strategies will not be required. It is also stated that a dry access and egress route can always be maintained in all storm events up to a 1 in 1000 year return period, as the main entrance will be retained as existing and is situated within Flood Zone 1.
- 7.7.3 The Environment Agency and the Surrey County Council as the Lead Local Flood Authority have raised no objection. No land level alterations are proposed meaning that the ground floor finished floor levels of the building will remain above the 1 in 100yr flood extent plus appropriate allowance for climate change, and the proposed car parking will be in an area that is already a hard surface car park for the office.

## **7.8 Impact on local infrastructure**

- 7.8.1 The Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal includes additional dwellings and floorspace from the 17/1011 prior approval, this element of the development is CIL liable, and the liable amount is calculated as £63,540. CIL is a land charge that is payable at commencement of works. An informative advising of this will be added.

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

- 7.9.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.
- 7.9.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £2,219 is needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. It is intended that this be secured in a Section 106 agreement between the applicant and the Council.

## **7.10 Affordable Housing and housing mix and type**

- 7.10.1 Policy CP5 of the CSDMP requires a 20% on-site provision of affordable housing for proposals of 5-9 net units such as that proposed (when discounting the extant 17/1011 Prior Approval scheme for 35 flats). This approach is applied because the applicant could lawfully implement this consent without any affordable housing provision. Therefore it is necessary to consider whether the additional 7 units should attract any affordable housing liability.
- 7.10.2 A viability appraisal report was submitted under 18/0143 and following review by the Council's Viability Consultants and subsequent negotiation, the applicant offered to provide a financial contribution of £75,000 towards Affordable Housing. A proportionate amount of £40,384 has been offered for the current proposal involving a reduced net increase of seven units above the 35 units already consented. As the range of figures provided by both the applicant and the Council's Viability Consultants were finely balanced and sensitive to variation, in this instance it is considered that the current offer be accepted and secured through a legal agreement.
- 7.10.3 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. This application proposes 36 one bed, 5 two bed and 1 three bed units. However, the extant 17/1011 consent would provide a similar flat size mix of 26 one bedroom flats, eight two bedroom flats and one three bedroom flat.

Given this along with the sustainable location near to Frimley District Centre and rail station, no objection is raised in respect of the proposed housing mix.

## **7.11 Other matters**

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

7.11.2 The application site formally comprised an old builders' yard with light industrial factory buildings. The Council's Scientific Officer raised no objection to the proposal, subject to a pre-commencement planning condition requiring a contaminated land desk study and subsequent site investigation report, remediation action plan, discovery strategy and verification report to demonstrate that the agreed remediation has been carried out.

## **8.0 CONCLUSION**

8.1 The current proposed quantum of built form, intensity of use and parking provision would now be sufficiently contained by the additional surrounding amenity space/landscaping areas now proposed. The communal amenity area is also of sufficient size and layout for the proposed flats, and each additional flat would now also be provided with sufficient outlook. Subject to a legal agreement to secure the affordable housing and SAMM payments and the planning conditions as outlined, the application is recommended for approval as the reasons for refusal of 18/0143 are considered to have been overcome.

## **9.0 WORKING IN A POSITIVE/PROACTIVE MANNER**

9.1 In assessing this application, officers have worked with the applicant in a positive, proactive and creative manner consistent with the requirements of paragraphs 38-41 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

### **GRANT subject to completion of a legal agreement to secure Affordable Housing and SAMM financial contributions, and the following conditions:**

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 landscaping and parking layout (Drawing No. 0075\_PL\_001); Proposed ground floor plan (Drawing No. 0075\_PL\_000); Proposed first floor plan (Drawing No. 0075\_PL\_100); Proposed second floor plan (Drawing No. 0075\_PL\_200); Proposed third floor plan (Drawing No. 0075\_PL\_300); Proposed roof plan (Drawing No. 0075\_PL\_400); Proposed west and south elevation (Drawing No. 0075\_PL\_600); Proposed north elevations (Drawing No. 0075\_PL\_600); Proposed east elevation (Drawing No. 0075\_PL\_400); Proposed sections (Drawing No. 0075\_PL\_700) - all received on 19 November 2018,

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 for the dormer windows shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

4. The development hereby approved shall not be first occupied unless and until the existing entrance access from the site to Maybury Close has been permanently closed and any kerbs, verge, footway, fully reinstated.

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.

5. 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 plan Drawing No. 0075\_PL\_001 for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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.

6. The development hereby approved shall not be occupied unless and until at least 8 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

7. The development hereby permitted shall not commence until details of the existing surface water drainage system have been verified and are proven to be fit for purpose.

Reason: To ensure the development does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. (i) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

(ii) The above scheme shall include :-

(a) a contaminated land desk study and suggested site assessment methodology;

(b) a site investigation report based upon (a);

(c) a remediation action plan based upon (a) and (b);

(d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;

and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)

(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

#### Informative(s)

1. Decision Notice to be kept DS1
2. Highway Informatives

When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage 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).

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.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.



3. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

4. It is noted that there is an opportunity to help reduce flood risk within the area by attenuating surface water and introducing a reduction in discharge from the site.

If there are any further queries please contact the Sustainable Drainage and Consenting team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.

5. Contaminated land survey informative

For the avoidance of doubt, the following definitions apply to the above condition (No: 6) relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination.

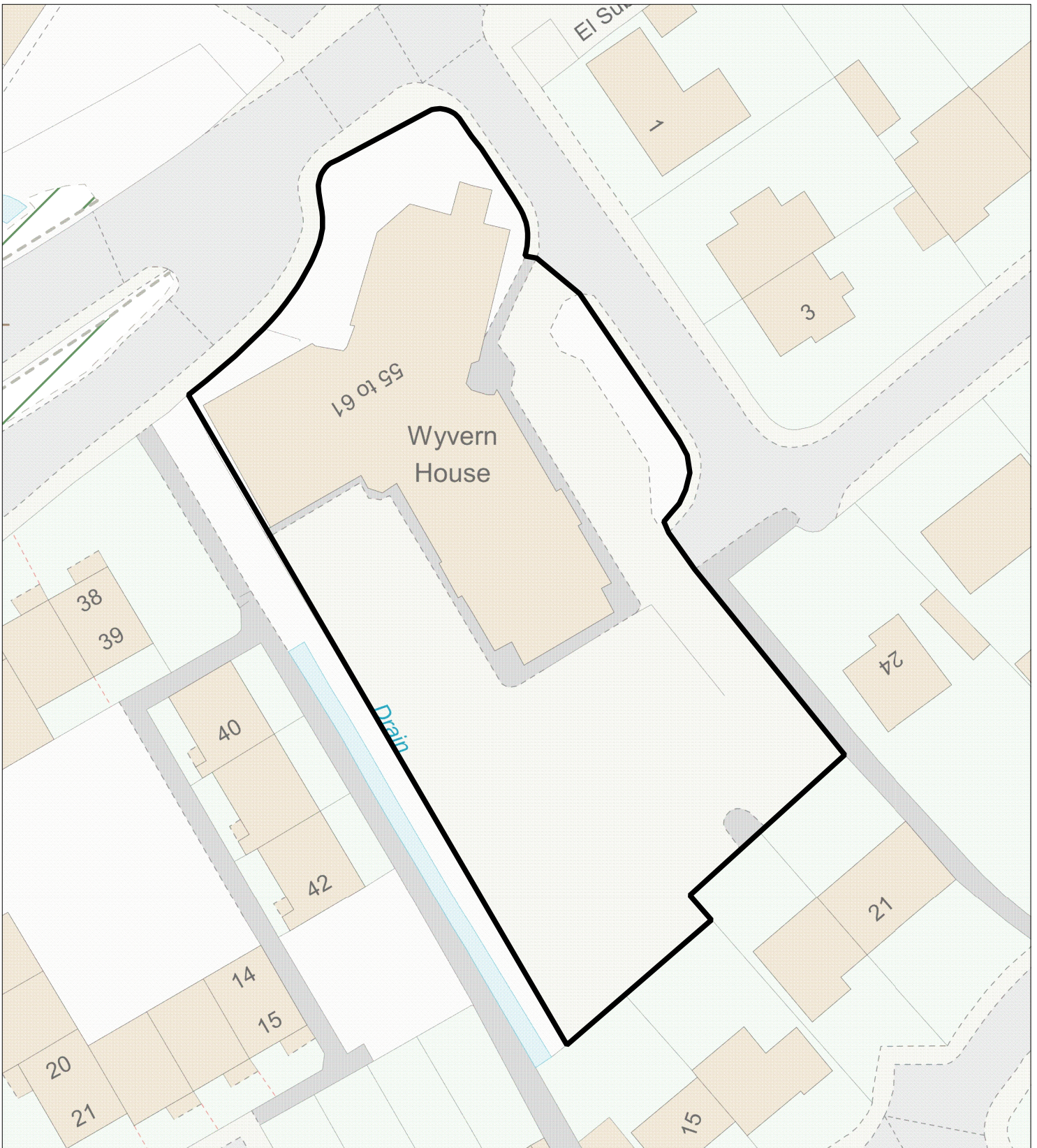
Verification of remediation report – This will include:-

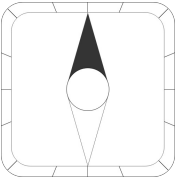
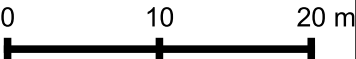

- (i) a strategy for verification of remediation
- (ii) all information and data relating to contamination to evidence and substantiate the remediation action plan has been followed and completed.

**In the event that a satisfactory legal agreement has not been completed by 22 April 2019, the Executive Head of Regulatory be authorised to REFUSE for the following reasons:**

- The proposal fails to provide a satisfactory legal agreement under section 106 of the Town and Country Planning Act 1990 to secure the proposed financial contribution towards affordable housing. The proposal therefore does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.
- In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).





<b>Title</b>	Planning Applications		
<b>Application number</b>	18/1025	<b>Scale @ A4</b>	1:500
<b>Address</b>	WYVERN HOUSE, 55 FRIMLEY HIGH STREET, FRIMLEY, CAMBERLEY, GU16 7HJ	<b>Date</b>	14 Feb 2019
<b>Proposal</b>	Second floor extension including dormer windows above to facilitate conversion of offices (class B1) to 42 flats (36 one bed, 5 two bed, 1 three bed) with associated parking, bin/cycle storage and access from Maybury Close.	  Page 53	
			
Version 4	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019	Author: DE	

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18/1025 - WYVERN HOUSE, 55 FRIMLEY HIGH STREET, FRIMLEY, CAMBERLEY, GU16 7HJ

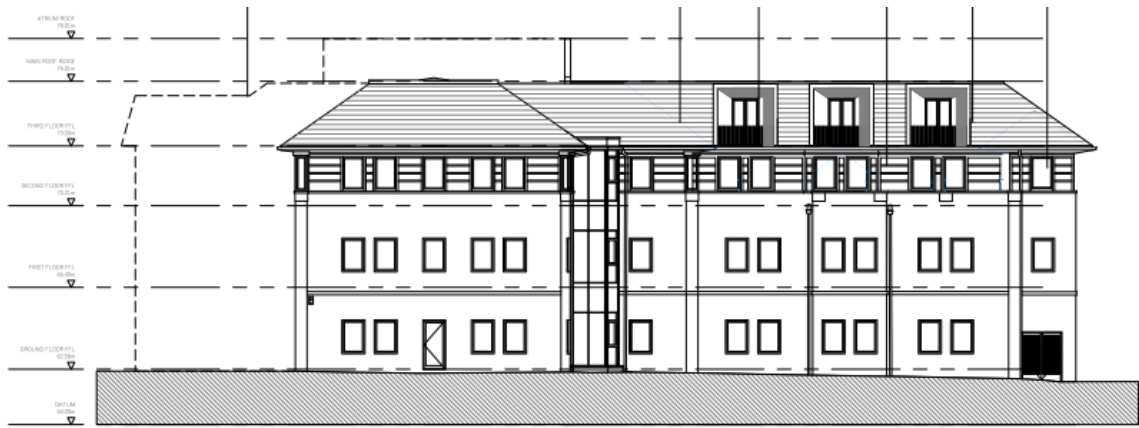
Location Plan



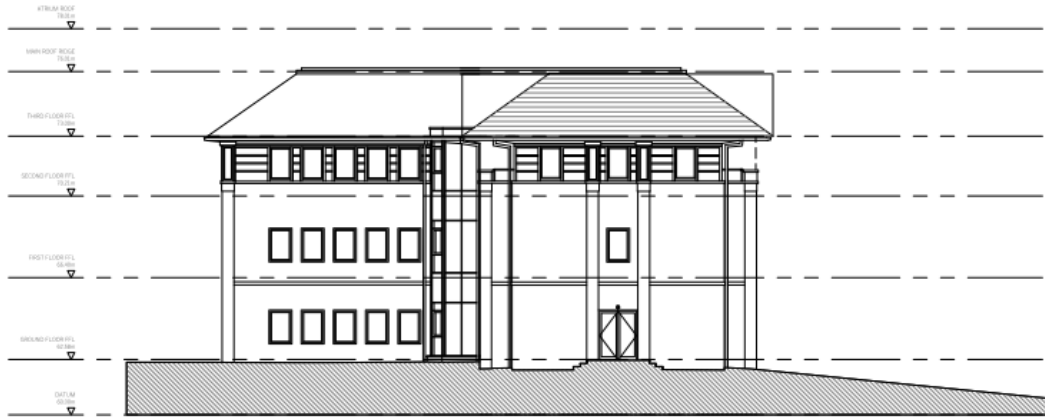
Proposed ground floor, access and amenity space layout



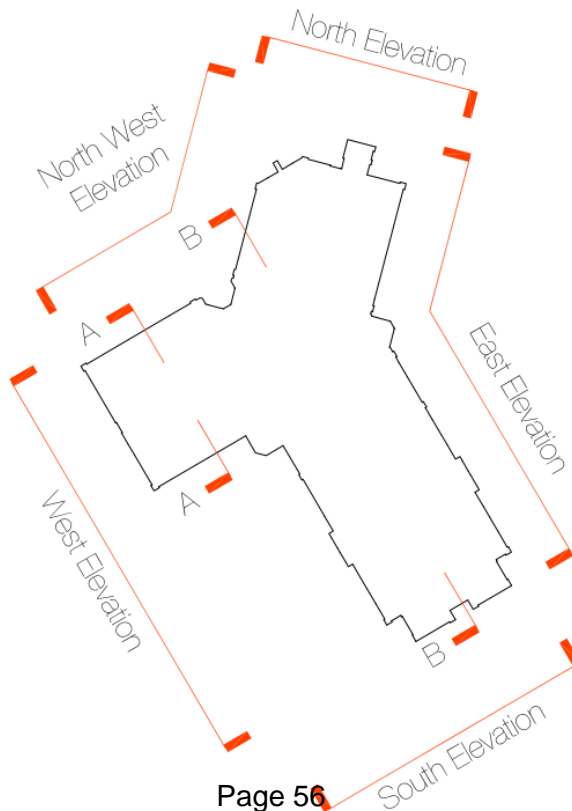
Proposed west and south elevations



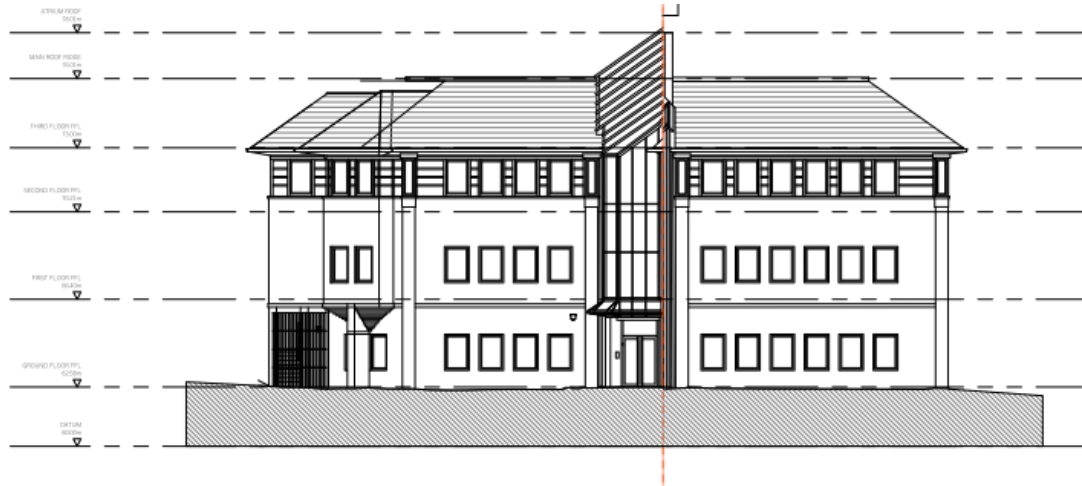
01  
WEST ELEVATION



KEY PLAN:



Proposed north-west, north and east elevation



01 NORTH WEST ELEVATION



01 EAST ELEVATION





Site photos

Elevations facing Maybury Close





Elevations facing Frimley High Street





Elevations facing Bridgemoor and Rail Station



Entrance and car park



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2018/0991

Reg Date 23/11/2018

Chobham

**LOCATION:** 79-81 WINDSOR ROAD, CHOBHAM, WOKING, GU24 8LD

**PROPOSAL:** Two storey building comprising 1 dwelling and 8 flats including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage following demolition of existing buildings containing 2 retail units and 2 flats. (Additional information rec'd 07/01/2019 & 21/01/2019.) (Amended plan rec'd 10/01/2019.) (Amended plan rec'd 17/01/2019.) (Amended plan rec'd 18/02/2019.)

**TYPE:** Full Planning Application

**APPLICANT:** East Street Homes (South East) Ltd

**OFFICER:** Ross Cahalane

**The application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Victoria Wheeler due to concerns regarding overdevelopment.**

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 This application seeks planning permission for the erection of a two storey building comprising 1 dwelling and 8 flats including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage following demolition of existing buildings containing 2 retail units and 2 flats.
- 1.2 The principle of the loss of the retail use for additional residential development in this location is supported, being within the Green Belt settlement of Chobham and outside of any of the policy designated local shopping parades within the village. It is considered that the proposed flat and dwelling building would not lead to an over-dominant or incongruous addition to the streetscene, as the quantum of built form, staggered layout and traditional design approach would respect the surrounding building designs, heights and building lines. It is also considered that the separation distances to all surrounding boundaries and elevations are sufficient to avoid a cramped appearance or unacceptable harm to amenity. The proposal has the support of the County Highway Authority, Surrey Wildlife Trust and the Council's Scientific Officer and Arboricultural Officer.
- 1.3 The application is therefore recommended for approval.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the western side of Windsor Road, between the junctions with Bowling Green Road and Fowlers Mead, within the settlement area of Chobham. The site comprises a two storey building that appears to have originally formed a pair of semi-detached late-Victorian/Edwardian dwellings, now extended and remodelled to provide two retail units and two flats behind/above. The existing building abuts the front boundary with Windsor Road. One retail unit has been vacant for some years, with the other in use as a convenience store for many years. There is substantial hardstanding coverage on the northern side to provide a parking area. A garden area is located to the rear.
- 2.2 The surrounding area is residential but with a mix of building types, including two storey detached and semi-detached dwellings of varying size and architectural era, along with a two storey building immediately to the south (Saddlers Court) converted from offices to seven flats.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 Various permissions have been granted between the 1950s-1960s for extensions to provide the existing retail units, living accommodation and parking area.

## **4.0 THE PROPOSAL**

- 4.1 Permission is sought for the erection of a two storey building comprising one dwelling and eight flats (six two-bed and two three-bed), including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage, following demolition of existing buildings containing 2 retail units and 2 flats.
- 4.2 The proposed building would consist of a series of pitched roofs, with front and rear gable ends including second floor rear windows and side rooflights and lower interlocking ridges between the roof valleys. The proposal would have a combined width of approx. 27m, maximum depth of approx. 17m, eaves height of approx. 5.9m and maximum ridge height of approx. 9.6m.
- 4.3 The proposed development would be served by two dedicated car parking spaces to the front of the proposed 3-bed dwelling, along with a new vehicular access on the other end of the site to provide 12 parking spaces for the eight flats. This would also provide access to a communal amenity space to the rear and the bin/cycle store buildings.
- 4.4 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
  - Design and Access Statement

- Transport Statement
- Preliminary Ecological Appraisal
- Drainage Technical Note
- Arboricultural Report
- Geo-Environmental Site Assessment Report
- Utilities Statement.

## **5.0 CONSULTATION RESPONSES**

- |     |                                      |   |
|-----|--------------------------------------|---|
| 5.1 | County Highway Authority:            | No objection, subject to conditions <i>[See Section 7.5]</i> .  |
| 5.2 | Council Arboricultural Officer       | No objection, subject to condition <i>[See Section 7.5]</i> .   |
| 5.2 | Council Arboricultural Officer:      | No objection, subject to condition <i>[See Section 7.6]</i> .   |
| 5.3 | Surrey Wildlife Trust                | Comments <i>[See Section 7.8]</i> .   |
| 5.4 | Council Scientific Officer           | No objection, subject to condition <i>[See Section 7.11]</i>  |
| 5.5 | Council Environmental Health Officer | No objection.   |
| 5.6 | Chobham Parish Council:              | <p>Object for the following summarised reasons:</p> <p>Loss of convenience store damaging to local community; building's height and massing out of keeping/dominant and hardstanding amounts to overdevelopment; insufficient amenity space for rural/village setting; and, uncertainty over parking for disabled users. If permitted construction traffic should not block the highway, impede traffic flow or sightlines. CPC also queries the submission with the application form stating there are no existing residential units on site (there are two flats as outlined in the plans); and, reference in the PS to the longevity of the off-licence.</p> |

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 16 objections have been received from 12 residences and the Chobham Society, raising the following concerns:

### Principle of development

- Loss of local shop used for over 60 years – now the only general store serving north end of Chobham
- Elderly residents not able to walk elsewhere
- Shop is invaluable for community and social interaction
- Contrary to NPPF – reduces community’s ability to meet its day-day needs
- Retail unit should be incorporated in to proposal
- Greater pressure on local doctors and schools
- Already enough new homes and apartments in Chobham

*[See Section 7.2]*

### Character

- Overdevelopment
- New buildings more dominant than surrounding

*[See Section 7.3]*

### Residential amenity

- Overshadowing

*[See Section 7.4]*

### Highways

- Adjacent to busy road and junction
- Additional car trips to shops in village centre will lead to additional traffic
- Inadequate parking

*[See Section 7.5]*

## 7.0 PLANNING ISSUES

- 7.1 The application site is located in Chobham, a settlement area “washed over” by the Green Belt as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP14, DM2, DM9, DM10, DM11 and DM14 of the CSDMP. The National Planning Policy Framework 2018 (NPPF)



is also a material consideration. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted in 2017 and therefore forms an additional material consideration in the determination of this application. The main planning issues in the determination of this application are:

- The principle of the development;
- The impact on the character of the area;
- The impact on residential amenities;
- The impact on highway safety;
- Other matters (including trees, drainage/flood risk and ecology)
- The impact on local infrastructure, and;
- The impact on Thames Basin Heaths SPA.

## **7.2 Principle of the development**

- 7.2.1 The current proposal relates to the redevelopment of a building for the provision of additional residential development within the Green Belt settlement of Chobham. Whilst the village is a “washed over” Green Belt settlement, normal settlement policies would apply, instead of national Green Belt policy. The proposal also involves the loss of two Class A1 retail units. However, the site is outside of a defined local shopping parade as outlined in Policy DM12 of the CSDMP. The site is not within the local centre of Chobham as outlined under Policy CP9 – which is located approx. 0.8km to the southeast.
- 7.2.2 One of the retail units is currently occupied as a convenience store. There has been a convenience store at this location for many years, with the other vacant unit last used as an off-licence. A village shop such as this could fall under the description of “community facilities” as outlined in the revised NPPF, whereby Paragraph 92c) states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.
- 7.2.3 The Planning Statement identifies other existing Class A1 convenience store locations within the village, including a Spar shop (Chertsey Road) and a Co-op shop (Bagshot Road) approx. 850-900m from the application site. There is also a pharmacy premises at Windsor Road approx. 400m to the southeast. It is accepted that there are numerous dwellings within the village boundary further to the north of the application site. However, Chobham village benefits from designated local shopping parades, within its centre and also along the abovementioned Chertsey Road site, which can continue to be protected. Given the above context, it is considered that the proposed loss of the convenience store function would not adversely impact on the village’s wider ability to meet its day-to-day needs, therefore not conflicting with Para 92c) of the NPPF.

7.2.4 It is therefore considered that the proposal would be a sustainable form of development and that the principle of the loss of the retail function and redevelopment for additional residential units is acceptable.

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

7.3.1 The revised NPPF 2018 requires planning policies and decisions to ensure that new development makes efficient use of land and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character and history, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (paragraphs 122, 127 and 130 of the NPPF). Policies CP2 (iv) and DM9 (ii) of the CSDMP reflect these requirements.

7.3.2 Principle 7.4 of the Residential Design Guide (RDG SPD) advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. The proposed flat building would be set back between approx. 0.5m-3m from the highway boundary, on account of its staggered layout. This would be noticeably further set back from the existing building which abuts the highway boundary and the proposed adjoining dwelling would be set back further, to be in line with the detached dwelling of No. 83 Windsor Road to the north. This staggered arrangement is considered to form an appropriate transition from this neighbouring dwelling towards the Saddlers Court flat building abutting the front boundary to the south, whilst also allowing for introduction of landscaped areas to the front.

7.3.3 Although the proposed height of the replacement building as a whole would be greater, the streetscene plan shows that it would not be higher than No. 83 and only marginally higher than the largest gable frontage of Saddlers Court at the other end. The proposed maximum depth of the flat building would be less than the existing building and commensurate with that of Saddlers Court. The proposed replacement flat building would be sited approx. 4.7m from Saddlers Court, to allow for a new vehicular access. The proximity of the adjoining dwelling to No. 83 on the other side would be approx. 1m to its single storey side elevation and approx. 2m to its two storey main elevation. Given the lower proposed eaves and ridge height of the dwelling, along with the maintenance of the front elevation setback, it is considered that the proposed building as a whole would not appear cramped within its plot. It is also considered that the proposed siting, height and depth, in the context of the existing on-site building and the buildings at either side, would not lead to an over-dominant relationship with the surrounding streetscene.

7.3.4 Principle 7.5 of the RDG SPD advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that architectural detailing should be used to create attractive buildings that positively contribute to the character and quality of an area.

Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.

- 7.3.5 The proposed building would include pitched roof forms and front gable ends. Surrounding buildings all contain pitched roofs and with a mixture of hipped ends and gabled frontages, with a wide variety of eras including the Locally-Listed Quince Cottage (No. 85 Windsor Road further to the north), Edwardian and post-war dwellings. The proposed pitched roof forms with decorative front gable ends and lower interlinking pitched roofs closely reflect the roof form of Saddlers Court immediately to the south. The use of smaller interlocking roof valleys assist in reduction of the roof bulk, and the use of the decorative front gables add interest and articulation. The overall traditional design approach is therefore supported as an appropriate response in this location. A planning condition can be imposed to ensure that all the proposed external materials would respect the palette of the surrounding buildings.
- 7.3.6 Principle 6.7 of the RDG SPD advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough and ensure developments are not functionally and visually dominated by cars. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. Although the main proposed parking area for the flats includes five side-to-side parking spaces, the other spaces are broken up by landscaping or pedestrian pathways to the communal amenity area. Given its secluded location to the rear and adjacent to an existing rear parking area of Saddlers Court, this arrangement is considered acceptable. Although the two spaces for the proposed dwelling are to the front, they would be surrounded by landscaping to the side and rear and would represent a significant reduction in hardstanding from the existing shop parking area. It is therefore considered that the overall parking layout would not give rise to an unacceptable prominence of parking in the streetscene.
- 7.3.7 In light of all the above considerations, it is not envisaged that the proposed design, siting and quantum of built form would lead to a cramped, over-dominant or incongruous addition to the streetscene, and would therefore comply with the design requirements of Policy DM9 of the CSDMP and the supporting design principles of the RDG SPD.

#### **7.4 Impact on amenities of neighbouring properties and future occupiers**

- 7.4.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the Residential Design Guide SPD states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted.
- 7.4.2 The proposed first floor rear elevation bedroom windows of the dwelling would be sited approx. 9m from the rear boundary with the garden area of No. 83 Windsor Road, and the upper floor flat windows would be sited between approx. 10m-15m from this boundary. However, this neighbour contains an irregularly-shaped private

garden area, meaning that the proposed development would not overlook the primary amenity space directly to the rear of No. 83, as it is sited to the north. Furthermore, the nearest existing first floor flat window is sited approx. 10.5m from this neighbouring boundary. Given this context, it is considered that the proposed development would not lead to adverse impact upon No. 83 in terms of loss of privacy.

- 7.4.3 The proposed flat building would include two first floor side elevation habitable room windows facing the Saddlers Court flat building to the south. It is considered that the separation distance of approx. 17m to the side elevation windows of this neighbouring flat building, with its existing undercroft vehicular access sited in between, would be sufficient to avoid adverse harm in terms of loss of privacy. The Saddlers Court side elevation adjacent the new proposed vehicular access contains no windows. Given this arrangement along with the existing access and parking area of Saddlers Court, it is considered that the proposed flat parking would not lead to adverse impact in terms of noise and disturbance.
- 7.4.4 Paragraphs 8.5-8.6 of the RDG SPD advises that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Para 8.12 of the RDG SPD further advises that potential design solutions to prevent material loss of daylight to neighbouring windows and overshadowing of habitable external spaces include ensuring that the centre of an existing window serving a habitable room does not fall within 45 degrees towards a proposed two storey development.
- 7.4.5 The two storey rear outshot of the proposed dwelling would project approx. 1.8m beyond the rear elevation of No. 83 Windsor Road. However, the separation distance of approx. 5m to the side boundary would avoid a breach of the abovementioned 45 degree test, and is considered sufficient to avoid adverse impact in terms of overbearing impact. This neighbour contains no side elevation windows facing the proposal and therefore, the proposed increased proximity of built form would not lead to material harm to the amenity of this neighbour in terms of loss of light, outlook, or overbearing impact.
- 7.4.6 The proposed flat building would project approx. 5.5m beyond the nearest rear elevation of the Saddlers Court flat building. However, this neighbouring elevation contains no windows. The distance of approx. 17m to the nearest side elevation windows of Saddlers Court is considered sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact.
- 7.4.7 It is considered that the proposed development as a whole would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid material harm to amenity.
- 7.4.8 Principle 8.5 of the RDG SPD advises that flatted developments should provide outdoor amenity space for each unit. In flatted developments, communal open space will be expected. This should be: connected to the building; easily accessible to all residents; screened from public view; free of vehicles; located to receive sunlight for a substantial part of the day, and; actively overlooked to provide

surveillance and security. The proposed flats would be provided with communal private amenity space to the rear, with an area of approx. 150 sq m. Additionally, two of the proposed first floor flats would be provided with rear balcony space. In this instance, the proposed amenity space provision is considered to be sufficient for the proposed flats to comply with Principle 8.5 of the RDG SPD. Approx. 87 sq. m private rear garden space is proposed for the three-bed dwelling, which would meet the minimum requirement as advised under Principle 8.4 of the RDG SPD.

- 7.4.9 The overall floorspace and storage provision for each flat would meet the requirements as set out in the national minimum space standards, and it is also considered that future occupiers would be afforded with sufficient outlook. Although the proposed relationship between the ground floor side bedroom and the adjoining dwelling is somewhat unusual, as no direct overlooking towards windows or private amenity areas would arise it is considered unreasonable to raise a sole objection on this issue.
- 7.4.10 In light of all the above built form and boundary relationships, it is considered that the proposed development would sufficiently respect the amenity of all surrounding neighbours and future occupiers, in compliance with the amenity requirements of Policy DM9 of the CSDMP and the relevant principles of the RDG SPD.

## **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 proposed development would be served by two dedicated car parking spaces to the front of the proposed 3-bed dwelling and a new vehicular access on the other end of the site to provide 12 parking spaces for the eight flats (including one visitor space). Two spaces would be assigned to each of the three largest flats containing two/three bedrooms. The proposed new access width would be sufficient for emergency services access and for two cars to pass simultaneously. Within the proposed parking area, a minimum width of 6m would be provided as sufficient turning space, as outlined by the County Highway Authority (CHA) standing advice. A section of the existing parking area in front of the shop premises will also be retained, and it is noted that this space is currently used for car parking for the shop. Cycle parking spaces would be accommodated within a separate enclosed building to the rear. The proposed communal bin storage would be located within sufficient distance of the Windsor Road access to avoid refuse vehicles having to enter the site.
- 7.5.3 The proposed development would be accessed via a well-used regional A-route. The applicant has provided a Transport Statement, which includes a traffic survey to outline the average road speed to form the desirable minimum stopping sight distances from each side of the proposed new access. The CHA has been consulted and has not objected on safety, capacity or policy grounds, subject to conditions, commenting that although the visibility splays fall slightly below the standard requirements when exiting right from the site, this is acceptable in this location as the applicant has demonstrated a safe reduced visibility distance on account of average 85 percentile traffic survey speeds (29.8mph travelling towards

the zebra crossing/mini-roundabout). The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

- 7.5.4 Concern has been raised in respect of lack of disabled parking provision. The CHA does not outline a minimum requirement for disabled parking provision. However, the applicant's written response letter to the Parish Council objection states that a dedicated disabled space could be agreed under a planning condition. It is noted that the paving around two of the spaces currently allocated to Flat 8 would allow an amended parking width to meet the minimum 3.3m required under separate Building Control regulations. It is therefore considered that one of these spaces could be widened as dedicated disabled space and that the subsequent loss of the dedicated visitor space within this parking court would be offset by the retained layby to the front. Specific details can be secured through a planning condition.

## **7.6 Other matters**

- 7.6.1 The Council's Arboricultural Officer raised no objection, subject to a standard pre-commencement condition requiring evidence of the implemented tree and ground protection measures as recommended in the Tree Survey Report. Similarly, the Council's Scientific Officer raises no objection subject to the standard precautionary contamination condition.
- 7.6.2 A Drainage Technical Note has been provided, which advises that the surface water from the development will discharge via the existing surface water sewer connection at a reduced rate when compared with the existing. The parking bays will be constructed using permeable paving. The Council's Drainage Engineer has reviewed the submission and raises no objection, but has advised the applicant to contact Surrey County Council as the Lead Local Flood Authority and owners of the external surface water drainage system to clarify the use of this for the proposed development. It is considered that subject to a planning condition to secure compliance with the drainage scheme, the proposed development would not lead to an increased risk of flooding within the site or the surrounding area, in compliance with Policy DM10.
- 7.6.3 The Preliminary Ecological Appraisal identified evidence of roosting bats in the main building roof void. It was therefore recommended that three nocturnal emergence surveys be undertaken. As the recommended further bat surveys were not provided with the application due to hibernation pattern time constraints, Surrey Wildlife Trust (SWT) commented that the LPA should seek confirmation from the applicant that the proposed development could accommodate the likely requirement for replacement bat roosts. The applicant's ecologist has subsequently written to confirm that the conditioning of the further nocturnal bat surveys, as recommended in the initial Appraisal, ensuring that the favourable conservation status of the protected bat species found at the site will be maintained in accordance with the legal requirements of wildlife law. In the officer's opinion, in this case, this would meet the precautionary test under OPDM Circular 06/2005, given the low conservation status of the roosts identified to date and the capacity within the site for bespoke new roosting areas for higher-status species. These additional surveys and subsequent mitigation measures can be secured as a pre-commencement condition for consultation with SWT.

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

## **7.7 Impact on local infrastructure**

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build.

7.7.2 As the proposal includes additional market housing units, the development is CIL liable. CIL is a land charge that is payable at commencement of works. An informative advising of this will be added.

## **7.8 Impact on Thames Basin Heaths SPA**

7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.

7.8.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £3,866 is needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. It is intended that this be secured in a Section 106 agreement between the applicant and the Council.

## **8.0 CONCLUSION**

- 8.1 The proposed flat and dwelling building would not lead to an over-dominant or incongruous addition to the streetscene, a cramped appearance or unacceptable harm to amenity. The proposal has the support of the County Highway Authority, Surrey Wildlife Trust and the Council's Scientific Officer and Arboricultural Officer. The application is therefore recommended for approval.

## **9.0 WORKING IN A POSITIVE/PROACTIVE MANNER**

- 9.1 In assessing this application, officers have worked with the applicant in a positive, proactive and creative manner consistent with the requirements of paragraphs 38-41 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**

**GRANT subject to completion of a legal agreement to secure the SAMM financial contribution, and the following conditions:**

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 floor plans and roof plan (Drawing No. 2704-A-3000-C);  
Proposed elevations and section (Drawing No. 2704-A-3001-B); Proposed refuse and cycle store floor plans and elevations (Drawing No. 2704-A-1006-A); Proposed streetscenes (Drawing Nos. 2704-C-1210-C; 2704-C-1211-A)- all received on 05 November 2018;  
Proposed site plan (Drawing No. 2704-C-1005-E - received on 10 January 2019);



Proposed highway works plan (Drawing No. 20114-04 Rev B - received on 17 January 2019), 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 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. A minimum of 7 working days before any development, including any works of demolition or site clearance, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to agree the extent of any facilitation or management tree works, tree and ground protection, demolition, storage of materials and the extent and frequency of Arboricultural site supervision. In all other regards the development shall proceed in accordance with the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** compliant report prepared by ACD Environmental and dated 07 November 2018.  
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.
  1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
  2. All hard and soft landscaping works shall be carried out in accordance with the approved details.
  3. 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**.

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. 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.

7. No part of the development shall be first occupied unless and until the proposed vehicular access to Windsor Road has been constructed and provided with visibility zones in accordance with the approved plan Drawing No. 20114-04 B (received on 17 January 2019) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

8. No part of the development shall be first occupied unless and until the proposed amendments to the road markings and the zebra crossing lights has been implemented in accordance with the approved plans.

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.

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

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.

10. 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: 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.

11. The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

12. The development hereby approved shall not be first occupied unless and until the existing accesses from the site to Windsor Road have been remodelled in accordance with the approved plan Drawing No. 20114-04 B (received on 17 January 2019) and any kerbs, verge, footway, fully reinstated.

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. The development hereby approved shall not be first occupied unless and until facilities for the secure parking of at least 8 bicycles within the development site have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

14. The development hereby approved shall not be first occupied unless and

until details outlining the location of one disabled parking space have been submitted to and approved in writing by the Local Planning Authority. Thereafter this parking space shall be retained and maintained for its designated purpose.

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.

15. (i) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
- (ii) The above scheme shall include :-
- (a) a contaminated land desk study and suggested site assessment methodology;
  - (b) a site investigation report based upon (a);
  - (c) a remediation action plan based upon (a) and (b);
  - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
  - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
  - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out
- (iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

16. No development shall take place unless and until additional bat emergence surveys and mitigation proposals (as recommended in Section 4.3 of the Extended Phase 1 Habitat Survey and Preliminary Roost Potential Assessment Report [CGO Ecology Ltd dated 15<sup>th</sup> October 2018]) are submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be undertaken in accordance with all agreed recommendations and mitigation measures supporting these bat emergence surveys. The development hereby approved shall in all other respects be undertaken in accordance with the recommendations and mitigation measures contained within the abovementioned Extended Phase 1 Habitat Survey, unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: To ensure the protection of protected species in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

17. The development hereby permitted shall be undertaken and maintained in accordance with the Drainage Technical Note [Meyer Brown - received on 23 November 2018], unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: To ensure the development does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

### Informative(s)

1. Decision Notice to be kept DS1
2. Highway informatives

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

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 proposed 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).

When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing

be reinstated to conform with the existing adjoining surfaces at the developers expense.

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.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage 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).

### 3. Contaminated land survey informative

For the avoidance of doubt, the following definitions apply to the above condition (No: 15) relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination.

Verification of remediation report - This will include:-

- (i) a strategy for verification of remediation
- (ii) all information and data relating to contamination to evidence and substantiate the remediation action plan has been followed and completed.

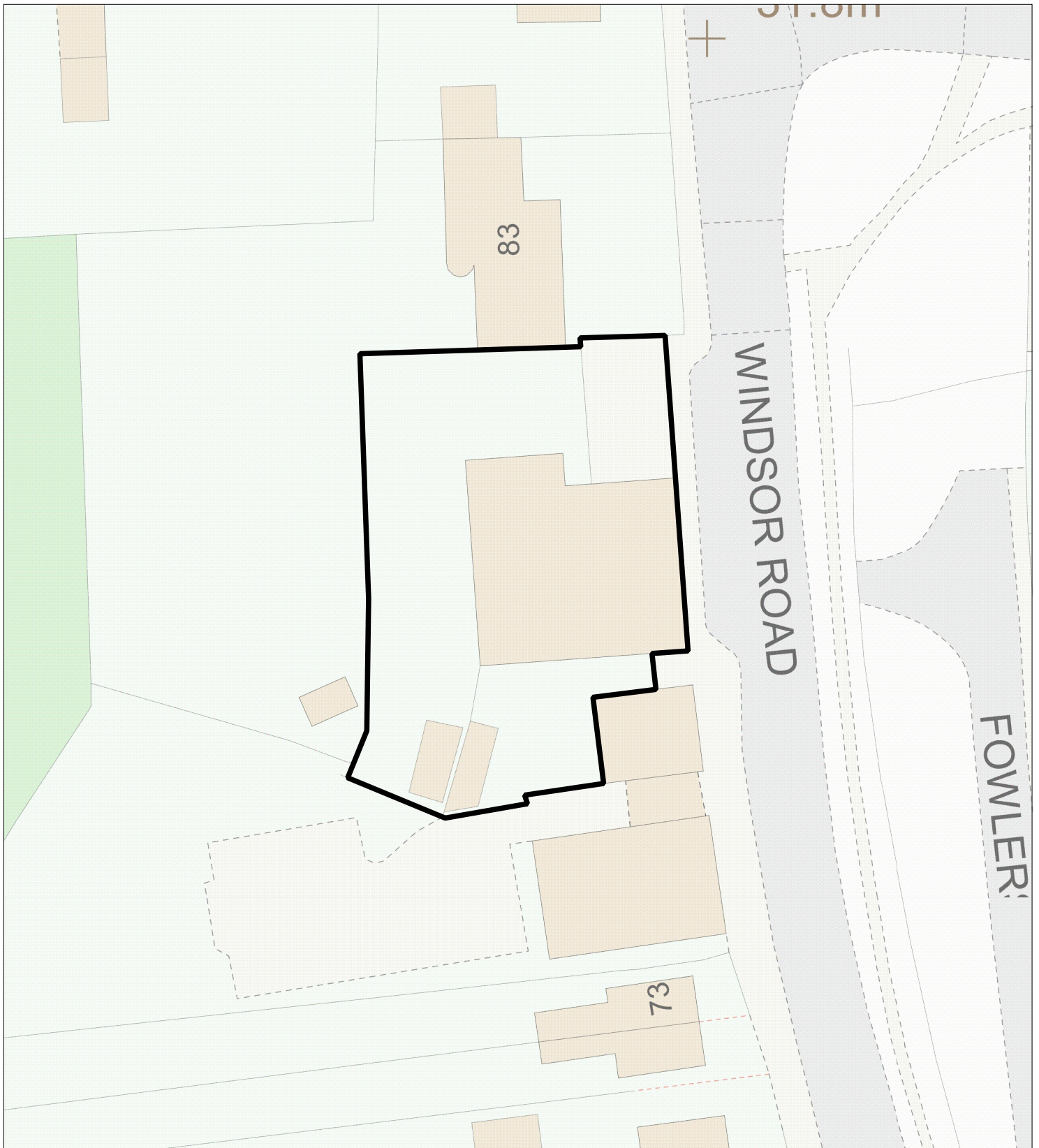
4. The applicant is advised to contact Surrey County Council as the Lead Local Flood Authority as the owners of the external surface water drainage system to clarify the use of this for the proposed development.

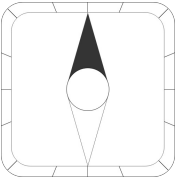
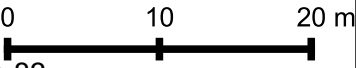
**In the event that a satisfactory legal agreement has not been completed by 22 April 2019, the Executive Head of Regulatory be authorised to REFUSE for the following reason:**

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).

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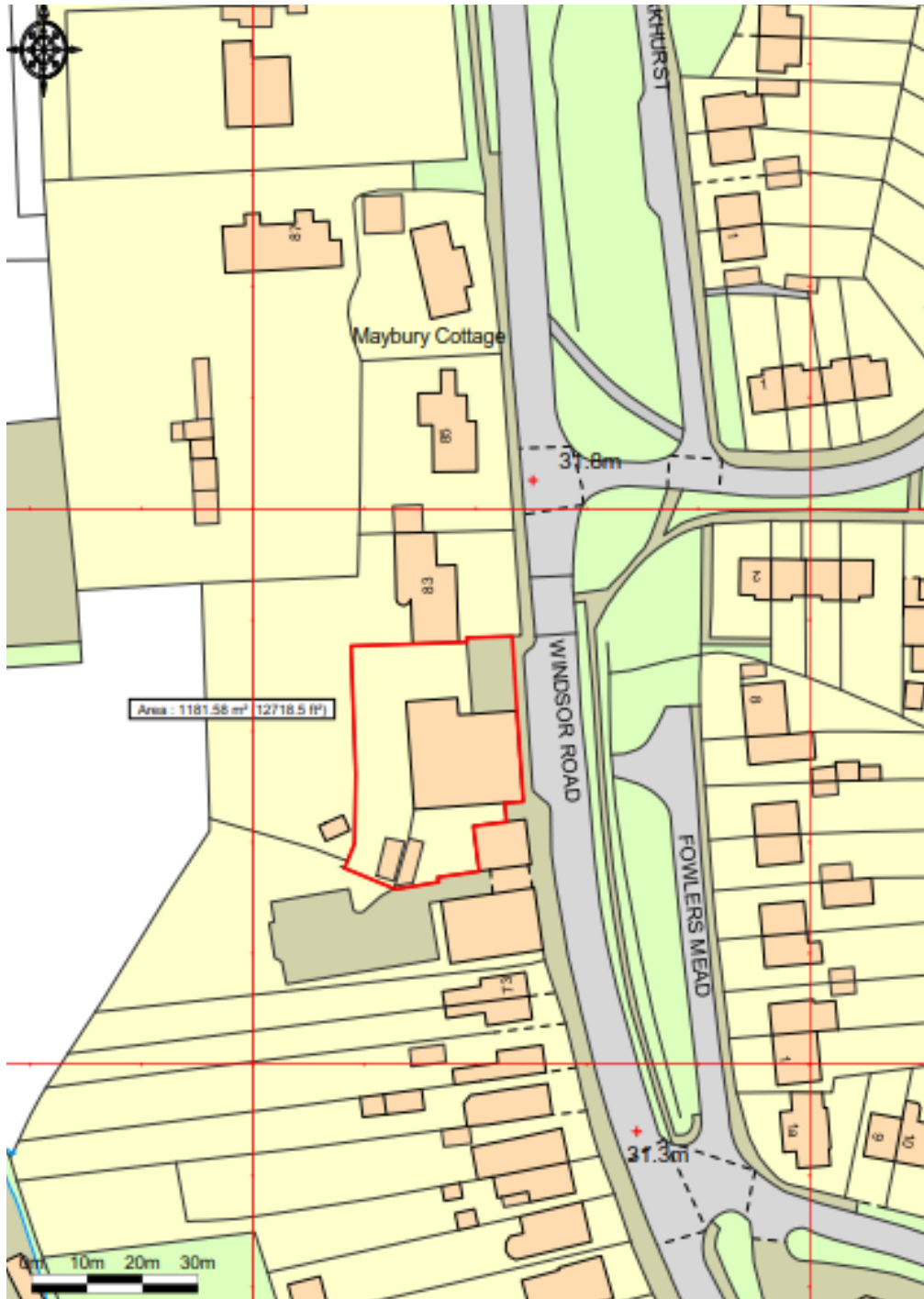
<b>Title</b>	Planning Applications			
<b>Application number</b>	18/0991	 	<b>Scale @ A4</b>	1:500
<b>Address</b>	79-81 WINDSOR ROAD, CHOBHAM, WOKING, GU24 8LD		<b>Date</b>	14 Feb 2019
<b>Proposal</b>	Two storey building comprising 1 dwelling and 8 flats including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage following demolition of existing buildings containing 2 retail units and 2 flats.			
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019		Author: DE



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18/01991 - 79-81 WINDSOR ROAD, CHOBHAM, WOKING, GU24 8LD

Location Plan

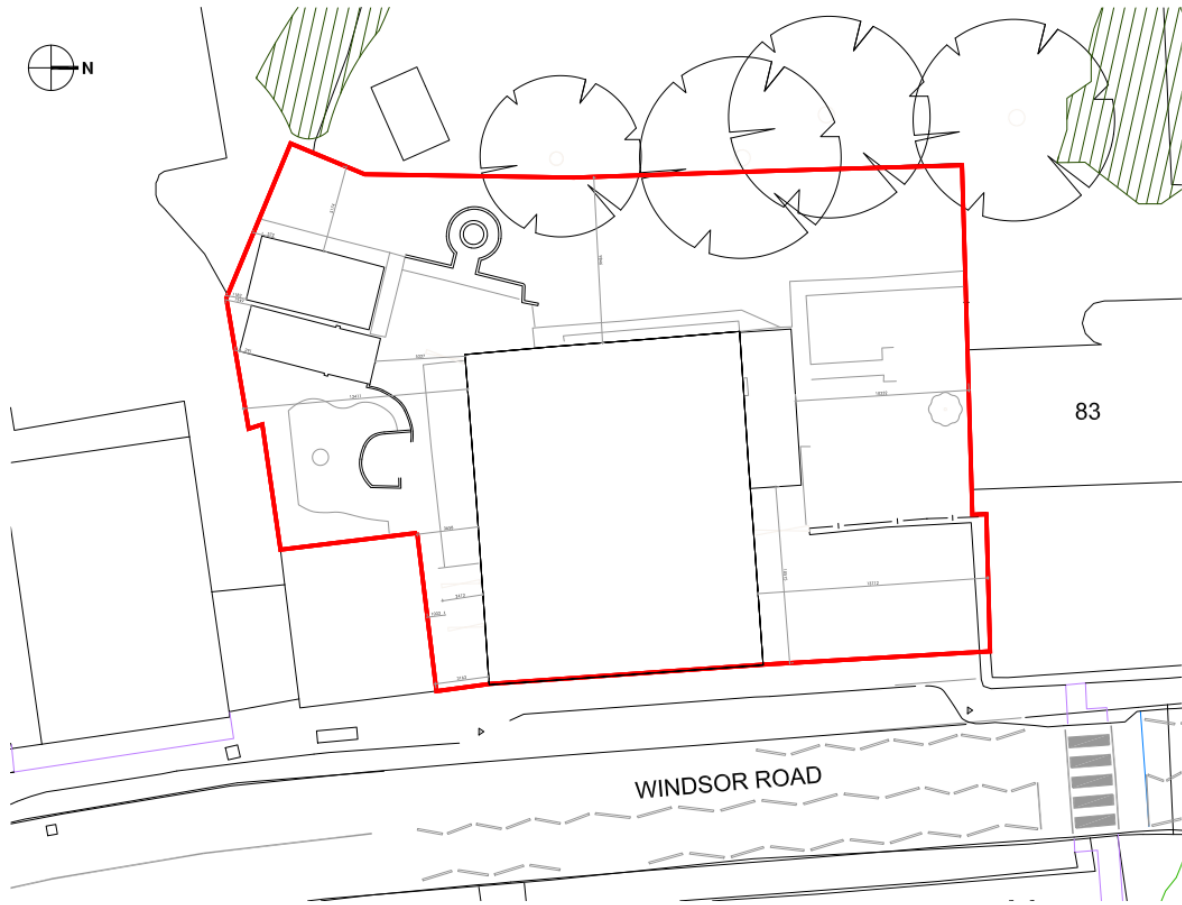


Existing street scene





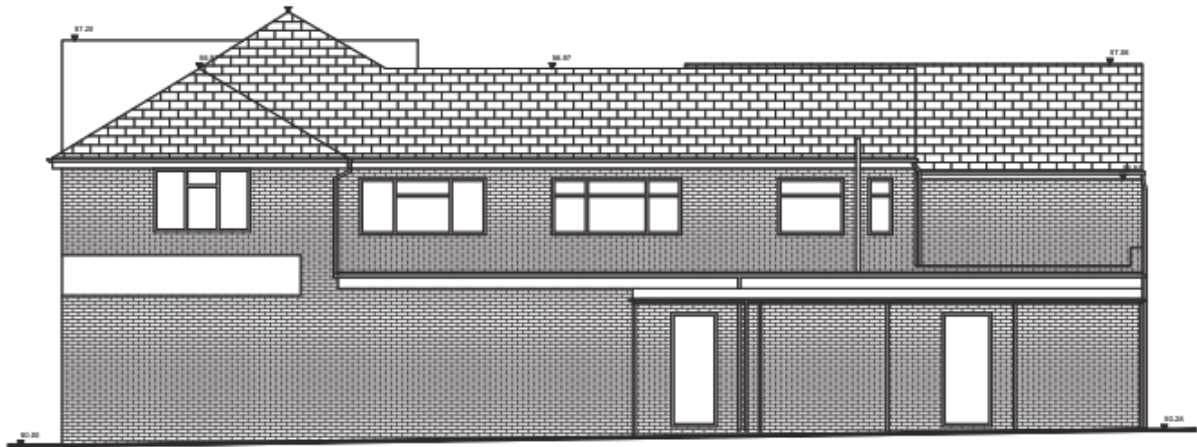
Existing site plan



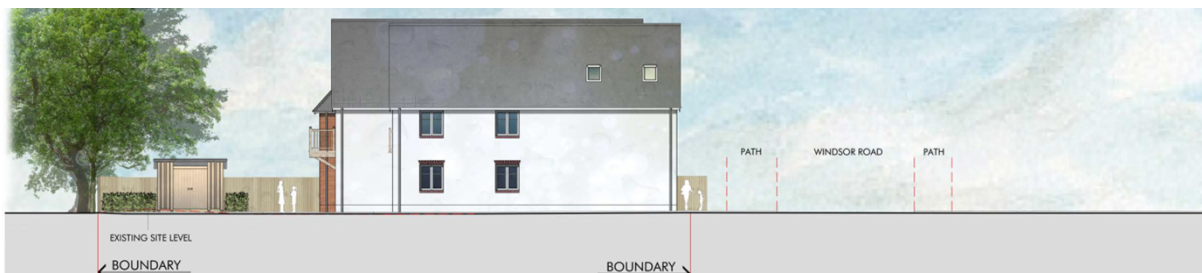
Existing east and west elevations



Existing north and south elevations



Proposed streetscenes





Proposed site plan



Proposed elevations



FRONT ELEVATION A



SIDE ELEVATION B

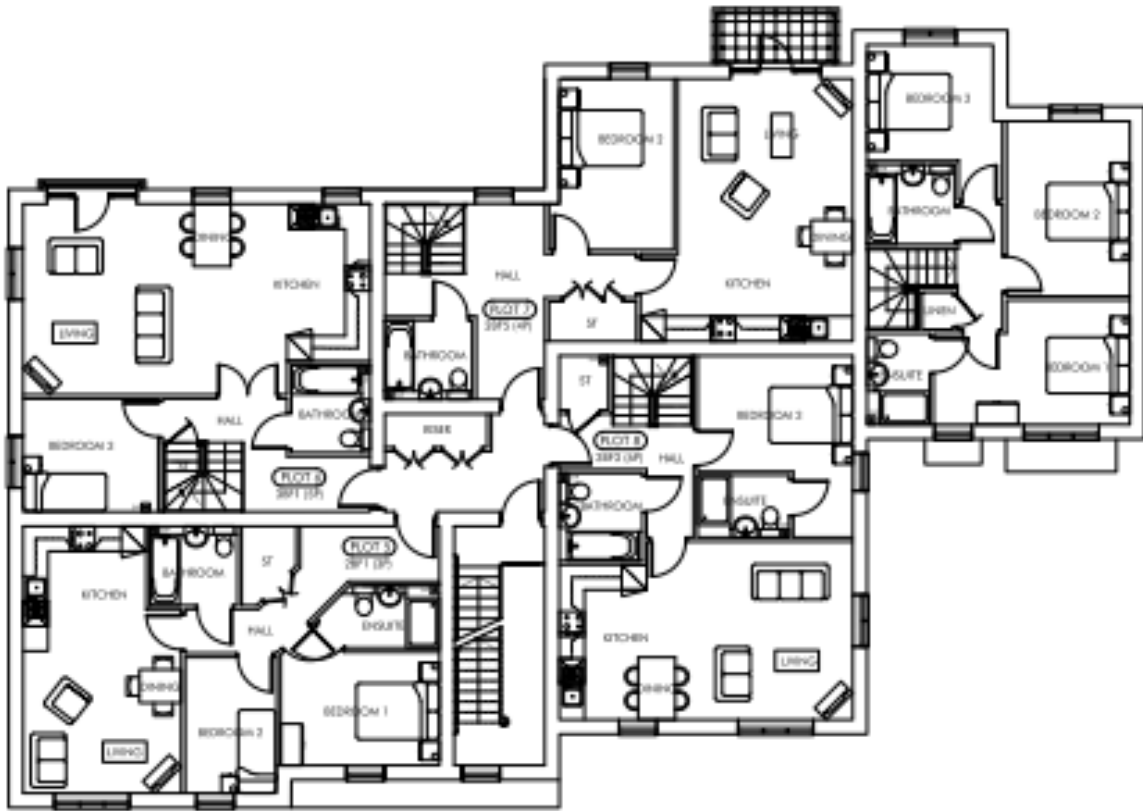


REAR ELEVATION C

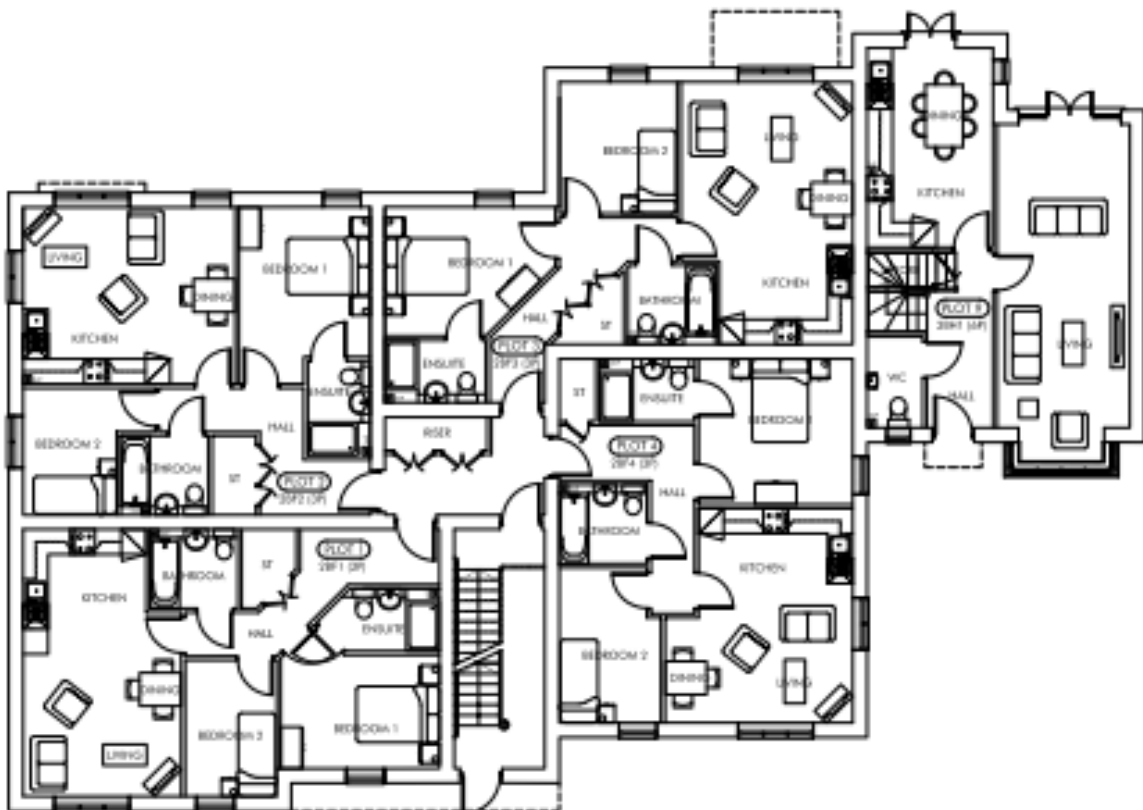


SIDE ELEVATION D

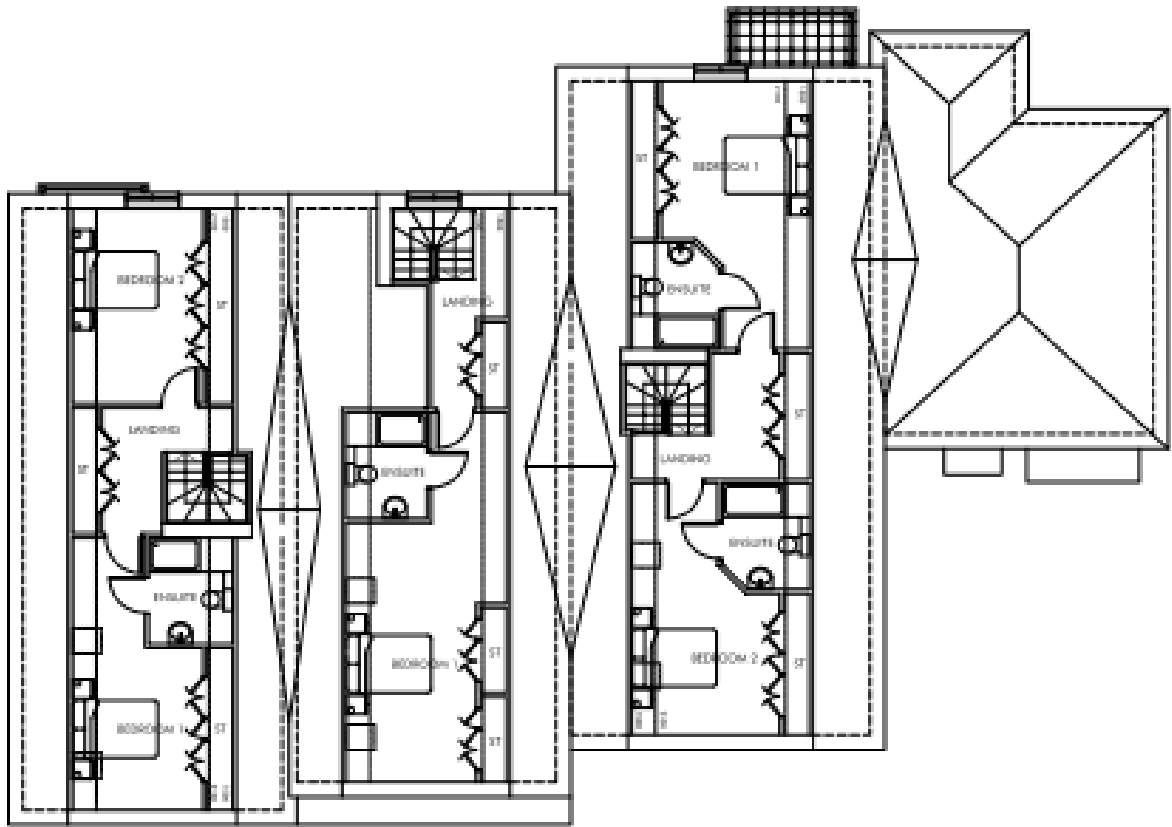
Proposed floor plans and roof plan



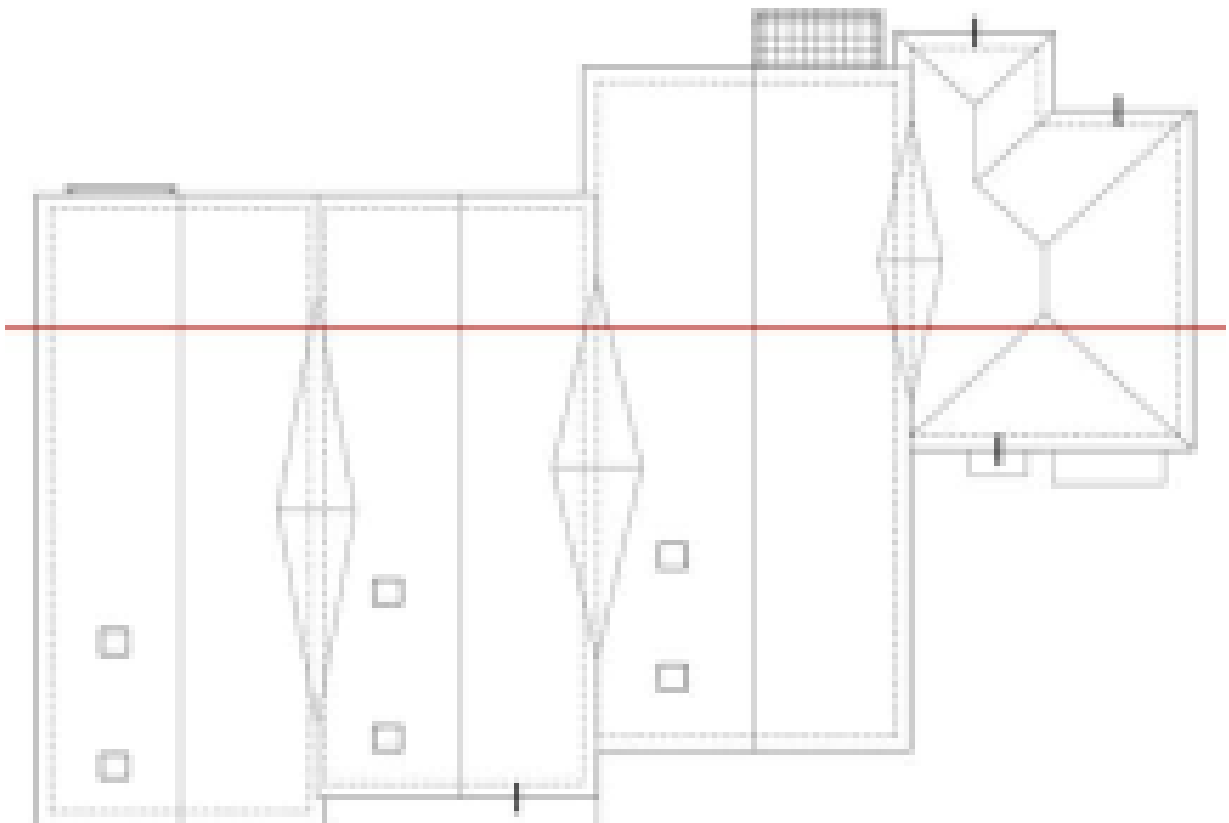
FIRST FLOOR PLAN



GROUND FLOOR PLAN



SECOND FLOOR PLAN





## Proposed highways works plan



## Indicative 3D visuals







Site photos

Existing streetscene





Existing access/parking areas







Existing rear garden within site







Saddlers Court rear elevations



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<b>PRB Deepcut and affordable housing provision</b>	Portfolio	Regulatory
	Ward(s) Affected:	Deepcut & Borough wide

**Purpose**

**To seek Member approval for the level of affordable housing to be delivered from Phase 4a of the PRB site under hybrid planning permission ref: 12/0546 (as amended), prior to the submission of the relevant reserved matters application(s).**

Background

1 The Committee Report for planning application 12/0546 to Full Council on 17 July 2013 advised that the hybrid application submission made provision for 420 dwellings or 35% (of the total 1,200) to be delivered as affordable housing. This complied with Policy CP4 of the Core Strategy and Development Management Policies 2012 (CSDMP 2012).

2 Member debate during that meeting resulted in planning condition 9 being imposed on the decision notice so that the exact number of affordable dwellings would be agreed by the Planning Applications Committee as part of reserved matters applications. Condition 9 states:

*The first reserved matters application for each phase shall include an Affordable Housing Strategy for that phase which shall include:*

- *the number and percentage of affordable housing units to be provided in that phase*
- *details of the type and tenure of the affordable housing units*
- *a plan identifying the location of the affordable units within the development and their tenure*

*Each phase of development shall thereafter be implemented in accordance with the approved strategy unless otherwise agreed in writing with the Local Planning Authority.*

3 The matter is also addressed in the Section 106 agreement.

4 At the Planning Applications Committee meeting on 12 January 2017 Members were advised that a submission made under the cover of condition 9 had been refused. That submission sought to provide 10% or 120 units of affordable housing. The resulting 120 dwellings were proposed to be located in two locations on the site with 100 of these located in the Alma Character area.

5 Members were asked to approve the Design Codes for the first phase of residential development on 12 January 2017. These documents

along with the approved phasing plan made provision for the Alma character area (also known as the Northern Parcel) to deliver between 125-155 dwellings and Brunswick Woods (also known as the Southern Parcel) between 200–235 dwellings.

- 6 On 9 February 2017 Members of the Planning Applications Committee were asked to agree the level of affordable housing provision to come forward from the Alma and Brunswick Woods Character Area's. The developer team sought agreement on a 35% policy compliant provision for those parcels. It was noted at that time that viability may reduce the site wide provision of affordable housing however agreement had not yet been reached on this. Members agreed the proposal and following this a reserved matters permission was granted for the 215 unit scheme currently being built out by Cala Homes on the Brunswick Woods Character Area (17/0871). An application has recently been submitted by Bovis Homes for the Alma Character Area (18/1027 – invalid at the time of writing). The reserved matters permission granted to Cala secured 35% affordable as agreed and the Bovis application as submitted is also compliant with this agreement.
- 7 Discussions on the wider site provision have been on going and most recently a submission for between 13 and 18% site wide provision was withdrawn after the Council's retained Viability Consultant advised that a number of assumptions in the submitted viability documents were not robust.

#### Current position

- 8 A number of meetings have been held between the respective parties since and an approach been agreed. This is likely to set a minimum baseline figure each residential parcel will deliver and will also allow for this to be reviewed by reviewing past parcel delivery and where possible securing betterment or overage on future parcels. Such an approach will ensure a baseline delivery from each parcel and allow for overage or betterment in the event the housing market improves. This is however a complex model and agreement on the baseline or minimum figure to be delivered has not yet been reached.
- 9 An application for the further partial discharge of condition 9 of 12/0546 has been received. This relates to parcel 4a. The application seeks to agree a nil (0%) level of affordable housing from this parcel. The parcel is small and will deliver around 30 residential dwellings. It is located west of the spine road and bounded to the remaining boundaries by the Village Green / Formal Park, and the proposed site of the public house.
- 10 The reason for the submission is given as there being challenges and inefficiencies for Registered Social Landlords in manging small clusters. Officers do not accept that this is in itself reason to permit a nil provision of affordable housing and note that a number of small or



windfall sites make suitable on-site provision with the affordable units being attractive to registered providers. The current submission in relation to parcel 4a also advises that a nil provision on this parcel will not impact on the viability exercise to determine the on-site provision from the remaining parcels or on the agreement in place for 35% from the Cala approval or the submitted Bovis application.

- 11 If this approach is agreed the affordable provision from Cala at 35% of 215 units (75 units) and that currently proposed by Bovis Homes at 35% of 131 (46) and a nil provision as proposed for 4a would give rise to potentially 376 units of which 121 are affordable and would result in circa 32% affordable housing provision across the 3 parcels. Given the recognition that 35% site wide provision may not be possible on viability grounds it is not considered this is unacceptable. Moreover even if the viability of the site is found to be able to sustain 35% affordable housing delivery site wide it is considered the provision of 10 or 11 units which would have been due to be delivered as affordable housing from this parcel could be absorbed across the remaining 824 units to be delivered across the remaining residential parcels and the balance of the 1,200 residential units agreed under 12/546.
- 12 There is the concern that in agreeing this approach the wider site submission may lose momentum, particularly as the bulk of the 824 units to be delivered from remaining land parcels are located behind the wire and, the MOD decant of the site remains fluid. The wider applicant team have been asked to comment on this and advise that Phase 4b and 4c are for sale currently, with a target completion of September 2019. It is further stated that the proposed AH provision at this time for those parcels is 35%+. In addition work is on-going to prepare a Design Code and a reserved matters application for the Formal Park, and, Phase 4d / Sports Hub / Care Home / Allotments area is also targeted for this year.
- 13 The wider applicant team also state that detailed design of the loop road is to start soon and this is to be submitted as soon as possible so work can commence as soon as the site is decanted such that access to residential parcels behind the wire can be provided. The decant of the site from behind the wire is however key to delivery of the remaining parts of the site and in this regard the applicant team advise the completion of Worthy Down Camp is progressing well and decant from PRB should be substantially complete by Q3 of 2021. All reserved matter applications for PRB should be submitted prior to April 2024.
- 14 Of additional concern is that a non-policy compliant affordable submission could be repeated on other parcels on the site, or indeed on other sites in the Borough. In this regard the concern is not that the scheme does not deliver 35% affordable but rather that the request to under provide against the Policy target (in this case 35%) is not evidenced by any form of viability submission. This is a major concern

the developer team has been asked to address. The attached letter dated 1<sup>st</sup> Feb has been provided. This reiterates the stated non-prejudicial nature of the submission and notes that the wording of the condition allows for a phase by phase agreement on affordable provision. It is not however considered this goes to heart of addressing this concern. This said the site is rather unique in both planning and strategic terms and other sites are unlikely to have similarly worded conditions. With this in mind while Officers recommend that this detail to comply submission be supported it is considered appropriate that any approval on this basis be subject to a caveat explaining that any future non-compliant affordable housing submission will not be treated as valid unless it is supported by a viability assessment, and, such a submission will not be agreed unless that viability assessment is found to be robust.

Resource Implications

15 None.

Recommendation

16 The Planning Applications Committee is advised to RESOLVE that

- (i) the land parcel 4a deliver nil (0%) affordable housing, but the decision letter be caveated to make clear this agreement relates solely to parcel 4a as identified on the attached plan, is limited to the delivery of up to 30 units from that parcel; and
- (ii) any future affordable housing submissions proposing less than 35% from any parcel on the site must be supported by a detailed and robust viability statement and be subject to approval by the Planning Applications Committee.

Annexes: Supporting statement and application details.

Background Papers: None

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Service Head: Jenny Rickard 01276 707351  
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**GL Hearn**

Part of Capita Real Estate

Our ref: J032613

Your ref: 12/0546

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Michelle Fielder  
Development Control  
Surrey Heath Borough Council  
Surrey Heath House  
Knoll Road  
Camberley  
GU15 3HD

21 January 2019

Dear Michelle,

**PRINCESS ROYAL BARRACKS, BRUNSWICK ROAD, DEEPCUT, CAMBERLEY, GU16 6RN - HYBRID PLANNING APPLICATION FOR A MAJOR RESIDENTIAL-LED DEVELOPMENT TOTALLING 1,200 NEW DWELLINGS (REF: 12/0546) (AS AMENDED)**

**PARTIAL DISCHARGE OF CONDITION 9 (AFFORDABLE HOUSING STRATEGY) FOR PHASE 4A**

**AFFORDABLE HOUSING STRATEGY**

Please find enclosed a partial discharge application for Condition 9 of 12/0546 in relation to Phase 4a only. Condition 9 is drafted as follows:

*"The first reserved matters application for each phase shall include an Affordable Housing Strategy for that phase which shall include:*

- a) the number and percentage of affordable housing units to be provided in that phase*
- b) details of the type and tenure of the affordable housing units*
- c) a plan identifying the location of the affordable units within the development and their tenure*

*Each phase of development shall thereafter be implemented in accordance with the approved strategy unless otherwise agreed in writing with the Local Planning Authority.*

*Reason: To ensure that the level of affordable housing is appropriate and to meet the objectives of Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD."*

The above condition was originally discharged for Phase 2 only on 10 February 2017, reference DTC/12/0546. This new application is proposed to discharge the Condition 9 for Phase 4a only at this time, and does not alter the previous approval of February 2017 in any way. .

Phase 4a is a small parcel likely to contain fewer than 30 dwellings that is targeting Reserved Matters planning permission in 2019. Due to the additional challenges and inefficiencies for Registered Social Landlords in managing small clusters of affordable dwellings it is proposed that that Phase 4a be free of affordable housing and the applicable provision provided within a larger subsequent Phase of development.

In terms of Condition 9, the proposed Affordable Housing Strategy for Phase 4a is as follows:

- a) 0% Affordable Housing and 0 units
- b) Not applicable as Phase 4a proposed to contain market dwellings only
- c) Not applicable as Phase 4a proposed to contain no affordable housing

Separately there will be a site wide viability exercise to set the Affordable Housing percentage for the remaining Phase 4 and Phase 6 residential development phases, as approved in Condition 2 Phasing Scheme, to which this partial discharge application does not prejudice.

The approved Phasing Scheme is enclosed, along with a Red-Line plan, to identify Phase 4a and limit any partial discharge approved to Phase 4a site only.

The relevant statutory planning fee has been paid on-line.

Please contact me at this office if you have any questions.

Yours sincerely,



Ben Stalham  
Planning Director  
[Ben.Stalham@qlhearn.com](mailto:Ben.Stalham@qlhearn.com)  
M 07896 094920

Cc: 1. Tony Pantling – Skanska  
2. Alastair Dobson - DIO

Enc: 1. Planning Application Form  
2. Condition 9 (Phase 4a) Cover Letter / Affordable Housing Strategy  
3. 00752\_Phase 4a Red Line\_SK135  
4. Phasing Plan - DCX-NPA-LX-000-00-PL-01-110-R5

Our ref: J032613

Your ref: 12/0546

Michelle Fielder  
Development Control  
Surrey Heath Borough Council  
Surrey Heath House  
Knoll Road  
Camberley  
GU15 3HD

1 February 2019

Dear Michelle,

**PRINCESS ROYAL BARRACKS, BRUNSWICK ROAD, DEEPCUT, CAMBERLEY, GU16 6RN - HYBRID PLANNING APPLICATION FOR A MAJOR RESIDENTIAL-LED DEVELOPMENT TOTALLING 1,200 NEW DWELLINGS (REF: 12/0546) (AS AMENDED)**

**CONDITION 9 (AFFORDABLE HOUSING STRATEGY) - SITE WIDE AFFORDABLE HOUSING STRATEGY UPDATE**

I am writing to update the Council with regard to progress on the Site Wide Affordable Housing Strategy for the redevelopment of Princess Royal Barracks, Deepcut, as required by Condition 9 (Affordable Housing Strategy) of planning permission reference 12/0546 .

As you are aware, the National Planning Policy Framework July 2018 adopted fundamental changes to the affordable housing calculation process, effectively outdating the previously submitted Site Wide Affordable Housing Strategy and requiring it to be formally withdrawn. The methodology of our previous Site Wide Affordable Housing Strategy became superseded and invalid, and complete reassessment under the new National Planning Policy Framework methodology was required to progress with discharge Condition 9 on a site wide basis.

The completely new assessment is progressing well, following workshops held at the Council offices, and we are anticipating submitting our new Site Wide Affordable Housing Strategy to the Council in March 2019.

As you are also aware, there is an existing submission lodged with the Council to partially discharge Condition 9 (Affordable Housing Strategy) for Phase 4a only. For avoidance of any doubt, I wish to express formally that the Phase 4a proposal is submitted on an entirely non-prejudicial basis to the ensuing Site Wide Affordable Housing Strategy. Approval of this phase prior to site wide agreement avoids housing delivery delay in the Borough.

If the Phase 4a proposal is approved, the affordable housing provision for this small phase (in terms of housing provision number and site area) will be included within Phases 4b or 4c, where the minimum cluster size to ensure successful management of the units can be provided due to larger number of dwellings and site area of those phases.

To confirm, the Phase 4a Condition 9 submission has been designed to not grant a reduction in overall site wide affordable housing provision, or to prejudice the on-going discussions and future submission of the new Site Wide Affordable Housing Strategy based on the new National Planning Policy Framework 2018. This is similar to the principal established by the previous Condition 9 approval for Phases 2a and 2b, which

approved affordable housing provision for those phase on a non-prejudicial basis too, and as per the drafting of Condition 9, which allows a phase-by-phase discharge before site wide agreement.

Please be assured that significant progress is being made on the site wide affordable housing strategy, which will be with the Council for review within the next 2 months, and that approval of Phase 4a will not prejudice this process.

Please contact me at this office if you have any questions.

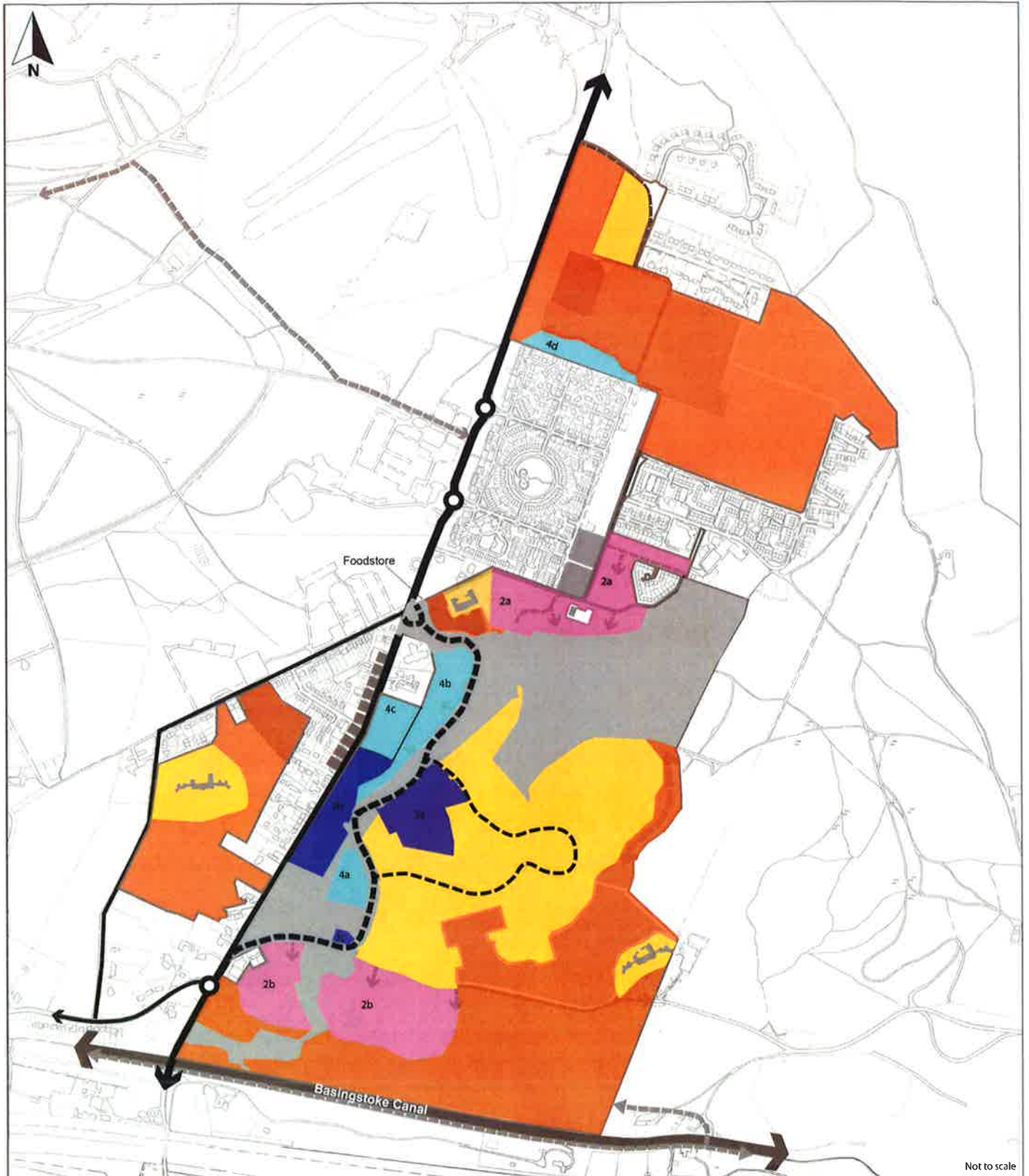
Yours sincerely,

A black rectangular redaction box covering the signature of Ben Stalham.

**Ben Stalham**  
**Planning Director**  
[Ben.Stalham@qlhearn.com](mailto:Ben.Stalham@qlhearn.com)  
M 07896 094920

Cc:

1. Tony Pantling – Skanska
2. Andrew Kelly – Skanska
3. Alastair Dobson - Skanska



Not to scale

- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6

Note – colour tone differences on the plan are due to transparent effect to allow the Indicative Strategic Masterplan to be visible.



Deepcut Princess Royal Barracks  
Planning Application

**Phasing Plan**

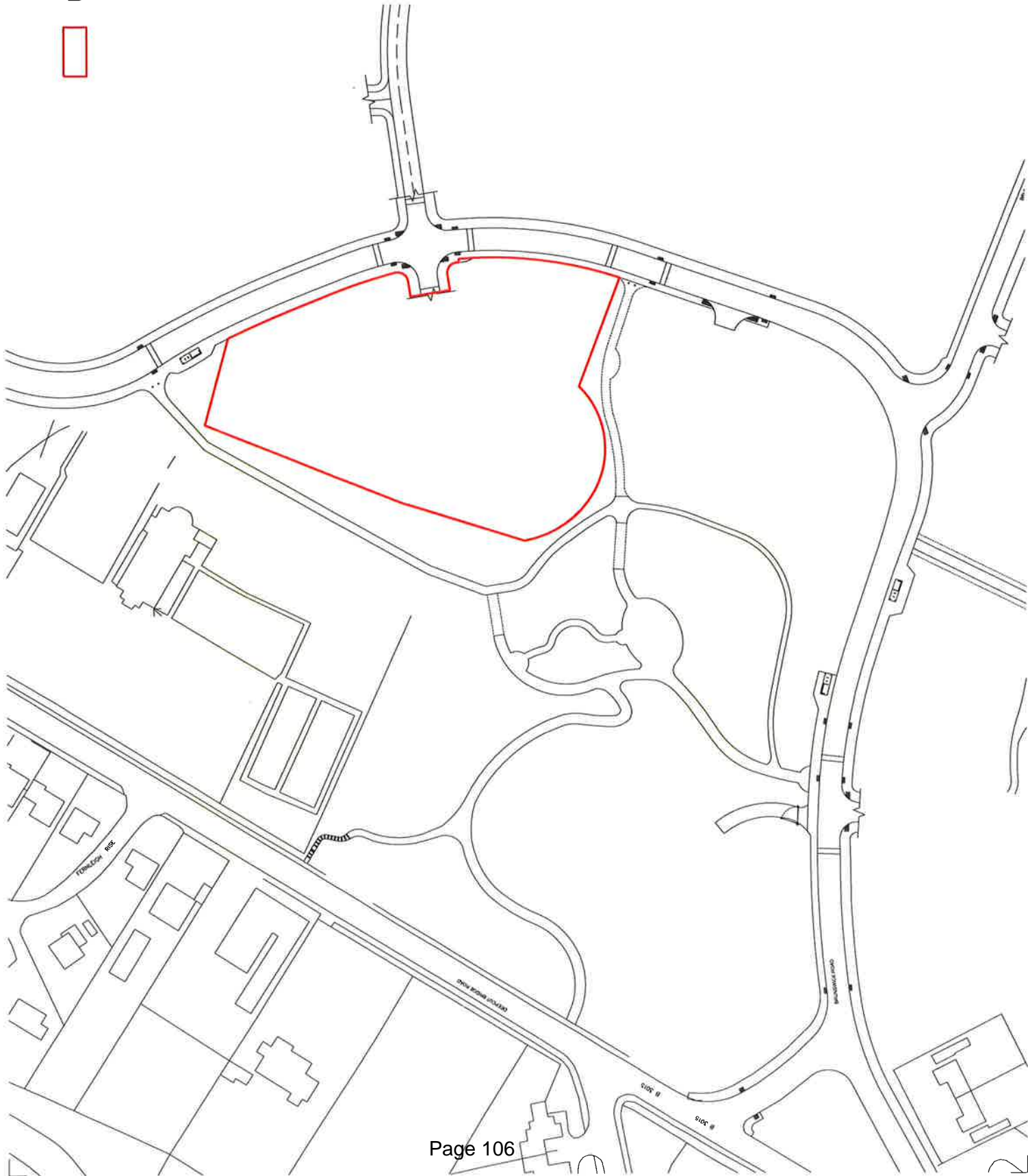
Dwg no: DCX-NPA-LX-000-00-PL-01-110-R5



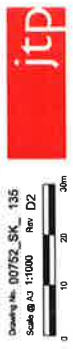
Based upon the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationary Office. © Crown Copyright 100001776



Red Line Boundary - 0.67ha



PRB Deepcut  
Phase 4a Red Line Boundary  
for SKANSKA



Drawing No: 00752\_SK\_135  
Scale: A3 1:1000 Rev: D2  
0 10 20 30m



**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.