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Tuesday, 9 July 2019

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Valerie White (Vice Chairman),  
Graham Alleway, Peter Barnett, Cliff Betton, Vivienne Chapman, Sarah Jane Croke,  
Colin Dougan, Shaun Garrett, Sam Kay, David Lewis, Charlotte Morley, Morgan Rise,  
Graham Tapper 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 Sharon Galliford, Rebecca Jennings-Evans, David Mansfield,  
Emma-Jane McGrath, Sashi Mylvaganam, Darryl Ratiram, Pat Tedder and  
Helen Whitcroft

#### 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, 18 July 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

	Pages
<b>1 Apologies for Absence</b>	
<b>2 Minutes of Previous Meeting</b>	<b>3 - 12</b>

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 20 June 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.

### **Planning Applications**

<b>4</b>	<b>Application Number: 19/0031 - The Waters Edge, 220 Mytchett Road, Mytchett, Camberley, GU16 6AG *</b>	<b>13 - 96</b>
<b>5</b>	<b>Application Number: 18/0956 - Land South and West of the Willows, Salisbury Terrace, Mytchett, Camberley, GU16 6DB *</b>	<b>97 - 112</b>
<b>6</b>	<b>Application Number: 19/0323 - Hook Meadow, Philpot Lane, Chobham, Woking, GU24 8HD *</b>	<b>113 - 136</b>
<b>7</b>	<b>Application Number: 19/0254 - 39 Frimley Road, Camberley, GU15 3EL *</b>	<b>137 - 154</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 20 June 2019**

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

+ Cllr Graham Alleway	+ Cllr David Lewis
+ Cllr Peter Barnett	- Cllr Charlotte Morley
- Cllr Cliff Betton	+ Cllr Morgan Rise
+ Cllr Vivienne Chapman	+ Cllr Graham Tapper
+ Cllr Sarah Jane Croke	+ Cllr Pat Tedder
+ Cllr Colin Dougan	+ Cllr Victoria Wheeler
+ Cllr Shaun Garrett	+ Cllr Helen Whitcroft
+ Cllr Sam Kay	

+ Present  
- Apologies for absence presented

Substitutes: Councillor Whitcroft (Representing Councillor Betton)

Members in Attendance: Councillor Mansfield

Officers Present: Ross Cahalane, Duncan Carty, Gareth John, Jonathan Partington and Jenny Rickard

**5/P Minutes of Previous Meeting**

**RESOLVED** that the minutes of the meeting of the Planning Applications Committee held on 29 May 2019 be approved as a correct record and signed by the Chairman.

**6/P Application Number: 18/1118 - Castle Grove Nursery, Scotts Grove Road, Chobham, Woking, GU24 8DY \***

**Erection of residential development of 40 dwellings (including 4 No. one bedroom, 17 No. two bedroom, 7 No. three bedroom, 12 No. four bedroom units), with parking, landscaping and access following demolition of the existing plant nursery. (Amended information rec'd 18/01/2019.) (Amended plans & additional information rec'd 25/03/2019.) (Additional plan rec'd 18/04/2019.) (Additional plans rec'd 25/04/2019).**

The Committee noted the supplementary report tabled at the meeting, the observations submitted by Chobham Parish Council and the 51 objections to the proposal summarised as follows:

- Overdevelopment of a semi-rural area
- The development was out of character and not in keeping with the surrounding area
- Pedestrian safety
- Impact of additional traffic on already congested roads
- Lack of local infrastructure and services including public transport provision
- Encroachment on the Green Belt

Members were advised of the following updates:

#### “Applicants amendments

Amended drawings have been provided which re-jig the arrangement of the bungalows to the rear of the site (swapping around plots 18-20, a pair of semi-detached and a detached bungalow) and slightly realign the frontage property for plot 5 (so that the front wall of this dwelling runs parallel to the highway (Scotts Grove Road) rather than at a slight angle to this highway. These changes would have no material effect on character or residential amenity. Additional drawings have also been received, including a parking allocation plan (Drawing No 18-J2297-37 Rev. A).

Details of a construction method statement and external materials have been provided by the applicant for which the details have not been agreed. A revised construction method statement has been more recently received earlier today. However, there has been insufficient time to allow these revised details to be assessed by consultees. As such, the related proposed conditions (3 and 5, respectively) remain as originally proposed.

#### Consultee and other responses

The Education Authority has confirmed that an education contribution would not be required for this development with sufficient capacity in the local area to accommodate the additional pupils likely to be yielded from this development.

The Local Lead Flood Authority has revised their comments, but still raises no objections. These revised comments reflect an acknowledgement and agreement of a staged discharge rate for this development. As such, amended conditions are requested.

#### The current housing position

The applicant has advised that the Borough's current housing position, with the Council not able to demonstrate that a five year supply of housing is deliverable with the Borough, weighs significantly in support of the proposal.

The Council's Housing Land Supply Paper 2017-2022 confirms that the Borough has a 3.9 years supply of housing, failing to meet the requirements of Paragraph 74 of the NPPF. In addition to the significant betterment to Green Belt openness this argument does weigh in support of the proposal.

#### Corrections

Paragraph 4.1 - Housing mix should read *“7 no 3 bedroom and 12 no four bedrooms”*

Paragraph 7.6.2 - New access is from *“Scotts Grove Road”*

#### Other matters

The proposal would result in a net reduction in built floorspace on the site. If it can be proven that the site has been occupied for more than 6 months in the last three years under the CIL regulations, a CIL payment would not apply. Under these circumstances the SANG element of these contributions would still need to be sought through the legal agreement. As such, an adjustment to the recommendation is to be made.

Amendment to the recommendation:

*GRANT, subject to the completion of a Section 106 legal agreement for the provision of a contribution towards the on-site provision of affordable housing, a contribution towards SANG (if a payment under the CIL Regulations does not apply and in accordance with the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019) and a SAMM contribution by 20 July 2019, or any longer period as agreed with the Executive Head of Regulatory, and the following conditions*

**AMENDED CONDITIONS (amendments in bold)**

*2. The proposed development shall be built in accordance with the following approved plans: 18-J2297-04, 18-J2297-05, 18-J2297-06, 18-J2297-10, 18-J2297-11, 18-J2297-12, 18-J2297-21, 18-J2297-22, 18-J2297-23 and 18-J2297-24 received on 24 December 2018; 18-J2297-16, 18-J2297-17, 18-J2297-18, 18-J2297-19 and 18-J2297-20 received on 25 March 2019; **18-J2297-01 Rev. B, 18-J2297-27 Rev. A and 18-J2297-29 Rev. A received on 30 May 2019; and BEW21667 10A, 18-J2297-02 Rev. A, 18-J2297-03 Rev. A, 18-J2297-07 Rev. A, 18-J2297-08 Rev. A, 18-J2297-13 Rev. A, 18-J2297-14 Rev. A, 18-J2297-15 Rev. A, 18-J2297-25 Rev. A and 18-J2297-26 Rev. A received on 31 May 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.*

*4. The **on-plot and allocated parking and garage spaces shown on the approved site plan drawing No 18-J2297-37 Rev. A received on 19 June 2019** shall be made available for use prior to the first occupation of the **dwelling to which the space relates** and shall not thereafter be used for any purpose other than the parking of vehicles. **The visitor parking spaces shown on the approved site plan drawing No 18-J2297-37 Rev. A received on 19 June 2019 shall be made available for use prior to the occupation of the last dwelling within 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.*

*11. **Construction of the development hereby approved** 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.*

*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*

*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 2019.*

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

*Reason: In the interests of conservation and to comply with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.*

**13. No construction of the development hereby approved shall take place until details of the design of a surface water drainage scheme have been submitted to and approved 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: 365 and confirmation of groundwater levels.*
- (b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge of 3.2 l/s.*
- (c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the 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 the existing watercourse network including downstream connectivity, capacity and condition of the watercourses surrounding the site.*
- (e) A plan showing the exceedance flows (i.e. during rainfall higher than design events or during blockage) and how property on and off site will be protected.*
- (f) details of the drainage management responsibilities and maintenance regimes for the drainage system.*
- (g) details of how the drainage system will be protected during construction and how runoff (including any pollutants) for the development site will be managed before the drainage system is operational.*

*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 or off the site and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

#### **ADDITIONAL CONDITION**

**20. Prior to the occupation of the development hereby approved, the play area shown indicatively on drawing no.BEW21667 10A shall be provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.**

*Reason: In the interests of amenity and to comply with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012."*

The criteria for public speaking had been met with respect of this application. Mr David Jordan, speaking on behalf of the Scotts Grove Residents' Association, and Ms Emma Kennedy, presented their objections to the proposed development, and Mr Geoff Wilde, speaking on behalf of the applicant, addressed the Committee.

Concerns were expressed as to the impact that any surface water runoff from the proposed development might have on the surrounding area, the unsafe and impractical nature of the existing pedestrian route into the village, the lack of a regular bus service which meant the only practical way to travel to and from amenities would be by car and the pressure that a development of this size could add to local services. Members of the Committee also considered the proposed development to be out of keeping with the neighbouring area and an overdevelopment of this Green Belt site.

It was felt that, in this instance, the proposed development was unsustainable, an overdevelopment of the site with an urbanising effect which would be out of character with its surroundings. Furthermore, the Committee considered that the proposal was inappropriate in the Green Belt and that very special circumstances had not been demonstrated in this case to outweigh the recognised harm to the Green Belt.

**RESOLVED that the recommendation to grant application 18/1118 not be agreed.**

Note 1

In accordance with part 4, Section D, paragraph 18 of the Constitution, the voting in respect of this application was as follows:

Voting in favour of the recommendation to grant the application: Councillors Chapman, Dougan, Garrett, Hawkins and Lewis

Voting against the recommendation to grant the application: Councillors Alleway, Barnett, Croke, Kay, Tapper, Tedder, Whitcroft and White

Abstaining on the recommendation to grant the application: Councillor Rise

**RESOLVED that a subsequent recommendation to refuse application 18/1118 was agreed.**

Note 2

In accordance with part 4, Section D, paragraph 18 of the Constitution, the voting in respect of this application was as follows:

Voting in favour of the recommendation to refuse the application: Councillors Alleway, Barnett, Croke, Garrett, Hawkins, Kay, Lewis, Rise, Tapper, Tedder, Whitcroft and White

Voting against the recommendation to refuse the application: Councillors Chapman, and Dougan

Abstaining on the recommendation to refuse the application: None

It was agreed that the exact wording of the reasons for refusal were to be agreed by officers in consultation with the Chairman and Vice Chairman.

**Erection of a single storey side extension to facilitate an additional sixth bedroom to the existing 5 bed house in multiple occupation resulting in 6 bedroom HMO. (Additional information rec'd 17/04/2019.)**

The Committee noted that the application had been reported to the Committee at the request of Councillor Mansfield following concerns about overdevelopment.

The Committee noted the supplementary report tabled at the meeting, the observations submitted by Bisley Parish Council and the 16 objections to the application, including one submitted after the agenda was published, summarised as follows:

- Insufficient parking provision
- Overdevelopment
- Noise and disturbance

The criteria for public speaking had been met with respect of this application and Mr Stuart Franklin who objected to the application and Mrs Jacqueline Musselwhite, speaking on behalf of the applicant, addressed the Committee.

The Committee noted the following additional informative tabled at the meeting:

**“ADDITIONAL INFORMATIVE**

6. The applicant is advised that the permitted change of use from Class C3 (dwelling) to Class C4 (HMO of up to six persons) is conditional as set out in Regulation 3.-(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). Regulation 3.-(1) requires compliance with the regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017, involving the submission of an application under the above Regulations and written notification of the approval of the Local Planning Authority. A SANG and SAMM payment is likely to be required, given the proposed increase in occupancy of the HMO from five to six persons.”

**RESOLVED that application 19/066 granted subject to the conditions set out in the Officer's report.**

Note 1

In accordance with part 4, Section D, paragraph 18 of the Constitution, the voting in respect of this application was as follows:

Voting in favour of the recommendation to grant the application: Councillors Chapman, Croke, Dougan, Garrett, Hawkins, Kay, Lewis, Whitcroft and White

Voting against the recommendation to grant the application: Councillors Alleway, Barnett, Rise, Tapper and Wheeler.

Abstaining on the recommendation to grant the application: None

**Outline application of the erection of a three storey residential block to provide up to nine No. 2 bed flats with parking and access, (access to be determined), following the demolition of existing buildings. (Amended plan rec'd 16.05.2019).**

The Committee noted that the application had been reported to the Committee at the request of Councillor White following concerns about possible overdevelopment of the site, insufficient parking, facilities and its access.

The Committee noted that a site visit had taken place.

The Committee noted the additional correspondence from Surrey County Council's Transport Development Planning Section, attached as Annex 1 to the supplementary report, and the following updates contained within the supplementary report tabled at the meeting:

"Update

Options for the access and egress arrangements have been explored with the County Highway Authority. The Authority has advised that limitations to the access and egress arrangements are not required. Please see Annex 1 of this update for further details.

AMENDED CONDITION (amendments in bold):

**3. Construction 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.

**The above scheme shall be achieved in accordance with the Geoenvironmental Desk Study Report by JPG dated October 2018 [Ref: MP/DS/S473.v1], and Model Procedures for the Management of Land Contamination CRL11 2016 by DEFRA & Environment Agency, shall include:-**

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

*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 2019.*

ADDITIONAL CONDITIONS:

4. No development, including any demolition, shall take place until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) method of keeping the local highway network 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 residential amenity or highway safety; nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019*

5. Details of the access arrangements shall be submitted to and approved by the Local Planning Authority, including amendments to the right turn road markings on the highway in front of the application site. The approved details shall be provided prior to the first occupation of the development hereby approved.

*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 2019"*

The Committee noted that conditions relating to the landscaping of the site and the final site layout would be dealt with under reserved matters. It was also noted, that the application was for outline permission and that the full application would be brought to the Committee at a future date.

**RESOLVED that application 18/0951 be granted subject to the conditions set out in the Officer's report.**

Note 1

In accordance with part 4, Section D, paragraph 18 of the Constitution, the voting in respect of this application was as follows:

Voting in favour of the recommendation to grant the application: Councillors Alleway, Barnet, Chapman, Croke, Dougan, Garrett, Hawkins, Kay, Lewis, Rise, Tapper and Whitcroft.

Voting against the recommendation to grant the application: Councillors Wheeler and White

Abstaining on the recommendation to grant the application: None



**9/P**

**Application Number: 19/0249 - Bridgewater Farm, Chertsey Road, Chobham, Woking, GU24 8PL**

**Application under Section 73 to vary condition 2 (approved plans) of 18/0548 (new dwelling) to allow for addition of basement and alterations to fenestration driveway/parking area layout.**

The Committee noted that the application had been reported to the Committee at the request of Councillor Wheeler following concerns about overdevelopment.

The Committee expressed concern about the future development of the site and the potential for further excavation to take place which could convert the basement into a ground floor and the bungalow becoming a two storey property. It was agreed that Condition 10 would be strengthened to ensure that no additional excavation could occur and that there could be no alteration to the agreed levels or access ways without the prior consent of the Local Planning Authority

**RESOLVED** that, subject to the conditions set out in the officer's report and the strengthening of Condition 10 to prevent any additional excavation of the site, application 19/0249 be granted

**Note 1**

In accordance with part 4, Section D, paragraph 18 of the Constitution, the voting in respect of this application was as follows:

Voting in favour of the recommendation to grant the application: Councillors Alleway, Barnet, Chapman, Croke, Dougan, Garrett, Hawkins, Kay, Lewis, Rise, Tapper, Wheeler, Whitcroft and White,

Voting against the recommendation to grant the application: None

Abstaining on the recommendation to grant the application: None

**Chairman**

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2019/0031

Reg Date 31/01/2019

Mytchett/Deepcut

**LOCATION:** THE WATERS EDGE, 220 MYTCHETT ROAD,  
MYTCHETT, CAMBERLEY, GU16 6AG

**PROPOSAL:** Application for the approval of reserved matters (scale, appearance and landscaping) pursuant to outline planning permission 18/0327 (248 dwellings with associated roads, footpaths, play areas, parking, open space and landscaping). (Amended plan and additional plans & information rec'd 18/04/2019.) (Amended & additional plans & information rec'd 13/06/2019.) (Amended plan rec'd 20.06.2019) (Additional info rec'd 20/06/2019) (Amended plans rec'd 26/06/2019.)

**TYPE:** Reserved Matters

**APPLICANT:** Nicholas King Homes Ltd

**OFFICER:** Ross Cahalane

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

## 1.0 SUMMARY

- 1.1 This proposal seeks the approval of reserved matters (scale, appearance and landscaping) pursuant to hybrid application 18/0327. Planning application 18/0327 granted outline planning permission for 248 homes (with matters of access and layout determined) and granted full permission for the SANG land in the south western corner of the site. The site is designated as Countryside beyond the Green Belt, although it adjoins the Mytchett settlement area. The 21.20 ha site is currently private with no public access, and contains a small number of buildings which have not been in use in many years, some hardstanding and large net posts from the former golf driving range. The remainder of the site comprises two large lakes and a smaller pond, and open land and woodland.
- 1.2 The loss of open countryside to facilitate the development was considered acceptable under 18/0327, as it does not result in coalescence of settlements and meets an identified housing need, with environmental enhancements through the provision of the SANG land. The 18/0327 outline planning permission approved a single vehicular access from Mytchett Road at the southern end of the site. The residential layout was also approved under 18/0327 to be designed around the existing lakes comprising two distinct north and south parcels, all served by a central spine road (Lake Avenue). The approved density of the developable area (i.e. excluding the lakes and SANG) is 37 dwellings per hectare (dph).
- 1.3 The dwellings would be mostly two-storey in height and there would also be 2.5 storey and 3 storey flat buildings, mainly in the southern parcel and complying with the parameters of the layout approved at outline stage. The site would continue to be separated into ten different character areas with landscaping interwoven and integral to the layout. The site will also still be well screened from outside the site and the existing woodland buffer separating the site from Mytchett Road dwellings would be retained. Although the proposal site would therefore form its own character, the proposed designs show that the development is capable of achieving high-quality and integrated designs throughout, subject to approval of materials, with appropriate variation in elevation appearance and transition of scale where necessary.

- 1.4 Given the limited visibility of the site, the separation distances and woodland buffer the development would also cause no adverse harm to existing residential amenities. Subject to conditions already imposed at outline stage, the County Highway Authority continues to raise no objections on highway safety, capacity or parking grounds.
- 1.5 There would continue to be a mix of dwelling types with the highest numbers being 2 and 3 bedroom dwellings, and up to 40% would be affordable housing split between Affordable Rented (46 units) and Affordable Shared Ownership (47 units). A legal agreement was secured under the outline permission to secure the management of the SANG land; the on-site provision of Affordable Housing; provision of SAMM monies; the remediation of the site, and; financial contributions to a Blackwater Valley footpath link and towards education.
- 1.6 It is therefore recommended that the application be approved subject to conditions.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is a 21.20 ha area of land located to the western side of Mytchett Road, with a single access point onto this road. The site lies within the Countryside Beyond the Green Belt, and much of the site is covered by a Site of Nature Conservation Importance designation (Mytchett Mere), and woodland Tree Preservation Order 7/92. Most of the site also lies within Flood Zones 1 and 2 and some of the area in the south-west corner in Zone 3. To the north-east, the site abuts land adjacent to the Mytchett Centre, and on the north-western side Linsford Business Park and the rear of properties in Hazlewood Drive. To the western side lies the A331. To the south lies the Grove Farm mobile home park and open land, and to the east, the site is adjacent to the Mytchett Farm mobile home park and the rear of dwellings along Mytchett Road.
- 2.2 The site currently comprises three lakes, with the remainder of the site mainly grassland and woodland. The trees are concentrated around the edges of the site, with smaller groups of trees throughout. From the entrance, there is a tarmac road which leads to a car park and the buildings on the site, which include a clubhouse and restaurant, driving range building, security lodge and maintenance store, which are single storey brick buildings. There are also large nets of significant height extending some distance across the site, which are associated with the former golf driving range. The site is not currently publicly accessible.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 The site is a former gravel extraction site, with a lake created as remediation. In the 1970s outline permission was granted (ref. 74/0736) for the change of the use of the land to a leisure and water sports centre. In 1980 permission was granted (ref. 80/1094) for the erection of a squash club and the use of the lake for fishing. These uses were never implemented.
- 3.2 Outline consent was granted in 1996 (ref. 93/0313) for the formation of a leisure park to provide visitors centre/clubhouse, golf driving range and various outdoor recreational facilities. This contained a number of pre-start conditions. The details pursuant to these pre-start conditions were not submitted and as a consequence the permission lapsed. However, the clubhouse and driving range buildings were still built, albeit that the owner never utilised the land for its intended use.

Whilst the current buildings on the land are lawful, given their period of time in existence, these buildings and the site have no authorised use in planning terms. This is because the pre-start conditions were not discharged.

- 3.3 14/0107 – Erection of 2 no. two storey three bedroom dwelling houses, garages access and landscaping (at land east of 220 Mytchett Road, Mytchett) *Granted 15/4/14*
- 3.4 18/0036 – Variation of conditions 2, 3, 5 and 9 of 14/0107 to allowed details to be agreed after commencement of the approved development *Granted 20/3/18*
- 3.5 18/0327 - Outline Application for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). Full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking, following demolition of existing buildings and structures on the site.

*Reported to committee September 2018 and granted 12/12/18 following completion of legal agreement to secure affordable housing provision, SANG management, SAMM contributions, education contribution, open space provisions, monitoring of contaminated land and Blackwater Valley footpath Link contribution. See Annex A for a copy of this report plus the minutes.*

#### **4.0 THE PROPOSAL**

- 4.1 This proposal seeks the approval of reserved matters (scale, appearance and landscaping) pursuant to hybrid application 18/0327. This permission granted outline planning permission for 248 homes (with matters of access and layout determined), and full permission for the SANG land in the south western corner of the site. To facilitate the development the existing buildings on site (totalling 1421m<sup>2</sup>) and structures associated with the golf driving range would be demolished.
- 4.2 The approved residential layout is essentially in two connecting parcels, to the north and south of the Mytchett Farm caravan park on the eastern side of the site. The existing two larger lakes on the western side, and open space to the south-west corner will form the approved SANG area. The majority of the residential development would lie to the south of Mytchett Farm caravan park, with the proposed development here denser than to the north. This part of the site would comprise mostly two-storey terraced and semi-detached properties, with some detached properties and some two and a half to three storey flat buildings. The northern parcel would provide mostly two-storey detached dwellings, at a lower density, with one three storey building for flats. The proposed housing mix is as follows:
  - 5no. five-bed dwellings
  - 40no. four-bed dwellings
  - 75no. three-bed dwellings
  - 98no. two-bed dwellings/flats
  - 30no. one bed flats

- 4.3 The single vehicular access point to the site would remain in the same place as existing and as approved under the outline application. Footpaths are proposed to the north-east and south-west corners linking the development to Mytchett via the Mytchett Centre open space and the Blackwater Valley, respectively. The dwellings would mainly have on-plot parking with some rear courtyards, with parking to the front of the flat buildings.
- 4.4 The 10 Landscape Character Areas have been carried through from the outline approval. Each character area has been developed to be reflective of its location within the site and to link to its adjacent character areas. The most northern character area would be called Village Pond designed around a central pond, with appropriate transition and variation towards the higher density layout to the south. Each character area is reflected by its architectural arrangement, materials and landscaping. Landscaping is proposed to be enhanced in the layout, with the SUDS scheme integral to it, and with the 20 - 30 m thick woodland buffers to the northern and eastern boundaries retained. A Local Equipped Area for Play (LEAP) is proposed in a linear form in the centre of the site between the two developable areas. Three smaller Local Areas for Play (LAP) would be provided throughout the site. All dwellings are proposed to have private garden areas with the apartments having balconies and communal areas.
- 4.5 The SANG area already approved would be 6ha in size with the lakes an additional 5ha approximately. The SANG would have a 2.3km footpath around the outside of the lakes and within the open space area to the south-west. The car park for the SANG would remain close to the site entrance on Mytchett Road and would provide four spaces. The SANG area would be supplemented with native planting and wildlife enhanced areas.
- 4.6 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 and Design Statement
  - Landscape Design Strategy
  - Soft Landscape Specification
  - Landscape Masterplan
  - Tree Report, Arboricultural Impact Assessment and Method Statement
  - Accommodation Schedule
  - Proposed Materials Schedule, with supporting sample elevations and indicative CGI visuals

## 5.0 CONSULTATION RESPONSES

- |     |                                   |  |
|-----|-----------------------------------|--|
| 5.1 | Surrey County Highway Authority   | No objection, subject to conditions  |
| 5.2 | Natural England                   | No objection raised, subject to compliance with the outline conditions and the legal agreement |
| 5.3 | Council's Arboricultural Officer  | No objection raised, subject to landscaping condition  |
| 5.4 | Council's Urban Design Consultant | No objection raised, subject to materials to be agreed by conditions                           |

5.5	Council's Housing Services Manager	Supports the delivery of affordable housing and the tenure and locations
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## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report eight letters of objection and one letter in support of the application have been received.

The support letter raises the following issues:

- Concerns about proposed site access located near to a bus stop – should be relocated *[Officer comment: see section 7.6]*
- Landscaping and screening will avoid any impact on existing surrounding dwellings *[Officer comment: see section 7.4]*
- No reason for application to be turned down

- 6.2 The objection letters raise the following issues:

Highways *[Officer comment: see section 7.6]*

- Will increase the amount of traffic on local roads, and even more so when Deepcut is completed; also lead to a higher amount of accidents
- Mytchett and surrounding villages will be at breaking point with all the new homes
- No new housing ever provides sufficient parking resulting in parking on local roads
- Mytchett Road and Coleford Bridge Road is already often at a standstill especially at peak times or if there is a problem on the A331
- Proposal to replace the two mini roundabouts with traffic lights is only going to add to traffic congestion *Officer comment: Traffic lights are not proposed]*
- Increased traffic congestion caused by just one entrance, especially during rush hour as most people head to A331/M3
- Insufficient parking provision for dwellings and visitors; concerned excess cars would park along adjacent roads; will be a safety issue for pedestrians and cause traffic congestion; will also lead to parking on pavements

Ecology *[Officer comment: see Paras 7.6.3-7.6.4]*

- Habitats will be destroyed including foxes, deer and badger setts within the site

Infrastructure *[Officer comment: see Para 7.6.8]*

Increased pressure on schools, dentists and doctors; already limited in the Mytchett area

Flooding/Drainage *[Officer comment: see Para 7.6.9]*

- Concern about how building in an area prone to flooding will impact on neighbouring properties

- Flood risk assessment shows flood relief culverts and worst case encroachment entirely focussed on south and west boundaries of the site – still ignores culvert on northern end that has been improved by Surrey Heath’s drainage team – this culvert is still not shown on the plan and is under hard standing – how will this be able to drain surface water?
- Neighbouring properties already have a high water table and gardens flood - building on this area will increase the water levels in the gardens
- Increased area of development will displace water to neighbouring dwellings - what happens if these floods happen?

6.3 All subsequent representations received following re-consultation for the amended buildings will be outlined in an addendum update sheet.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policy CP1, CP2, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10, DM11, DM16 and DM17. It will also be considered against the Surrey Heath Residential Design Guide 2017 (RDG), and the National Planning Policy Framework (NPPF).
- 7.2 Since the 18/0327 outline approval in December 2018, officers do not consider that there has been any significant change in circumstances. For completeness, a copy of the committee report for this outline approval is attached (see Annex A) and for reference purposes, the main issues and conclusions of this report are summarised below:
1. The principle of the development has been approved (see section 7.3 of this report);
  2. The access arrangements (including a singular vehicular access from Mytchett Road) has been approved (section 7.5);
  3. The development layout and density has been approved (section 7.4);
  4. No objections were raised regarding the impact of the proposal upon highway safety, including the level of parking and the cumulative impact on increased traffic from this proposal and the Deepcut housing site (section 7.5);
  5. No objections in principle to the impact of the proposal on residential amenity grounds, including any increase in noise whilst noting the outline nature of the approved scheme (section 7.9);
  6. No objections to the impact of the proposal on ecology (section 7.7) and archaeology (section 7.12);
  7. No objections to the impact of the proposal on local infrastructure with the proposal being CIL liable (section 7.11) The completed legal agreement secures contributions towards primary classroom places at either Holly Lodge or Mytchett Primary School, along with a local nursery at Holly Lodge;



8. No objections to the impact of the proposal on affordable housing provision (subject to the terms of the legal agreement), the indicative housing mix, crime and open space provision, and;
  9. No objections on drainage, flood risk and land contamination.
- 7.3 Given the materiality of this outline approval with the means of access and layout fixed, by association, the traffic generation and highway impacts have also been accepted. Furthermore, the environmental effects including the impacts upon biodiversity and flooding, SANG and land contamination have been accepted. This report therefore concentrates on the reserved matters (i.e. scale, appearance and landscaping). The main issues relating to these reserved matters are as follows:
- Impacts upon the character and appearance of the area;
  - Impacts on residential amenity;
  - Other issues (including the final parking layout, the impacts of the reserved matters on biodiversity; and the final housing mix including affordable housing).

#### **7.4 Impacts on the character and appearance of the area**

- 7.4.1 Paragraph 170 of the NPPF states that the intrinsic character and beauty of the countryside should be recognised, and paragraph 127 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.
- 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.
- 7.4.3 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 states the highest density possible should be achieved without adversely impacting on the amenity of neighbours or compromising local character. The density of just the net developable area of the site (excluding the SANG area), as approved under 18/0327, is 37 dwellings per hectare (dph) overall, with 46dph in the southern parcel and 23 dph in the northern (Village Green) parcel.
- 7.4.4 The proposal was subject to scrutiny by Design South East at pre-application stage and many of their suggestions were incorporated into the outline approved layout (as summarised in the table within section 7.4.5 of the Annex to this report). The Western Urban Area Character SPD does not cover the site, given that there is currently no residential development in this area. The nearest character area is the Historic Routes along the Mytchett Road. However, given the significant differences in the age and type of development, it was not considered appropriate to apply this designation to the site. The site was considered large enough to have its own character and not seek to conform in layout and appearance to the older development along Mytchett Road.

### Proposed scale and appearance

7.4.5 The current proposed buildings largely follow the indicative layout and character areas put forward at outline stage, with the following amendments:

1. The flat building at the entrance to the Village Pond character area to the north has been reconfigured to better address the streetscene at this key entrance point;
2. The two dwellings immediately to the north of this building have been changed from semi-detached to link-detached;
3. The courtyard of four detached dwellings further to the north now contain principle elevations facing the main access road;
4. One of the corner plots adjacent the village green lake has been tilted to increase the gap to the lakeside ecological zone;
5. Moving to the southern parcel, the flat building at the entrance to the development has been rotated slightly and the depth of the footprint reduced slightly, to increase the distance to No. 218 Mytchett Road, with no windows on the closest elevation facing this neighbour;
6. The detached dwellings facing the southernmost lake have amended footprints, with small dormers added to certain plots to provide variation and to reflect the design of the flat block opposite;
7. The car park for the SANG land will be relocated to the other side of the turning area off Oak Tree Garden, but will still contain four parking spaces as approved at outline stage.

7.4.6 The Council's Urban Design Consultant has commented that the proposed residential development is regarded to sit well in the existing context in terms of overall design concept, scale and character and will complement the larger area with a distinct, self-contained major development. Some of the flat buildings have been amended to overcome concerns raised:

1. The flatted buildings within the Woodland Glade character area to the east have been changed from 2/3 storey flat roof to 2/3 storey pitched roof for the northernmost buildings, and 2.5 storey with dormers in roof for the two longer buildings parallel with Mytchett Road;
2. To the west adjacent the lake, two of the flat buildings in the centre of the Waterfront Crescent character area have been reduced in height to create a stepped increase in height from 2 storey (eaves level) at the edge to 3 storey at the central flat building.

7.4.7 The above amended buildings now comply with the indicative storey height plan approved at outline stage. The Council's Urban Design Consultant has commented that the use of pitched roofs rather than flat roofs, in combination with appropriate multi-stock brick, tile/slate and weatherboarding materials, would ensure that the development now fully blends in with the other parts of the scheme in terms character, built form, height and building materials. The five Waterfront Crescent flat buildings would now have a clear transitional scale, but which still allows for the crescent-shaped buildings to sit comfortably adjacent the surrounding two storey form at this key location adjacent the lake.

7.4.8 Another key requirement established at pre-application stage was to have a clear and sequential experience for residents and visitors moving through the site. The ten character

areas, as indicated at outline stage, have all been carried through and have informed the proposed elevation designs and associated massing. The proposed vehicular entrance would turn slightly to allow for initial glimpses of the lake, with a flat building to the right addressing the entrance way. Further along, the flat buildings and terraced dwellings along Lake Avenue (the main thoroughfare) lead to the formal layout of Lakeview Square, to provide a coherent arrival point. Front linear landscaping on one side and SuDS water feature on the other would add legibility to Lake Avenue as the main access road.

- 7.4.9 At Lakeview Square, one can then either turn right towards Woodland Glade whereby views towards a three storey building at the end would guide the visitor to the courtyard layout within a wooded setting. A left hand turn would run towards the lake (Lakeview Lane) and this would loop around the large lake feature, leading to the abovementioned Waterfront Crescent flat buildings. Waterfront Mews forms an interlinking lane back towards Lake Avenue, containing two storey dwellings in a courtyard setting. Lake Avenue then turns back towards the lake feature, then turning again northwards to follow the tree line bordering Mytchett Farm Caravan Park. This narrower section, with the lake on the other side, is utilised to provide communal open space, including a designated Local Area of Play (LAP) and Local Equipped Area of Play (LEAP).
- 7.4.10 The Council's Urban Design Consultant has commented that the scheme at this higher-density southern parcel has progressed very positively and demonstrates that the scheme can provide a suitable degree of variation, such as a more muted palette of pale green, misty blue and dove grey weatherboarding along the lake shores, and more distinct contemporary black stained timber weatherboarding in combination with high quality facing bricks in the more formal courtyards. Overall, orangey-red Surrey bricks will be used in combination with other warm red facing bricks and as a contrast, slate tile and grey/blue bricks in specific locations.
- 7.4.11 The site then opens up again to the north, where the Village Pond character area would be located. A 2.5 storey flat building would guide the visitor towards the lower-density development beyond, comprising 2 storey detached and link-detached dwellings using materials such as hanging clay tiles in combination with natural flint. The pond feature would be surrounded by principle elevations of the dwellings, with some more discreet courtyard/cul-de-sac layouts behind. The Council's Urban Design Consultant has commented that the more traditional approach taken here adds interest and distinctiveness to the area in combination with red brickwork.
- 7.4.12 The proposed material schedules with supporting sample colour elevations and CGI imagery demonstrate the distinctiveness of each character area and the appropriate transitions as one travels throughout the development. For instance, the use of weatherboarding within the more wooded areas (e.g. Woodland Glade) and adjacent the water features (Lakeview Lane); the mixture of light and dark materials in the higher density areas to the south (e.g. Waterfront Mews) to add interest and variation, and similarly; use of varying brick types and occasional flint panels for the lower density Village Pond character area to the north.
- 7.4.13 In summary, all the different character areas are considered to demonstrate a strong sense of place whilst also working well together, to positively contribute to the overall character of the development as a whole. A further benefit is the associated integration of the affordable housing in terms of location, distribution, type and "tenure blind" design approach across the site, which is now considered well balanced.
- 7.4.14 The Council's Urban Design Consultant has however stressed that the quality of the architectural details is vital for the delivery of a high quality scheme and detailed drawings in the scale of 1:5 and 1:20 would therefore be required for fenestration, doors, porticos/door overhang as well as roof details (bargeboard/fascia/soffit).

Details of balustrades and guarding to balconies would also be required, as well as details of treatment/colour scheme for timber constructions, to demonstrate high quality and consistency. Similarly, although a building materials schedule is provided, samples will still need to be submitted. The above can be secured by conditions, also noting that the outline scheme also contains a condition requiring more detail at individual plot level. The proposed materials schedule will form part of the approved plans, as an appropriate reference point for each character area.

- 7.4.15 Policy DM16 of the CSDMP requires new residential development to provide open space and equipped playspaces, with Local Areas of Play (LAP) being at least 100m<sup>2</sup> and Local Equipped Areas of Play (LEAP) being at least 400m<sup>2</sup> in size. The proposed Landscape Masterplan confirms that three LAP areas and one LEAP will still be provided. The LAP areas would be at least 100m<sup>2</sup> with a 5m buffer to residential properties. They would provide seating and be located on an area of reasonably flat and well drained ground. Two of these are located in the southern residential parcel and one adjacent to the lake. The LEAP area would be on the connecting road between the northern and southern parcels (as described above) and would include wooden play equipment. The detailed layout of these play areas are secured by planning condition under the outline scheme, with the management and maintenance of the facilities included in the legal agreement.

#### Proposed landscaping

- 7.4.16 The existing site only has very limited visibility from the wider area, being not publicly accessible and screened from the main route through Mytchett by the existing dwellings and woodland buffer beyond. Along the A331 the site is mostly screened by mature trees with very limited viewpoints into the site, other than from the adjacent Blackwater Valley footpath. As such, given that these elements would not change, once the development is complete, it would be also well screened from outside the site with only limited views of the development from the public viewpoint. A Landscape and Visual Impact Assessment was submitted with the outline application, which selected a variety of viewpoints in the local area, nearly all of which would have no change in the existing view, with only very minor changes to some viewpoints including the main access. The report recommends that building heights are limited to three storeys, as is proposed at reserved matters stage.
- 7.4.17 In terms of the impact on existing trees, the applicant has provided an updated Arboricultural Report to reflect the slightly revised layout, which has been reviewed by the Council's Arboricultural Officer. The most relevant change relates to the proposed relocated SANG car park, which will now be relocated to the other side of the turning area off Oak Tree Garden. This will necessitate to the net loss of one tree from the outline scheme. Overall, 54 trees (an increase of 2 from the outline submission) and two hedges (same as outline) are now proposed for removal, with ten other tree/woodland groups requiring pruning or selective removal (an increase of one woodland group). Mitigation replacement planting is proposed and an indicative planting schedule has been added to the Landscape Masterplan. A Landscape Design Statement has also been submitted that now includes indicative hard and soft landscape palettes for each of the character areas. This Statement advises that further detailed hard and soft landscape proposals will be prepared to cover the full site, including the SANG area. This could be secured by a planning condition.
- 7.4.18 The Council's Arboricultural Officer has not objected, as the proposed replacement planting amount would mitigate tree loss. An updated tree protection layout can also be secured through a planning condition. The Council's Arboricultural Officer has also commented that although the proposed native tree species is acceptable, stock sizes should be increased to extra heavy standard as a minimum. Additionally, the proposed feature tree planting could be expanded to offer further variety by the use of some

suggested additional species and cultivars. The applicant has agreed to provide increased stock sizes but wishes to work further with the Arboricultural Officer to agree a revised feature tree schedule, to avoid root impact concerns. This can be secured by condition for detailed landscaping.

### Conclusion

- 7.4.19 Given the proposal's size and setting, it will adopt its own character and would be of a different character and density to surrounding dwellings, as established by the outline approved layout. The proposed scale and appearance is therefore considered to be acceptable in this context, whilst also capable of achieving high-quality and integrated designs throughout, with appropriate variation in elevation appearance and transition of scale where necessary. The development will also include landscaping and water features to make the most of the natural features of the site, which will further assist in creating high quality design and unique character.

## **7.5 Impacts on residential amenity**

### Impact on surrounding properties

- 7.5.1 The proposed residential layout remains largely as approved under the 18/0327 outline scheme. The existing buffer of trees along Mytchett Road to the east will be retained and strengthened in this location. The Woodland Glade flat buildings on this side will remain over 60m from the rear of properties in Mytchett Road, with a dense tree buffer in between. The separation distances from the 2 storey and 2.5 storey flat buildings (i.e with dormers in the roof) will therefore remain significantly in excess of the 20m advised separation between the rear elevations of buildings (although this would usually be slightly increased for three storey buildings). Due to the separation distances and intervening tree buffer, it is still not considered that there would be any significant adverse impacts on numbers 176-208 Mytchett Road arising from the proposed Woodland Glade buildings.
- 7.5.2 The tree screen is less dense towards the south, facing Numbers 210-216 Mytchett Road. There will be between 50-70m between the rear elevations of the properties which would be set at an angle, with car parking and trees in between. Given the height of the new dwellings here and the significant separation distances, it is still not considered that any significant adverse impacts on amenity would occur.
- 7.5.3 The separation distance from the two storey terraced dwellings to the nearest neighbouring rear elevation is approx. 50m (No. 218 Mytchett Road). However, the properties would also be set at an angle here and given the height of the new dwellings and the significant separation distances, it is also not considered that any significant adverse impacts on amenity would occur.
- 7.5.4 The rear of the proposed 2.5 storey flat building, at the entrance to the development, would now be approx. 22m at its closest point to the rear of 218, a 2m increase from the indicative approved outline layout. The RDG advises that 15m may be acceptable between the rear and side of two storey properties. The proposed floorplans now show that this rear elevation would contain no window openings. As the proposed scale remains as 2.5 storey, the 22m distance and intervening tree screen is considered to be acceptable. The landscaping details required by condition will include further detail of the screening in this location which will be increased. On this basis, the impact on number 218 is still considered to be acceptable.
- 7.5.5 The front elevation of the proposed 2.5 storey flat building, by the entrance, will be approximately 21m from the front boundary of 230 Mytchett Road, which is set back from the road.

However, it will continue to have views of the driveway and front of the house only, and not of their rear garden which will be obstructed by the house itself.

The two-storey properties on Lake Avenue will remain over 30m from the boundary of number 230 and as such, the impacts on this property are still considered to be acceptable. The abovementioned flat building will remain approx. 26m from the side/rear boundary of number 232 and given this distance and the intervening boundary treatments, the amenity impact remains acceptable.

- 7.5.6 The Mytchett Farm Caravan Park will continue to have a dense tree buffer around all sides between the park boundary and the proposed development. The two-storey buildings will remain at least 30m from the nearest plots in the Caravan Park, with the three storey buildings at least 34m from the boundary. Given the separation distances and intervening buffer therefore, it is still not considered that there would be any significant impacts on the amenity for the occupiers of the Caravan Park.
- 7.5.7 In the north-western Village Green corner, the boundary will adjoin the Linsford Business Park and the rear of properties in Hazelwood Drive. However, the new buildings which will be two-storey with single storey garages in this location, will be over 50m from properties in Hazlewood Drive and over 25m from the business park, with a dense tree buffer in between. As such, it is still not considered that there would be any unacceptable adverse impacts for these properties.
- 7.5.8 There will be some noise and disruption for local residents during the construction period. Under the outline application, the County Highway Authority requested a Construction Transport Management Plan for the construction period, which can include noise and dust measures, and this forms one of the outline approval conditions. Construction hours are controlled by Environmental Health legislation and an informative can be added in this regard. It is not considered that once the development is built that the additional noise would cause any significant adverse impact on surrounding residents. A condition will also be added to prevent any external lighting without details having first been approved by the EHO.

#### Amenity standards for the new dwellings

- 7.5.9 The proposed accommodation schedule confirms that all dwellings and flats will comply with the national minimum space standards. The detailed plans also confirm that the amenity spaces for the proposed dwellings will meet the standards as set out in the RDG, with many of the proposed garden areas in excess of the minimum standards. Although not all flats would contain external balconies and it is not clear as to whether the ground floor flats would have enclosed private amenity space, all flat buildings would have some communal space around them and would obviously benefit from the nearby approved SANG land.
- 7.5.10 Concern was raised at outline stage regarding the semi-detached corner dwellings at the Lake Avenue in the centre. However, the detailed floor plans provided show that obscure glazed bathroom windows will be the only windows on the first floor rear elevation of these properties, and as such will not overlook the neighbouring gardens. A planning condition can be imposed to secure obscure glazed windows for all bathrooms across the development.

## **7.6 Other matters**

### Parking, sustainable forms of transport and connectivity

- 7.6.1 The Planning and Design Statement advises that 368 parking spaces would be provided, with every 1 or 2 bed flat containing one space and every 3+bed house containing two spaces. A total of 4 spaces will be provided for SANG visitors, with further layby parking provided adjacent the northern play areas and within the Village Pond area. The detailed layout shows that there will be on plot parking and/or garages for most of the dwellings, with parking areas to the front of most of the flatted buildings. Some other flats and the properties on Lake Avenue will have parking courts to the rear. The number of parking spaces (368) remains in accordance with the County's Vehicular and Cycle Parking Guidance, January 2018.
- 7.6.2 The County Highway Authority (CHA) has again raised no objection, commenting that all matters relating to traffic generation, access arrangements and parking provision were assessed by the CHA at the outline planning application stage. The CHA were satisfied with the proposal subject to conditions imposed on the outline consent, including provision of parking spaces to accord with their parking standards, and provision for cycle parking. In respect of encouraging sustainable forms of transport and connectivity as part of the outline consent the applicant agreed to pay for the cost of constructing a link outside the site to join the Blackwater Valley footpath. This was secured as part of the legal agreement.

### Biodiversity impacts

- 7.6.3 Under the outline permission planning conditions were imposed in respect of landscape and ecology management, bats, badgers, reptiles and botanical study. The scheme will still be able to provide the 10 metre ecological buffer to watercourses and waterbodies, also secured by condition at outline stage. The Council's Arboricultural Officer has also commented that the proposed Landscape Masterplan will add significantly to the ecological benefit of the area. The additional landscaping conditions recommended will also present an opportunity to preserve and enhance biodiversity.
- 7.6.4 Concern has been raised about foxes and deer. However, these are not protected species under the planning regime and therefore cannot prevent development. This was also not raised as a concern by external consultees under the outline scheme.

### Housing Mix and Affordable Housing

- 7.6.5 In accordance with Policy CP5 of the CSDMP, under the outline permission 40% on site provision of affordable housing was to be provided. This was secured by the legal agreement with a clause added to take into account any vacant building credit permitted. Policy CP6 sets out the need for housing sizes in 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. Under the outline submission the housing mix was only indicative but accorded with Policy CP6 given that the majority of units were 2 and 3 bed. The table below shows the mix of housing now proposed which is still considered to comply with CP6:

No of beds	Market	% Mix	Affordable	% Mix	Totals
1			30	32	30
2	56	36	42	45	98
3	57	37	18	19	75
4+	42	27	3	3	45
Totals	155		93		248

- 7.6.6 The applicant is claiming vacant building credit (VBC) for the existing buildings on site thereby reducing the affordable housing provision from 99 units (40% on site affordable provision) to 93 units (37.5%). However, VBC only applies when a use on a site has not been abandoned. The courts have held that account should be taken to all relevant circumstances when deciding whether a use has abandoned including the condition of the property; the period of non-use; whether there is an intervening use; and any evidence regarding the owner's intentions. Given the history of this site whereby the buildings on site have never been used, further clarification is being sought from the applicant on this matter. There is also a clause in the legal agreement that requires a 40% contribution in the event that VBC is not permitted. The current mix for the affordable dwellings as outlined above will be approximately 32% 1-bed (2% increase from outline), 45% 2-bed (3% reduction from outline), 19% 3-bed (1% increase from outline) and 3% 4+ bed (no change), which is still considered to sufficiently comply with the housing mix policy.
- 7.6.7 The affordable provision is located in several locations throughout the site, and will be split between intermediate and social rented units. Affordable housing provision is secured in the legal agreement, but the wording allows for variation of the tenure mix to be agreed in writing by the Council. The Council's Housing Services Manager has again raised no objection to the proposal. It is still considered that the proposal is acceptable in terms of the affordable provision and housing mix, as it still meets identified need.

#### Impact on Infrastructure

- 7.6.8 Concerns have been raised in respect of schools, dentists and doctors already limited in the Mytchett area. These impacts were considered at outline stage. This development would be liable for the Community Infrastructure Levy (CIL), used to fund projects including open space, transport projects, pedestrian safety improvements among others. The Section 106 Agreement includes an education contribution of £720,171 towards primary classroom places at either Holly Lodge or Mytchett Primary School), along with £166,916 towards a local nursery at Holly Lodge, to be provided in a phased manner over the course of the development.

#### Flooding and Drainage

- 7.6.9 As indicated in Paragraph 7.2 above, no objections were raised at outline stage to the impact of the proposal on drainage and flood risk. The outline scheme proposed Sustainable Drainage Systems (SuDS) for surface water drainage, to include permeable paving, swales and basins, with water to flow into the lakes on site. The open water SuDS features presented at outline have also been included in the current Landscape Masterplan. The outline permission includes conditions, as recommended by the Environment Agency and the Local Lead Flood Authority (LLFA). While some specific



concerns have been raised regarding drainage, the final SuDS has not yet been agreed and will be subject to scrutiny by the LLFA prior to implementation.

#### Potential Contaminated Land

- 7.6.10 The site was formerly worked for minerals and subsequently backfilled. The Council's Scientific Officer raised no objection at outline stage, subject to a condition and post-remedial monitoring and reporting that has been included in the Section 106 legal agreement. A phased approach to development has been agreed with the applicant with a Remediation Action Plan being agreed for each area prior to remediation commencing.

## **8.0 CONCLUSION**

- 8.1 The detailed plans and supporting information provided to assess scale, appearance and landscaping confirm that the dwellings will still be mostly two-storey in height, and also still including 2.5 storey and 3 storey flat buildings, mainly in the southern parcel and complying with the parameters of the layout approved at outline stage. The site would continue to be separated into ten different character areas with landscaping interwoven and integral to the layout. The site will also still be well screened from outside the site and the existing woodland buffer separating the site from Mytchett Road dwellings would be retained. Although the proposal site would therefore form its own character, the proposed designs show that the development is capable of achieving high-quality and integrated designs throughout, subject to approval of materials, with appropriate variation in elevation appearance and transition of scale where necessary.
- 8.2 No objections are raised to the impact of the proposal on trees and landscaping, residential amenity, housing mix, local infrastructure and the Thames Basin Heaths Special Protection Area subject to the conditions as outlined. The conditions to the outline permission still apply in relation to highway safety, ecology, archaeology, land contamination, drainage and flood risk. The outline 18/0327 permission provided a legal agreement to secure the provision of affordable housing, SAMM contribution, provision and management of play areas, post-remedial monitoring and reporting, and education and footpath link contributions.

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

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

GRANT subject to the following conditions:-

1. The reserved matters for which permission is hereby granted must commence no later than two years from the date of this permission, or no later than three years from the date of the 18/0327 outline approval (i.e. by 12 December 2021).

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except for the requirement to meet Conditions 3 and 4 below, the proposed development shall be built in accordance with the following approved plans:

Proposed site layout north (P-005); Proposed floor plans and elevations:

(P-A3(A)-1); (P-A4v1-1); (P-A5v-1); (P-A5-1); (P-B3-1); (P-BLK01-1); (P-BLK02-2); (P-BLK02-1); (P-BLK03-1); (P-BLK04-1); (P-BLK 06-1); (P-BLK 09-1); (P-BLK 10-1); (P-BLK 22-1); (P-BLK 23-1); (P-BLK 10-2); (P-BLK 12-1); (P-BLK 17-1); (P-BLK 18-1); (P-BLK 19-1); (P-BLK 20-1); (P-BLK 21-1); (P-C4(A)-1); (P-F5(A)-1); (P-F1(A)v-2); (P-F1(A)-2); (P-F1-1); (P-G5-1); (P-L3v-1) (P-L4-1); (P-K4v2-1) - all received on 16 January 2019; Proposed floor plans and elevations: (P-D4v2-1 Rev A) - received on 28 January 2019;

Proposed floor plans and elevations: (P-B3(A)-1 Rev A); (P-BLK03-2 Rev A); (P-BLK04-2 Rev A); (P-BLK 11-1 Rev A); (P-BLK 13-1 Rev A); (P-BLK 14-1 Rev A); (P-E4-1 Rev A); (P-F1(A)-1 Rev A); (P-F1(A)v-1 Rev A); (P-H4v-1 Rev A); - all received on 29 January 2019;

Proposed floor plans and elevations: (P-BLK05-1 Rev A); (P-BLK07-1 Rev A); (P-BLK08-1 Rev A); (P-BLK15-1 Rev A); (P-BLK 16-1 Rev A); (P-D4-1 Rev A); (P-D4v1-1 Rev A); (P-D4v3-1 Rev A); (P-D4-1 Rev A); (P-D5-1 Rev A); (P-E5-1 Rev A); (P-H4-1 Rev A); (P-K4v1-1 Rev A); (P-B5-1 Rev A);- all received on 31 January 2019;

Proposed site layout south (P-003 Rev B); Proposed floor plans (P-F2-1 Rev C); Proposed elevations (P-F2-2 Rev C); Proposed floor plans and elevations: P-F2-1 Rev A; P-F2(A)-1 Rev A; P-F3-1 Rev A; P-F3(A)-1 Rev A; P-F4(A)-1 Rev A- all received on 13 June 2019;

Proposed character area materials schedule v3 dated 18 June 2019 and received on 20 June 2019;

Proposed site layout tenure plan (P-020 Rev B); Proposed site layout parking strategy (P-022 Rev A); Proposed site layout refuse strategy (P-023 Rev A); Proposed car ports and garages location plan (P-025 Rev A);- all received on 26 June 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 above slab level shall take place until detailed sample drawings in the scale of 1:5 and 1:20 outlining the proposed fenestration, doors, porticos/door overhang and roof details (bargeboard/fascia/soffit) are 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 above slab level shall take place until details and samples of the external building materials to be used shall be submitted to and approved in writing by the Local Planning Authority, to reflect the proposed character area materials schedule v3 dated 18 June 2019 and received on 20 June 2019. Details shall also include proposed balustrades and guarding to balconies and details of treatment/colour scheme for all timber constructions. Once approved, the development shall be carried out using only the agreed materials.

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

5. The parking spaces shown on the approval 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 the on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The proposed development shall be carried out in wholly accordance with the submitted Arboricultural Impact Assessment and Method Statement by ACD Environmental (R Anderson) dated 20.12.18 and received 16.01.19. The construction of the dwellings and roads within the site hereby approved shall not commence unless and until tree protection has been erected in accordance with the Tree Protection Plans NKH21037 03 Rev C Sheets1, 2 and 3 all received 16.01.19, and the Tree Officer has visited the site and agreed in writing that the tree protection is acceptable and in accordance with the above plans. A minimum of 7 days' notice shall be given in writing of the proposed meeting date. The tree protection measures shall be retained until completion of the development hereby permitted.

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

7. Prior to commencement of the development hereby approved, full details of hard and soft landscaping works for the residential part of the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include an indication of all level alterations, roads and hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new planting to be carried out and shall be in accordance with:

i) the Landscape Masterplan (Dwg No NKH21037 10 I - received 16.01.19), except for the stated Indicative Planting Schedule herein;

ii) the Arboricultural Impact Assessment and Method Statement referred to in Condition 5 above, and;

iii) the aims of the Landscape Design Statement (NKH21037State) dated January 2019 (except for the stated Indicative Planting Lists herein) and the Soft Landscape Specification report (NKH210375Spec) dated December 2018. All Plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs.

The species shall include native species of local provenance from seed collected, raised and grown only in UK and suitable for site conditions and complementary to surrounding natural habitat, with extra heavy standard stock size as a minimum. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. Planting shall include nectar-rich flowers and berries.

The details shall be implemented as approved in full and no part of the site shall be occupied unless and until the Local Planning Authority have agreed in writing that the landscaping has been completed in line with the approved landscaping details.

Reason: To preserve and enhance the visual amenities of the locality and biodiversity in accordance with Policies CP14B and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

8. All hard and soft landscaping works pertaining to the residential development hereby approved shall be carried out in accordance with the approved details, unless additional remediation action is deemed necessary by the Council. 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.

9. Before first occupation of the residential development hereby approved, all upper floor bathroom windows shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times.

Reason: In the interests of the residential amenities of future occupiers and surrounding neighbours and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. No additional openings shall be created in the first floor rear elevations of:
  - i) Plots 70-71; 134-135; 177-178; 180-181, and; 195-196 (as approved under Drawing No. P-BLK01-1), and
  - ii) Plots 188-190 (as approved under Drawing Nos. P-BLK02-1 & P-BLK02-1),without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the residential amenities of future occupiers and surrounding neighbours and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

#### Informative(s)

1. The applicant is reminded that the conditions and legal agreement attached to outline permission SU/2018/0327 remain in force for the approved reserved matters development.
2. CIL Liable CIL1

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2018/0327

Reg Date 01/05/2018

Mytchett/Deepcut

**LOCATION:** THE WATERS EDGE, 220 MYTCHETT ROAD, MYTCHETT, CAMBERLEY, GU16 6AG

**PROPOSAL:** Outline Application for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). Full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking, following demolition of existing buildings and structures on the site. (Amended plans recv'd 15/6/18 & 18/6/18). (Amended info rec'd 19/06/2018 & 21/06/2018.) (Additional info rec'd 27/06/2018 & 19/07/2018.) (Amended plan and additional plans and information rec'd 18/07/2018.) (Additional information & plan recv'd 2/8/18). (Amended information rec'd 01/08/2018.) (Amended plan rec'd 10.08.2018). (Amended plans recv'd 13/8/18). (Amended plans rec'd 14.08.2018) (Amended description 21.08.2018)

**TYPE:** Outline

**APPLICANT:** Nicholas King Homes PLC

**OFFICER:** Emma Pearman

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

**1.0 SUMMARY**

- 1.1 This proposal seeks outline permission for 248 homes with matters of access and layout to be determined (scale, appearance and landscaping would be reserved matters). Full permission is also sought for a SANG in the south western corner of the site. The site is designated as Countryside beyond the Green Belt, although it adjoins the Mytchett settlement area. The 21.20 ha site is currently private with no public access, and contains a small number of buildings which have not been in use in many years, some hardstanding and large nets from the former golf driving range. The remainder of the site comprises two large lakes and a smaller pond, and open land and woodland, which is part of a wider Site of Nature Conservation Importance (SNCI). The majority of the site is within Flood Zone 1 (low risk) but also partly within Flood Zones 2 and 3.
- 1.2 The development would be served by a single existing vehicular access at the southern end of the site. Pedestrian links are also proposed to Blackwater Valley to the south west and via the Mytchett Centre to the north east. The residential layout would be designed around the existing lakes comprising two distinct north and south parcels, all served by a central spine road (Lake Avenue). The site would be separated into ten different character areas with landscaping interwoven and integral to the layout. The site is well screened from outside the site and the existing woodland buffer separating the site from Mytchett Road dwellings would be retained. The density of the developable area (i.e. excluding the lakes and SANG) would be 37 dwellings per hectare (dph). There would be a mix of dwelling types with the highest numbers being 2 and 3 bedroom dwellings and 40% would be affordable housing. Whilst scale and appearance would be reserved matters the

dwellings would be mostly two-storey in height and there would also be 2.5 storey buildings and 3 storey buildings in the southern parcel, particular closest to the lakeside. The SANG would comprise just over 6ha, with the lakes an additional 5ha approximately.

- 1.3 The development would result in the loss of open countryside which, in principle would be resisted. However, in the officer's opinion given this land's site attributes being a wedge of land that would not result in coalescence of settlements and given the benefits that would arise from the scheme including meeting an identified housing need, the sustainability credentials and the environmental enhancements it is considered that on balance this in principle objection is outweighed.
- 1.4 The proposal was subject to a Design Review at pre-application stage, and many of the suggestions have been taken into account in designing the final layout. It is considered that given the size of the proposal this site would form its own character and the layout would contribute to local distinctiveness. Given the limited visibility of the site, the separation distances and woodland buffer the development would also cause no adverse harm to existing residential amenities. Subject to conditions, the County Highways Authority raises no objections on highway safety, capacity or parking grounds.
- 1.5 The Environment Agency supports the proposal subject to conditions including an ecological buffer zone to the Blackwater River. Natural England raises no objection on ecological grounds but Surrey Wildlife Trust raise concerns over the impacts of the development upon the wider SNCI. Natural England have also not objected to the SANG, subject to conditions and a legal agreement to secure its management and SAMM. The remediation of the site, which is known to be contaminated, will be beneficial in environmental terms and will be secured through conditions and the legal agreement. The legal agreement would also secure a financial contribution to education and further updates on this matter will be provided at the Committee Meeting.
- 1.6 It is therefore recommended that the application be approved subject to a legal agreement and conditions.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is a 21.20 ha area of land located to the western side of Mytchett Road, with a single access point onto this road. The site lies within the Countryside Beyond the Green Belt, and much of the site is covered by a Site of Nature Conservation Importance designation (Mytchett Mere), and woodland Tree Preservation Order 7/92. Most of the site also lies within Flood Zones 1 and 2 and some of the area in the south-west corner in Zone 3. To the north-east, the site abuts land adjacent to the Mytchett Centre, and on the north-western side Linsford Business Park and the rear of properties in Hazlewood Drive. To the western side lies the A331. To the south lies the Grove Farm mobile home park and open land, and to the east, the site is adjacent to the Mytchett Farm mobile home park and the rear of dwellings along Mytchett Road.
- 2.2 The site currently comprises three lakes, with the remainder of the site mainly grassland and woodland. The trees are concentrated around the edges of the site, with smaller groups of trees throughout. From the entrance, there is a tarmac road which leads to a car park and the buildings on the site, which include a clubhouse and restaurant, driving range building, security lodge and maintenance store, which are single storey brick buildings. There are also large nets of significant height extending



some distance across the site, which are associated with the former golf driving range. The site is not currently publicly accessible.

### 3.0 RELEVANT PLANNING HISTORY

#### Application site

- 3.1 The site is a former gravel extraction site, with a lake created as remediation. In the 1970s outline permission was granted (ref. 74/0736) for the change of the use of the land to a leisure and water sports centre. In 1980 permission was granted (ref. 80/1094) for the erection of a squash club and the use of the lake for fishing. These uses were never implemented.
- 3.2 Outline consent was granted in 1996 (ref. 93/0313) for the formation of a leisure park to provide visitors centre/clubhouse, golf driving range and various outdoor recreational facilities. This contained a number of pre-start conditions. The details pursuant to these pre-start conditions were not submitted and as a consequence the permission lapsed. However, the clubhouse and driving range buildings were still built, albeit that the owner never utilised the land for its intended use. Whilst the current buildings on the land are lawful, given their period of time in existence, these buildings and the site have no authorised use in planning terms. This is because the pre-start conditions were not discharged.
- 3.3 14/0107 – Erection of 2 no. two storey three bedroom dwelling houses, garages access and landscaping (at land east of 220 Mytchett Road, Mytchett) *Granted 15/4/14*
- 3.4 18/0036 – Variation of conditions 2, 3, 5 and 9 of 14/0107 to allowed details to be agreed after commencement of the approved development *Granted 20/3/18*

#### Adjoining site

- 3.5 17/0166 – Outline planning application for the erection of 6 no .semi-detached houses with garages and car parking and associated development following the demolition of the existing dwelling and garage block at 230 Mytchett Road.

*Refused due to the quantum and spread of development across the site including the number of proposed dwellings and its cramped appearance in its setting having an adverse impact on the countryside and adjoining settlement character. Appeal dismissed 10/5/18.*

### 4.0 THE PROPOSAL

- 4.1 The proposal is a hybrid application. The outline application seeks permission for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). The application also seeks full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking. To facilitate the development the existing buildings on site (totalling 1421m<sup>2</sup>) and structures associated with the golf driving range would be demolished.
- 4.2 The residential development proposed is essentially in two connecting parcels, to the north and south of the Mytchett Farm caravan park, on the eastern side of the site. The existing two larger lakes on the western side, and open space to the south-west corner

form the proposed SANG area. The majority of the residential development would lie to the south of Mytchett Farm caravan park, with the proposed development here denser than to the north. This part of the site would comprise mostly two-storey terraced and semi-detached properties, with some detached properties and some two and a half to three storey flats. The northern parcel would provide mostly two-storey detached dwellings, at a lower density, with one three storey building for flats. The precise form and scale of the buildings would be a reserved matter. For this reason the proposed housing type and mix is indicative only but would comprise 1, 2, 3 and 4+ bed with 40% proposed to be affordable.

- 4.3 The single vehicular access point to the site would remain in the same place as existing. Footpaths are proposed to the north-east and south-west corners linking the development to Mytchett via the Mytchett Centre open space and the Blackwater Valley, respectively. The dwellings would have on-plot parking with parking to the front of the flats. Again the final parking numbers would be dependent on the final housing mix but the applicant intends to comply with the County Highways standards. The roads through the development would have a hierarchy, and the different areas have been given different names and character areas, with the main route/spine road through the southern section being known as Lake Avenue.
- 4.4 There would be 10 Landscape Character Areas and according to the applicant each character area has been developed to be reflective of its location within the site and to link to its adjacent character areas. For example the most northern character area would be called Village Pond designed around a central pond. Whilst appearance would be a reserved matter it is proposed that each character area would be reflected by its architectural arrangement, materials and landscaping. Landscaping is proposed to be enhanced in the layout, with the SUDS scheme integral to it, and with the 20 - 30 m thick woodland buffers to the northern and eastern boundaries retained. A Local Equipped Area for Play (LEAP) is proposed in a linear form in the centre of the site between the two developable areas. Three smaller Local Areas for Play (LAP) would be provided throughout the site. All dwellings are proposed to have private garden areas with the apartments having balconies and communal areas.
- 4.5 The SANG area would be 6ha in size with the lakes an additional 5ha approximately. The SANG would have a 2.3km footpath around the outside of the lakes and within the open space area to the south-west. The car park for the SANG would be close to the site entrance on Mytchett Road and would provide four spaces. The SANG area would be supplemented with native planting and wildlife enhanced areas, and would have a low fence separating it from the residential development to allow dogs to roam free, with several gates into the SANG.
- 4.6 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:
  - Affordable Housing Statement
  - Ecological Impact Assessment
  - Design and Access Statement
  - Foul Drainage and Utilities Assessment
  - Archaeological Desk-based Assessment
  - Geo-Environmental Site Assessment
  - Energy and Water Efficiency Statement

- Landscape Design Strategy
- Noise Impact Assessment
- Statement of Community Involvement
- Transport Assessment
- Tree Report, Arboricultural Impact Assessment and Method Statement
- Landscape and Visual Impact Assessment
- Flood Risk Assessment and Surface Water Drainage
- Residential Soft Landscape Management and Maintenance Plan
- SANGS Management Plan

4.7 The applicant's Statement of Community Involvement sets out the details of the public consultation prior to the submission of the application, which included the following:

- Public exhibition at Mytchett Centre on 26th February 2018 attended by over 300 people. This included the ability to make written comments.
- A website was set up in February 2018 for full details and comments.
- A leaflet drop of 750 to neighbouring residential and commercial properties, with local Councillors and the press also notified.

The responses from these consultation exercises have been taken into account in designing the proposal.

4.8 Prior to the application submission, the applicant submitted a request for a screening opinion to establish whether the proposal constituted Environmental Impact Assessment development. The Council issued a response confirming that the development was not EIA development.

## 5.0 CONSULTATION RESPONSES

5.1	Surrey County Highway Authority	No objection, subject to conditions.
5.2	Natural England	No objection, subject to conditions/legal agreement.
5.3	Environment Agency	No objection, subject to conditions for no landraising within the 1 in 100 year climate change flood extent, and for finished floor levels in the development, and a scheme for the provision and management of an ecological buffer to the Blackwater main river.
5.4	Surrey Wildlife Trust	Insufficient information provided in which to assess the current ecological value of the site and as such cannot demonstrate any net loss of biodiversity. Conditions required in terms of biodiversity enhancements, badger monitoring, reptiles and lighting.

5.5	Local Lead Flood Authority	No objection, subject to conditions.
5.6	Thames Water	No objection.
5.7	South East Water	No response received.
5.8	West Surrey Badger Group	Satisfied with badger mitigation. Accept that main sett will close. Need post-development sett monitoring, by condition.
5.9	Surrey Local Sites Partnership	Comments awaited.
5.10	Surrey County Council Education	Requests a contribution for early years provision.
5.11	Council's Scientific Officer	No objection, subject to condition regarding land contamination and post-remedial monitoring included in the legal agreement.
5.12	Council's Environmental Health Officer	No objection, subject to condition for noise.
5.13	Surrey Heath Housing Services Manager	Supports the delivery of affordable housing and the tenure and locations.
5.14	Surrey Heath Clinical Commissioning Group	No response received.
5.15	Guildford Borough Council	No response received.
5.16	Rushmoor Borough Council	No objection.
5.17	Blackwater Valley Countryside Partnership	Supports the creation of a footpath link to the Blackwater Valley route.
5.18	Surrey County Council Archaeology	No objection, subject to condition.
5.19	Council's Arboricultural Officer	No objection in terms of trees, landscaping plan or landscape management scheme, subject to condition for further landscaping details and tree protection.
5.20	Surrey Police	No response received.

## 6.0 REPRESENTATION

- 6.1 The application was advertised in the local press and a total of 407 notification letters were sent out to local residents. Six site notices were also displayed in the vicinity of the site to notify local residents of the application. At the time of preparation of this report 44 letters of objection (including one from Mytchett, Frimley Green and Deepcut Society) (some of these from the second round of consultation) and 6 letters in support of the application have been received.

The support letters raise the following issues:

- Design is not too dense and retains many key environmental features.
- There is a shortage of housing and affordable housing for residents is non-existent – this would provide over 100 affordable houses to the area.
- SANGS area could have been put forward for housing but will remain undeveloped and maintain ability for wildlife.
- Concerns about traffic could be alleviated by making additional entrances/exits *[Officer comment: see section 7.5].*
- Land raising and drainage for the golf course were never subject to any plans regarding SuDS or flood risk and currently impact neighbouring properties *[Officer comment: see section 7.8].*
- S106 agreement could show where local contributions are being used by the local council, in order that residents can see that developments contribute to the local community. Need audit trail of where funds are used for doctors and schools etc.
- In support but would it be possible to preserve the trees around the buffer so we do not lose the natural habitat and this would be of benefit to new residents also *[Officer comment: see section 7.4].*
- Impressed with the amount of affordable housing for the local community.
- Broadly in favour of the development as Waters Edge has been blight on landscape for a long time.
- Full support for lake to be landscaped for all to enjoy.

6.2 The objection letters raise the following issues:

Principle of the development *[Officer comment: see section 7.3]*

- Number of dwellings is more than the original assessment of 150 by SHBC to meet local need and more than 234 originally proposed which concerned residents.
- What is the impact on the Countryside beyond the Green Belt designation?

Character *[Officer comment: see section 7.4]*

- Development is overcrowded in places, density should be more in keeping with surroundings.
- Two to three storey block of flats is out of keeping with surrounding bungalows.
- Same developer did not provide high quality development for Hazelwood Drive nearby.
- Should put a TPO on the oak trees.

- Homes should be built far enough from trees to prevent damage.

Highways *[Officer comment: see section 7.5]*

- Will increase the amount of traffic on local roads, and even more so when Deepcut is completed; villages will be at breaking point with all the new homes.
- No new housing ever provides sufficient parking resulting in parking on local roads; lack of parking especially for the flats.
- Proposal to replace the two mini roundabouts with traffic lights is only going to add to traffic congestion; Mytchett Road and Coleford Bridge Road is already often at a standstill and especially if there is a problem on the A331 *[Officer comment: Traffic lights are not proposed]*.
- Entrance/exit is inadequate for the amount of dwellings – should be another entrance; what else has been considered; should be a roundabout here.
- Already takes a long time for one car to pull out onto Mytchett Road in the morning, with so many cars using one entrance/exit it would take them a really long time; should be a roundabout here as a Give Way sign will not work, and roundabout would slow traffic also.
- Will make it impossible to get out from the roads opposite, such as Glenmount Road when it is busy.
- Will put more strain on bus services, already on Thursdays and Saturdays can't get on them.
- Excess cars could park on entrance roads and spill out onto main road; will the internal roads be wide enough for people to park on them?
- Traffic lights should not be put in until after the housing is in and only if there is a problem; temporary traffic lights have caused congestion so permanent ones would be worse *[Officer comment: Traffic lights are not proposed]*.
- What will entrance to Mytchett Road look like and will it involve loss of bus stop, narrowing of pavements and verges, introduction of island in road.
- Traffic mitigation should consider areas further afield.
- Same developer did not provide enough parking for nearby development at Hazelwood Drive, the road looks like a parking lot.
- Do not think it is realistic for developers to assume that people will work at home.
- Conclusions of the Traffic Impact Assessment should be reviewed by consultants *[Officer comment: It is reviewed by the County Highway Authority]*.
- Critical that all roads should be adopted by Surrey County Council *[Officer comment: They have not been offered for adoption by the developer and will be managed by the management company, however will be designed to adopted standards]*.

- There is another application in the corner of the site; could this area not be used to provide a wider entrance.
- Traffic will worsen air quality.
- Concern about the measurements of the entrance plan *[Officer comment: They have been checked again by County Highways in light of this comment who has confirmed that they are wholly achievable within the public highway.]*

SANG provision and impact on Thames Basin Heaths SPA *[Officer comment: see section 7.6]*

- 4 parking spaces proposed for the SANG is very inadequate, should be in the region of 20 spaces for the community to feel included.
- Public safety should be ensured around the lakes; particularly vulnerable groups.

Ecology *[Officer comment: see section 7.7]*

- Habitats will be destroyed including established trees, so will be detrimental to wildlife, including deer and frogs currently seen.
- Proposal will reduce already dwindling wildlife areas; small compensation for this is not enough.
- Have Surrey Wildlife Trust been consulted and how will the long term conservation of the site be preserved.
- Where would wildlife go?
- Deer will be able to escape onto Mytchett Road.
- What is the impact on the Site of Nature Conservation Importance (SNCI) designation?

Flooding/Drainage *[Officer comment: see section 7.8]*

- Concern about how building in an area prone to flooding will impact on neighbouring properties.
- Neighbouring properties already have a high water table and gardens flood, building on this area will increase the water levels in the gardens.
- No provision for the drain from the existing ditch on north-west edge;
- Existing drainage has been poorly maintained and do not believe that a private company will do any better.
- A large area of the SANG has been excluded from surface water drainage considerations.

- Swales in the plan are 0.3m deep, however this will rapidly fill with water; a more sustainable plan is needed to improve the drainage rather than aggravate it.
- With heavy rainfall, gardens in Mytchett Road are underwater.
- Not enough information about the land drainage that will be implemented.
- Drainage proposals based on theory, will they look at the actual conditions and undertake a survey to see if it will work in practice?
- Drains already overflow and may need upgrading, have Thames Water been consulted.
- Existing drainage ditch will need to be maintained.
- Application does not include sufficient data on flooding issues.
- Concerned about capacity of sewers, how has this been assessed?

Residential amenity *[Officer comment: see section 7.9]*

- Negative visual impact to houses on Mytchett Road as our back garden will look at three storey houses/flats instead of previously natural area.
- Flats will overlook existing houses, should be reduced to two storey.
- What will the lighting be, it is already bright enough outside our houses and will affect sleep.
- Flats will block the light to already wet garden of nearby properties.
- Two to three storey block should not be so close to houses along Mytchett Road, will be able to see them in winter.
- Concerned about security for Mytchett Farm Park and people being able to walk through the woods to back gardens.
- Concern about noise, should be planting and fences to stop noise and cut throughs.
- Sewage pumping station is next to a residential property *[Officer comment: This is existing not proposed and is outside the red line area]*.
- Noise of additional traffic would be detrimental.
- Noise and disruption during construction; programme of traffic works would take a long time and cause disruption to residents.

Infrastructure *[Officer comment: see section 7.11]*

- Will be increased pressure on schools, dentists, hospital and doctors; already not enough school places or doctors' appointments.
- Should build a new school.



- There is a lack of local amenities to serve the residents, only a small number of shops and residents might use their cars to go further afield.
- Mytchett is a small village and a large estate will make it overpopulated for services.
- Developer should contribute financially to local services such as the Mytchett Centre or Canal Centre, especially given inconvenience to residents.

#### Other

- A raised playground would be unsafe *[Officer comment: Applicants have stated that the playground will not be raised]*.
- Lack of notice letters about the development *[Officer comment: See paragraph 6.1]*.
- Should be more smaller houses and less larger ones, Surrey Heath already has more than average large detached houses. Smaller houses are needed for older people as well as first time buyers. *[Officer comment: See section 7.10]*.
- Are SHBC confident that the management scheme would work *[Officer comment: SANG management will be tied into the S106, with step-in rights if it fails. The management for the residential land is set out in the Management Plan and will be conditioned]*.
- Site was used for waste, will surveys be undertaken of the ground quality and health risks? *[Officer comment: see section 7.12]*.
- Boundary line behind 216 Mytchett Road and adjacent properties is wrong as it includes part of rear garden *[Officer comment: This was resolved with amended location plan]*.
- May require more gas works to be done to cope *[Officer comment: Not anticipated at this stage and not something for planning to consider]*.
- Environmental Survey was based on 232 homes not 248 and doesn't mention waste *[Officer comment: see section 7.12 – the Council's Scientific Officer has thoroughly reviewed the proposals and has not objected subject to conditions. The proposed number of houses does not impact the review of existing ground.]*.
- There is no mention of a community liaison officer from the developer's team to handle problems during construction *[Officer comment: This should be set out in the Construction Management Plan, required by condition]*.
- Site should be environmentally sustainable through provision of solar panels, water butts and charging points for vehicles *[Officer comment: Final design details will be set out at reserved matters stage]*.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policy CP1, CP2, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10, DM11, DM16 and DM17. It will also be considered against the Surrey Heath

Residential Design Guide 2017 (RDG), and the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are as follows:

- Principle of the development.
- Impacts upon the character of the area.
- Means of access and highway impacts.
- SANG provision and impact on the Thames Basin Heath SPA.
- Biodiversity impacts.
- Flooding and drainage.
- Impacts on residential amenity.
- Affordable Housing and Housing Mix.
- Other matters (including land contamination and archaeology).

### **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 NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development and also requires Local Planning Authorities to have a 5-year supply of housing land. At present Surrey Heath does not have a five year housing land supply, with the latest figure being 3.95 years' supply against the annual figure of 382 dwellings. By providing 248 dwellings, this application would result in a significant contribution to the borough's housing numbers. Given the lack of 5 year housing land supply, Policy CP3 which sets out the scale and distribution of housing is considered to be out of date, as confirmed by various recent appeal decisions in the borough. The NPPF advises in paragraph 11 that where policies are out of date, permission should be granted unless it is in a protected area or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

7.3.2 Paragraph 170 of the NPPF states that the intrinsic character and beauty of the countryside should be recognised, however the NPPF gives the greatest protection to designated landscapes and the Green Belt. Policy CP1 of the CSDMP directs new development to previously developed land in settlement areas in the western part of the borough, though accepts that there may be exceptions, and states that development in the Countryside beyond the Green Belt which results in the coalescence of settlements will not be permitted. This site is not within a settlement area, being in the Countryside, and only a small part can be considered to be previously developed. However, it is not considered that it would result in the coalescence of settlements. The site would be separated from Farnborough to the west by the A331 and by the proposed SANG, and from Ash Vale to the south by the SANG also. As such, these significant barriers between the site and surrounding settlements are also likely to prevent coalescence of settlements through incremental development in the future. The site would likely remain as Countryside beyond the Green Belt unless a future local plan decided to change the boundary in light of the development.

- 7.3.3 In terms of whether the location is sustainable, Policy CP2 of the CSDMP requires land to be used efficiently within the context of its surroundings, and to create sustainable communities with a strong sense of place, that are safe and have easy access to a range of services. The site would abut the existing settlement area of Mytchett and as such could be regarded as an extension to the settlement area. It would be in close proximity to the existing shops and services of Mytchett which are mainly concentrated along Mytchett Road in a linear form, and as such would provide economic benefits to the existing shops and services. It would also be within reasonable distance of public transport connections with bus stops approximately 400-800m from the site boundary, with Ash Vale station 1.2km away. As such, despite the countryside location it is considered that the location would be broadly compliant with the sustainability requirements of the NPPF, Policies CP1 and CP2.
- 7.3.4 The Surrey Heath Draft Local Plan Issues and Options document 2018 was recently subject to public consultation. It is noted that this document identifies Waters Edge as one of 12 sites that could be allocated for housing development in the new Plan, and identifies it as available and achievable, for 150 dwellings. This is an approximate number however, and does not mean that the site is limited to this figure. The developer has shown that more can be accommodated on this site. This document does not yet have the status of policy and as such limited weight can be attached to it at this stage.
- 7.3.5 It is considered therefore that the proposed location for the housing does not accord with Policy CP1 in terms of being previously developed land, and would result in the loss of open countryside whose intrinsic character and beauty should be recognised. However, the location is broadly considered to be sustainable, it would not result in the coalescence of settlements, and it would contribute significantly to Surrey Heath's housing supply, as currently there are insufficient previously developed sites to meet Surrey Heath's housing needs. The economic and social benefits from the proposal would be significant, including the provision of housing and publicly accessible SANG, on an area which is currently not accessible. The SANG part of the proposal is not considered to be unacceptable in this location, given that it would be retained as open countryside, and enhanced in terms of its accessibility, landscape value and wildlife benefits. It is therefore considered that the benefits provided by the development outweigh the harm in terms of the loss of countryside in this location and as such the principle of the development is acceptable.

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

- 7.4.1 Paragraph 170 of the NPPF states that the intrinsic character and beauty of the countryside should be recognised, and paragraph 127 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.

- 7.4.3 The Western Urban Area Character SPD does not cover the site, given that there is currently no residential development in this area. The nearest character area is the Historic Routes along the Mytchett Road. However, given the significant differences in the age and type of development, it is not considered that it would be appropriate to apply this designation to the site. The site is considered large enough to have its own character and not seek to conform in layout and appearance to the older development along Mytchett Road.
- 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 states the highest density possible should be achieved without adversely impacting on the amenity of neighbours or compromising local character.

Proposed layout, landscape and density

- 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>
Making landscape integral and fundamental to the layout as this is the site's greatest asset and unique selling point. It should not be left to reserved matter stage.	The applicant has included a Landscape Masterplan and Design Strategy. The site will be separated into ten different character areas with different landscape design in each. The more structured, ornamental planting will be close to the main access road with native species on the remainder of the site (Nb. The full details of 'landscaping' under the definition of the TCP Development Management Procedure Order will still need to be a reserved matter but there is now sufficient level of detail with this submission for the landscape to not be an afterthought)
Making water a key part of the design at plot and street level; SuDS could influence layout	As well as the two large lakes in the SANG, the village pond will be a feature of the northern parcel, with ditches, streams and ponds throughout the site, as shown on plans OPA004 and OPA005
Having a clear and sequential experience for residents and visitors moving through the site	The different character areas will add to the sequences and hierarchy of streets, which will be defined through use of different materials for roads and buildings, and through landscaping
Having a long-term management and maintenance strategy	The SANG management and maintenance strategy is secured through the legal agreement. There will be a residential management and maintenance strategy also; an indicative strategy has been sent but a more complete strategy is required by condition.
Make the design less suburban	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.
Large courtyard of apartments in the north-east corner is poorly designed	This area has been enhanced with landscaping and one of the buildings removed.
Crescent of apartments parking court behind back gardens will provide poor outlook	The houses in front of the crescent have been replaced with a water feature.
Area near the entrance should be part of this application and not separate	This area is now incorporated into the site.
Pedestrian links are very important given that there is only one vehicular access	Pedestrian links will be provided to the site boundaries. The applicant is in discussions with the Blackwater Valley Countryside Partnership to secure the link on the southern boundary. To the north the site is owned by Surrey Heath and there may be potential for a link in the future.
Retail and community uses unlikely to be viable	These are not proposed on the site. This will ensure that the existing shops in Mytchett also benefit from increased trade.

- 7.4.6 The layout includes an avenue from the main entrance, with feature squares and a crescent in the southern residential parcel. The northern parcel comprises a curved route with several cul-de-sacs leading from it, arranged around the existing pond. The plans have been amended following officer concerns to loosen some of the development in the southern parcel, and some units have been replaced by water features. The layout provides for gardens for all the properties and communal garden areas for the flats and is considered to be acceptable. The Council's Tree Officer has stated that the landscaping scheme and management scheme are acceptable at this stage, subject to further detail, but the scheme should avoid ornamental planting.
- 7.4.7 The NPPF has a strong emphasis on appropriate densities and paragraph 123 states that where there is a shortage of land for housing, low density housing should be avoided with a strong emphasis on efficient use of land. The density of just the net developable area of the site (excluding the SANG area) is 37 dwellings per hectare (dph) overall, with 46dph in the southern parcel and 23 dph in the northern parcel. Comparing this to examples of surrounding development in Mytchett, the western side of Mytchett Road has an approximate density of 16dph, however other nearby sites in Mytchett have considerably higher densities such as The Glade at 32dph and Grayswood Drive at 42dph. Given the size of the development and the separate character it would have from the surrounding development, as well as the need to make efficient use of land, it is considered that the density is appropriate in this case.

- 7.4.8 Policy DM16 of the CSDMP requires new residential development to provide open space and equipped playspaces, with Local Areas of Play (LAP) being at least 100m<sup>2</sup> and Local Equipped Areas of Play (LEAP) being at least 400m<sup>2</sup> in size. The proposed layout provides for three LAP areas and one LEAP in the site. The LAP areas would be at least 100m<sup>2</sup> with a 5m buffer to residential properties. They would provide seating and be located on an area of reasonably flat and well drained ground. Two of these are located in the southern residential parcel and one adjacent to the lake. The LEAP area would be on the connecting road between the northern and southern parcels and would include wooden play equipment. Further detail of these areas can be secured through condition and the management and maintenance of the facilities included in the legal agreement. It is considered, however, that they accord with Policy DM16.

#### Impact on existing character and trees

- 7.4.9 The existing site only has very limited visibility from the wider area, being not publicly accessible and screened from the main route through Mytchett by the existing dwellings and woodland buffer beyond. Along the A331 the site is mostly screened by mature trees with very limited viewpoints into the site, other than from the adjacent Blackwater Valley footpath. As such, given that these elements would not change, once the development is complete, it would be also well screened from outside the site with only limited views of the development from the public viewpoint. The applicant has submitted a Landscape and Visual Impact Assessment with the application. This has selected a variety of viewpoints in the local area, nearly all of which would have no change in the existing view, with only very minor changes to some viewpoints including the main access. The report recommends that building heights are limited to three storeys, as is proposed.
- 7.4.10 In terms of the impact on existing trees, the applicant has provided an Arboricultural Report which has been reviewed by the Council's Arboricultural Officer. The report identifies areas of woodland, groups of trees and 201 significant individual trees, of which 49 would be removed to facilitate the proposals, as well as some within groups and others will require facilitation pruning works. The Arboricultural Officer has not objected, but has stated that replacement planting is required to mitigate tree loss which should reflect the landscape character of the area and avoid ornamental species. This can be secured by condition for detailed landscaping. Tree protection is also required by condition.

#### Conclusion

- 7.4.11 It is therefore considered that, given the proposal's size, it will adopt its own character and would be of a different character and density to surrounding dwellings. The development will also include landscaping and water features to make the most of the natural features of the site which will assist in making it a high quality and unique character. While a number of trees will be lost, these can be mitigated for with the detailed landscaping secured under the reserved matters and by condition. The layout is therefore considered to be acceptable in its context. Whilst the scale and appearance of dwellings would be reserved matters the indicative information with this submission demonstrates that the intended quantum of built form would not be harmful to character.

### **7.5 Means of access and highways impacts**

- 7.5.1 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 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented. Policy CP11 of the CSDMP 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.

- 7.5.2 The County Highways Authority has been consulted and raises no objection to the scheme, subject to a number of conditions. The access to the site will be in the same place as the existing Waters Edge access, with the gates removed. While concern has been raised about a single access, there is no other place where an access from the development to the highway could be created, and the County Highway Authority considers it acceptable for this number of dwellings. The access arrangement, carriageway width and visibility splays already confirm with highway standards, although additional pedestrian paving will be added into the site, and a crossing point to the south of the site on Mytchett Road, as required by the County Highway Authority's conditions.
- 7.5.3 Concern has been raised about the additional traffic generation. The applicant has carried out a number of manual traffic surveys in September 2017 and March 2018, and modelled the worst case scenarios in terms of numbers of cars entering and leaving the site at peak times. However, these are considered to be acceptable without any severe impacts in terms of queue lengths or the safety of highway users. While traffic lights were originally considered at pre-application stage, these are no longer part of the proposal, as they were unpopular with residents at the public consultation and appeared to be an excessive solution to minor queuing impacts during peak times only.
- 7.5.4 The site layout plan proposes a central spine road (called Lake Avenue at the southern part) with looped access roads within the development. Some access roads will have shared surfaces where pedestrians will have priority. The roads will not be adopted by County Highways, and will be maintained by the maintenance company. They are wide enough for emergency services. The layout shows that there will be on plot parking and/or garages for most of the dwellings, with parking areas to the front of most of the flatted buildings. The properties on Lake Avenue will have parking courts to the rear. The County Highway Authority has requested a condition for a minimum of 370 parking spaces, which would accord with their parking standards. The applicant will also have to include provision for cycle parking, which will be a further condition.
- 7.5.5 The nearest bus stops to the site are immediately to the north and south of the access and have a 30 minute frequency. The bus stop to the north will be upgraded to improve accessibility and provide a replacement bus shelter. Concern has been raised about overcrowding on buses, however the County Highway Authority state that most buses in Surrey are running well under capacity and as such no additional capacity is currently proposed. The nearest train stations are North Camp and Ash Vale which are around 1-1.2km from the site. It is considered that the site is sustainable in terms of its accessibility to public transport. In terms of pedestrian links, footpath links are proposed to the north and south of the site. In the north-east corner, the applicant will construct a footpath to the boundary of the site, to the adjoining land behind the Mytchett Centre, which is owned by Surrey Heath. Discussions are ongoing with regard to extending this footpath across this land and any updates will be reported to the meeting. To the south, the applicant is also willing to construct a link from the SANG path to the boundary of the site, where it could join up with the Blackwater Valley path by way of a small footbridge over the ditch, and discussions are ongoing with the BVCP and Hampshire County Council in this respect. The applicant has indicated a willingness to contribute to the costs of the link outside the boundary of the site.

- 7.5.6 The remaining conditions required by the County Highway Authority relate to charging sockets for some of the parking spaces, a Construction Transport Management Plan and a Travel Plan. It is therefore considered that the proposal is acceptable in terms of its impact on highways, parking and access, subject to the proposed conditions.

## **7.6 SANG proposals and impact on the Thames Basin Heaths SPA**

- 7.6.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.6.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 700m 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. It states that no new residential development is permitted within 400m of the SPA. For larger proposals i.e. 100+ dwellings all new development is required to provide SANG on site. This development proposes an on-site SANG of just over 6ha, with an additional 5.7ha of waterbodies, which will provide SANG capacity for all the proposed dwellings, and there is likely to be some spare capacity which may be able to be utilised for other developments in the borough in the future.
- 7.6.3 The SANG area will include both the larger lakes and the area around these and to the south-west corner of the site, and will provide a 2.3km walk. Native screening is proposed along the boundary with the housing, to improve the visual amenity from the SANGS site. There would be a low post and rail fence around the SANGS site with a gate into the development, and a further post and rail fence around the waterbodies. There will be small bird hide areas for wildlife and dog dip areas in less sensitive wildlife areas. The areas to the south will have an artificial badger sett with earth mounding surrounding it to reduce access, grassland areas for reptiles and native fruiting species for badgers and to increase biodiversity. Trees will be planted along the southern boundary to improve visual amenity and minimise visual urban intrusion from the development outside the boundary.
- 7.6.4 The applicants are yet to finalise who would manage the SANG, however this will be covered in the S106 agreement and is likely to be the Land Trust or a similar organisation, with a separate organisation having step-in rights. Natural England have been consulted on the proposals and have not objected, subject to conditions or legal agreement to secure several measures, including the SANG being delivered before occupation of any of the dwellings on site, leaflets publicising the SANG and securing the necessary contributions. The development will also be liable for SAMM contributions at reserved matters stage, as with all new dwellings, when the final housing mix is known.
- 7.6.5 Four parking spaces are proposed for the SANG, close to the site entrance. Concern has been raised that this would be insufficient. However, no concern in this regard has been raised by Natural England or the County Highway Authority. It is noted that Appendix 2 of the Thames Basin Heaths SPA SPD states that for all sites larger than 4 ha, there must be adequate parking for visitors, unless the site is intended for local use, and within easy walking distance (400m) of the developments linked to it. In this case, the site is clearly within this distance of the new development that it is intended to serve. The 4 spaces are likely to be used by those further afield, however many homes outside the development are also within 400m of the entrance and as such it is anticipated that many SANG users living



outside the site are also likely to walk to it. It is noted also that other on-site SANG in the borough have not provided any parking. By foot, the SANG could also be accessed through the development or from the Blackwater Valley route, once these footpath links are complete.

- 7.6.5 The proposal is therefore considered to be acceptable in terms of its impact on the Thames Basin Heaths SPA, subject to conditions and finalising the legal agreement.

## **7.7 Biodiversity impacts**

- 7.7.1 Paragraph 170 of the NPPF seeks to protect and enhance valued landscapes and sites of biodiversity value and states that decisions should minimise impacts on, and provide net gains for biodiversity. Paragraph 175 states that when determining planning applications, if significant harm to biodiversity cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. Development resulting in the loss or deterioration of irreplaceable habitats should be refused except where there are exceptional reasons and compensation. It also states that opportunities to incorporate biodiversity improvements in and around developments should be encouraged. Policy CP14A states that the Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.7.2 Part of the application site is covered by the non-statutory designation of a Site of Nature Conservation Importance (SNCI), known as Mytchett Mere. It was selected for its habitats including the lakes, emergent vegetation, alder woodland, unimproved grassland, scrub and odonata. The applicant has submitted an Ecological Impact Assessment and several documents and emails comprising further information on ecology. The Assessment states while 31% of the SNCI will be lost, that the development has been designed to retain the majority of SNCI designated features with areas of SNCI grassland re-created and managed. Surrey Wildlife Trust have commented in this regard that insufficient assessment of the existing site has been undertaken as no botanical survey has been carried out. The Trust advises that this would establish a baseline so that it could be fully demonstrated that there would be no net loss of biodiversity. The applicant responded, however SWT have still stated that insufficient information has been provided maintaining that this ought to be provided prior to determination. Comments are also awaited from the Surrey Local Sites Partnership.
- 7.7.3 In the applicant's response the explanation given was that whilst this site has SNCI status historically this site has not been managed and as a result damage to the SNCI is apparent. The site has had a private management regime for over 20 years and been subject to damage most recently by the construction of a golf driving range and entertainment centre. The applicant argues that this development, with an appropriate ecological management scheme in place, would protect and enhance the SNCI designation. Moreover, whilst the EA also originally raised an objection that there was insufficient information to assess the impacts upon nature conservation including the SNCI and Blackwater Valley, this objection has now been withdrawn. This is on the proviso that a 10 metre ecological buffer to watercourses and waterbodies is provided, secured by condition. In the officer's opinion the applicant makes credible arguments and the EA support should be afforded material weight. There is also no objection from the NE on this matter. Given that landscaping is a reserved matter this will also ensure further review of ecology. As such and, on balance, it is considered that there is sufficient information with this application. Any further updates will be provided at the meeting.

- 7.7.3 The site also contains badgers and the development proposes the closure of a main sett and the recreation of an artificial sett in the SANG area. Surrey Wildlife Trust also initially raised concerns about this, as did West Surrey Badger Group. The EA also originally commented that the assessment of protected species was inadequate. However, following additional information submitted by the applicant, the EA have removed their objection, and instead asked for a condition for an ecological corridor along the Blackwater River. WSBG and SWT are now satisfied with the information provided in this regard, subject to conditions and post-development sett monitoring.
- 7.7.4 There are also bats and reptiles on site and SWT have commented that the mitigation and enhancement measures as set out in the Ecological Impact Assessment must be adhered to. The Trust has also recommended conditions for a Construction and Environmental Management Plan and Landscape and Ecology Management Plan, which could be secured by condition. Concern has been raised about deer escaping onto Mytchett Road, however, deer are not a protected species and should not prevent development. It is noted that there is only one access point in the development onto Mytchett Road and as such the chances of them using it are small. This has not been raised as a concern by external consultees.

## **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.
- 7.8.2 Policy DM10 of the CSDMP states that development within zones 2 and 3 will not be supported unless in fluvial flood risk areas, the sequential and exception tests have been passed and the development is compatible with the level of risk, where risks have been identified, appropriate mitigation can be implemented and SuDS should reduce the volume and rate of surface water run-off.
- 7.8.3 The Environment Agency's mapping identifies much of the site to be in Zone 2, including the SANG area and most of the northern residential parcel. Most of the southern residential parcel is in Zone 1, and a small part of the SANG is Zone 3. However, the applicant has undertaken more detailed analysis of the data and has concluded that all the residential development and site access would be in areas not at risk of fluvial flooding, and outside the 1 in 100 plus climate change zone, and as such effectively in Zone 1. This has been agreed by the Environment Agency in their response. It is not considered therefore that the Sequential and Exception Tests need to be applied for the residential development. Amenity open space, such as the SANG, is considered to be water compatible development (the least vulnerable) under the EA's guidelines and as such there is no need for it to be located elsewhere. The existing sluice gates to the lakes will be retained to ensure lake levels can be managed to prevent flooding. The EA originally commented that the FRA fails to demonstrate if there is any loss of flood plain storage, however following the submission of further information they have now removed their objection. Instead they have asked for conditions to prevent land raising for finished floor levels.

- 7.8.4 The Local Planning Authority also has to consider that the development is sufficiently flood resilient and that safe access and egress can be achieved. The finished floor levels of the site are proposed to be 300mm above the flood level, at 66.33AOD, which the EA have accepted as appropriate. The access and egress is considered safe as the developed area is effectively in Flood Zone 1, as is the existing Mytchett settlement to the east, and as such no additional flood resistant or resilience measures are required.
- 7.8.5 The site proposes to use Sustainable Drainage Systems (SuDS) for surface water drainage. This will include permeable paving, swales and basins and water will flow into the lakes on site. The Local Lead Flood Authority has not objected, subject to conditions for the detailed drainage design to be agreed prior to development commencing. While a number of specific concerns have been raised regarding drainage, the final SuDS have not yet been designed and will be subject to scrutiny by the LLFA prior to implementation. Thames Water has also not objected. The proposal is therefore considered to be acceptable in terms of its impact on flooding, subject to the proposed conditions.

## **7.9 Impacts on residential amenity**

- 7.9.1 Whilst scale and appearance would be reserved matters, nevertheless the proposed layout and indicative parameters provide sufficient information for an initial assessment on residential amenity to be made at this stage. Policy DM9 (iii) of the CSDMP and guiding principles 7.6, 8.1 and 8.3 of the RDG are relevant.

### Impact on surrounding properties

- 7.9.2 On the eastern side, the site is close to properties to the rear of Mytchett Road, however the existing buffer of trees will be retained and strengthened in this location. As such, the three storey buildings on this side will be over 60m from the rear of properties in Mytchett Road, with a dense tree buffer in between. While some concern has been raised about the three storey buildings and overlooking, the separation distance is significantly in excess of the usual 20m between the rear elevations of buildings (although this would be slightly increased for three storey buildings.) Due to the separation distances therefore and intervening tree buffer, there is not considered to be any significant adverse impacts on numbers 176-208 Mytchett Road.
- 7.9.3 Numbers 210-216 Mytchett Road will be closer to the rear elevations of the two-storey dwellings along Lake Avenue (the main proposed road) where the tree screen is less dense, however there will be between 50-70m between the rear elevations of the properties which are set at an angle, with car parking and trees in between. Given the height of the new dwellings here and the significant separation distances, it is not considered that any significant adverse impacts on amenity would occur.
- 7.9.4 The rear of 218 Mytchett Road would be approximately 50m from the rear of the two-storey dwellings along Lake Avenue. The rear of the 2.5 storey building at the entrance would be approximately 20m at its closest point to the rear of 218. The RDG advises that 15m may be acceptable between the rear and side of two storey properties. As this is a 2.5 storey property, the 20m distance and intervening tree screen is considered to be acceptable. The landscaping details required by condition will include further detail of the screening in this location which will be increased. As such, on balance, the impact on number 218 is considered to be acceptable.
- 7.9.5 The proposed 2.5 storey building, by the entrance to the development, will be approximately 20m from the front boundary of 230 Mytchett Road, which is set back from the road. However, it will have views of the driveway and front of the house only, and not of their rear garden which will be obstructed by the house itself. The two-storey properties on Lake Avenue will be over 30m from the boundary of number 230 and as such the

impacts on this property, on balance, are considered to be acceptable. This building will be approximately 26m from the side/rear boundary of number 232 and given this distance and the intervening boundary treatments the amenity impact is considered to be acceptable.

- 7.9.6 The Mytchett Farm Caravan Park will have a dense tree buffer around all sides between the park boundary and the proposed development. The two-storey buildings will be at least 30m from the nearest plots in the Caravan Park, with the three storey buildings over 50m from the boundary. Given the separation distances and intervening buffer therefore, it is not considered that there would be any significant impacts on amenity for the occupiers of the Caravan Park. Concern has been raised about security, however having open space and/or other residential properties to the rear of dwellings is a normal situation and there is nothing to suggest that there would be any adverse impacts on security. Much of the open space around the boundaries of the caravan park will be overlooked by the new dwellings providing surveillance, unlike the existing situation.
- 7.9.7 In the north-western corner, the new properties will abut the Linsford Business Park and the rear of properties in Hazelwood Drive. However, the new buildings which will be two-storey with single storey garages in this location, will be over 50m from properties in Hazelwood Drive and over 25m from the business park, with a dense tree buffer in between. As such, it is not considered that there would be any unacceptable adverse impacts for these properties.
- 7.9.8 The SANG will be adjacent to properties to the south in Grove Farm caravan park and Grove Farm itself. There will be no development here other than some landscaping and it is not considered that the use of this area for public space would give rise to any significant impacts on amenity for these occupiers in terms of noise.
- 7.9.9 There will be some noise and disruption for local residents during the construction period. The County Highway Authority have asked for a Construction Transport Management Plan for the construction period, and it is considered that details of noise and dust measures could also be supplied with the management plan. Construction hours are controlled by Environmental Health legislation and an informative can be added in this regard. It is not considered that once the development is built that the additional noise would cause any significant adverse impact on surrounding residents. A condition will also be added to prevent any external lighting without details having first been approved by the EHO.

#### Amenity standards for the new dwellings

- 7.9.10 While the sizes of each dwelling are not known at this stage, the applicant has confirmed that they will comply with the national minimum space standards, which will be assessed when the floorplans and elevations of each property are determined at reserved matters stage. The applicant also asserts that the amenity space will meet the standards as set out in the RDG, and measuring the proposed gardens on the layout plan confirms that they appear to be in excess of the minimum standards. The flats areas have some communal space around them and the Council would expect to see private amenity space in addition to this, such as balconies, at reserved matters stage. The applicant has indicated that all flats will have balconies and the ground floor flats will have a small private amenity area, and as such this is in line with the requirements of the RDG.
- 7.9.11 The site layout has been slightly adjusted since the application submission, to allow for some dwellings to be removed and extra space between them, to prevent any privacy issues between dwellings. Concern was raised about some of the corner dwellings in Lake Avenue in the centre. However, the applicant has provided a plan showing how the bathrooms will be at the rear at first floor for these properties, with obscure glazed windows and as such will not overlook the neighbouring gardens.

- 7.9.12 The site does suffer from some noise pollution, particularly from the A331, which can be heard across the site. The applicant has submitted a noise assessment which states that the new properties will need acoustic glazing and trickle vents to achieve the internal standards. The EHO has reviewed this and has recommended that a condition is imposed to secure this.

## **7.10 Housing Mix and Affordable Housing**

- 7.10.1 Policy CP5 requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 sets out the need for housing sizes in 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. While this should be given little weight at this stage, it is an indicator as to how housing built more recently has affected the need for certain housing sizes.

- 7.10.2 The indicative mix of housing is shown in the table below. This is considered to comply with Policy CP6 given that 2 and 3-bedroom units would be the vast majority of the site, followed by 4-bed and then 1-bed units:

No of beds	Market	% Mix	Affordable	% Mix	Totals
1			30	30	30
2	49	32	49	49	98
3	60	40	18	18	78
4+	40	28	2	2	42
Totals	149	100	99	100	248

- 7.10.3 The applicant intends to provide 40% on site affordable provision, in line with Policy CP5, with a vacant building credit for the existing buildings on site which will slightly reduce the provision from 99 units and will be calculated at reserved matters stage. The affordable housing provision will be secured in the legal agreement. The mix for the affordable dwellings will be approximately 30% 1-bed, 48% 2-bed, 18% 3-bed and 3% 4+ bed, which is considered to sufficiently comply with the housing mix policy. The affordable provision will be located throughout the site, with affordable housing in the northern and southern parcels, and will be split between intermediate and social rented units. The Council's Housing Services Manager has been consulted and has not raised objection to the proposal. It is therefore considered that the proposal is acceptable in terms of the affordable provision and housing mix, subject to satisfactory completion of the legal agreement.

## **7.11 Impact on Infrastructure**

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

- 7.11.2 The CIL Charging Schedule came into force on 1 December 2014 and details of infrastructure projects that are to be funded through CIL are outlined in the Regulation 123 list, which includes open space, transport projects, pedestrian safety improvements among others. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms at reserved matters stage, when the floorspace is known. As the applicant is providing their own SANG, the lower rate of CIL at £55 per m<sup>2</sup> for the new floorspace is applicable. An informative will be added to the decision notice in this regard.
- 7.11.3 Education and health is not covered by the Council's CIL Charging Schedule. Therefore, in order for the applicant to make contribute any such planning obligation must meet all of the following tests as set out in paragraph 56 of the NPPF: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and, c) fairly and reasonably related in scale and kind to the development. Hence, without robust evidence from necessary consultees it is not normally possible for the Planning Authority to request contributions. In terms of the impact on existing doctor surgeries, the local Clinical Commissioning Group was consulted. However, no response was received in this regard. It would be an NHS decision as to whether a new practice should be opened in the future to accommodate the development. It is noted that the applicant's SCI states that their contact with local surgeries indicates that there is sufficient capacity to accommodate the development. With regard to the impact on schools, Surrey County Council Education was consulted and initially requested a contribution of over £1m for all stages of education. However, they could not supply sufficient information to justify the provision other than for early years, and as such the Council is seeking a smaller contribution for early years provision only, of approximately £166,000. This will be included in the legal agreement.
- 7.11.4 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.

## **7.12 Other matters**

- 7.12.1 The site was formerly worked for minerals and subsequently backfilled. The applicant has submitted a Geo-Technical Risk Assessment and has undertaken some site investigations, which have identified the presence of some contamination in the fill material. They therefore propose 6m in depth of clean soil across the site and gas monitoring is likely to be required. Additional investigation works will be required. The Council's Scientific Officer has not objected, subject to a condition and post-remedial monitoring and reporting being included in the legal agreement. A phased approach to development has been agreed with the applicant with a Remediation Action Plan being agreed for each area prior to remediation commencing. It is therefore considered acceptable in this regard consistent with paragraphs 118 and 178 of the NPPF.
- 7.12.2 Policy DM17 requires major development on areas in excess of 0.4ha to provide a Desk Top Study to identify the archaeological potential of the site. The applicant has submitted the study which has been reviewed by the Surrey County Council's Archaeological Officer. They have not objected, subject to a condition to secure further archaeological works prior to commencement of development. It is therefore considered that the development would comply with Policy DM17.

## 8.0 CONCLUSION

- 8.1 The site would provide housing which is in need in Surrey Heath and contribute significantly to the housing land supply. It would also provide significant benefits in terms of the provision of SANG for public access for local residents and a supply of affordable housing. Whilst the location is in the countryside beyond the Green Belt the location is considered to be sustainable given its proximity to Mytchett settlement and the housing would not be built in the areas at highest risk of flooding.
- 8.2 The proposed layout is considered appropriate with the landscape being a fundamental part of it. The layout would respect the existing landscape context and satisfactorily integrate into the established character of the area. The layout would maintain important woodland buffers and provide opportunities for ecological enhancements with the landscaping and SuDS an integral part of the scheme. The means of access is also acceptable with there being no highway safety or highway capacity issues on the wider network. Whilst scale, appearance and landscaping would be reserved matters the detail provided give sufficient certainty that the development would not be harmful to residential amenity or cause any other harm. The proposed SANG is also considered to be acceptable. The application is therefore recommended for approval subject to conditions and the legal agreement being signed.

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

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

**GRANT subject to a signed legal agreement (to secure affordable housing provision, SANG management, SAMM contributions, education contribution of £166,000, open space provision and monitoring of contaminated land) and subject to the following conditions:-**

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

The application for approval of the reserved matters shall be made to the Local

Planning Authority within three years of the date of this permission.

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

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

- b. The development hereby permitted for the full planning application 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.

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

- Amended Location Plan OPA001 Rev A received 15.6.18
- Amended Site Plan OPA002 Rev C received 13.8.18
- Amended Storey Heights Plan OPA003 Rev A received 10.8.18
- Site Layout South OPA004 received 18.7.18
- Site Layout North OPA005 received 18.7.18
- Proposed Development Access Plan 17.09-001 Rev A received 18.4.18
- Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18
- Landscape Masterplan NKH21037 10F received 14.8.18

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

- d. No development allowed by the outline permission shall take place until details and samples of the external materials to be used for the new dwellings 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.

- e. No development shall take place until details of the surface materials for the roads, car parking areas and driveways have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.



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

Reason: In order that the development does not harm any archaeological remains and they can be suitably preserved, in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

- g. No development shall commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) A contaminated land desk study and suggested site assessment methodology;
- b) A site investigation report based on a)
- c) A remediation action plan based on 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)
- f) A verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out.

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, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. No dwellings hereby approved shall be occupied unless and until all windows serving habitable rooms shall be glazed to achieve a sound reduction of 39Rw (-1:-4) (C:Ctr) dB together with acoustic trickle ventilation providing 35-36 D,n,e,w.

Reason: To ensure that internal noise standards can be met and a good standard of amenity achieved for the future occupiers of the development, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. Prior to commencement of the full planning permission for the SANG area, full details of hard and soft landscaping works and ecological enhancements for the SANG area (as shown in red on Location Plan SPA001) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include an indication of all level alterations, hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new

planting to be carried out, seeding and planting plans, ecological enhancements and measures to control human and pet movement to avoid disturbing ecologically sensitive areas, and shall be in accordance with the Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18, and the Arboricultural Impact Assessment and Method Statement received 18.4.18. All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs. The species shall be native species of local provenance from seed collected, raised and grown only in UK and suitable for site conditions and complimentary to surrounding natural habitat. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. Planting shall include nectar-rich flowers and berries. The details shall be implemented as approved in full.

Reason: To preserve and enhance the visual amenities and biodiversity, in accordance with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

10. No dwellings hereby approved shall be occupied unless and until the Local Planning Authority have agreed in writing that the SANG has been completed in line the approved landscaping details as agreed by Condition 8 above, and with the Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18 and is operational and accessible.

Reason: To ensure that the SANG is appropriately managed in perpetuity to prevent harm to the Thames Basin Heaths Special Protection Area in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, saved Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

11. The SANG area as set out on Location Plan SPA001 received 18.4.18 shall be managed in accordance with the details and timescales as set out in the Amended SANGS Management Plan Revision E received 15.8.18.

Reason: To ensure that the SANG is appropriately managed in perpetuity to prevent harm to the Thames Basin Heaths Special Protection Area in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, saved Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

12. Prior to commencement of the outline planning permission for the development hereby approved, full details of hard and soft landscaping works for the residential part of the site (outside the red line on Location Plan SPA001 but within the red line on Location Plan OPA001 Rev A) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include an indication of all level alterations, roads and hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new planting to be carried out, and shall be in accordance with the approved Landscape Masterplan NKH21037 10F received 14.8.18, and the Arboricultural Impact Assessment and Method Statement received 18.4.18, and broadly in accordance with the Landscape Design Strategy received 18.4.18 (other than the indicative species shown). All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and

shrubs. The species shall be native species of local provenance from seed collected, raised and grown only in UK and suitable for site conditions and complimentary to surrounding natural habitat. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. Planting shall include nectar-rich flowers and berries. The details shall be implemented as approved in full and no part of the site shall be occupied unless and until the Local Planning Authority have agreed in writing that the landscaping has been completed in line the approved landscaping details.

Reason: To preserve and enhance the visual amenities of the locality and biodiversity in accordance with Policies CP14B and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

13. No dwellings hereby approved shall be occupied unless and until a Residential Landscaping and Ecology Management and Maintenance Plan for the residential part of the site, which sets out long term management and maintenance details for the landscaping approved under Condition 12 above, and biodiversity enhancements as set out in Condition 14 below, and the LEAP and LAP areas, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the appropriate long term management of the site in order to preserve and enhance the visual amenities of the locality and biodiversity, and maintain the recreation areas in accordance with Policies CP14B, DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

14. No dwellings hereby approved shall be occupied unless and until all of the proposed biodiversity enhancements, as set out in paragraph 6.118 of the ACD Environmental Amended Ecological Assessment NKH21037 Rev C received 15.8.18, have been installed as shown on the approved Landscape Masterplan NKH21037 10 Rev F received 14.8.18. Thereafter these shall be retained and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: In order to prevent loss of, and to enhance, biodiversity in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out measures to prevent the construction of the development adversely affecting habitat of biodiversity importance and the species it supports. The construction of the development shall be carried out fully in accordance with the approved Plan.

Reason: In order to prevent harm to biodiversity and the local environment during the construction of the development in accordance with Policies CP14B and CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. The proposed development shall be carried out in wholly accordance with the submitted Arboricultural Impact Assessment and Method Statement by ACD

Environmental [R Anderson] dated 29.3.18 and received 18.4.18. The construction of the dwellings, SANG and roads within the site hereby approved shall not commence unless and until tree protection has been erected in accordance with the Tree Protection Plans NKH21037 03 Rev B Sheets 1, 2 and 3 all received 18.4.18, and the Tree Officer has visited the site and agreed in writing that the tree protection is acceptable and in accordance with the above plans. A minimum of 7 days' notice shall be given in writing of the proposed meeting date. The tree protection measures shall be retained until completion of the development hereby permitted.

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

17. The dwellings hereby approved shall not be occupied unless and until the existing vehicular access to Mytchett Road has been modified, to include a 3m wide section of footway on the southern side of the access extending into the site. The access shall be constructed in accordance with the Proposed Development Access Plan 17.09-001 Rev A received 18.4.18.

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

18. The dwellings hereby approved shall not be occupied unless and until an informal crossing with pram crossing points and tactile paving on both sides of Mytchett Road is constructed to the south side of the development access, in order with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

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

19. The dwellings hereby approved shall not be occupied unless and until a raised access platform has been constructed and a replacement bus shelter provided at the existing bus stop, between the development access and 218 Mytchett Road, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

20. The dwellings hereby approved shall not be occupied unless and until space has been laid out within the site, in accordance with a scheme to be first submitted to and approved in writing with the Local Planning Authority, for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. The number of parking spaces shall not be fewer than as set out in Figure 1 - Recommended Guidance for Residential Parking of the Surrey County Council Vehicular and Cycle Parking Guidance January 2018. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

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

21. The dwellings hereby approved shall not be occupied unless and until each 1 and 2 bedroom unit has been provided with a minimum of 1 secure cycle space, and each unit with 3 or more bedrooms has been provided with a minimum of 2 cycle spaces, in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking spaces shall be retained and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

22. The dwellings hereby approved shall not be occupied unless and until at least 26 of the available parking spaces for the flats, and each individual house, is provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector – 230v AC32 amp single phase dedicated supply) in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

23. 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. Programme of works (including methods for traffic management)
  - e. Measures to prevent the deposit of materials on the highway
  - f. On-site turning for construction vehicles
  - g. Noise and dust suppression measures during construction
  - h. Hours of construction
  - i. Details of a contact for the public for concerns/queries during the construction period

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

Reason: In order that the construction of the development hereby permitted does not prejudice highway safety nor cause inconvenience to other highway users, and to minimise impacts on amenity, in accordance with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. Prior to commencement of the development approved by the outline permission, a residential Travel Plan shall be submitted for the written approval of the Local Planning Authority, in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plan Good Practice Guide" and in general accordance with the "Heads of Travel Plan" document. The approved Travel Plan shall be implemented prior to the first occupation of the development and for each and every subsequent occupation of that development. Thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

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

25. The residential development hereby approved (on the area outside the red line shown on Location Plan SPA001 received 18.4.18) 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, the NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a. Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40%) allowance for climate change storm events and 10% allowance for urban creep, during all stages of the development (pre post and during), associated discharge rates and storage volumes shall be provided using a maximum Greenfield discharge rate of 9 litres/sec (Parcel A) and 20.3 litres/sec (Parcel B) (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- b. Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the 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)
- c. 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.
- d. Details of drainage management responsibilities and maintenance regimes for the drainage system, confirming that the existing lakes and outfalls are managed by the wider management company responsible for the SANGS/SuDS aspects.
- e. 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.
- f. A plan showing how the existing surface water drainage routes/connections across the site have been retained, diverted or incorporated as part of the scheme.

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

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

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

27. No more than 50 dwellings hereby approved shall be occupied until the LEAP area has been constructed in accordance with the LEAP Proposals Plan NKH21037 15 received 18.4.18; and the LAP areas have been constructed in accordance with the Fields in Trust principles to include an area of 100m<sup>2</sup> with 5m buffer on all sides to nearest residential properties and seating for parents/carers, a litter bin and child seating. The LEAP and LAP areas shall be in the locations as shown on the approved Amended Site Plan OPA002 Rev B received 18.7.18.

Reason: In order to provide sufficient provision of recreation facilities, in line with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

28. Development shall not commence until details of the proposed levels of the site including the SANG and all roads and driveways, in relation to the existing ground levels of the site and adjoining land (measured from a recognised datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The finished ground floor levels of the dwellings hereby approved shall be no lower than 66.33 Ordnance Datum (AOD).

Reason: In the interests of the visual amenities of the area, residential amenity and flood resilience, in accordance with Policies DM9 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

29. Prior to commencement of the development hereby approved, full details of the management and maintenance of the lakes and existing sluice gate to prevent rising of lake levels and flooding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the management and maintenance of the gates shall continue in perpetuity in accordance with the approved plan.

Reason: In order to ensure the lakes do not cause flooding, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

30. No dwellings shall be occupied unless and until the proposed footpaths to the north towards the Mytchett Centre, and to the south towards the Blackwater Valley Path, have been constructed to the site boundary with a gate installed at the boundary, in the locations as shown on the Amended Site Plan OPA002 Rev C received 13.8.18.

Reason: In order to improve the permeability and accessibility of the site and

encourage sustainable methods of transport, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

31. No dwellings shall be occupied unless and until the external lighting on the site has been constructed in accordance with details first submitted to and approved in writing by the Local Planning Authority. The details shall include full details of the lighting supports, posts, columns, a plan showing the location of the lights and a full technical specification. They shall include details of how the impact of the proposed lighting on wildlife (particularly bats) has been taken into account. The lighting shall be constructed fully in accordance with the approved details.

Reason: In the interests of residential amenity and preventing harm to biodiversity, in accordance with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

32. Prior to commencement of the development approved by the outline permission, details of the refuse storage areas and access thereto shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure adequate locations for refuse storage are provided and that they are accessible by refuse vehicles, in accordance with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

33. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 132983/R1 (5)-FRA dated 17 April 2018 and the FRA Addendum dated 18 July 2018 undertaken by RSK and the following mitigation measures detailed within the FRA:

- There shall be no land raising within the 1 in 100 year climate change flood extent as shown in Appendix J.
- Finished floor levels of the dwellings hereby approved shall be no lower than 66.33 Ordnance Datum (AOD).

Reason: To prevent flooding elsewhere by ensuring flood storage is retained and protected and to reduce the risk of flooding to the proposed development and future occupants in accordance with paragraph 163 of the National Planning Policy Framework (NPPF).

34. The development permitted by this planning permission shall not commence until a scheme for the provision and management of an ecological buffer for any parts of the application site lying within 10 metres of the River Blackwater main river has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local



Planning Authority. The buffer zone scheme shall be free from built development including lighting and formal landscaping. The scheme shall include:

- Plans showing the extent and layout of the buffer zone including hard landscaping.
- Details of any proposed planting scheme using locally native species of UK genetic provenance.
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the long term including adequate financial provision and named body responsible for management plus production of a detailed management plan.
- A working method statement detailing how the buffer zone will be protected during construction.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

35. For the avoidance of doubt the number of stories of the development hereby permitted shall not exceed 3 storey and be in accordance with drawing no. OPA003 A.

Reason: To ensure that the height and scale of the development safeguards residential amenities and is reflective of the established character of the area in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

#### Informative(s)

1. Thames Water advises that based on the pump rate of 5 L/S foul flows from the site are acceptable. Please ensure an adequate section of gravity pipe work is installed prior to connection to the Thames foul Network.
2. For the avoidance of doubt, the following definitions apply to the condition regarding contaminated land:  
Desk study should 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 should 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 shall include details of:

- i) all contamination on the site which might impact on 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 shall be taken during excavation or working 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

Please also refer to the Council's Scientific Officer's email of 5th July 2018 with regard to phasing and remediation.

3. New external lighting should comply with the recommendations of the Bat Conservation Trust's document "Bats and Lighting in the UK - Bats and the Built Environment Series".
4. Condition 22 - 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.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially a Section 278 Agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131,148,149).
9. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on Surrey County Council's website.
10. 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 designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt.

**In the event that a satisfactory legal agreement has not been signed by the 28 September 2018 to secure affordable housing provision, SANG management, SAMM contributions, education contribution, open space provision and monitoring of contaminated land the Executive Head of Regulatory be authorised to REFUSE the application for the following reasons:-**

1. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, for SANG management 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).
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure affordable housing provision, the applicant has failed to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.
3. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure an education contribution to early years provision the applicant has failed to comply with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and paragraph 56 of the National Planning Policy Framework.
4. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990 to secure the management and maintenance of the open space provision (including the Local Equipped Area of Play and the Local Areas for Play) the applicant has failed to comply with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policy Document 2012 and the National Planning Policy Framework.
5. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure a Post Remedial Monitoring and Reporting Scheme the

Planning Authority cannot be satisfied that the risks arising from contamination have been fully remediated so failing to comply with paragraphs 118 and 178 of the National Planning Policy Framework.

**21/P Application Number: 18/0327- The Waters Edge. 220 Mytchett Road, Mytchett, Camberley. GU16 6AG\***

The application was an outline application for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). Full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking, following demolition of existing buildings and structures on the site. (Amended plans recv'd 15/6/18 & 18/6/18). (Amended info rec'd 19/06/2018 & 21/06/2018.) (Additional info rec'd 27/06/2018 & 19/07/2018.) (Amended plan and additional plans and information rec'd 18/07/2018.) (Additional information & plan recv'd 2/8/18). (Amended information rec'd 01/08/2018.) (Amended plan rec'd 10.08.2018). (Amended plans recv'd 13/8/18). (Amended plans rec'd 14.08.2018) (Amended description 21.08.2018)

Members were advised of the following updates and the referenced annexes published with the supplementary agenda papers:

'For information purposes the comments from the County Highways Authority and Environment Agency, already relied upon in the report, are appended to this update.

**UPDATE**

**Representation** (page 28)

Members have received information from the Mytchett, Frimley Green and Deepcut Society commenting on the officer's report.

In addition, 5 further objection letters have been received. The concerns raised relate to traffic; GP/dentist/hospital/school places; noise from the A331; insufficient parking; contractor parking; flooding; and, numbers of police.

Officer comment: It is considered that these issues have been sufficiently addressed already in the agenda report. Police numbers is not a material planning consideration.

**Highway impacts** (page 38)

- The applicant has provided further information in respect of road adoption, as follows:

'Under planning and highway rules and regulations there is no requirement for new roads to be adopted. Any adoption procedure must be voluntary (as per S.38 of the Highways Act) and a developer cannot be compelled to offer the roads to the Council. In this case, Surrey County Council has indicated it would not be interested in adopting the roads.

The developer has to accept the future maintenance liability, which is usually covered by the creation of a management company, as will be the case with this development. The proposed roads will, of course, need to be designed and constructed to full adoptable standard, so the only difference is who looks after the roads in the future, not what the roads look like or how they function. This approach to dealing with roads in larger housing developments is very much the norm these days, for example, as with Deepcut and the Wellesley Barracks site in Aldershot.

In this case, the residential estate would be managed by a residents' management company entirely separately from the management of the SANGS area. The management of the residential estate would include the roads, communal open space/landscaped areas and play areas. Annual management costs are typically of the order of a few hundred pounds per property and are graduated based on the size of the property.'

*Officer comment: The applicant is correct that future maintenance of the estate roads falls outside the Planning Acts and is controlled under the Highways Act 1980. The developer can apply to the County Council to adopt the roads and enter into a section 38 agreement. The terms of the agreement describe that if the developer builds the new road up to County standards and maintains it for a year after it is built the County will then adopt it as a public road. However, there is no obligation on the landowner/developer to seek road adoption and it is not within the remit of the Planning Authority to insist upon this or refuse the application on these grounds.*

Blackwater Valley footpath (page 39, para 7.5.5)

The applicant has advised that they are willing to pay for the cost of constructing the link outside the site to join the footpath. They suggest that this could be agreed through the S106 agreement, and discussions are ongoing with the Blackwater Valley Countryside Partnership and Hampshire County Council to facilitate this.

SANG Management (page 40, para 7.6.4)

Following further discussions with Natural England, the applicant was advised that the SANG management would only be acceptable if one of the following two options be adopted:

1. The developer transfers the SANG land to the ownership of Surrey Heath. Surrey Heath will construct and manage the SANG. The developer also pays the full CIL contribution for the development (not the reduced rate) in order to allow Surrey Heath to do so.
2. The Council are listed as the authority to step-in in the legal agreement, and either the SANGS contribution (difference between full CIL and reduced CIL rate) is paid to the Council as a bond at this stage and held in perpetuity (for 80 years) or an indemnity policy for this amount is taken out at this stage.

*Officer comment: The applicant has agreed to option 2 which would be secured as part of the legal agreement. In the officer's opinion this provides far greater certainty over securing SANG management in perpetuity and prevents a repeat of problems experienced elsewhere in the Borough with private SANG Management. Such an*

*approach is also consistent with other neighbouring boroughs, including Guildford and Bracknell.*

#### Education contribution (page 46, para 7.11.3)

A letter with supporting evidence was received from The Kite Academy Trust (responsible for Holly Lodge Primary School and Mytchett Primary School) on the 16 August 2018. This evidence seeks to justify primary school funding of £720,171, in addition to early years provision of £166,916.

*Officer comment: On the basis of this evidence the applicant has agreed to pay the Trust an additional £720, 171. This would allow the Trust to provide additional primary classroom places and associated facilities at either Holly Lodge or Mytchett primary schools, which are the closest to the development, to accommodate the projected pupil yield of 52-53 children. In the officer's opinion this new evidence is comprehensive and meets the NPPF planning obligation tests. This will be secured via the S106 legal agreement.*

#### Corrections/amendments to text

- Paragraph 7.3.3 - states that bus stops are 400-800m from the site boundary – this is incorrect as they are immediately outside the entrance, as explained in paragraph 7.5.5.
- Paragraph 7.8.3 – last sentence should read “Instead they have asked for conditions to prevent land raising and for finished floor levels.”
- Paragraph 7.12.1 - should say 0.6m rather than 6m of clean soil across the site.
- The first conditions should be numbered 1-7 not a-g – this is a formatting error.

#### Recommendation (page 47 and 59)

The recommendation should read as follows:

GRANT subject to a signed legal agreement (to secure affordable housing provision, SANG management, SAMM contributions, education contribution of £887,087, open space provision, monitoring of contaminated land, and a contribution towards a footpath link to the Blackwater Valley path) and subject to the following conditions:

The applicant has agreed an extension of time until 31st October to finalise the legal agreement.

#### Amended conditions

- Conditions 9 and 12 shall have the following penultimate sentence added:  
*The details shall demonstrate how the overall biodiversity status of the site*

*has not been reduced from its baseline value, as established by the botanical survey undertaken in respect of Condition 38.*

- Condition 10 should refer to Condition 9 in the text and not Condition 8.
- Condition 11 should read as follows:

*11. Prior to commencement of development, a detailed SANG Landscape and Ecology Management Plan, based on the SANG Management Plan Revision E received 15.8.18 shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be updated to include the elements as listed under paragraph 6.117 of the Amended Ecological Assessment NKH21037 Rev C received 15.8.18 and shall include the details of the occupational phase mitigation for protected species. The SANG area as set out on Location Plan SPA001 received 18.4.18 shall be managed in accordance with the details and timescales as set out in the approved Plan.*

- Condition 13 should read as follows:

*13. No dwellings hereby approved shall be occupied unless and until a Residential Landscaping and Ecology Management and Maintenance Plan for the residential part of the site has been submitted to and approved in writing by the Local Planning Authority. This shall set out the long term management and maintenance details for the landscaping approved under Condition 12, biodiversity enhancements under Condition 14, the LEAP and LAP areas, and shall include the occupational phase mitigation for protected species, a map indicating the extent of public green spaces and private gardens, a species list and planting/seeding plan, and conservation management of hedges and grassland.*

#### Additional conditions

Following further advice from Surrey Wildlife Trust and the West Surrey Badger Group, the following additional conditions are recommended:

*36. Development shall not commence until a Method Statement for the protection of badgers on site, during and post-construction, has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall include the measures proposed in paragraphs 6.58-6.70 of the Amended Ecological Assessment NKH21037 Rev C received 15th August 2018 and shall include proposals for closing of the main sett only once there is evidence that the badgers have found the artificial sett, and for post-development artificial sett monitoring for a minimum period of two years.*

*Reason: In order to ensure that badgers are protected during the course of the development and post-construction, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

*37. Development shall not commence until a Reptile Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a designated reptile receptor area, reptile fencing, and a reptile trapping*



*and translocation programme, and shall have regard to the measures set out in paragraphs 6.110 – 6.115 of the Amended Ecological Assessment NKH21037 Rev C received 15th August 2018.*

*Reason: In order to ensure that reptiles are protected during the course of the development and post-construction, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

*38. Prior to commencement of development, a botanical survey (National Vegetation Classification) shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The survey shall establish the current biodiversity value of the site and the status of the species and habitats for which the SNCI was selected.*

*Reason: In order to establish the existing biodiversity value of the site in order to sufficiently compensate for biodiversity loss, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.'*

The officer recommendation to approve the application was proposed by Councillor Jonathan Lytle and seconded by Councillor Mrs Vivienne Chapman and put to the vote and carried.

**RESOLVED** that application 18/0327 be granted subject to a signed legal agreement (to secure affordable housing provision, SANG management, SAMM contributions, education contribution of £887,087, open space provision, monitoring of contaminated land, a contribution towards a footpath link to the Blackwater Valley path) and to the conditions as set out in the officer report and planning updates.

#### **Note 1**

It was noted for the record that:

- i. Members of the Committee had attended the proposal's open day and all members had received various pieces of correspondence on the application.
- ii. The Committee had known one of the public speakers on the application, as he had previously been a Borough Councillor.

#### **Note 2**

As this application had triggered the Council's Public Speaking Scheme, Mr David Whitcroft, on behalf of Mytchett, Frimley Green and Deepcut Residents' Society; and Mr Alan Barwick spoke in objection to the application. Mr Paul Dickinson, the agent, spoke in support of the application.

#### **Note 3**

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

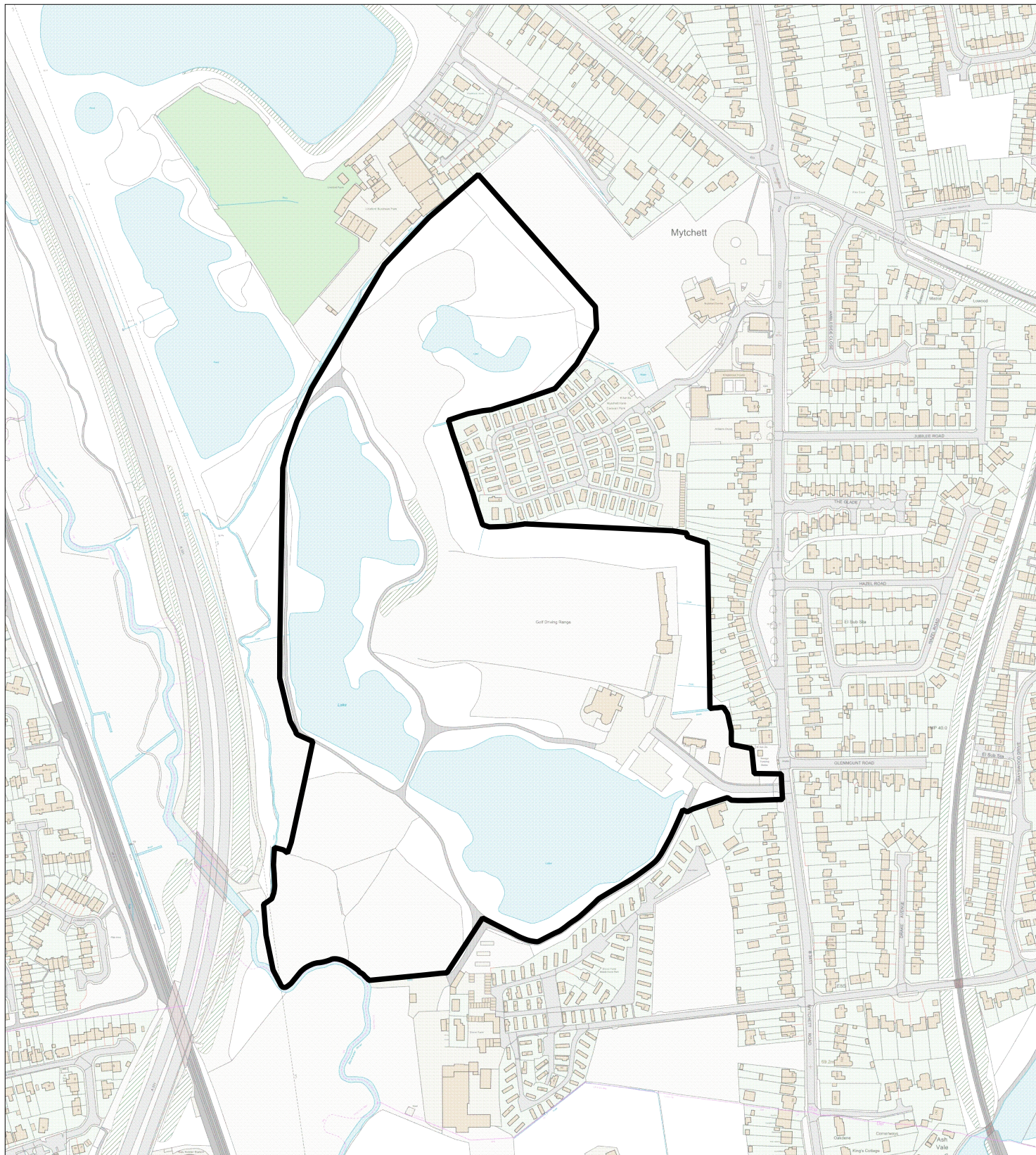
Voting in favour of the recommendation to grant the application:

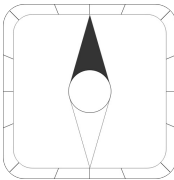

Councillors Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Max Nelson, Adrian Page, Robin Perry, Conrad Sturt and Victoria Wheeler.

Voting against the recommendation to grant the application:

Councillors Katia Malcaus Cooper, David Mansfield, Ian Sams, Pat Tedder and Valerie White.





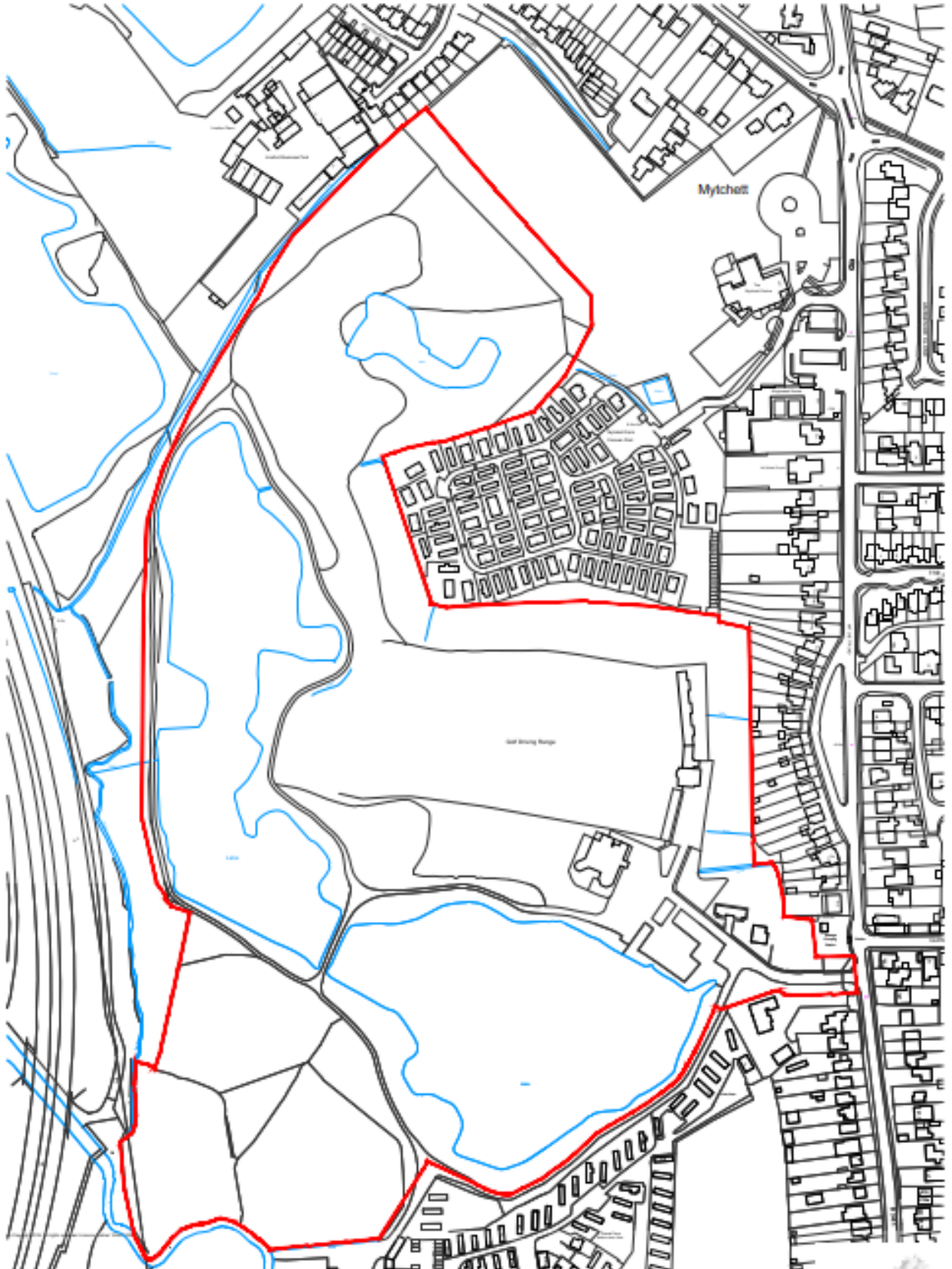
Title		Planning Applications	
Application number	19/0031	  0120 m 	Scale @ A41:5000
Address	THE WATERS EDGE, 220 MYTCHETT ROAD, MYTCHETT, CAMBERLEY, GU16 6AG		Date26 Jun 2019
Proposal	Approval of reserved matters relating to scale, appearance and landscaping as required by condition (1) to outline planning permission ref. 18/0327. The outline planning application was screened by the Council and considered not an environmental assessment application and no environmental statement was required.		
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019	
		Author: DE	



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19/0031 – THE WATERS EDGE, 220 MYTCHETT ROAD, MYTCHETT, CAMBERLEY,  
GU16 6AG

Location plan

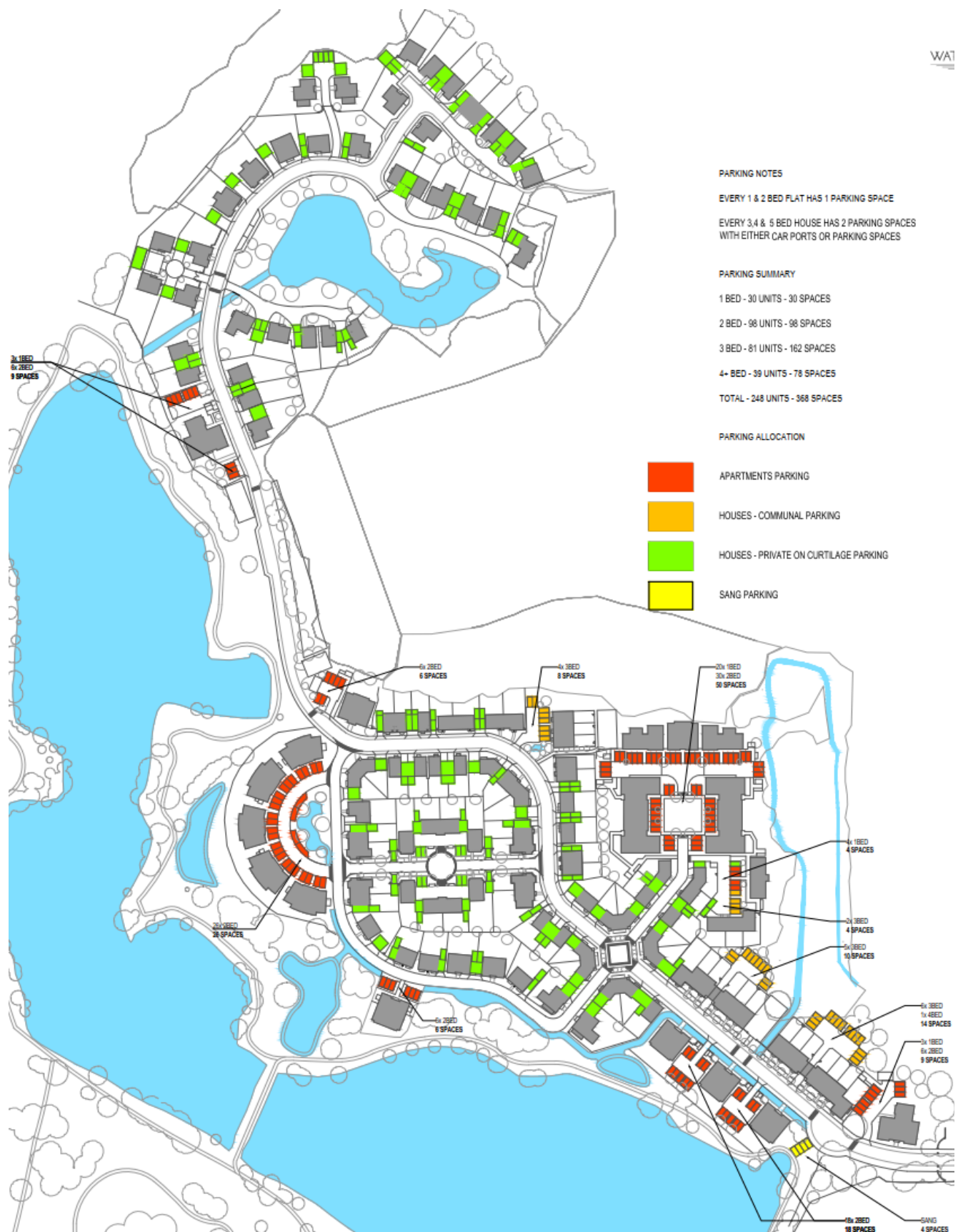


## Proposed Site Plan

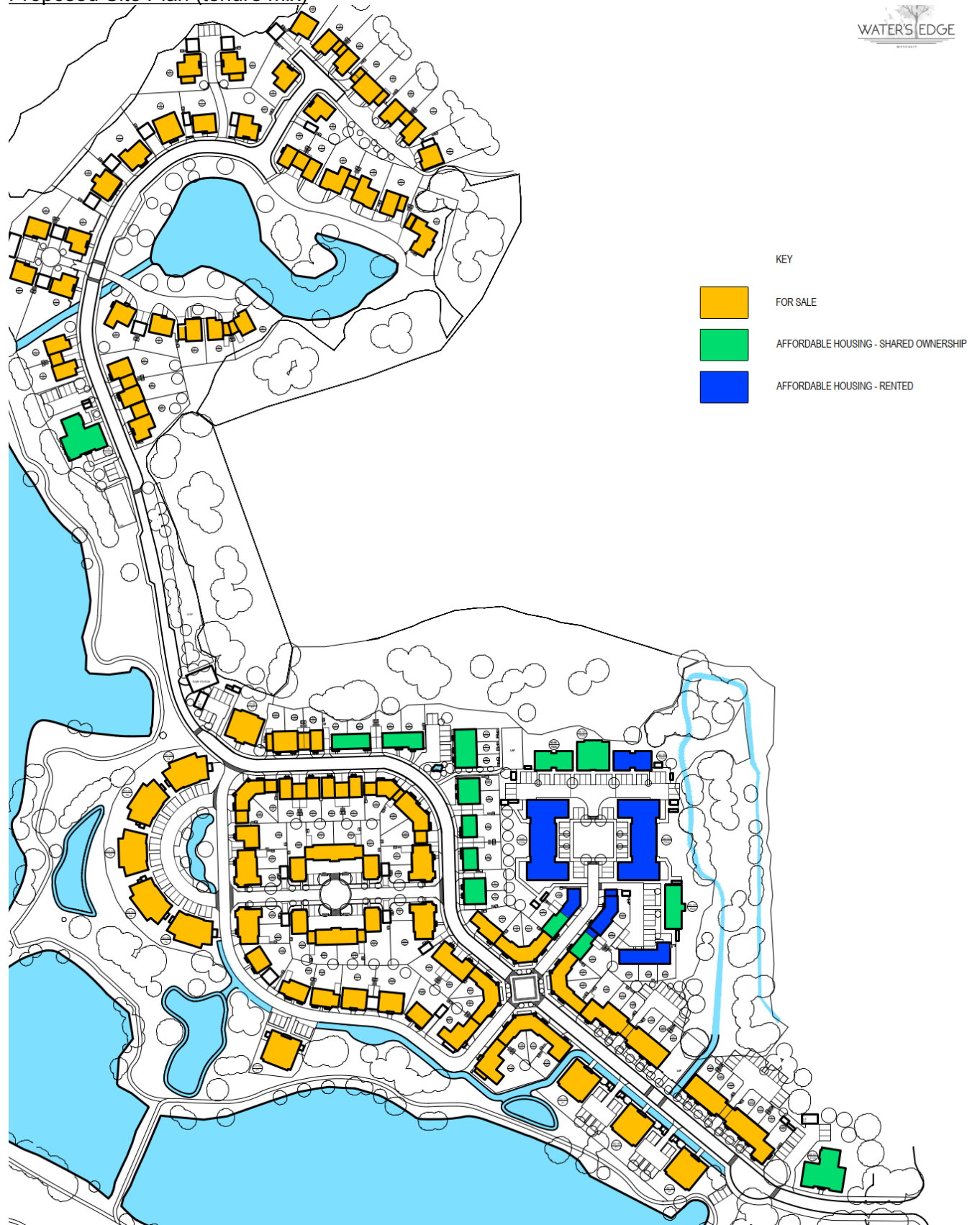




## Proposed Site Plan (parking)

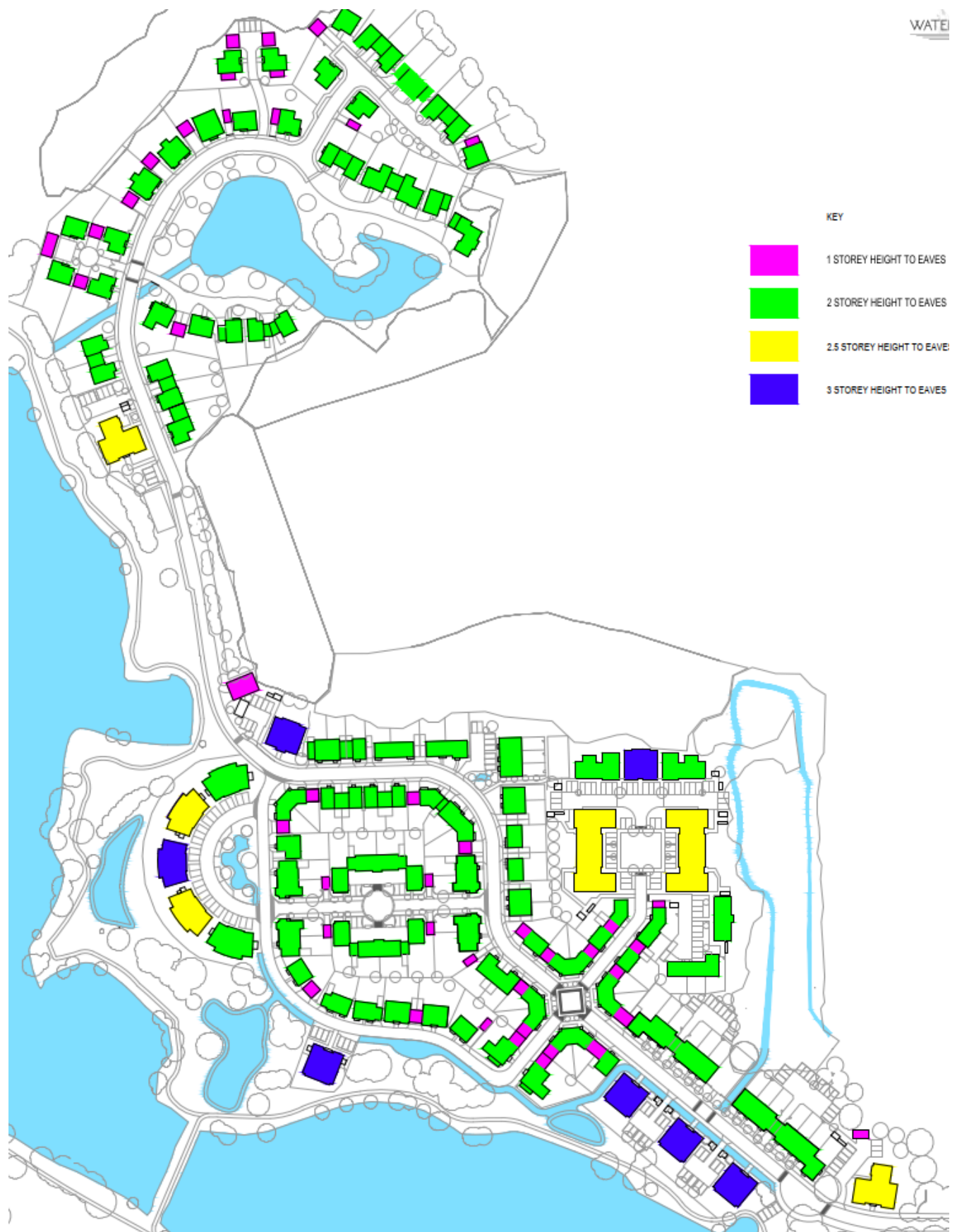


Proposed Site Plan (tenure mix)





## Proposed Building Heights





Indicative CGIs

Proposed site entrance (turning towards Lake Avenue and including SANG car park)



Woodland Glade



Lakeview Lane





Waterview Mews



Waterfront Crescent



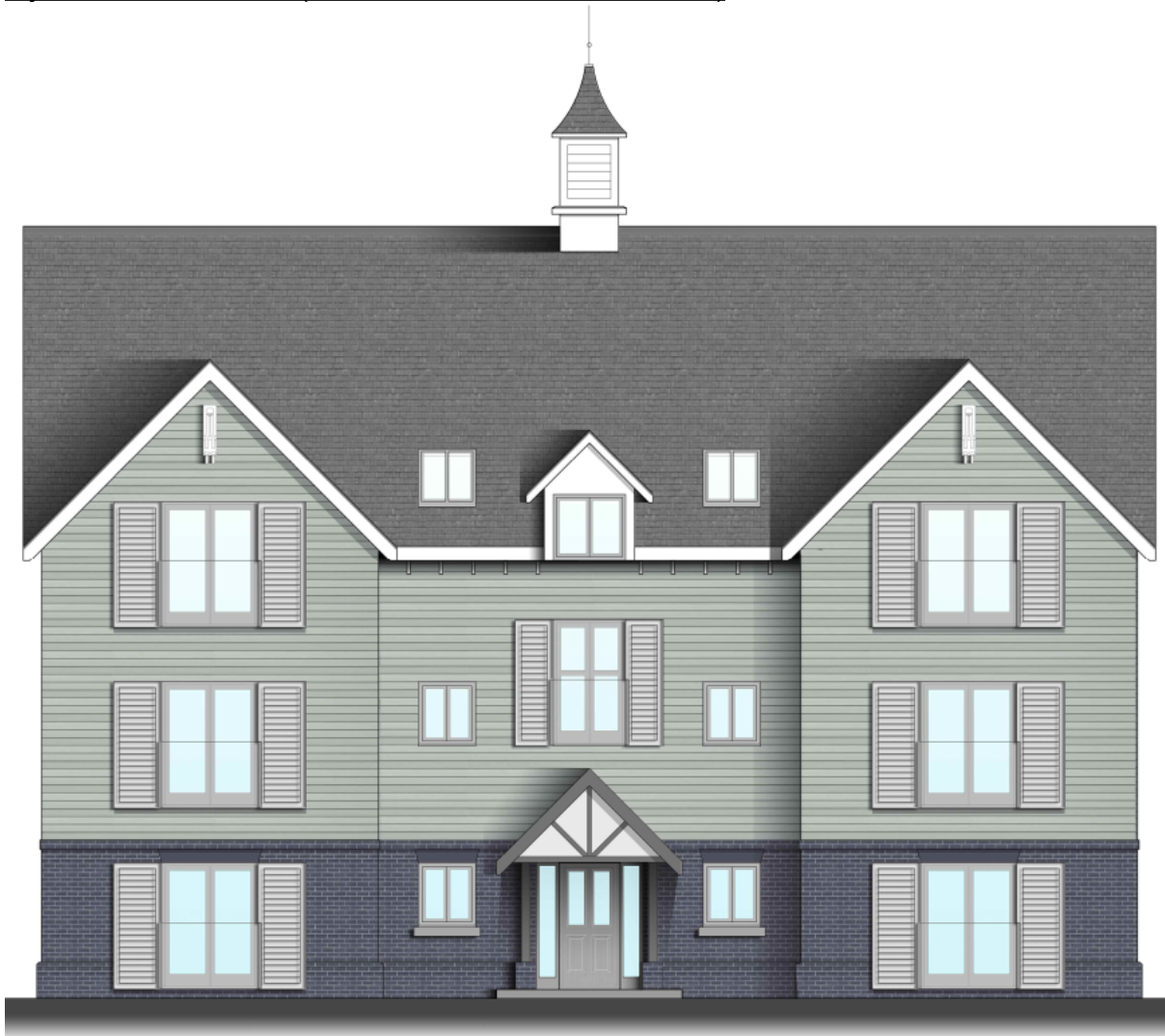
Village Pond





Proposed elevations

Mytchett Road Avenue (Affordable flats at main entrance)



Lake Avenue (Affordable Housing)



Lake Avenue (market flats facing lake)



Lakeview Square





## Woodland Glade (Affordable Housing)

-  Brick:  
Ibstock Cissbury
-  Weatherboard:  
JamesHardie Sail Cloth
-  Slate:  
Slatecave Cinero Brazilian Grey

WATE

PLOTS  
74 - 91



## Lakeview Lane (facing lake)



Waterview Mews



Waterfront Crescent (tallest central building)



## Village Pond





Existing site photos

View towards entrance onto Mytchett Road





Existing buildings and hardstanding inside the site









Existing nets for former proposed golf driving range



Views across existing site

Path to be used for SANG





Facing towards lake



Tree line towards Mytchett Road





Towards proposed Village Pond area



Tree line towards The Mytchett Centre



2018/0956

Reg Date 24/10/2018

Mytchett/Deepcut

**LOCATION:** LAND SOUTH AND WEST OF THE WILLOWS,  
SALISBURY TERRACE, MYTCHETT, CAMBERLEY,  
GU16 6DB

**PROPOSAL:** Outline planning application for the erection of a class C2  
care home building to provide up to 54 bedrooms together  
with parking and access (access to be determined).  
(Additional plans rec'd 04/06/2019.)

**TYPE:** Outline

**APPLICANT:** Mr Atwal  
SN Developments Ltd

**OFFICER:** Duncan Carty

**RECOMMENDATION: REFUSE****1.0 SUMMARY**

- 1.1 This outline application relates to a vacant site on land on the south side of Salisbury Terrace within the settlement of Mytchett. The land extends to 0.39 hectares and the proposal comprises the erection of a (Class C2) care home to provide up to 54 bedrooms together with access, parking and landscaping.
- 1.2 It is only access which is to be determined under this application. Matters of appearance, landscaping, layout and scale would be considered under a reserved matters application. The applicant has provided a revised schematic layout and front elevation for this development. However, it has not been demonstrated that the quantum of development could be provided without detriment to local character. As such, the application is recommended for refusal.

**2.0 SITE DESCRIPTION**

- 2.1 This application relates to a vacant site on land on the south side of Salisbury Terrace within the settlement of Mytchett. The land extends to 0.39 hectares. Jayden and Arosta lie to the west boundary of the site with the Willows to the north east. Residential properties on the north side of Salisbury Terrace face the application site. The south boundary of the site is with the rising embankment of Mytchett Place Road with the Camberley to Aldershot rail line on the east boundary.
- 2.2 The west part of the application site lies within the main thoroughfares character area and the east part within the Victorians/Edwardian subdivisions character area as defined within the Western Urban Area Character SPD 2012. The main thoroughfares character area relates to development along the main thoroughfares (originally, i.e. pre-Victorian, in the open countryside) with a mix of uses developed along these roads over time. This character area is notable for its linear strip type development and infill nature. The subdivisions character area is defined as areas developed in Victorian/Edwardian periods closely associated with the older road network. Although the original plot divisions and layout are maintained in later phases, the liberal interspersed of the Victorian/Edwardian buildings has given the area its distinctive character.

It is therefore characteristic of these character areas to have fine plot divisions, often providing narrow residential plots with longer rear gardens.

- 2.3 The site is in a poor condition and is overgrown, in part. A detached bungalow with a garden which extended across the wider site (and included the former property known as The Willows) previously stood on the site but was demolished and replaced (by the new dwelling, also known as The Willows on a smaller residential curtilage outside of the application site). There are trees to the south boundary, on the embankment, but the site otherwise remains relatively open and relatively flat.
- 2.4 Access to the site is from Salisbury Terrace an unmade, gravelled private road, which narrows in width in front of the application site and ends at The Willows. The site lies predominantly within 400 metres of the Thames Basin Heaths Special Protection Area (SPA). The Basingstoke Canal Site of Special Scientific Interest (SSSI) lies beyond the rail line to the east of the application site.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 SU/06/0803 – Erection of 23 houses with garages and car parking, access road and driveways, toddlers play area and landscaping following the demolition of existing buildings on land at Bridge Cottage, Overton & The Willows.

*Refused in November 2006 due to the insufficient size of the playspace and SPA grounds. The subsequent appeal was withdrawn. This site included the application site and land to the north. It had proposed an access direct to Nightingale Road to the north and closing off the access to Salisbury terrace.*

- 3.2 SU/14/0329 – Erection of 2 no two storey dwelling houses with detached garages following the demolition of existing on land at the former Bridge Cottage and The Willows.

*Approved in September 2014 and implemented. This site included development on the adjoining site but included the demolition of the bungalow (The Willows) previously sited on the current application site.*

- 3.3 SU/16/0261 - Erection of 2 no semi-detached houses with parking, landscaping and access on land south of Salisbury Terrace.

*Refused permission in June 2016 and subsequent appeal dismissed in December 2016. This related to part of the application site.*

### **4.0 THE PROPOSAL**

- 4.1 This application relates to the erection of a (Class C2) care home to provide up to 54 bedrooms together with access, parking and landscaping. The application is in outline only and only the matters of access are to be determined. The proposed access from the site would be from Salisbury Terrace, a private road, with the access point close to the north west corner of the site. The provided drawing for the access indicates a bellmouth and two-way access into/out of the site with visibility splays provided either side of this access point.



- 4.2 The schematic layout and elevation has been amended and would provide a two storey block to the site frontage with a linked larger, two storey block to the rear. The central area between these blocks of development would accommodate parking towards the east flank and amenity would be provided to the north of the larger block and rear (south). An indicative sketch plan has been submitted illustrating a modern, glazed design with portions of flat and pitch roofs.
- 4.3 The main difference between the amended and originally proposed schemes is that the first scheme was to be part two, part three storey with the second scheme providing a two storey proposal and larger landscape buffer to the west boundary.
- 4.4 A total of 27 parking spaces would be provided with an access onto Salisbury Terrace.
- 4.5 This application has been supported with:
- Planning Statement;
  - Design and Access Statement;
  - Transport Assessment;
  - Sustainability and Energy Statement;
  - Ecological Assessment;
  - Tree Report; and
  - Drainage Strategy.

## **5.0 CONSULTATION RESPONSES**

- |     |                                   |   |
|-----|-----------------------------------|---|
| 5.1 | County Highway Authority          | No objections.  |
| 5.2 | Scientific Officer                | No objections, subject to condition.                                      |
| 5.3 | Thames Water                      | No objections, subject to condition.                                      |
| 5.4 | Local Lead Flood Authority (LLFA) | No objections.  |
| 5.5 | Urban Design Consultant           | An objection is raised on character grounds [See <i>Paragraph 7.4.4</i> ] |

## **6.0 REPRESENTATION**

At the time of preparation of this report, 20 representations, including an objection from the Mytchett, Frimley Green & Deepcut Society, raising an objection have been received which raise the following issues:

- 6.1 Proposed building would be too large and high (three storeys) and out of character. It would appear as a modern commercial building rather than a residential building [see *Paragraph 7.4*].

- 6.2 Impact from noise from a busier environment on a small, quiet road [see Paragraphs 7.4 and 7.5].
- 6.3 Traffic generated from the site (staff, family members, visitors, emergency vehicles, delivery/service vehicles, mini-buses, etc.) and impact on parking [see Paragraph 7.6].
- 6.4 Overlooking of property and garden and loss of privacy [see Paragraph 7.5].
- 6.5 Impact from construction traffic and impact from dust due to construction traffic on Salisbury Terrace (if road surface is not tarmaced first) [Officer comment: *This could matter could be dealt with by a method of construction condition, if minded to approve*].
- 6.6 Impact on road surface of private road – resurfacing, drainage and a contribution towards future maintenance would be required, or adoption of the highway. [Officer comment: *Resurfacing, drainage and future maintenance would be a private matter between the developer and the residents on this private road. Any request for future adoption of the highway would need to be made to the Highway Authority*].
- 6.7 Lack of need and site available (Kingsmead House – a currently vacant care home) elsewhere in Mytchett [Officer comment: *This relates to a 40 bedroom care home, up to 14 bedrooms smaller than proposed under this proposal*].
- 6.8 Impact on services, sewers, etc. [see Paragraph 7.7].
- 6.9 Extortionate price of residential care [Officer comment: *This is not a material planning consideration*].
- 6.10 Insufficient on-site parking (27 spaces), particularly with proposed staffing levels (54) leading to overspill parking in Salisbury Terrace which has parking issues.
- 6.11 Impact on drainage and increased risk of flooding [see Paragraph 7.7].
- 6.12 Noise and smells from kitchen [see Paragraph 7.5].
- 6.13 Loss of trees [see Paragraph 7.4].
- 6.14 Light pollution [see Paragraph 7.5].
- 6.15 Noise pollution from plant room and air conditioning units [see Paragraph 7.5].
- 6.16 Commercial use would be out of character [see Paragraph 7.4].
- 6.17 Impact on wildlife [see Paragraph 7.6].
- 6.18 Increased traffic would lead to increase accident risk (children, pets, etc.) in Salisbury Terrace and wider road network. Road improvements would lead to increased speeds on Salisbury Terrace [see Paragraph 7.3].
- 6.19 Loss of sunlight and overshadowing [see Paragraph 7.5].
- 6.20 Site should not be developed due to SPA restrictions [see Paragraph 7.6].
- 6.21 Impact in property value [Officer comment: *This is not a material planning consideration*].
- 6.22 Loss of green “breathing” space [Officer comment: *The site lies in the settlement and is not a designated green space*].
- 6.23 Concern about future conversion into Class C3 residential dwellings by relaxed planning rules [Officer comment: *This type of change of use is no currently possible under permitted*

*development. In addition, if minded to approve a condition limiting its use would be required to ensure no adverse effect on the SPA].*

## **7.0 PLANNING CONSIDERATION**

7.1 The application site falls within the settlement of Mytchett. The application is therefore considered against Policies CP1, CP2, CP6, CP11, CP14, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework 2018 (NPPF); as well as advice within the Western Urban Area Character SPD 2012 (WUAC); Residential Design Guide SPD 2017 (RDG) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (SPAAS).

7.2 The current proposal relates to an outline proposal for which only the access arrangements are to be determined at this stage. However, it is also incumbent upon the Local Planning Authority to undertake a wider assessment as to whether it has not been demonstrated if the proposal can be accommodated upon the application site. Whilst the proposal would be acceptable in principle in this sustainable location and a need for specialised residential accommodation is recognised, such development needs to be successfully accommodated within the site and therefore would be subject to the wider assessment below.

The following main issues need to be addressed:

- The proposed access and the impact of the proposal on highway safety;
- Impact on local character;
- Impact on residential amenity;
- Impact on the SPA; and
- Impact on land contamination and drainage.

### **7.3 The proposed access and the impact of the proposal on highway safety**

7.3.1 This outline proposal requires the assessment of the proposed access arrangements on highway safety. The proposed access would be provided towards the north west corner of the application site, accessing onto Salisbury Terrace. The layout would indicate that vehicles could enter and leave the site in forward gear, with an access bellmouth and visibility provision which would not give rise to highway safety issues.

7.3.2 It is not anticipated that the proposal would result in any significant increase in traffic movements, with the Transport Assessment indicating a projected 14 vehicle trips during the morning peak and 12 in the afternoon peak. The County Highway Authority has indicated that this would result in a slight increase in vehicular movements.

7.3.3 The proposal would provide 27 parking spaces to accommodate visitors and staff. The site would be accessed from a private road but in a fairly sustainable location, close to bus stops (for which the Transport Assessment confirms that a half-hourly bus service is provided from Camberley to Farnborough from these bus stops) and close to services within the settlement of Mytchett. This level of parking for the development would be sufficient to meet parking standards.

7.3.4 The rights to use the private road is a civil matter. The applicant has indicated that improvements to the road surface could be provided under this application but this would

require the prior agreement of all parties which own/have rights over this highway. A Grampian-style condition to require such improvements could not be imposed (by condition, if minded to approve) due to this uncertainty over any future delivery.

- 7.3.5 The County Highway Authority has raised no objections to the proposal. As such, no objections are raised to the proposed access with this element of the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

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

- 7.4.1 Policy DM9 of the CSDMP states that development will be acceptable where it respects and enhances the local character of the environment. Policy CP2 of the CSDMP states that development should ensure that all land is used efficiently within the context of its surroundings and respects and enhances the quality of the local character. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without compromising local character. Principle VS1 of the WUAC, for the subdivisions character area, indicates that development would need to reflect the historic plot divisions, architectural detailing and scale and mass of development, providing traditional elements and to strongly address the road frontage with a traditional front/back relationship to the street. Principle VS3 of the WUAC, for the subdivisions character area, advises that buildings which include large footprints that include large areas of flat roof to span the building depth will be resisted. Principle MT1 of the WUAC, for the main throughfares character area, indicates that development would consist principally of two storey detached or semi-detached buildings set close to the street with deep rear gardens.
- 7.4.2 Principle 6.7 of the RDG indicates that parking layouts should be softened with generous soft landscaping and should ensure that developments are not functionally and visually dominated by cars. Principle 6.9 of the RDG indicates that car parking courts should be attractive places with high quality hard and soft landscaping and dwellings with frontages should not have their main frontage to rear parking courts. Principle MT5 of the WUAC, for the main throughfares character area, indicates that measures to minimise the impact of car parking on the streetscene will be encouraged.
- 7.4.3 The amended proposal would provide a building with a deep span and large expanses of flat roof within pitched roof profiles. The immediate character is either of traditional pitched roofed dwellings either two or single storey in height and arranged in a short terrace (1-8 Salisbury Terrace) or detached dwellings on small or average sized plots. The proposal proposes a large building mass, without demonstrating how this form could be successfully integrated into this character, and the wider character areas. A modern design with a dominance of glazing in the elevations is proposed which would represent a departure from this local character. The Council's Urban Design Consultant has advised that the design of the revised proposal (including the amount of flat roof and modern design) and the overall building footprint would have an adverse impact on character.
- 7.4.4 The proposed building footprint is about 995 square metres, which, at a two storey height, would provide a maximum of 1,990 square metres of accommodation. This would provide about 36 square metres of accommodation per bedroom (for 54 bedrooms), which in the officer's opinion is considered to be a serious under-provision of accommodation. When compared with other care homes, this amount of floorspace would normally provide up to about 40 bedrooms. As such, to provide 54 bedrooms for such a care home on this building footprint, a third storey of accommodation (at the very least in part) is likely to be required. It is considered that it has not been demonstrated that this development could be provided without being harmful to local character.

- 7.4.5 The proposed building would be seen from Mytchett Place Road. Whilst the existing trees would reduce visibility of the building, in part, and this highway rises to levels much higher than the application site to the south east corner of the site (on the approach to the rail bridge), it would be clearly visible from this highway, particularly after leaf fall. It has not been demonstrated that the likely height and depth of built form to this elevation could be successfully integrated such that it would not have an adverse impact on this streetscene.
- 7.4.6 In addition, the layout would provide a car park of 27 spaces which would provide a large amount of hardstanding (for servicing and parking) between the frontage building and houses to the west which would be visible from Salisbury Terrace and Mytchett Park road (particularly after leaf fall) failing to comply with Principle MT3 of the WUAC. It has also not been demonstrated that this parking could be successfully integrated into this area; and not have an adverse impact on the streetscene.
- 7.4.7 Policy DM9 of the CSDMP indicates that development should protect trees and other vegetation worthy of retention. There are no major trees within the site, with the majority on the embankment to the south boundary with Mytchett Place Road. It is possible that the proposal could be provided without harm to these trees, and at this stage no objections are raised on this ground.
- 7.4.8 It would therefore appear that it has not been demonstrated that the proposed development would have an adverse impact on local character failing to comply with Policy DM9 of the CSDMP, and advice within the WUAC and the RDG.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP indicates that developments should provide sufficient private and public amenity space and respect the amenities of the occupiers of neighbouring properties and uses. Principle 6.4 of the RDG also indicates that housing development should seek to achieve the highest density possible without adversely impact on the amenity of neighbours or residents. Principles 8.4 and 8.5 of the RDG set out the requirements to provide private amenity space for house and flats. In the case of flats, outdoor amenity should be provided for each flat with communal open space also provided.
- 7.5.2 The site is bounded by residential properties, Arosfa and Jayden, to the west. The proposed layout would provide a parking area close to this boundary, with a 2 metres wide landscaping strip provided at the boundary and a separation distance of a minimum of 15 metres. With the separation distances and likely height, it is not considered that the proposed building would lead to unacceptable conditions to the residents of these properties.
- 7.5.3 The Willows lies to the north east corner. This dwelling is positioned in the south west corner of that residential plot with its rear garden principally to the east (flank) of the building. As such, the east elevation is the most sensitive elevation, with one bedroom window facing south towards the mutual boundary. The layout indicate the main rear garden area for the development would be adjacent to the south boundary of The Willows with the building set further into the site set a minimum of 14.4 metres from this rear wall with the rear garden area set about 15 metres from the north wall of the proposed building. It would be expected that the two storey built form is likely to have some impact upon the residential amenity of the occupiers of this dwelling. However, it is not considered that, with the levels of separation, and likely height, that the proposal would lead to unacceptable conditions to the residents of these properties.

- 7.5.4 The residential dwellings opposite the site include a mix of bungalows and two storey dwellings. These dwellings are set back and whilst the schemes indicates a two storey form of development would be provided opposite these dwellings it is considered that with a separation distance of about 21.5 metres, and likely height, the proposed development is unlikely to have any significant impact upon the residential amenity of occupiers of neighbouring dwellings.
- 7.5.5 The proposal would provide an increase in traffic movements and general activity at the site. However, noting the background ambient noise levels and general activity from nearby roads and the rail line and the landscape buffer proposed to Arosfa and Jayden to the west boundary with the proposed car park, it is not considered that the proposal would lead to unacceptable noise conditions for local residents.
- 7.5.6 The proposal would provide residential accommodation close to a noise generating use – the adjoining rail line. No noise report has been received. The Council's Environmental Health Officer has indicated that a noise impact assessment (demonstrating compliance with internal/external noise standards) could be provided by condition, if minded to approve.
- 7.5.7 The original proposal would provide sufficient amenity space for the proposal at the rear of the frontage building (and to the rear of The Willows), and to the rear of the main building, resulting in acceptable living conditions for future residents.
- 7.5.8 It is therefore considered that the proposal is likely to be acceptable on residential amenity grounds and as such an objection is not raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP, and advice within the RDG.

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

- 7.6.1 The application site lies within 400 metres from the Thames Basin Heaths Special Protection Area (SPA). The proposal would provide a care home. Natural England has raised no objections to the proposal subject to the limitations on overnight staff or visitor accommodation, car parking use, preclusion of the keeping of cats and dogs (except assisted living dogs), use (as a care home) and occupation by persons with limited mobility. It is considered that these limitations could be imposed by condition (or legal agreement), if minded to approve.
- 7.6.2 The application site lies close to the Basingstoke Canal SSSI. The application has been supported by an ecological appraisal for which the Surrey Wildlife Trust has confirmed that they raise no objections subject to the submission of avoidance measures for protected species (reptiles, bats) and implementation of a landscape and ecological management Plan (LEMP), matters which could be controlled by condition, if minded to approve.
- 7.6.3 An objection is therefore not raised to the proposal on SPA and ecology grounds with the proposal failing to comply with Policy CP14 of the CSDMP; Policy NRM6 of the SEP; the NPPF and advice within the SPAAS.

## **7.7 Impact on land contamination and drainage**

- 7.7.1 The proposal relates to land previously developed. The Scientific Officer has advised the taking of a precautionary approach such that a process needs to be undertaken if any contamination is encountered or suspected during the operations relating to this use. These limitations could be imposed by condition, if minded to approve. Under these circumstances, no objections are raised to the proposal on these grounds with the proposal complying with the NPPF.

- 7.7.2 The Local Lead Flood Authority has advised that because the proposal is in outline (relating to the provision of access only) and, as such, details of siting, etc., are not to be determined at this stage, the proposal falls outside of their statutory duties requirements and as such have no comments to make at this stage. The surface water drainage details would be considered under a reserved matters application, if minded to approve this outline proposal. No objections are therefore raised on these grounds at this stage.

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

- 8.1 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 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.

## **9.0 CONCLUSION**

- 9.1 The proposal has not demonstrated that the quantum of development can be provided on the site without prejudice to local character. As such, the application is recommended for refusal.

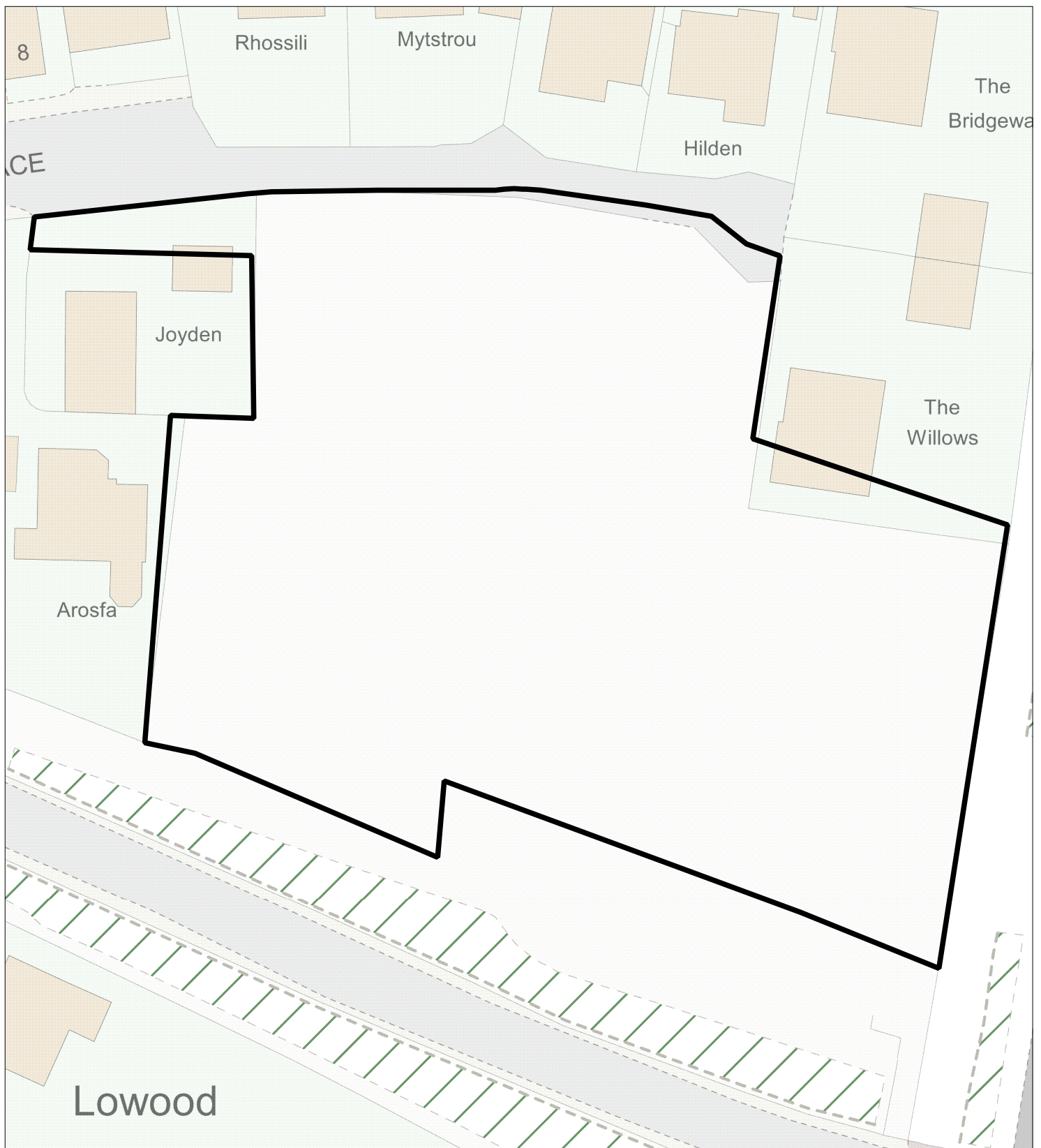
## **10.0 RECOMMENDATION**

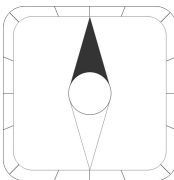
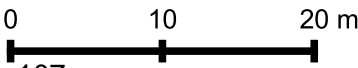

REFUSE for the following reason(s):-

1. The proposal by reason of its indicative layout (including the building footprint and extent of the car parking area) combined with indicative scale (including floorspace, mass, height, width and depth); and, indicative appearance (including the flat roof design and architectural detailing with the expanse of glazing) would result in an incongruous and dominant form of development that would form poor relationships with neighbouring buildings and be visually harmful to the streetscenes of Salisbury Terrace and Mytchett Park Road. The proposal would therefore fail to integrate into the established character of the area including the Main Thoroughfare and Victorian/Edwardian Subdivisions Character Areas and be contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles VS1, VS3, MT1 and MT5 of the Western Urban Area Character Supplementary Planning Document 2012, and Principles 6.4 and 6.7 in the Residential Design Guide SPD 2017 and the National Planning Policy Framework 2019.







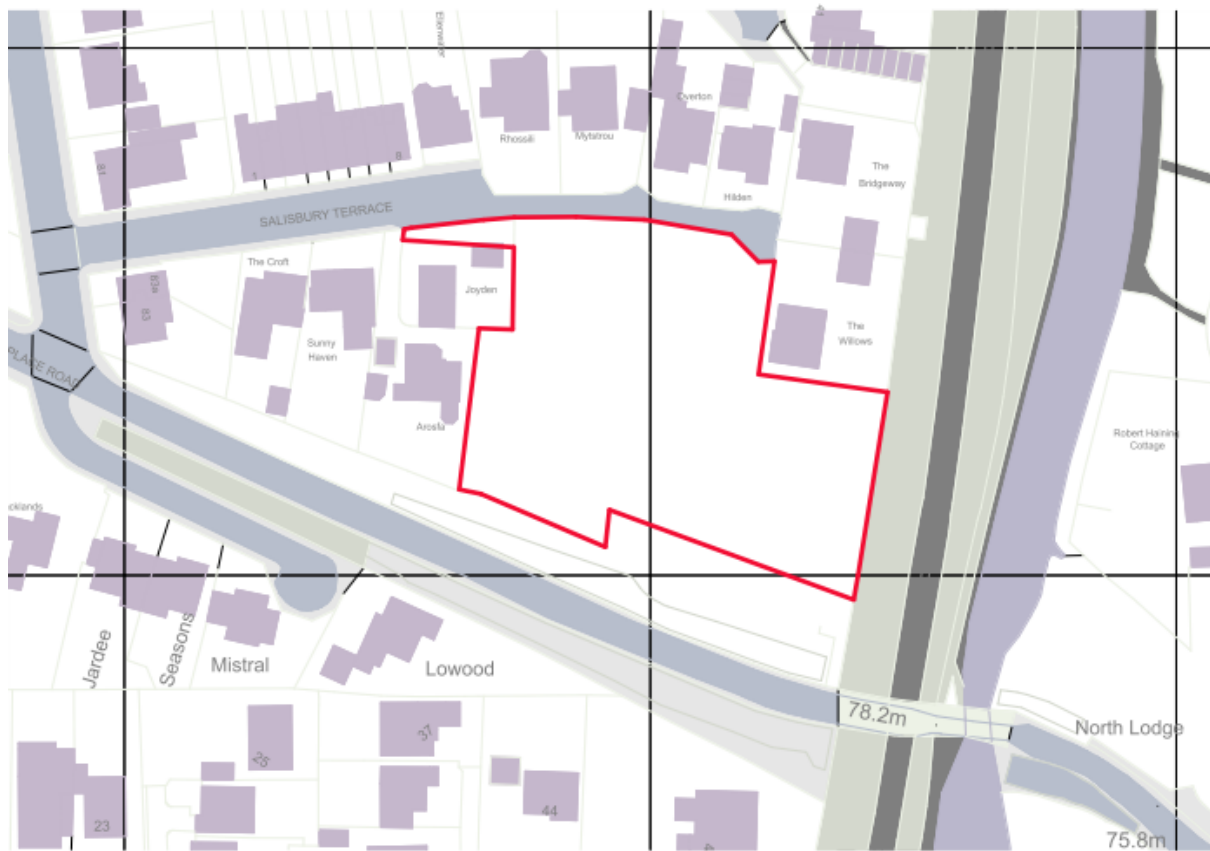
Title	Planning Applications			
Application number	18/0956	  	Scale @ A4	1:500
Address			Date	26 Jun 2019
Proposal	Erection of new Care Home (C2 use class) to provide up to 54 new bedrooms together with associated access, parking and landscaping			
Page 107				
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019		
		Author: DE		



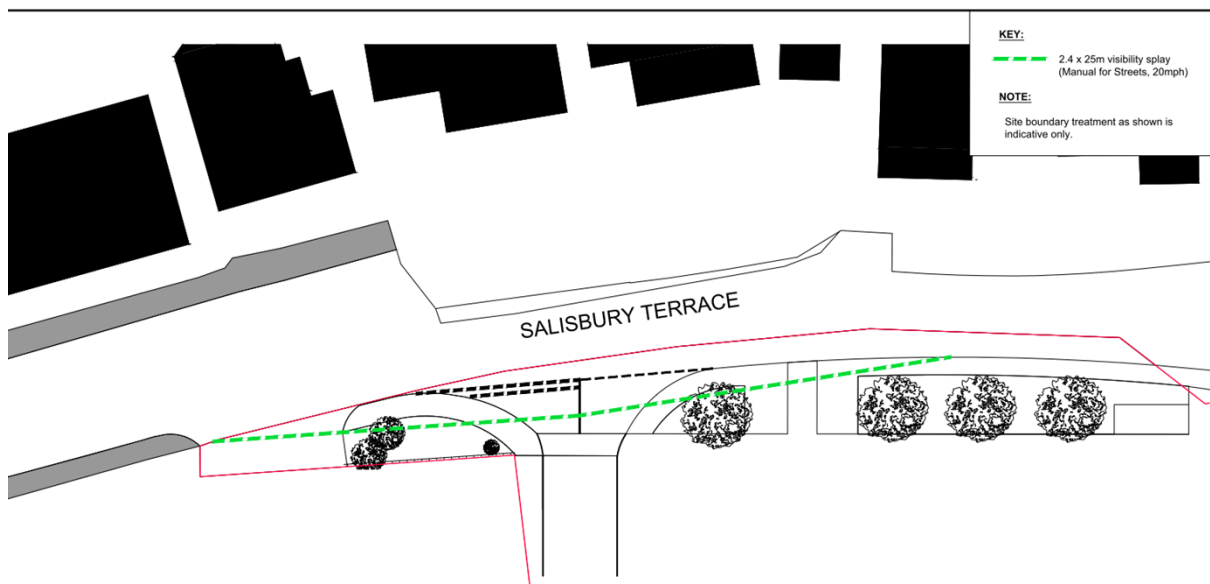
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18/0956 – LAND SOUTH AND WEST OF THE WILLOWS, SALISBURY TERRACE,  
MYTCHETT

Location plan



Proposed site access layout



## Schematic layout



## Schematic elevation





Site photos

Application site



Site frontage



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2019/0323

Reg Date 23/04/2019

Chobham

**LOCATION:** HOOK MEADOW, PHILPOT LANE, CHOBHAM,  
WOKING, GU24 8HD  
**PROPOSAL:** Change of use from equestrian stable building to dwelling  
(Class C3) with associated curtilage.  
**TYPE:** Full Planning Application  
**APPLICANT:** Miss A Hook  
**OFFICER:** Ross Cahalane

**This application would normally be determined under the Council's Scheme of Delegation, however it is being reported to the Planning Applications Committee at the request of the Executive Head of Regulatory.**

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 This application is for planning permission for a proposed change of use of an existing equestrian stable building to a dwelling (Class C3) with associated curtilage.
- 1.2 The application site has an extensive planning history and the existing dwelling and associated residential land on site is the subject of extant enforcement notices (with appeals having been dismissed) and a High Court Injunction requiring the demolition of the dwelling and the reinstatement of the land to its former condition.
- 1.3 This report concludes that the proposed change of use of the existing lawful stable building to a residential use is not inappropriate development in the Green Belt. No objection has been raised by the Environment Agency and the Council's Scientific Officer. Subject to the conditions as outlined, which include the removal of the existing unauthorised development, the application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 Hook Meadow is set in a rural location beyond any defined settlement to the east of Philpot Lane. The site lies within the Green Belt and is on a mix of flood zone 1, 2 and 3 land. Philpot Lane is characterised by low density development set in spacious plots. The area has a verdant character which is considered to be a defining feature of the area.
- 2.2 The timber building proposed for conversion comprises a block of three stables with an attached feed store, with a pitched steel sheet roof on a concrete base. The site also includes an unauthorised single storey timber dwelling with garden land and pond, a carport and hard standing area between the dwelling and stable building, a hay barn and tractor shed directly opposite the stable building, and greenhouse buildings.

### 3.0 RELEVANT HISTORY

- 3.1 The application site has an extensive planning history. The history most relevant to the current proposal is summarised below.
- 3.2 In December 2003 planning permission was sought (ref. 03/1374) for the erection of a single storey house. This was refused due to the countryside/Green Belt location where new residential is strictly controlled. An appeal against this refusal was subsequently dismissed with the Inspectorate agreeing that the development did not meet an agricultural housing need, and was inappropriate development, and that it would be harmful to the open and rural character of the Green Belt. Meanwhile, retrospective planning permission was granted in September 2004 (ref: 04/0575) for the erection of two barns to be used for stables, a feed room and a hay store. Part of this building is subject to the current change of use application.
- 3.3 A further application for planning permission (ref. 05/0438) for residential development was submitted in April 2005. This application was also refused for similar Green Belt and countryside reasons as those cited under 03/1374. No appeal to that refusal was submitted.
- 3.4 During February 2003 and October 2009 the site was subject to various complaints concerning alleged residential occupation. Officers noted during site inspections in February 2008 that an area of land now had the appearance of garden land, and that a residential unit had been formed within the fabric of the field shelter. The applicant advised at that time that she had been in residence since April 2006.
- 3.5 The site was revisited on 16 October 2009 and this revealed that large parts of the field shelter had been removed and a porch had been added. Enforcement Notices were subsequently issued on 29 October 2009 and required the cessation of the use of the land for ancillary residential purposes and the demolition of the dwelling house contained within the former field shelter, the demolition of the field shelter and various ornamental garden fittings.
- 3.6 As part of the appeal proceedings instigated by the applicant a further site visit was undertaken on 11 March 2010 wherein it was noted that the garden area had been extended and those parts of the dwelling house formerly uncovered had been recovered with timber affixed to the shell of the former field shelter.
- 3.7 The enforcement appeal proceeded as a Public Inquiry and after considering the case presented by both parties, the Inspector dismissed the appeal and upheld the notices and in doing so opined that the dwelling is not a conversion of the former shelter but a freestanding building constructed within it, and that consequently the Council's assessment of the breach of planning control was correct. The decision letter (DL) is dated 24 May 2010 and required the demolition of the dwelling and ancillary garden development and the cessation of the use of the land for residential purposes. The period for compliance was stated as 6 months (for the use) and 9 months for works of demolition and making good.
- 3.8 The period for compliance with the terms of the notices was informally extended until mid-summer 2011; however, requests for compliance since then have not met with success despite extensive communication between the Council and the applicant. Moreover, notwithstanding the presence of the extant enforcement notices and the failed appeal against the same, the applicant undertook an extension (to form a lounge) to the unauthorised dwelling house with these works commencing in October 2013.



These works were inspected on 12 May 2014 where it was also noted that it appeared that preparatory works were in place to facilitate a further extension to the dwelling (this time to the bedroom).

- 3.9 Concerns regarding the applicant's failure to comply with the extant enforcement notices, coupled with the erection of an unauthorised extension (and the apparent intent to undertake further works), resulted in the Council applying to the High Court for an Injunction. The application for the Injunction was granted by his Honour Judge Seymour following a hearing held on 30 October 2014. The requirements of the injunctive Order are (in summary):
1. The cessation of the residential use of the specified garden land by no later than 30 April 2014;
  2. The removal of all ornamental planting, decorative features and raised beds from the specified garden land by no later than 30 October 2015; and,
  3. The demolition of the unauthorised dwellinghouse (including the porch and recently completed extension) by no later than 30 April 2016.
- 3.10 Site visits undertaken reveal that none of the requirements have been complied with and this remains the case.
- 3.11 In 2015 a further planning application was submitted (ref:15/0868). This sought a retrospective change of use of the former field shelter to a dwelling and extensions to it. This was refused planning permission for the following, summarised reasons:
1. The LPA was not satisfied that the field shelter was of permanent construction and was not suitable for conversion. The application was not supported by any evidence to show that any substantive elements were utilised or retained in the works undertaken. The LPA therefore concluded that the works were the erection of a dwelling house. The erection of the dwelling house and the extensions undertaken, along with the curtilage is inappropriate development in the Green Belt, led to countryside encroachment and reduces openness.
  2. A SAMM contribution had not been secured and as such the development was in conflict with policy CP14 of the CSDMP2012 and policy NRM6 of the SEP 2009.
  3. No VSC (Very Special Circumstances) were present to clearly outweigh the harm and accordingly the development was contrary to the NPPF.
- 3.12 An appeal to the refusal of planning permission was lodged and this proceeded by way of public inquiry. The appeal was dismissed on 2nd August 2016.
- 3.13 In 2017, another planning application was submitted (ref:17/0389) for the erection of an occupational workers dwelling ancillary to use of the land for horticultural and agricultural purposes (retrospective), and erection of a single storey extension to form an enlarged bedroom. Permission refused for the following reasons:
1. The LPA, following review by an agricultural consultant, did not consider that there was an essential need for a rural worker to live permanently on the site, and that it was not demonstrated that the horticultural business undertaken was financially viable and is or could become a sustainable form of rural development.
  2. The proposed development was consequently considered to form inappropriate development in the Green Belt that erodes the rural character of the site and the wider

area, reduces openness and encroaches into the countryside. No VSC were present to clearly outweigh the harm and accordingly the development was contrary to the NPPF

3. A SAMM contribution had not been secured (this was subsequently paid by the applicant).
- 3.14 An appeal against this refusal was dismissed on appeal, following a hearing (decision issued 06 July 2018). The Inspector concluded that the unauthorised dwelling was the primary development at this site and was not ancillary to the use of the land for agricultural/horticultural purposes. Consequently, the dwelling was not a building for agriculture and therefore, does not fall within that exception to NPPF Green Belt policy. The Inspector also concluded that the applicant had not established very special circumstances sufficient to outweigh the harm to the Green Belt.
- 3.15 Following this appeal decision, the Council's Executive Head (Regulatory) has authorised direct action to secure compliance with the enforcement notices and injunction. It is however understood that an application to the Court of Appeal against the Inspector's decision to dismiss the latest planning appeal is still pending. The applicant has recently sought pre-application advice from the LPA prior to the submission of the current change of use application.

#### **4.0 THE PROPOSAL**

- 4.1 The application seeks planning permission for a proposed change of use of an existing equestrian stable building to a dwelling (Class C3) with associated curtilage.
- 4.2 No additional footprint is proposed. The proposed alterations are minimal – namely involving replacement of the stable doors with a main entrance and windows. The resultant dwelling would therefore be single storey with one bedroom. The existing access to the site and hardstanding area would be utilised for parking/turning space.
- 4.3 The proposed site plan shows the existing dwelling to be demolished, with reversion of some of its garden land (including pond) back to agricultural land, demarcated by installation of boundary fencing.
- 4.4 The application submission also includes a planning statement and a flood risk assessment.

#### **5.0 CONSULTATION RESPONSES**

- |     |                            |   |
|-----|----------------------------|---|
| 5.1 | Natural England            | No objection, subject to the applicant complying with the LPA's SPA avoidance strategy (i.e. providing the required SAMM contribution).   |
| 5.2 | Environment Agency         | No objection, subject to condition <i>[See Section 7.6]</i>   |
| 5.3 | Council Scientific Officer | No objection, subject to condition <i>[See Section 7.8]</i>   |
| 5.4 | Chobham Parish Council     | Summary: No objection, subject to the following provisos:<br><br>- The proposed change of use accords with the Green Belt exception for redevelopment of previously developed land in the NPPF and meets the criteria set out in policy DM1 of the Core |

Strategy for conversion of buildings.

- The Scientific Officer's comments regarding potential contamination of land are taken into consideration and any appropriate action is taken in this regard.
- The Inspector's previous findings regarding the site which remain relevant to this application are treated as material considerations.
- The Planning Authority is satisfied that there would be no net increase to the flood risk in the vicinity of the property (DM10).
- Any vehicles servicing the site are not allowed to park or wait on Philpot Lane; there is no encroachment onto the highway verge to the front of the site, and; no unauthorised gates, fencing or other urbanising features are installed (DM11, DM9).
- It is recommended that permitted development rights are removed for the entire site in order to preserve the openness of the Green Belt (NPPF, DM1, DM9), and
- A suitable condition is applied such that the entire unlawful dwelling on the site is demolished and the land reinstated as per the plan. The condition should carry an appropriate time limit in order to avoid any enforcement situation remaining on the site following the development.

## **6.0 REPRESENTATION**

6.1 At the time of preparation of this report 14 representations of support have been received. The following matters are raised in support of the current application:

- No impact on Green Belt – small scale re-use of existing structure - no additional built form
- Proposed stable conversion is compliant with current policy [*Officer note: See Section 7.2*]
- No impact on amenity of area or neighbours [*Officer note: See Sections 7.3 and 7.4*]
- No increase in traffic, extra pollution or pull on resources [*Officer note: See Section 7.5*]
- No additional impact on flood risk [*Officer note: See Section 7.6*]
- Practically no ecological impact, unlike neighbouring development
- Plants, trees and shrubs provide a haven for wildlife and vulnerable species
- Proposal will use low amounts of energy [*Officer note: See Section 7.6*]
- Proposal has support from Natural England, the Environment Agency and local residents [*Officer note: See Section 5 and 6 above*]

- Existing dwelling should be allowed to be retained during course of the works – if approved
- Other applications in surrounding area approved for residential development – including adjacent site
- Enforcement action is unjustified and would not be proportionate

*[Officer comment: Each application must be considered on its own individual merits. Planning conditions are proposed in respect of the existing unauthorised development within the application site, which would still also be subject to enforcement notices and an injunction as outlined in Section 3 above.]*

6.2 Two further representations have been received from two Councillors elected during the determination of the application, raising the following matters:

- Curtilage proposed is a biodiverse habitat
- Existing hardstanding provides adequate parking
- Application is very environmentally friendly
- No reasonable grounds to refuse application
- Applicant has continued to ensure excellent stewardship of the area and commitment to preserving the natural environment

## **7.0 PLANNING CONSIDERATION**

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CP1, CP2, CP6, CP12, CP14, DM1, DM9, DM10 and DM11. The National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application. The nature of the application and the site's location mean that the following matters are the main considerations in the determination of this application:

- The principle of the development in the Green Belt;
- Impact on character;
- Impact on amenity;
- Impact on highway;
- Impact on flood risk;
- SPA and infrastructure; and,
- Other matters

## **7.2 The principle of the development in the Green Belt**

- 7.2.1 Para 146 of the NPPF provides a list of development types which are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. This includes “the re-use of buildings provided that the buildings are of permanent and substantial construction”.
- 7.2.2 Policy DM1 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) states that within the countryside, including the Green Belt, the conversion or re-use of buildings for residential purposes will be supported, provided that the existing building is appropriate in a rural location, is of permanent construction, structurally sound and capable of conversion without major alterations, adaptations or reconstruction to bring it into its desired use.
- 7.2.3 The stable building proposed for conversion benefits from planning permission (ref: 04/0575 – granted in September 2004) and is therefore considered to be appropriate for its rural location. The supporting statement advises that the building is timber framed with external shiplap cladding, with plywood interior walls. The roof has 'A' frames joined with timber beams supporting a sheet metal roof. The floor comprises fibre reinforced concrete. It is therefore contended that the building is structurally sound.
- 7.2.4 Based on recent site visits and the planning history of the site, it is considered that the building is permanent and has been well-kept. As such, the subject building is viewed as being of permanent and substantial construction as required by both paragraph 146(d) of the NPPF and Policy DM1 of the CSDMP. On the basis of the above, the principle of the proposed change of use and minor alteration of this building to a residential use is considered acceptable, as it would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.
- 7.2.5 However, the existing unauthorised dwelling and residential curtilage, as established in several appeal decisions, is yet to be resolved. The current proposal includes a revised garden layout that is more closely tied to the building proposed for conversion. This will involve reverting an existing unlawful garden area surrounding the existing dwelling, including a pond to an agricultural use, with installation of boundary fencing.
- 7.2.6 It is considered necessary and reasonable to impose planning conditions to ensure reasonable controls and deadlines to assist in resolving the breach of planning control and resultant harm to the Green Belt, as established in the appeal decisions. The conditions proposed are to impose a time limit (one year from date of decision of this application) for the demolition of the existing dwelling and to ensure that occupation is not undertaken prior to this demolition. It is also considered necessary and reasonable to impose a planning condition removing permitted development rights for any extensions to the converted building, or any outbuildings within its retained curtilage.
- 7.2.7 On the basis of all the above, the proposed conditions are considered to be necessary; relevant to planning; and the development to be permitted; enforceable; precise, and; reasonable in all other respects (as required by Paragraph 55 of the NPPF).

## **7.3 Impact on character**

- 7.3.1 The NPPF requires planning policies and decisions to ensure that new development makes efficient use of land, 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 The proposed external alterations are minimal – namely involving replacement of the stable doors with a main entrance and windows. This would sufficiently respect the rural character of the area, as the form of the existing wooden building would not be substantially altered.
- 7.3.3 Therefore, it is considered that the proposed development would not lead to incongruous impact upon the rural character of the surrounding area, in compliance with the design requirements of Policy DM9 of the CSDMP and the RDG SPD.

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

- 7.4.1 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.
- 7.4.2 It is considered that the proposed residential conversion would be sited at sufficient distance from neighbouring boundaries to avoid material harm to residential amenity.
- 7.4.3 The proposed internal residential floor area appears to be approx. 38 sq m, which would meet the minimum space standards for a new one-bed/one-person residential unit. It is considered that sufficient outlook and garden space would be provided.
- 7.4.4 It is therefore considered that the proposal complies with the amenity requirements of Policy DM9 of the CSDMP and the Residential Design Guide Supplementary Planning Document.

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

- 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 conversion would utilise the existing vehicular access to the site. The existing hardstanding area would also be utilised for parking/turning space, and contains a car port. This is considered sufficient for the proposed dwelling.
- 7.5.3 It is therefore considered that the proposed development would not prejudice highway safety nor cause inconvenience to other highway users, in compliance with Policy DM11 of the CSDMP.

#### **7.6 Impact on flood risk**

- 7.6.1 The site as a whole lies in flood zone 2 and 3 and the proposed residential use is a more vulnerable use. The access to the site is located in flood zone 1 and most of the stable building proposed for conversion is in Flood Zone 2, according to online Environment Agency mapping.



- 7.6.2 The NPPF advises that development for 'more vulnerable' uses, such as residential, should be directed to areas with a lower probability of flooding. In addition, Para 103 of the NPPF advises that development in one area should not displace flood waters and give rise to a problem, or increase problems, experienced elsewhere. The Planning Practice Guidance advises that an application for residential development in flood zone 2 can be approved in principle.
- 7.6.3 A site-specific Flood Risk Assessment (FRA) has been provided, which states that the floor level of the existing stables to be converted is 22.11 above Ordnance Datum (AOD). The Environment Agency (EA) has raised no objection, subject to a planning condition to ensure that these existing finished floor levels are adhered to. It is also noted that safe access/egress can be achieved, as the existing entrance to the site is in flood zone 1.
- 7.6.4 It is therefore considered that the proposed change of use to a residential dwelling would not likely give rise to an increase risk from flooding within or around the site, in compliance with Policy DM10 of the CSDMP. It is also noted that no objection on flooding grounds have been raised in previously appeal decisions.

## **7.7 SPA and infrastructure**

- 7.7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2006 requires the LPA to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Section 38 (3) advises that the development plan is the documents (taken as a whole) which have been adopted or approved in relation to that area. The Council's Adopted CIL and Infrastructure Delivery Supplementary Planning Document is therefore part of the development plan. However, the current proposed building conversion would not involve the creation of additional floorspace and as such, would not be CIL liable.
- 7.7.2 It is however noted that any occupation of the land since the SPA designation in 2005 has been unlawful or illegal. As such, the dwelling has not been included in the baseline housing figures. Because of this, and consistent with the most recent 17/0389 application, it is considered that a SAMM contribution of £399 should be secured, in line with the LPA's current charging schedule as set out in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019. This is required so that the LPA can pool this contribution towards the strategic access management and monitoring of the SANGS, which in themselves provide the main means by which new dwellings mitigate their impact on the SPA.
- 7.7.3 A SAMM contribution has not, at the time of writing, been secured. It is noted that this was paid by the applicant at the last planning appeal and was then subsequently refunded when the appeal was dismissed. The payment has been requested again and an addendum update will be provided.

## **7.8 Other matters**

- 7.8.1 The Council's Scientific Officer has recommended a pre-commencement planning condition requiring submission of a scheme to deal with potential contamination of the site. However, as the proposed change of use of the building in itself does not require excavation of land, and given the extensive planning history of the site in which no objections were raised on potential contamination grounds, in this instance it is not considered reasonable to impose such a condition.

- 7.8.2 It is noted that the applicant has stated that reinstatement of the land and pond near the unauthorised dwelling may be against policy concerning habitats and biodiversity, as it contains frogs, newts and toads- as well as established trees and shrubs. However, this is not evidenced by an ecology report undertaken by a suitably qualified person.

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

- 8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included the following:-

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

## **9.0 CONCLUSION**

- 9.1 This application seeks planning permission for the proposed change of use of an existing equestrian stable building to a dwelling (Class C3) with associated curtilage. For the reasons set out in this report, it is considered the proposal complies with Chapter 13 of the NPPF, as the re-use of the existing lawful building of permanent and substantial construction is not inappropriate development in the Green Belt. Subject to securement of the SAMM contribution and the conditions as outlined, the application is recommended for approval.

## **RECOMMENDATION**

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within one year of the date of this permission.

Reason: In the interests of maintaining the openness of the Green Belt 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 block plan; Proposed front and side elevations; proposed rear and side elevations - received on 10 April 2019;  
Proposed site plan ("PSP"); Proposed floor plan - received on 23 April 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. The building works, hereby approved, shall be constructed in external fascia materials as stated in Section 9 of the application form received on 23 April 2019.

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

4. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (FRA) reference FRA for Hookmeadow, Philpot Lane, Chobham, Surrey GU24 8HD (received on 10 April 2019), and the following mitigation measures detailed within the FRA and drawings. In particular:
  1. Finished floor levels shall be set at existing floor level of 22.11 above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. The development hereby approved shall not be first occupied unless and until the existing unauthorised dwelling is removed, with its adjacent land reinstated as shown on the proposed site plan ("PSP") received on 23 April 2019.

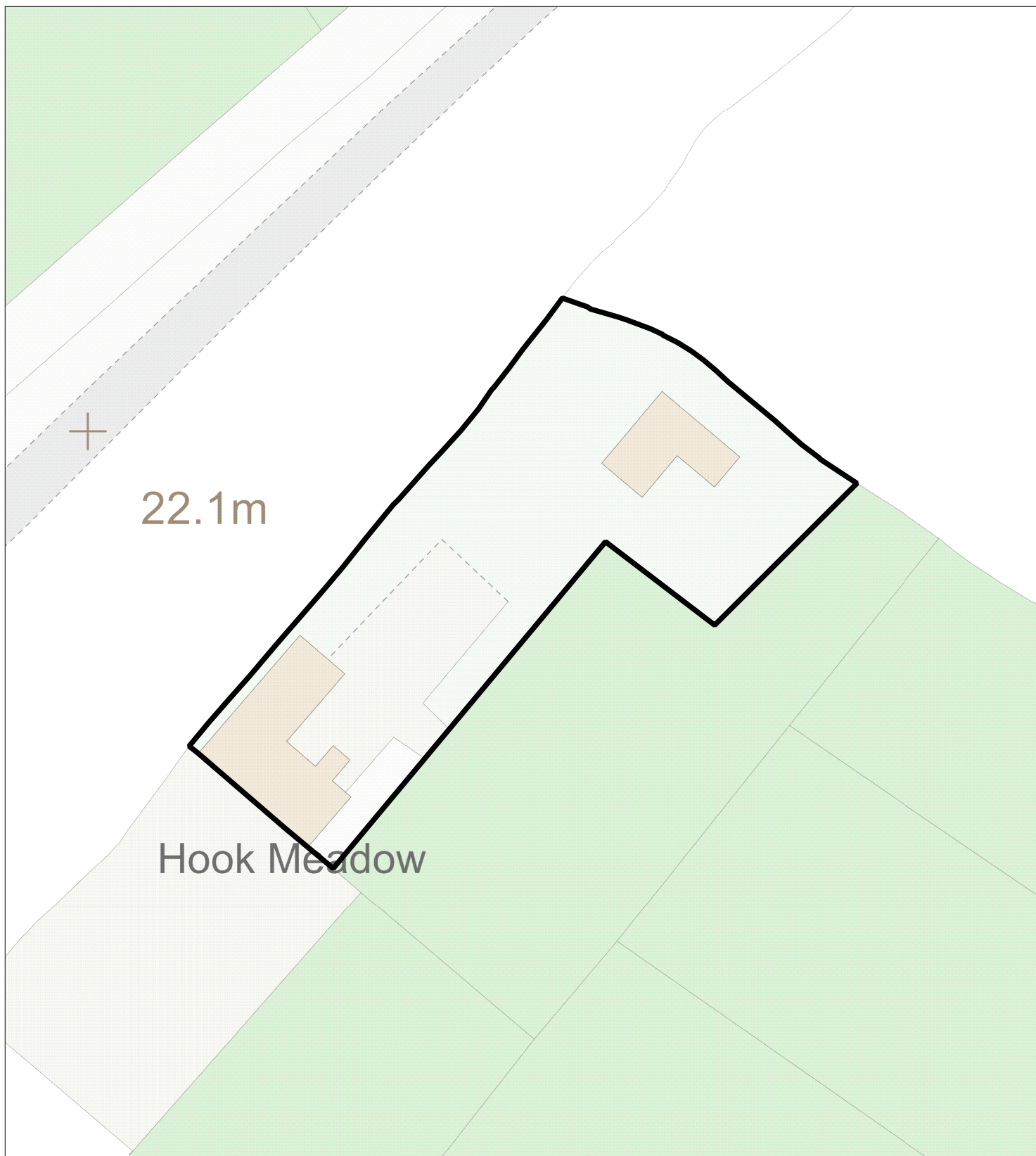
Reason: In the interests of maintaining the openness of the Green Belt and to accord with Policies CP1, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

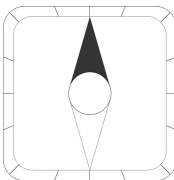
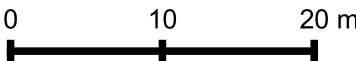

6. Within one year of the date of this decision, the existing unauthorised dwelling shall be demolished with all resultant debris removed from the land, and its adjacent land reinstated as shown on the proposed site plan ("PSP") received on 23 April 2019, unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: In the interests of maintaining the openness of the Green Belt and to accord with Policies CP1, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

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



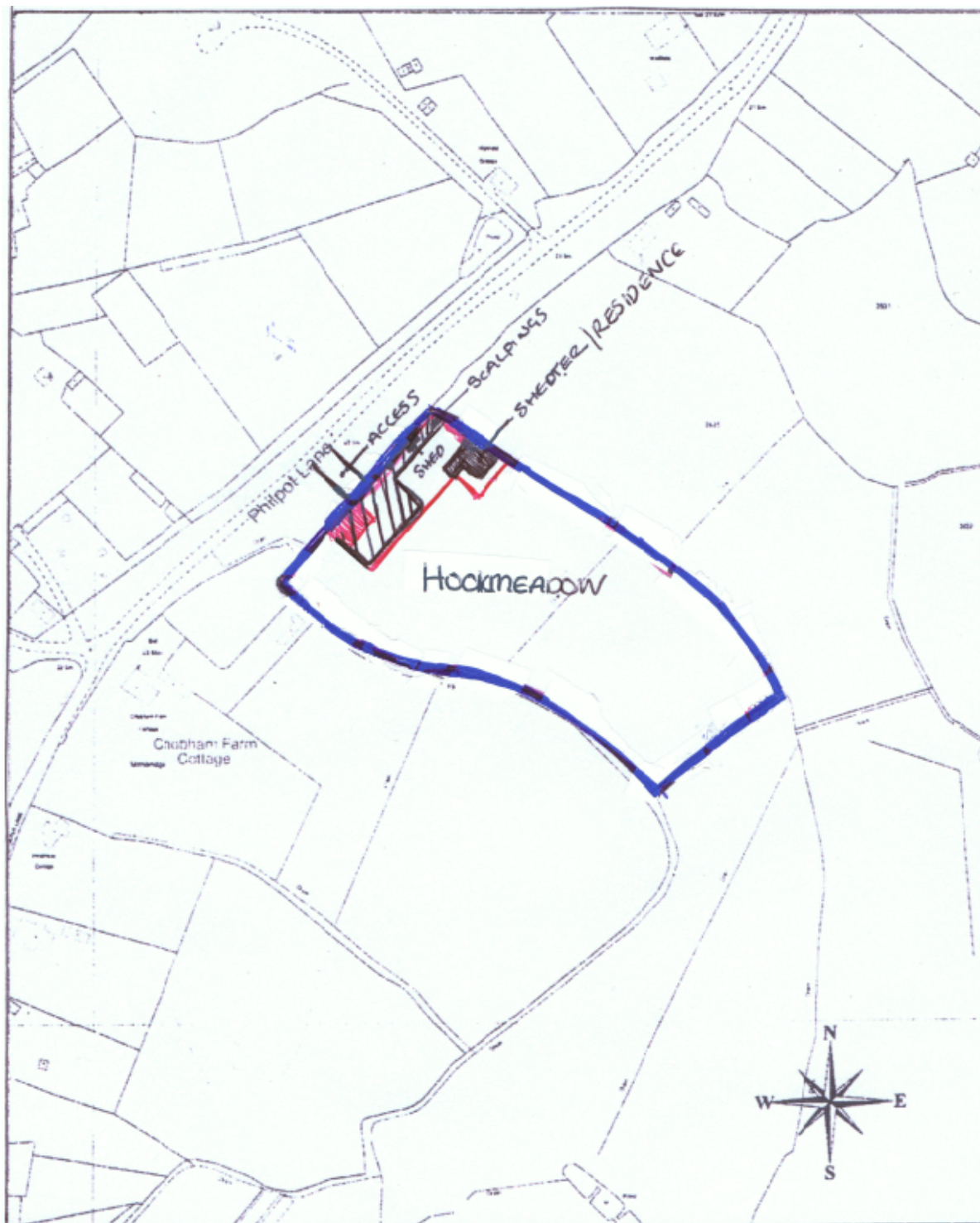
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Application number	19/0323	 	Scale @ A4	1:500
Address	HOOK MEADOW, PHILPOT LANE, CHOBHAM, WOKING, GU24 8HD		Date	26 Jun 2019
Proposal	Conversion of three stables to residential use.			
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019		
		Author: DE		

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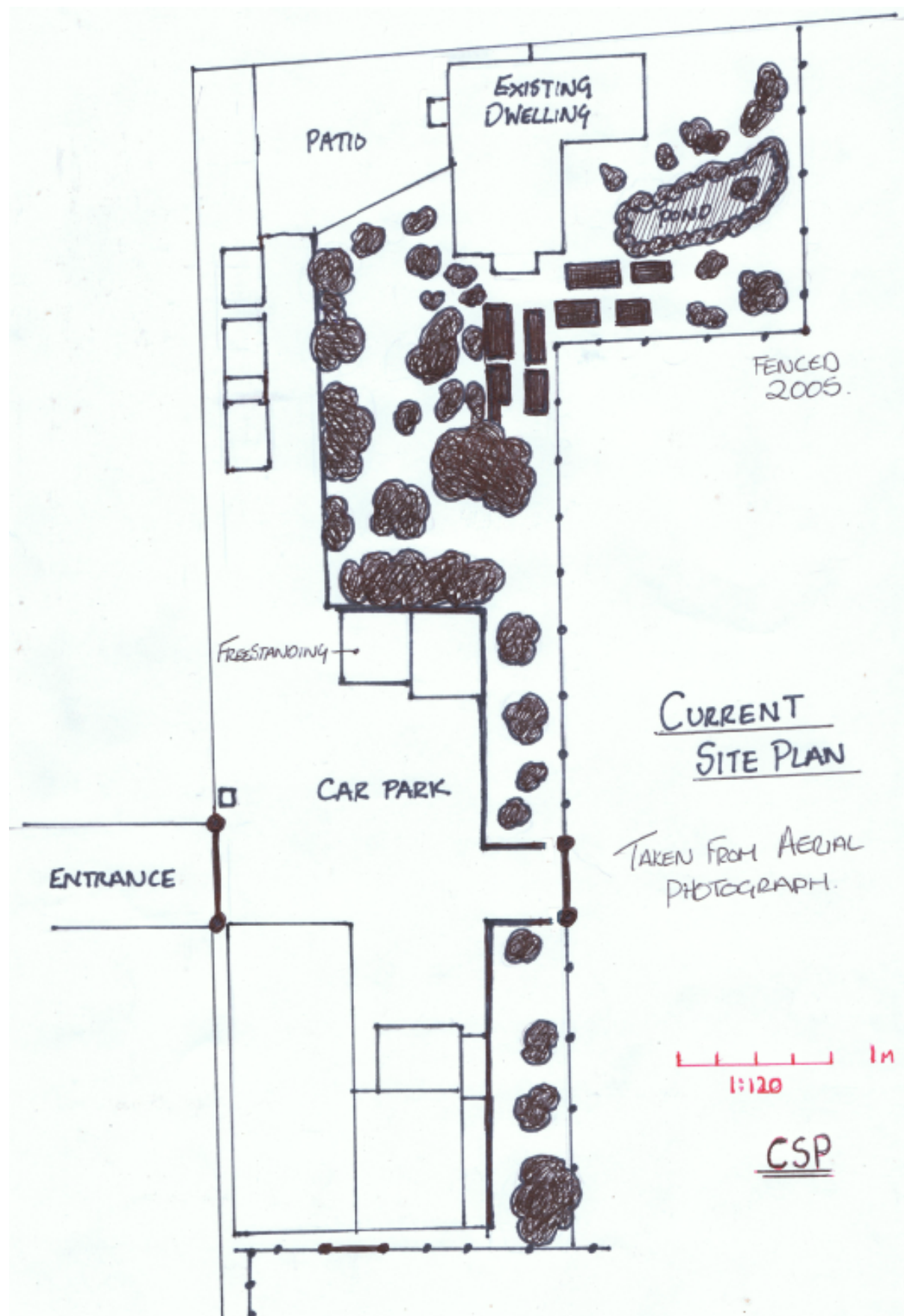


19/0323 – HOOK MEADOW, PHILPOT LANE, CHOBHAM, WOKING, GU24 8HD

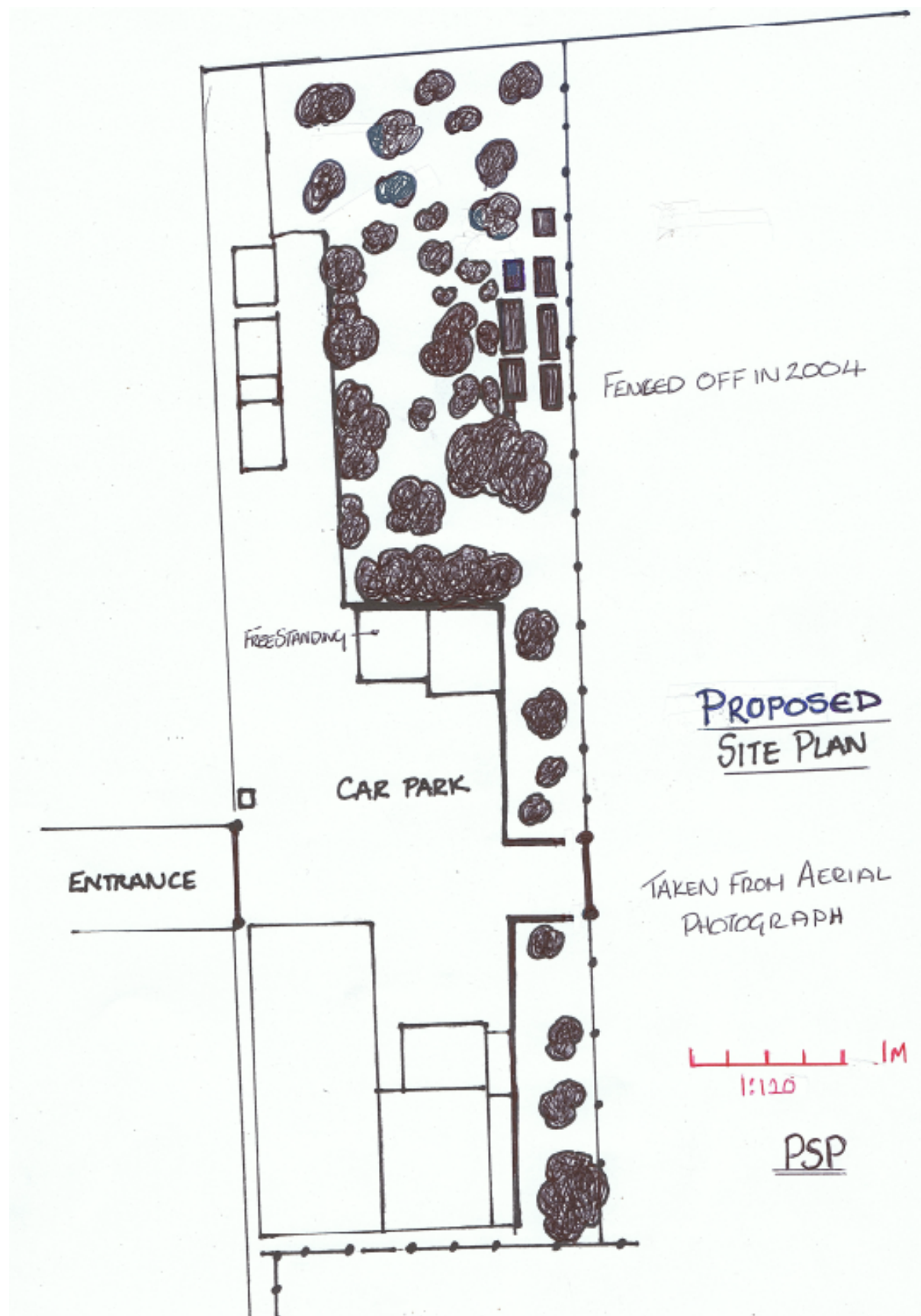
Location plan



Existing Site Plan

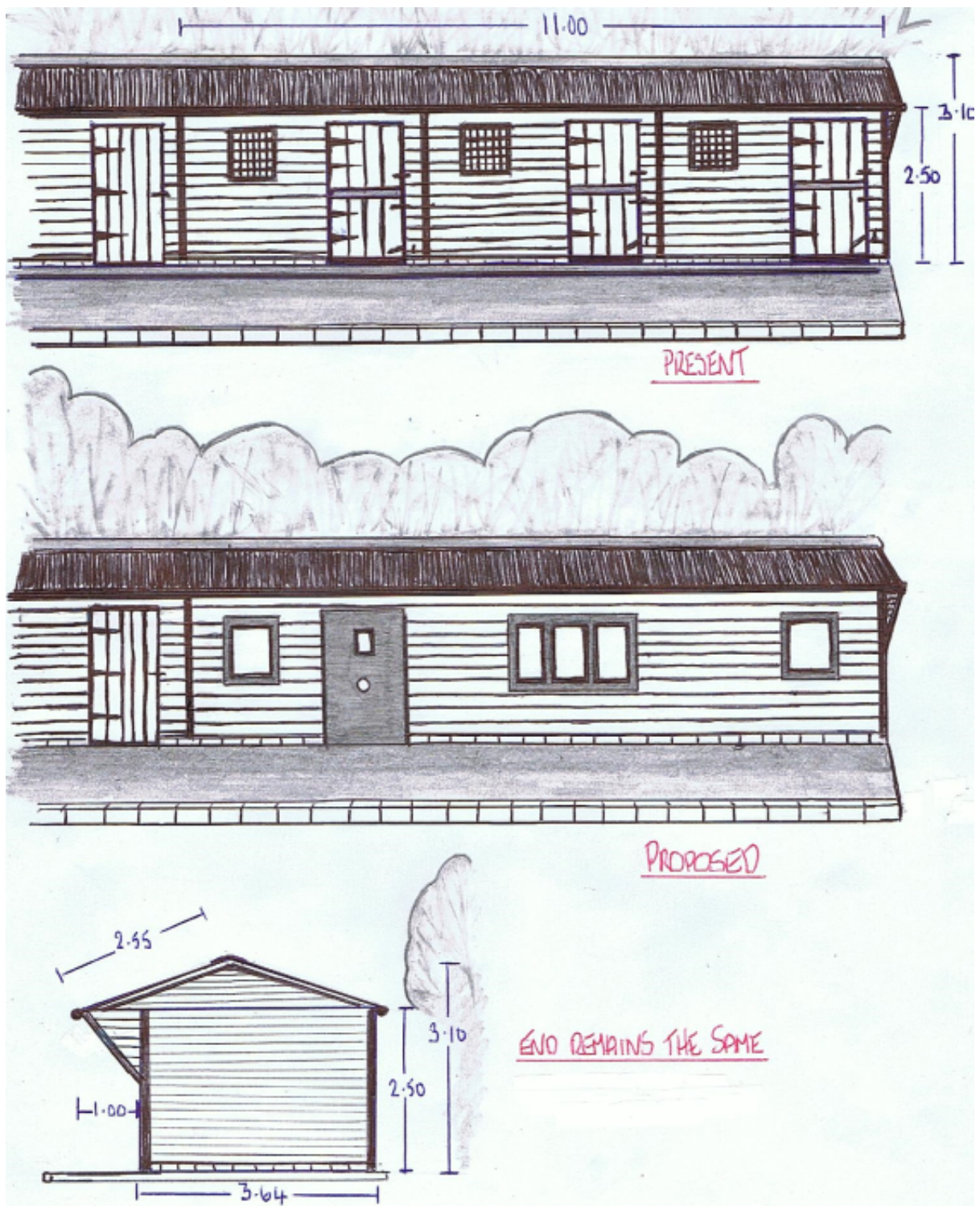


Proposed Site Plan

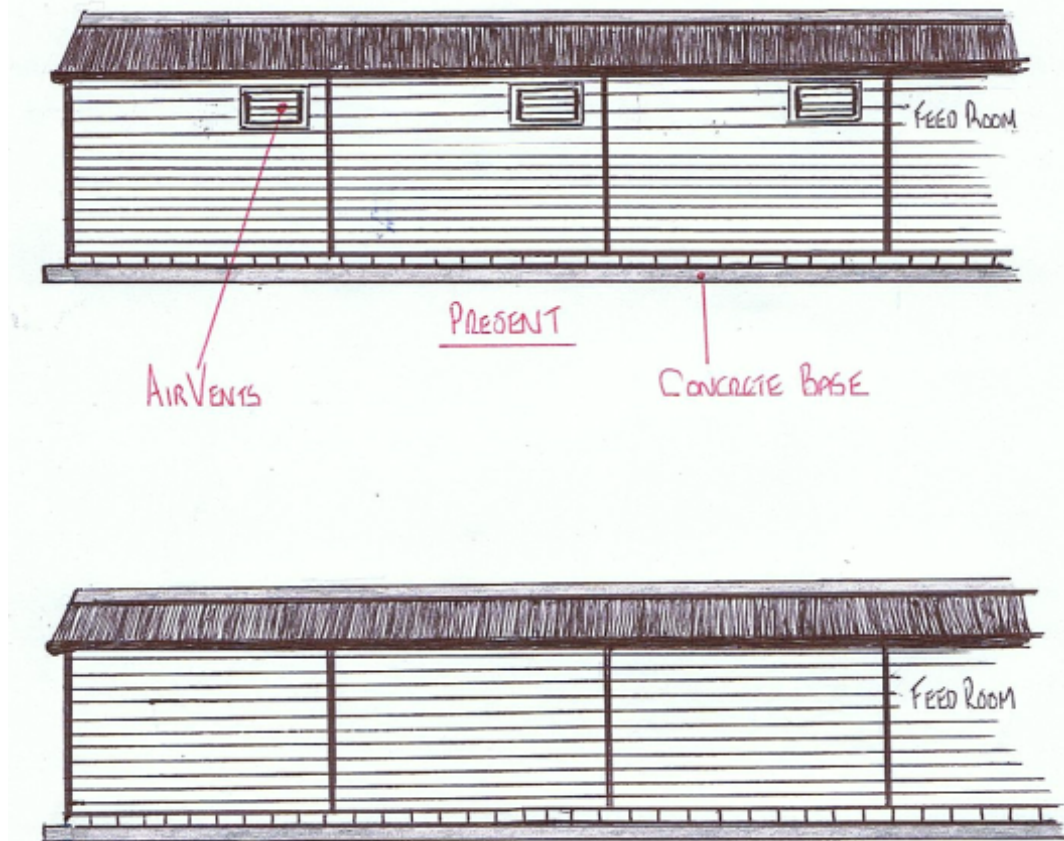




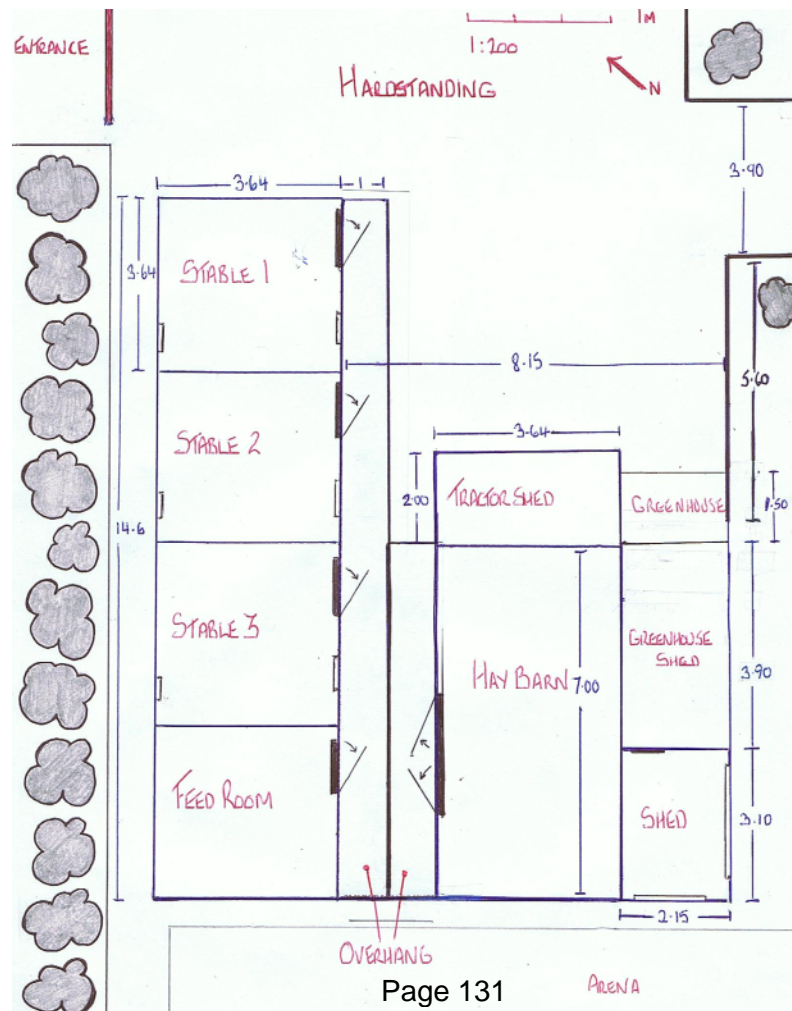
Existing and proposed elevations



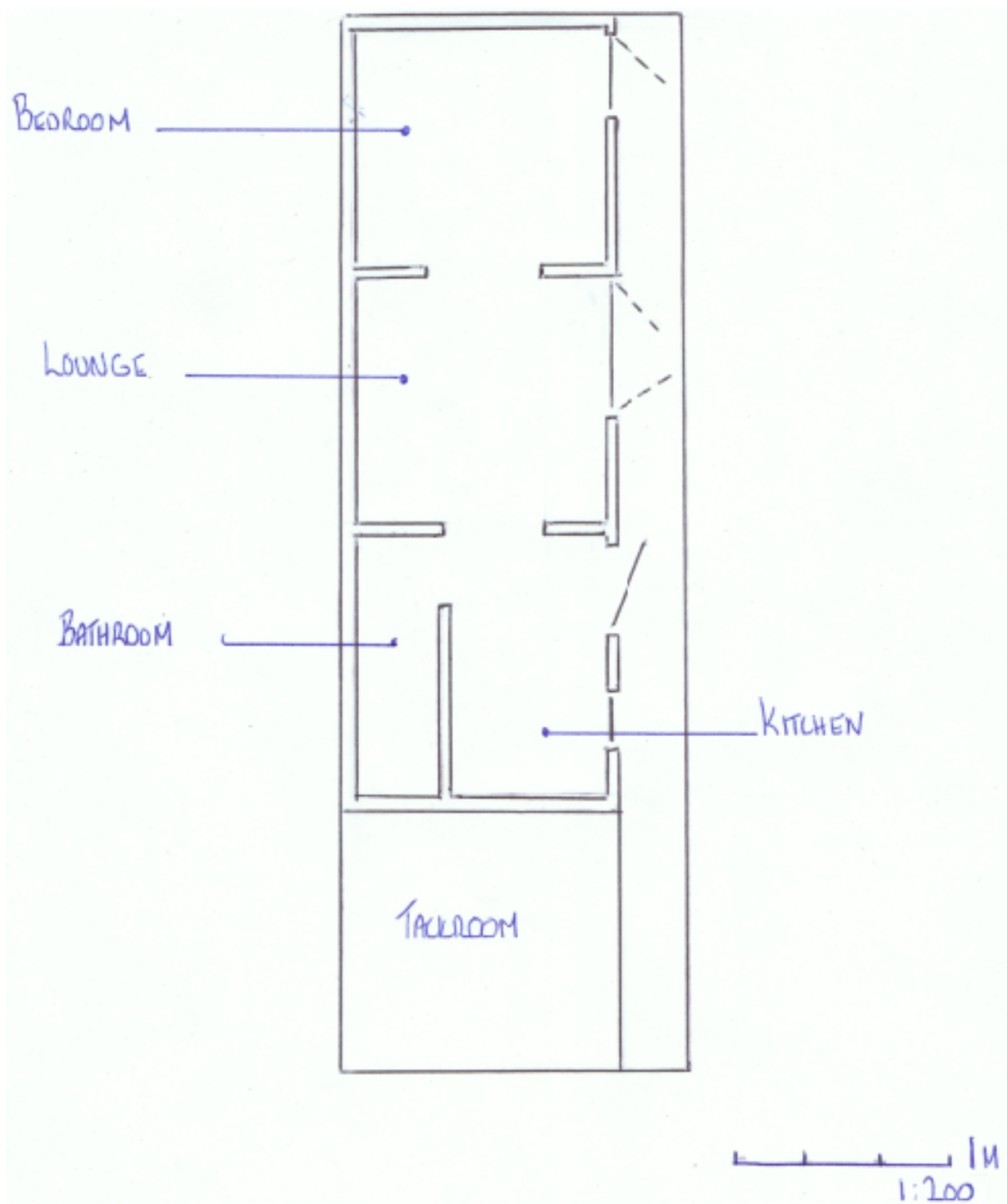
## Existing and proposed elevations



## Existing block plan/floor plan



Proposed floor plan





Existing site photos

Stable building proposed for conversion





Site entrance



Parking/turning area







Existing dwelling



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2019/0254

Reg Date 25/03/2019

St. Michaels

**LOCATION:** 39 FRIMLEY ROAD, CAMBERLEY, GU15 3EL  
**PROPOSAL:** Removal of existing unauthorised side dormer window and the erection of two side dormer windows and a roof light.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Ian Russell  
**OFFICER:** Mr N Praine

**This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination at the Planning Applications Committee at the request of Cllr McClafferty because of the impact on the adjoining neighbours and the wider character of the area.**

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 The application site is on the eastern side of Frimley Road within the settlement area of Frimley and Camberley. The application site currently features a two storey dwelling with a large unauthorised dormer window on the southern roof plane. The proposal is to remove the existing and unauthorised dormer window and erect two smaller dormer windows and a roof light.
- 1.2 The current scheme follows a previous retrospective planning application and a planning appeal (see Annex A) for the existing dormer window on the southern side of the roof facing number 41 Frimley Road. The existing dormer window was refused permission and dismissed at appeal by reason of its size, scale and visual impacts both to the character of the area and the impact upon number 41 Frimley Road. It is considered that the proposal's significant reduction in size and form over the existing dormer window has now overcome the previous character and amenity objections. The application is therefore recommended for approval, subject to conditions.

**2.0 SITE DESCRIPTION**

- 2.1 The application site falls within the settlement of Camberley as set out in the Surrey Heath Core Strategy and Development Management Policies 2012 DPD. The application site is located in the character area "Historic Routes / Main Thoroughfares" according to the Western Urban Area Character Supplementary Planning Document 2012. The character of the area is predominantly residential with a mixture of architectural styles and design. The site boundary treatments are wooden fences, brick walls and sporadic vegetation.
- 2.2 The application site is a two storey detached dwelling house with extensions to the rear and to the north side. There is a pitched roof dormer on both the front and rear elevations. There is an unauthorised flat roof dormer window to the southern elevation.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 11/0603 - Certificate of Lawful Development for the proposed conversion of roofspace to habitable accommodation and erection of a side dormer window - agreed - 21/10/11
- 3.2 16/0956 - Erection of a two storey side extension with accommodation in the roofspace, insertion of two dormer windows and one roof light with associated works, following demolition of existing garage – approved 05/12/16 and implemented
- 3.3 16/0465 - Erection of a two storey side extension and the insertion of a side dormer window to the roof plane and the provision of loft accommodation – refused - 04/07/16
- 3.4 16/0469 - Application for a prior notification of a larger home extension to a depth of 6 metres and an overall height of 3.3 metres with an eaves height of 3 metres – agreed - 21/06/16 and implemented
- 3.5 18/0663 - Erection of a side dormer window (retrospective) – refused 14/09/2018 and dismissed on appeal 08/02/19
- 3.6 In reference to the above history, in June 2018 the Council was made aware that the dormer window refused under reference 16/0465 (due to the in combination impact with the other extensions) had been built in contravention of planning control. Therefore, a retrospective planning application for this current flat roof dormer on the southern elevation was submitted in July 2018 (ref 18/0663). This application was refused in September 2018 due to its negative impact on the character of the area and unneighbourly impacts upon number 41 Frimley Road. The applicant appealed the decision and this appeal was dismissed in February 2019. The Inspector agreed with the LPA that through a combination of its poor design, large size and prominent position the dormer is harmful to the character and appearance of the host dwelling. In addition, the Inspector also found the dormer window would lead to a loss of privacy and overbearing impact / loss of outlook from the garden area of number 41 Frimley Road. A copy of the Inspector's decision is attached at Annex A.
- 3.7 Following the dismissal of the appeal, the applicant approached planning officers in a bid to reach a compromise for a reduced design which would have the potential to overcome the previous objections attached to 18/0663. Officers explained that the proposal would need to be significantly reduced in order to overcome its impacts on number 41 Frimley Road as well as its visual impact from the street scene.

### **4.0 THE PROPOSAL**

- 4.1 This proposal therefore seeks to overcome the reasons for refusing 18/0663 and remedy the breach of planning control. This submission proposes the removal of the unauthorised full width dormer on the southern roof plane (which measures approximately 9m deep, 3.3cm wide and 3.2m high) and the erection of two smaller pitched roof dormers and a roof light in its place.
- 4.2 Each proposed dormer would have a size of approximately 1.7m deep, 2.6m wide and 2.5m high. The proposed rooflight would measure 1.1m high and 1.0m deep. All the windows will be obscured glazed and fixed shut below 1.7m of the finished floor level.

### **5.0 CONSULTATION RESPONSES**

- 5.1 None received



## **6.0 REPRESENTATION**

6.1 At the time of preparation of this report, no letters of support and 15 letters of objection have been received: The letters of objection raise the following concerns which are summarised below.

- Out of character with the local area and host dwelling - *[Officer comment see paragraph 7.2 below]*.
- Overdevelopment - *[Officer comment see paragraph 7.3 below]*.
- Overshadowing - *[Officer comment see paragraph 7.3 below]*.
- Overbearing - *[Officer comment see paragraph 7.3 below]*.
- Loss of privacy - *[Officer comment see paragraph 7.3 below]*.
- The proposal is not in accordance with principle 10.5 of the Council's Residential Design Guide – *[Officer comment see paragraph 7.2 below]*.

## **7.0 PLANNING CONSIDERATION**

7.1 The application should be determined against Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012. It will also be considered against the Guiding Principles of the 'Historic Routes / Main Thoroughfare' Character Area within the Western Urban Area Character SPD, The Residential Design Guide Supplementary Planning Document (RDG) SPD 2017 and the National Planning Policy Framework (NPPF). The planning history (including the appeal decision) as set out in section 3 of this report is also a material consideration and so on the basis of this history the following issues need to be considered in determining this application:

- Impacts on the character and appearance of the area;
- Impacts on residential amenity; and,
- Other matters

### **7.2 Impacts on the character and appearance of the area**

7.2.1 Policy DM9 (Design Principles) of the CSDMP seeks to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk. The NPPF has a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. However, the NPPF rejects poor design that fails to take the opportunity to improve the character and quality of an area. Paragraph 127(c) of the NPPF requires design policies to be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

7.2.2 Principle 7.3 of the RDG states that development should not overwhelm a street. Principle 7.5 goes further to explain that proposals which introduce roof forms on residential

development that diverge from the prevailing character of residential development will be resisted. Principle 10.1 states that extensions which erode gaps which contribute to visual amenity and character will be resisted. Principle 10.1 also advises that extensions will be expected to be subordinate and consistent with the form, scale and architectural style of the host dwelling, the RDG is clear here that developments that are over-dominant or out of keeping will be resisted. Principle 10.5 of the RDG gives a clear steer in respect of roof alterations and dormer windows, stating that roof alterations should be sympathetic and subservient to the design of the main building and not undermine the street scene or local character. Dormers must be set back from the sides and ridgeline of the roof and not occupy more than half the width and depth of the roof slope

- 7.2.3 The application site is located within the Historic Routes / Main Thoroughfares Character Area as classified by the Western Urban Area Character SPD 2012. The WUAC SPD states that new development should consist principally of 2 storey buildings which maintain the open texture with visual gaps and the existing rhythms of plot widths maintained (MT1). In his assessment of the street scene, the Inspector found that Frimley Road has a varied street scene in terms of both house types and sizes and their positions on their plots (Paragraph 4). Additionally opposite the application site number 42 Frimley Road also enjoys a number of side dormer windows.
- 7.2.4 The existing (to be removed) dormer window was refused permission and dismissed at appeal as it is a fully expressed unrelieved side dormer window which has a significant presence along the southern roof plane at 9m in depth. The current proposal reduces the width significantly to two lesser dormers which measure 1.7m in depth each with a gap of approximately 2m between each dormer window which offers relief between the built form. Each dormer has also been reduced in height from approximately 3.2m high to 2.5m high offering increased separation to the eaves and ridge of the existing roof.
- 7.2.5 Guiding Principle 10.5 of the RDG states that dormer windows must not occupy more than half the width and depth of the roof slope. The width of the roof measures approximately 9.5m and half would therefore be 4.75m. Each dormer measures 1.7m ( $x2 = 3.2m$ ) this is under half. Turning to depth / height. Figure 10.5 of the RDG uses the top to the bottom of the window in relation to the roof to measure depth. In this case the eaves to ridge height measures approximately 4.5m and therefore half would be 2.25m. At 2.5m the height exceeds the guidance by 25cm. That said, Figure 10.6 of the RDG identifies that the relationship of a dormer window and its bulk to the existing roof design is important. In the officer's opinion the increase in height is marginal at 25cm and consideration also needs to be given to the relationship with the existing roof slope. This reduced scheme over the previous flat roof dormer window has incorporated separation between the dormers and their height and depth more or less replicate the existing front and rear dormer windows adding symmetry to the dwelling. The dormers as proposed now have pitched roofs which gradually diminishes as the height reaches the apex of the roof. The pitched roof also pitches away from the Frimley Road lessening its perceived height when viewed from public vantage points.
- 7.2.6 The dormers as proposed have been set back behind the street facing edge of the roof by approximately 1.2m, the current dormer sits approximately 0.3m from the edge. This reduction in height width and depth as well as siting further away from the already mixed street scene with similar examples of side dormer windows elsewhere in the street, is considered to significantly reduce the visual impact of the dormer windows when viewed from Frimley Road. Such reductions will also increase the gap between the buildings and these alterations, in the officer's view, will ensure the dormer windows as two lesser dormer windows with pitched roofs and a visual break between them, will no longer dominate or overwhelm the host dwelling and wider streetscape in which it sits. No objections are raised on these grounds.

- 7.2.7 Given its small scale and siting, there is no objection to the roof light on character grounds. The proposed development would therefore, be of an acceptable scale, form, design and materials. It would respect the appearance of the surrounding street scene and would integrate sufficiently within the 'Historic Routes / Main Thoroughfare' Character Area. As such, the proposals would comply with the NPPF, CSDMP Policy DM9, Principles 7.3, 10.1 and 10.5 of the RDG and Guiding Principle MT1 of the Western Urban Area Character SPD.

### **7.3 Impacts on residential amenity**

- 7.3.1 Paragraph 127 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. The Residential Design Guide Supplementary Planning Document 2017 also sets out, at Principle 10.1, that extensions should not result in a material loss of amenity to neighbouring properties as a result of overshadowing, eroding privacy or being overbearing.
- 7.3.2 The side roof dormers have been significantly reduced in depth as well as height, they are also now separated by approximately 2.5m from the shared boundary with No.41's ground floor side extension (which is the shared boundary between the neighbours). Similar to the conclusions drawn in 18/0663 and by the Planning Inspector (paragraph 15 of Annex A), No.41's primary windows are a sufficient distance, angle or orientation to ensure there would not be any adverse overshadowing or overbearing impacts to these windows.
- 7.3.3 Turning to the impact of the garden, given the northern orientation of the applicant property to number 41 it is not considered that any adverse overshadowing would result to the garden area of number 41 Frimley Road. In respect of overbearing impacts, the Inspector described the existing unauthorised dormer as looming, dominating and an oppressive feature. This proposal's significant reduction in size would ensure that visually the same effect would not be experienced. The dwelling's original roof slope would be more visible and, in addition, the two dormers are also to be positioned towards the front of the property further away from the garden. This would reduce their visual impact, as the primary external amenity areas of number 41 are set further away from the proposal into the site at approximately 5m increasing to nearer 11m separation to the southern edge of the garden area. As such, the proposal is not considered to be adversely overbearing to the garden area of number 41 Frimley Road.
- 7.3.4 Turning to matters of overlooking, the dormer windows and roof light are all shown as obscure glazed with no openable sections below 1.7 finished floor level. These three facing windows in the roof are either secondary windows or serve a bathroom. The Inspector concluded at paragraph 12 of his report the imposition of a planning condition that would require the windows to be obscure glazed and permanently fixed shut at any height up to 1.7m of finished floor area would satisfactorily resolve matters of loss of privacy and also the perception of being overlooked. Therefore subject to a suitably worded condition to achieve this, the proposal is considered to be acceptable in this regard and no objections are raised in respect to any adverse overlooking.
- 7.3.5 The remainder of the neighbouring properties in Frimley Road, Hollyfields Close and Crawford Gardens to the rear are well separated and in the officer's opinion are unlikely to be adversely affected by the proposed dormer window.
- 7.3.6 In conclusion, the proposed is considered to comply with CSDMP Policy DM9 and Principle 10.1 of the RDG for the reasons as outlined above.

## **7.4 Other matters**

- 7.4.1 The NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.4.2 Under the previous applications neither the LPA nor the Planning Inspector raised any objections in respect to highways, parking or access. Again, there are no proposed changes to vehicular / pedestrian access and existing off street parking is to be retained in accordance with parking guidance. On this basis it is considered that the proposal would not conflict with Policy DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the proposal is acceptable on these grounds.
- 7.4.3 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. However, as the proposal relates to a net increase in residential floor area less than 100 square metres the development is not CIL liable.

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

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 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.

## **9.0 CONCLUSION**

- 9.1 The current scheme follows a previous retrospective planning application and a planning appeal for the existing dormer window on the southern side of the roof facing number 41 Frimley Road. This current application seeks to reduce the size of the dormer window and now proposes two smaller dormer windows and a roof light. The significant reduction has now overcome the character and amenity objections. The application is therefore recommended for approval, subject to conditions.

## RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within 6 months of the date of this permission with demolition works in strict accordance with the approved details.

Reason: To secure the breach of planning control and in the interests of local amenity.

2. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building.

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

3. The proposed development shall be built in accordance with the following approved plans: 18036-02 rev B, 18036-04 rev B and 18036-05 rev B 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.

4. Before first occupation of the development hereby approved the two dormer windows and the roof light in the southern roof elevation facing number 41 Frimley Road shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no further additions to the roof shall be erected under Schedule 2, Part 1, Class B of that Order without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement of the development in the interests of local amenity.

Informative(s)

1. Building Regs consent req'd DF5
2. Decision Notice to be kept DS1
3. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.



## Appeal Decision

Site visit made on 24 January 2019

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8<sup>th</sup> February 2019**

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### **Appeal Ref: APP/D3640/D/18/3217666**

### **39 Frimley Road, Camberley, Surrey GU15 3EL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Ian Russel against the decision of Surrey Heath Borough Council.
  - The application, Ref. 18/0663, dated 16 July 2018, was refused by notice dated 14 September 2018.
  - The development proposed is a dormer side extension to the existing roof.
- 

### **Decision**

1. The appeal is dismissed.

### **Preliminary Matter**

2. The dormer side extension has been constructed and is already in use, at least to some extent. The appeal application is therefore for retrospective permission.

### **Main Issues**

3. The main issues are (i) the effect of the dormer on the character and appearance of the host dwelling and its surroundings, and (ii) the effect on the living conditions for the occupiers of No. 41 Frimley Road as regards privacy and outlook.

### **Reasons**

4. On the first issue, I saw on my visit that Frimley Road has a varied street scene in terms of both house types and sizes and their positions on their plots. No.39 is on a narrow plot and occupies most of its width to bring it close to both of the side boundaries. It is closest to No. 37, with which it shares a front building line, but because of the presence of large evergreen trees along the front boundary of that property the appeal dwelling is read mainly with No. 41 in the street scene.
  5. The main part of No. 41 is two storey and set away from the boundary with No. 39, this space being occupied by an attached pitched roof single storey building tight to the shared boundary and extending from its recessed position at the front to project beyond the rear elevation of No. 39. The front elevation of the appeal property includes a full height gable set back from the front of No. 41 by several metres.
-

6. The tile clad flat roofed dormer, which with its 9m length along the side elevation and more than 3m height, occupies the great majority of the roof plane on this side of the appeal dwelling to a depth of 3.2m. The Council's Residential Design Guide SDP 2017 ('the Council's Design Guide') says in 'Principle 10.5' that dormer windows should not occupy more than half the width and depth of the roof slope, and the extension in this case easily exceeds those limits. Furthermore, in addition to being disproportionate, the dimensions are such that it is a very large extension in absolute terms.
7. In views from Frimley Road, there is a sufficient gap at roof level between Nos. 39 and 41 for the extension's length, height and depth and therefore overall scale to be clearly seen. In addition, the flat roof forms the skyline to this side of the building, which when read in conjunction with the apex of the front gable gives further emphasis to the dormer's size.
8. The Council says that the dormer unsympathetically dominates and overwhelms the host dwelling and also undermines the streetscape through damage to its spacious and open character. However, the grounds of appeal argue that because the building form in the road is mixed with many different forms of architectural styles, the dormer is of a scale and design appropriate in the context of the street and its surroundings.
9. This is not a matter on which I can be easily persuaded by either party, as it is inevitably a matter of planning judgement from my own objective assessment on a first and only visit to Frimley Road and the property, albeit supplemented by all I have read in this appeal. In forming that judgement, I conclude that through a combination of its poor design, large size and prominent position the dormer is harmful to the character and appearance of the host dwelling. As such, it is highly likely to draw the eye to passers-by in Frimley Road, especially to those travelling north westwards or joining the road from Alexandra Avenue almost opposite. Having caught attention, I regard it as equally probable that the dormer would be perceived negatively by anyone who lives close by or who otherwise takes an interest in the character and appearance of their surroundings.
10. In fairness, the harmful impact is to some extent mitigated by the fact that No. 39 is in a set back position relative to No. 41, but this is insufficient to avoid my conclusion that the harm caused would be in clear conflict with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012; the relevant 'Principles' in the Council's Design Guide, and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2018 ('the Framework').
11. Turning to the second issue, the Notice of Refusal refers to the opening windows in the dormer causing a '*loss of privacy and overlooking*' for occupiers of No. 41 (this is in fact a tautology because it is the overlooking that causes the loss of privacy). From my internal inspection of No. 39, I saw that the three windows concerned (the middle one to a bathroom and those on either side to two more rooms capable of habitation rather than just storage) are obscure glazed. There is no view at all through this glazing, but the windows are currently openable to an extent that does give a direct birds eye view of a large part of No. 41, including some windows, and its rear garden. I consider that the height and the flank position of these openable windows at No. 39 results in

views far more intrusive than those that are available from the rear elevation of the house, and accordingly there is an unacceptable loss of privacy.

12. Both the Council and the appellant refer to the imposition of a planning condition that could require the windows to be permanently fixed shut at a height of 1.7m above the internal floor area. And together with the retention of the opaque glazing this would satisfactorily resolve the actual loss of privacy and also the perception of being overlooked. This is provided that the occupier of No. 41 is informed of the situation and that in the event of any breach of the condition the Council uses its enforcement powers to remedy the breach.
13. However, I also consider that there is a further issue, namely the effect of the dormer on the outlook from No. 41. The officer's report considers this in some detail and concludes that because the external amenity areas of No. 41 are further away from the dormer than the single storey element of that dwelling (between 4m and 9m further), the structure is *'not considered to be adversely overbearing'*.
14. Because of this finding, the grounds of appeal have seen no need to address the matter, and I do not necessarily find any fault in that. Nonetheless, the opinion of the occupier of No. 41 is very much that the dormer is in fact overbearing and dominating in relation to her garden area, and for this reason the matter is also before me in this appeal.
15. I accept that because of its greater proximity, the dormer's effect on the outlook from No. 41 would be greater if it was possible to stand where the single storey side extension is located, albeit there are still some views of it from inside this and other parts of the house. However, I share the opinion of this neighbour that from almost any vantage point in the fairly modestly sized garden, but particularly from the patio near the conservatory (arguably the most used part of the garden for sitting out on fine summer days and evenings), the dormer is a looming, dominating and oppressive feature.
16. I have not been informed whether the planning officers, or indeed the appellant and his planning consultant, have seen the dormer from outside the rear of No. 41. But having done so at my visit I was left in no doubt that the dormer is reasonably perceived as having altered the skyline in the outlook from the garden to a degree that substantially reduces the level of amenity that the occupiers of No. 41 would have enjoyed before its construction.
17. For this reason, I conclude on the second issue that the appeal scheme has an unacceptable effect on the living conditions in terms of outlook (as well as privacy until such time as the windows are altered) for adjoining occupiers. This would be in harmful conflict with principle (iii) of the aforementioned Policy DM9 and paragraph 127f) of the Framework.
18. The grounds of appeal refer to the Certificate of Lawful Development of 2011 and the procedural anomaly whereby had the dormer been built pursuant to that, and before other extensions to the property, it would be lawful. This is unfortunate for the appellant and I also accept that there was never any intention to construct an unlawful addition to the property.
19. I have had regard to the 'fallback' position whereby the dormer could be retained by the demolition of the two storey side extension built under

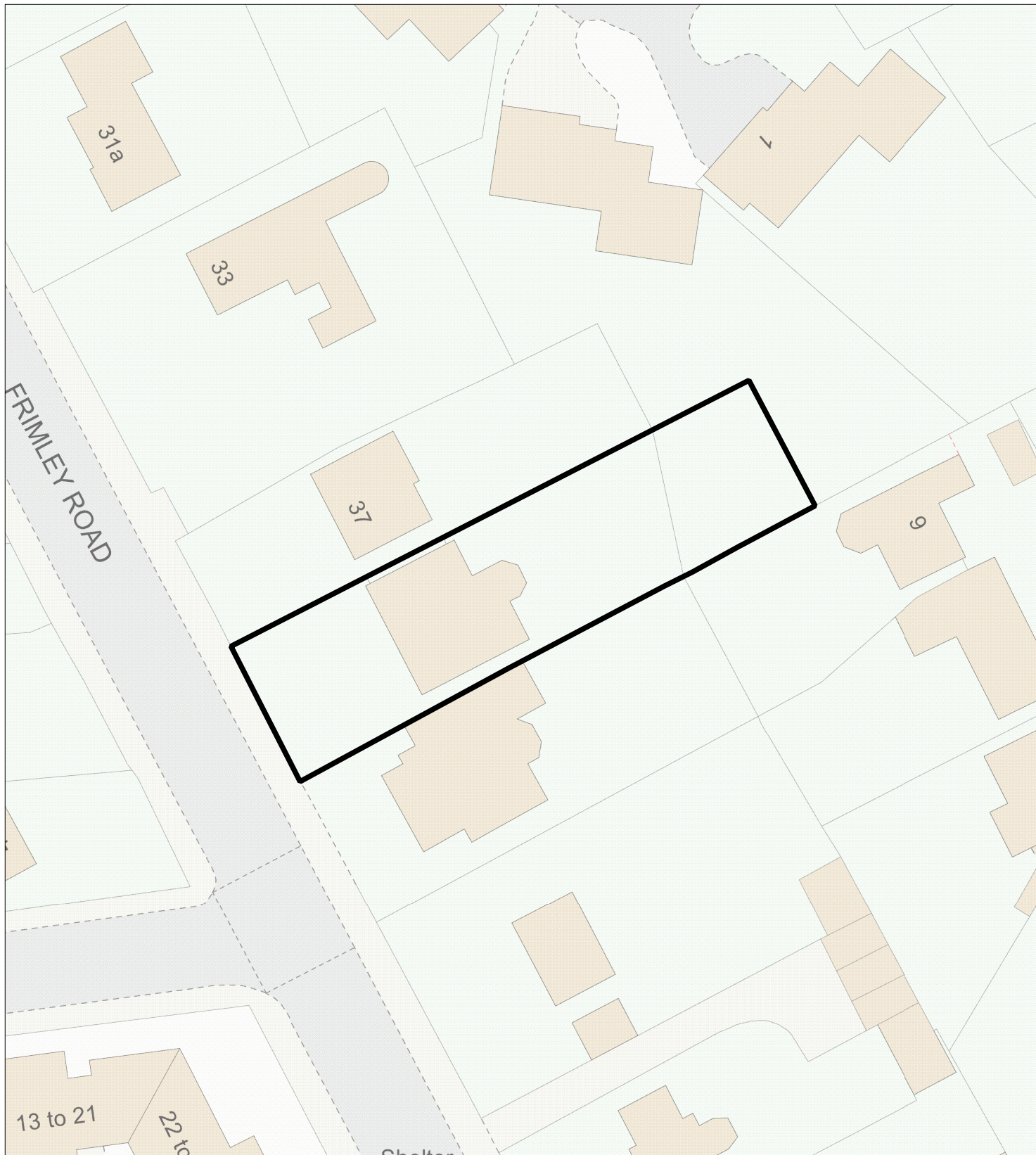
permission reference 16/0956 to allow the dormer to be ascribed permitted development rights. The demolished extension could then be re-built under the terms of its permission.

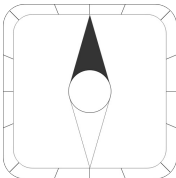
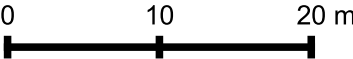

20. However, whilst I accept that having regard to Case Law this is a material consideration in this appeal, it is not one to which I afford significant weight. It is a particularly contrived, difficult and expensive solution that I consider unlikely to be adopted. Moreover, I also take the view that it would not be in the public interest for me to conclude in an appeal decision that the possibility the fallback would come about should be allowed to outweigh my conclusion as to the actual harm caused in respect of the two main issues in this appeal.
21. For the reasons explained, the appeal is dismissed.

*Martin Andrews*

INSPECTOR





Title	Planning Applications			
Application number	19/0254	  	Scale @ A4	1:500
Address	39 FRIMLEY ROAD, CAMBERLEY, GU15 3EL		Date	26 Jun 2019
Proposal	Removal of existing full width dormer and the erection of two dormers and a roof light on the side roof plane of the existing dwelling			
Page 149				
Version 4		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2019		
		Author: DE		

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19/0254 - 39 FRIMLEY ROAD, CAMBERLEY, GU15 3EL

Location plan



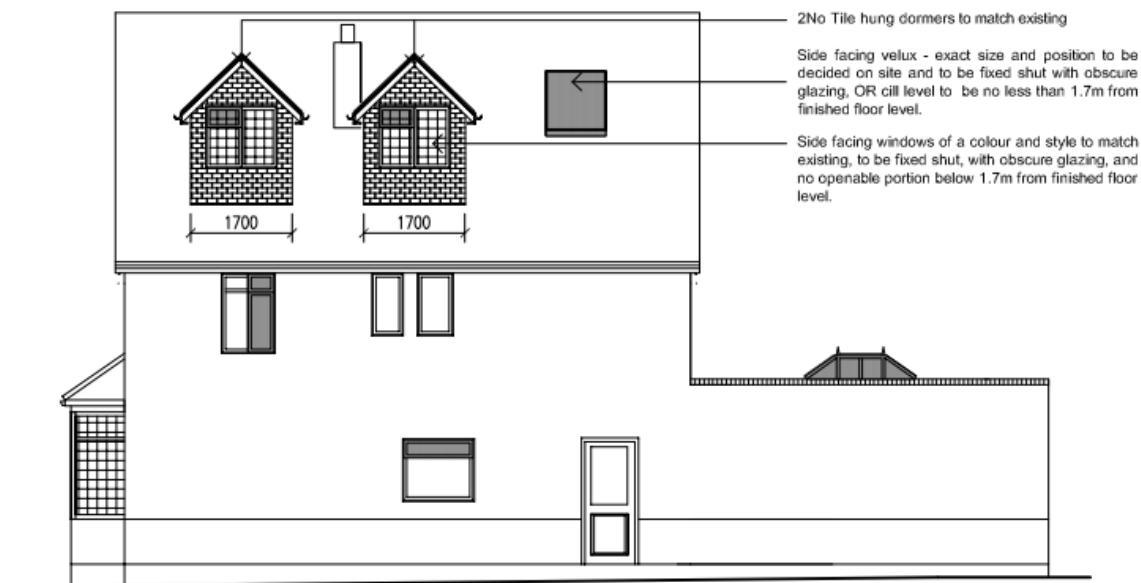
Proposed site layout



## Elevations



**PROPOSED FRONT ELEVATION**



**PROPOSED SIDE ELEVATION**

Application site



View from number 41 Frimley Road



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

**NOTES**

**Officers Report**

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

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

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

**How the Committee makes a decision:**

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

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

**The Committee cannot base decisions on:**

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

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

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