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Tuesday, 1 October 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, 10 October 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 - 6</b>

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 12 September 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: 18/1083 - 42-44 LONDON ROAD, BAGSHOT, GU19 5HL*</b>         | <b>7 - 40</b>  |
| <b>5</b> | <b>Application Number: 19/0304 - 134 &amp; 136 LONDON ROAD, BAGSHOT, GU19 5BZ*</b> | <b>41 - 76</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 12 September 2019**

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

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

  - + Present
  - Apologies for absence presented

Substitutes: Cllr Rebecca Jennings-Evans (In place of Cllr Valerie White) and Cllr Helen Whitcroft (In place of Cllr Cliff Betton)

Members in Attendance: Cllr Emma Jane McGrath and Cllr Pat Tedder

Officers Present: Michelle Fielder, Gareth John, Eddie Scott and Patricia Tercerio.

**8/P Minutes of Previous Meeting**

The minutes of the meeting held on 15 August 2019 were confirmed and signed by the Chairman.

**9/P Application Number: 19/0489 - MATTHEWS CORNER GARAGE, MATTHEWS CORNER, CHURCH ROAD, WINDLESHAM, GU20 6BH**

The application was for the erection of a terrace of 3 two storey dwellings and one detached building to accommodate 5 flats with associated bin store, parking and landscaping following demolition of existing buildings on site.

This application would have normally been determined under the Council's Scheme of Delegation, however, it had been reported to the Planning Applications Committee at the request of Councillor Victoria Wheeler, on the grounds that it might have been inappropriate for the conservation area and was not reflective of the guidelines in the Windlesham Neighbourhood Plan.

Members were advised of the following updates on the application:

"Update

5 Year Housing Land Supply

Since the committee report was written the Council has published its Housing Land Supply Paper 2019-2024. This confirms that the Borough has a 5.32 years housing land supply.

### Amendment

In light of the above Paragraph 7.3.11 – should be amended follows:

Surrey Heath has a 5 year housing land supply at present and Policy CP1 directs housing to sustainable locations in the western side of the borough, and this rural location is considered to be less sustainable. As such, it is not considered that this argument carries any weight in favour of the proposal.

### Corrections

Paragraph 1.2 – should read *'the proposal is considered to be inappropriate and harmful development in the Green Belt, meeting none of the exceptions for new buildings within the Green Belt, and would be harmful to openness due to the quantum of built form proposed. Concerns are also raised about the impact of the proposal on the rural character with this proposal introducing a denser, suburban form of development. In addition, the proposal would provide insufficient parking spaces within the plot. It is not considered that the factors advanced by the applicant amount to very special circumstances to outweigh the identified Green Belt harm, and other harm caused. The proposal is therefore recommended for refusal'*.

Paragraph 7.4.11 – should read *'In light of the above, the proposal is therefore contrary to Policies CP2 and DM9 of the CSDMP, Principles 6.6, 7.3 and 7.4 of the RDG, Policy WNP2.1 of the Windlesham Neighbourhood Plan'*.

Paragraph 9.1 – should read *'The proposal is considered to be acceptable in terms of its impact on amenity and infrastructure. However, the proposal represents inappropriate development in the Green Belt not meeting any of the exceptions under paragraph 145 of the NPPF. By virtue of the quantum of built form and the spread of development it would also be harmful to the openness of the Green Belt and conflict with its purposes. Moreover, it is considered that the development would cause harm to the character of the area, and failed to provide adequate vehicle parking; and no SAMM payment has been received. There are no very special circumstances to outweigh the identified harm and therefore the application is recommended for refusal'*.

### Amended Reason for Refusal

2 - The proposed development, by virtue of its layout, plot size, scale, massing and building height would result in an excessive quantum of development that would appear over dominant and visually cramped in this rural location, which is characterised by spacious low density residential development. The proposal is therefore contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy

and Development Management Policies 2012, Principles 6.6, 7.3, and 7.4 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017, Policy WNP2.1 of the Windlesham Neighbourhood Plan and the National Planning Policy Framework.”

As the application had triggered the Council’s Public Speaking Scheme, Ms Rosie Jackson, spoke in support of the application.

The recommendation to refuse the application was proposed by Councillor Victoria Wheeler and seconded by Councillor Vivienne Chapman, put to the vote and carried.

**RESOLVED that application 19/0489 be refused for the reasons set out in the officer report and updates.**

**Note 1**

It was noted for the record that:

- I. All Committee Members had received a letter in respect of the application.
- II. Councillor Rebecca Jennings-Evans declared that:
  - i. She was on the Windlesham Parish Council Planning Committee which had provided a consultation response on the application.
  - ii. She was on the Windlesham Neighbourhood Plan Steering Group
- III. Councillor Sam Kay declared that he was on Windlesham Parish Council which had provided a consultation response to the application.
- IV. Councillor Pat Tedder declared that she had a non-pecuniary interest, as she was Chairman of the Valley End Management Committee.

**Note 2**

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

Voting in favour of the recommendation to refuse the application:

Councillors Graham Alleway, Vivienne Chapman, Sarah Jane Croke, Colin Dougan, Shaun Garrett, Edward Hawkins, Rebecca Jennings-Evans, Sam Kay, David Lewis, Charlotte Morley, Victoria Wheeler and Helen Whitcroft.

Voting against the recommendation to refuse the application:

Councillors Morgan Rise and Graham Tapper.

**10/P Application Number: 19/0452 - QUEEN ANNE HOUSE, BRIDGE ROAD, BAGSHOT, GU19 5AT**

The application was formally withdrawn prior to the Committee Meeting.

Chairman

2018/1083

Reg Date 07/01/2019

Bagshot

**LOCATION:** 42-44 LONDON ROAD, BAGSHOT, GU19 5HL  
**PROPOSAL:** Erection of a part one, two and three storey building, partly with accommodation in the roof, to provide 46 extra care apartments including associated facilities, car parking and landscaping following the demolition of existing buildings. (additional info & plan rec'd 21/01/2019) (Additional information recv'd 23/1/19 & 11/03/2019). (Amended plans and information rec'd 15/07/2019 & 29/07/2019.)  
**TYPE:** Full Planning Application  
**APPLICANT:** Your Life Management Services Ltd.  
**OFFICER:** Duncan Carty

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

### 1.0 SUMMARY

- 1.1 This application relates to the erection of a building to provide 46 no. extra care (Class C2) apartments including associated facilities, car parking and landscaping following the demolition of existing buildings. The site lies within the settlement of Bagshot, adjoining the Bagshot Conservation Area. The site lies on the south west side of A30 London Road, including the Jacks Fish & Chip shop/restaurant, a bungalow and associated land/buildings.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character, residential amenity, for the occupiers of adjoining and nearby properties, highway safety, surface water and flood risk, and local infrastructure. Subject to the completion of a legal agreement to secure contributions towards SAMM and limit occupation to those requiring a minimum care package, no objections are raised. The application is therefore recommended for approval.

### 2.0 SITE DESCRIPTION

- 2.1 The application site falls within the settlement of Bagshot. The site lies on the south west side of London Road. The Windle Brook lies to the north east flank boundary with the BP Garage and 1 Brookside Cottages beyond, and Half Moon Street to the south east (rear) boundary and the rear of High Street properties beyond. 2-3 Half Moon Street lies to the south west flank boundary (beyond an access road) with 46-50 London Road, a commercial property. Tanners Yard lies on the opposite side of London Road.
- 2.2 The 0.47 hectare site is irregular in shape and currently contains a fish and chip shop/restaurant (44 London Road) and its car park fronting London Road, a dwelling (42 London Road) behind this car park and with associated outbuildings, and a vacant building, previously known as 4/4a Half Moon Street). There are a number of trees close to the north east boundary, with the Windle Brook, none of which are protected under a Tree Preservation Order. Part of the application site lies within Flood Zone 2 and part within Flood Zone 3. The site lies within the Land at Half Moon Street site, an area of high archaeological potential and adjoins the Bagshot Conservation Area (Half Moon Street).
- 2.3 The site falls a minimum of about 470 metres from the Thames Basin Heaths Special Protection Area (SPA).

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 SU/89/0654 – Erection of 5 no Class B1 buildings and 3 no mews houses with ancillary car parking, access road, footpath alongside Windle Brook and associated landscaping. Refused in September 1989.

### 4.0 THE PROPOSAL

- 4.1 The proposal relates to the erection of a part single, two and three storey building with accommodation in part of the roof. The proposal has been amended from its original form of a part three storey, part four storey form and the proposal has reduced this form but with no reduction in the level of accommodation.
- 4.2 The proposed building would be a three storey (with accommodation in the roof) to the London Road frontage. This would step down to the rear with an active frontage in the north east flank provided at right angles to the London Road frontage. At the rear of the site would be a spur to the building providing a single storey to the Half Moon Street frontage. The proposed building would comprise 17 no one bedroom and 29 no two bedroom units (each unit including living room, kitchen, bathroom and bedroom), with reception, kitchen, dining/lounge facilities, laundry room, wellbeing accommodation, refuse store and staff accommodation. The application proposal would provide extra care accommodation for which an element of care for future residents is to be provided.
- 4.3 The proposed building, in its amended form, would have a roughly elongated L-shape with a maximum width of 41.5 metres and a maximum depth of 65.5 metres. The building span generally would be about 18 metres (i.e. a double span). The proposed building would have a maximum height of 12.1 metres (8.3 metres at the eaves) at the London Road frontage, falling to a maximum height ranging between 6.2 and 7.1 metres (between 3.8 and 4.0 metres at the eaves) at the Half Moon Street frontage.
- 4.4 The proposed access would be provided from London Road, with separate in and out access points, with some parking to the front but most to the north east flank. A pedestrian access would be provided to Half Moon Street at the rear. The principal amenity space would be provided to the rear of the building and rear spur (toward the south west part of the site) with smaller areas in the north east corner of the site.
- 4.5 The proposed building would have a principally traditional design and form with the inclusion of a series of flat roof dormers to all elevations. The main external material would be brick in a series of “panels” but with recessed cladding links. However, a more contemporary design would be provided for the entrance at the north east corner of the building (between the London Road and north east frontages) with a flat roof and use of vertical wooden slats as cladding. Balconies are to be provided principally to the flank elevations and rear elevation of the frontage element.
- 4.6 The proposal has been the subject to amendment during its consideration, which has:
- Amended the angled rear spur so that it runs at right angles to the London Road front elevation;
  - Reduce the maximum height (removing the fourth storey);
  - Reduce the rear element (down to two and single storey); and

- Re-design the elevation treatment.

4.7 This application has been supported by:

- Planning Statement;
- Design and Access Statement;
- Affordable Housing statement;
- Need report;
- Transport and Travel Plan Statements;
- Tree Report;
- Heritage Assessment and Archaeological Report;
- Ecological Assessment with Bat Emergence and reptile Surveys;
- Land Contamination Desk Top Study; and
- Flood Risk Assessment, Flood Risk Sequential and Exception Tests and Drainage details.

The assessment in Paragraph 7.0 below has taken into consideration the content of these reports.

## 5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections on safety, capacity and policy grounds (see appended response)
5.2	Senior Environmental Health Officer	No objections
5.3	Environment Agency	No objections
5.4	Local Lead Flood Authority	No objections.
5.5	Scientific Officer	No objections.
5.6	Natural England	No objections subject to appropriate mitigation being secured.
5.7	SCC Archaeological Officer	No objections.
5.8	Surrey Wildlife Trust	No objections.
5.9	Thames Water	No objections.
5.10	Urban Design Consultant	No objections.
5.11	Conservation Consultant	An objection is raised to the impact on the conservation area.

- 5.12 Windlesham Parish Council Raise an objection on the basis of the height of the development not being in keeping with the streetscene; inadequate levels of parking (residents/staff/visitors) in a location which cannot cope with overspill; and other locations in the Borough should be considered for this type of provision (Bagshot already has a number of retirement developments).

## 6.0 REPRESENTATIONS

At the time of preparation of this report, 32 representations have been received in support and 45 representations, including an objection from the Bagshot Society, have been received.

6.1 In relation to the objections, the following issues are raised:

### 6.2 Character/Conservation

- The village should be protected (as a Conservation Area?) and kept as a smaller village [*Officer comment: The application site adjoins the Bagshot Village Conservation Area. In addition, see paragraph 7.4*]
- There is an abundance of housing/care homes in the area and this will add to the destroying of the village [*Officer comment: This would not be a reason, in itself, to refuse this application*]
- Visual impact [*See paragraph 7.4*]
- Building is too big (four storeys) [*See paragraph 7.4*]
- Overdevelopment of the site and domineering appearance [*See paragraph 7.4*]
- Impact on Bagshot Conservation Area [*See paragraph 7.4*]
- Care to protect the one-room house in Half Moon Street is required [*See paragraph 7.4*]
- Design is bland, ugly and unimaginative [*See paragraph 7.4*]
- Insufficient accommodation for outdoor space [*See paragraph 7.5*]
- Modern architecture does not add value to the historic village [*See paragraph 7.4*]
- Developer unwilling to amend scheme following suggestions from residents to reduce impact (e.g. green walls) [*Officer comment: This would not be a reason in itself to refuse this application*]
- Impact on Bagshot skyline and will dominate view of the village from Bagshot Park [*See paragraph 7.4*]
- Use of nearby building (Seal (now Lipient) House, 55-57 London Road) should not be used as a precedent for proposal [*See paragraph 7.4*]
- Impact on (unnamed) listed building [*See paragraph 7.4*]

### 6.3 Residential Amenity

- Impact of construction on sleep patterns (night shift worker) [*Officer comment: There would be an expectation that any construction would take place during normal working hours as required under Environmental Health legislation. However, whilst this impact is noted, it would not be a reason in itself to refuse this application*]
- Loss of light to kitchen and garden [See paragraph 7.5]
- Inadequate shielding from noise, light and air pollution generated by staff, visitors and residents and vehicle movements in car park located close to residential property [See paragraph 7.5]
- Loss of passive solar heating [See paragraph 7.5]
- Overlooking e.g. balconies [See paragraph 7.5]
- Loss of sunlight and overshadowing [See paragraph 7.5]
- Impact of air pollution on future residents [See paragraph 7.5]

### 6.4 Highway safety

- Buildings being built, but the traffic on the A30 is not being resolved. The area is grid locked daily [See paragraph 7.6]
- Exacerbation of existing parking problems in the village (in addition to other schemes currently under construction in this area) and reduced capacity for businesses/shops/custom [See paragraph 7.6]
- Parking problems associated with such developments (Station Road/Lory Ridge from Sunrise and Bagshot Park care homes) [See paragraph 7.6]
- Overspill parking on side streets leading to more parking restrictions. In addition, local village/rail car parks are often full [See paragraph 7.6]
- Lack of parking for family accommodation [*Officer comment: This is not family accommodation*]
- Parking spaces are too small for modern cars [*Officer comment: The parking spaces meet the minimum space standards*]
- Risk of unsafe exit onto A30 London Road [See paragraph 7.6]
- Indiscriminate parking in the new car park will cause access problems, including increased accident risk, which could affect the flow of traffic on A30 London Road [See paragraph 7.6]
- Higher existing car parking (49 spaces) than indicated by developer [See paragraph 7.6]
- Safety risk for pedestrians using Half Moon Street [See paragraph 7.6]
- Insufficient parking for residents/staff and lack of parking for visitors/service and emergency vehicles, acknowledged by appointment of a travel plan co-ordinator and promotion of public transport, walking and car sharing [See paragraph 7.6]

- Disruption and congestion from construction traffic and displacement of traffic onto High Street [See paragraph 7.6]
- Overspill parking on London Road leading to highway safety issues [See paragraph 7.6]

## 6.5 Other matters

- Lack of infrastructure [See paragraph 7.9]
- Loss of businesses/restaurant [See paragraph 7.3]
- Impact on sewers [See paragraph 7.8]
- Increased flood risk from the impact from discharging of surface water in Windle Brook [See paragraph 7.8]
- Loss of restaurant/community facility e.g. discounts for seniors and weekly bike meet [Officer comment: This would not be a reason to refuse this application]
- Impact on local services (schools, doctors, dentists, hospital, pharmacy, etc.) [Officer comment: With the proposed accommodation, no impact on local schools is envisaged. In relation to impact on other local services, it is not considered that these impacts would be a reason to refuse this application]
- Impact on pollution from traffic [See paragraph 7.5]
- Displaced housing will be bought by incomers adding strain to local services [Officer comment: This would not be a reason to refuse this application]
- Impact on wildlife [See paragraph 7.7]
- Impact on flood risk [See paragraph 7.8]
- Other developments (Connaught Lodge) could cater for any perceived desire to move to the area [Officer comment: This would not be a reason to refuse this application]
- Too much accommodation for the elderly, insufficient affordable housing for young people [Officer comment: This would not be a reason to refuse this application]
- Management charges/depreciation in property value for future residents [Officer comment: This is not a material planning consideration]
- Vacancies at other care facilities in this area [Officer comment: This would not be a reason to refuse this application]
- Reduced permeability of the site (and increase in flood risk) [See paragraph 7.8]
- Nature of past flood events not taken into consideration [See paragraph 7.8]
- Inadequate environmental surveys have been undertaken [See paragraphs 7.7 and 7.8]
- Species surveys undertaken out of season (Newts/Natterjack Toads) [Officer comment: Natterjack toads are very rare and are now only found at a few coastal locations. In addition, see paragraph 7.7]

- Detrimental impact on the balance of the population [*Officer comment: This would not be a reason to refuse this application*]
- Loss of tool hire and MoT station [*Officer comment: These businesses are not affected by this proposal*]
- Impact of construction on quality of life [*Officer comment: This would not be a reason to refuse this application*]
- Impact from dust and debris during construction [*Officer comment: This matter could be considered by condition, under a method of construction statement, if minded to approve*]
- Unlikely local residents would be able to afford such accommodation [*Officer comment: This would not be a reason to refuse this application*]
- A thorough archaeological on-site survey is required (and not just a desk-top study) [*See paragraph 7.10*]

6.6 In respect of the representations in support, the following was raised:

- Shortage of care homes so is much needed
- Proximity to village centre allows those with adequate mobility to have many services and retail facilities close at hand, helping residents maintain their independence
- Increase in jobs
- Improvements in the aesthetics of this section of A30 London Road and village
- Need to develop such sites rather than build in the Green Belt
- Development is in character with the more recent surrounding properties
- Upgrade of existing site
- Understand the need for this development
- Welcome development when compared with previous Tesco proposal [*Officer comment: This was a pre-application proposal only*]
- Landscaping benefits of the proposal
- Allows residents to remain in the village and releasing existing homes for sale
- More care for the elderly
- Supports the local community and the older generation
- Benefits for local businesses
- Prefer to commercial development
- Close to (rail) station and buses
- Improvements to the proposal have been proposed

## **7.0 PLANNING CONSIDERATIONS**

7.1 The application site falls within the settlement of Bagshot. The current proposal is to be assessed against the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG); as well as Policies CP1, CP2, CP5, CP9, CP11, CP14, DM9, DM10, DM11, DM13 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy E8 of the Surrey Heath Local Plan 2000 (as saved) (SHLP); and Policy NRM6 of the South East Plan 2009 (as saved) (SEP). In addition, advice in the Residential Design Guide SPD 2017 (RDG); the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (SPAAS); and the Bagshot Village Conservation Area Appraisal and Management Proposals 2015 (BVCAA) are also relevant.

7.2 The main issues in the consideration of this application are:

- Principle of the development;
- Impact on local character and conservation;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on the Thames Basin Heaths Special Protection Area;
- Impact on land contamination, flooding and drainage;
- Impact on affordable housing provision;
- Impact on local infrastructure; and
- Impact on archaeology.

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

7.3.1 Saved Policy E8 of SHLP indicates that within the Land at Half Moon Street site, the redevelopment will include uses such as industrial (Class B1c only), offices (Class B1a or A2), retail and residential. The application site relates to about two thirds of this wider site. As such, the proposal would provide a residential scheme on a larger part of the wider allocated site and the principle for the development is acceptable subject to the following assessment, complying with Policy E8 of the SHLP.

7.3.2 Policy DM13 of the CSDMP indicates that the loss of employment sites may be permitted provided that it does not adversely affect the employment opportunities of the settlement where the loss occurs. The proposal would result in the loss of the restaurant and an estimated 15 jobs (4 full-time and 11 part-time). However, the new use is expected to result in the employment of 17 jobs (7 full-time and 11 part-time) and as such there would be no adverse impact on employment generation thereby complying with Policy CP8 of the CSDMP.

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

7.4.1 Policy DM9 of the CSDMP requires development to respect and enhance the local character paying particular regard to scale, materials, massing, bulk and density. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without compromising local character, the environment or the appearance of the area. Principle 6.6 of the RDG indicates that new residential

development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Principle 7.8 of the RDG indicates that designers should use architectural detailing to create attractive buildings that positively contribute to the quality and character of an area. Buildings which employ architectural detailing which is unattractive, low quality or which is not legible will be resisted.

- 7.4.2 The existing site has a significant depth with two very different frontages at the front and rear of the site. The small scale, fine grain, historic character of Half Moon Street contrasts sharply with the rather open, disjointed, commercial frontage and coarser grain onto London Road. A redevelopment of this site would need to consider both of these characters within its design and form.
- 7.4.3 The existing site is in a relatively poor condition with the restaurant car park dominating the London Road frontage and a fragmented collection of buildings (former dwelling and outbuildings) onto the Half Moon Street. None of the buildings on the site have any significant architectural merit and do not significantly enhance the character of the site or wider area. The site forms a part of a wider redevelopment proposal site (Policy E8 of SHLP) and a comprehensive approach to redevelopment would be expected. In addition, it is considered that the redevelopment could act as a catalyst for the regeneration of this part of the village. Under these circumstances, a large building for this site would be expected.
- 7.4.4 The London Road frontage, with its wider plots and larger built form would require a building with presence onto this frontage, without overwhelming it. The proposed building at a maximum three storey height (with accommodation in the roof) and with a large set-in for the east flank (generally about 15 metres, with a pinch point of about 10 metres) and setback (about 14 metres) has provided an acceptable relationship with this street. Noting the recent three storey approved residential scheme (subject to the completion of a legal agreement) on the adjoining site, 46-50 London Road, and the three storey office developments beyond (Liquent House, 55 London Road and Knightway House, Park Street, which also fronts London Road), the proposed building would fit into this environment without overwhelming it.
- 7.4.5 The Half Moon Street frontage with its narrower plots and smaller (predominantly two storey) built form and Conservation Area status (as well as nearby listed buildings) requires a very different design solution. In this regard, the proposed development scales down to this frontage to provide a single storey form which is more reflective of this character and the adjoining building, 3a Half Moon Street. Whilst the higher built form would clearly be visible from this frontage, this element is set further into the site. It is considered that the proposal would enhance and invigorate the character and appearance of this streetscene in a respectful manner.
- 7.4.6 Policy DM17 of the CSDMP requires development which affects any heritage asset should take into account its significance and seek to promote the conservation and enhancement of the asset and its setting. The BVCAA indicates that the Bagshot Village Conservation Area is focussed around The Square and higher density of the historic development along the roads (High Street and Guildford Road) running from this central point of the village with a high concentration of both listed and locally listed buildings and structures in the northern part of the High Street and around The Square. The application site adjoins Half Moon Street to the rear of the northern part of the High Street. 3a Half Moon Street is currently vacant and adjoins the application site. This single storey building has been more recently included within the Conservation Area. This building is included because of its relatively unaltered state and condition and historic use

connected with, and servicing of, the High Street. The BVCAA also reflects upon the last main uplift in commercial (principally office) development in the wider village in the 1980's and the negative impact that such developments have had on not just the Conservation Area but the wider village (including its approaches).

- 7.4.7 The objections of the Conservation Consultant to this proposal are noted. However, in terms of the impact on the Conservation Area and listed buildings it is not considered that the proposal would harm their setting. The focus of the Conservation Area is to the village centre and the nearby listed buildings face into the village centre and face away from Half Moon Street. The reduction in building scale and the more simple design of the element of the proposal which faces Half Moon Street reflects the more historically supporting role of this street to the wider village.
- 7.4.8 Whilst the High Street provides an uninterrupted built frontage, there is a gap in the frontage to the north east of the High Street in Bridge Road. The amendments to the proposal links the rear of the building more closely with Half Moon Street such that the more open views across the site from this vantage point would be retained. The longer elevation of the proposed building towards the car park would be visible from this position, but a more open view towards London Road would be retained and the proposal would have an acceptable relationship with this viewpoint.
- 7.4.9 The proposed building would extend to a great depth within the site with a large building span. The design approach has been to provide a series of brick elevations with neutral cladding linkages, set back from these brick elevations to break up the building mass and add interest to the building. The impact of the large span is reduced by the use of separate gable roofs to either frontage with a linking roof in between to assist in reducing overall height and mass. The dormers provide accommodation in the roof which also assists in reducing the scale/height. These dormers have been broken-up in the principal elevations and have flat roofs providing a contemporary, crisp finish in contrasting grey slate and matching metal cladding.
- 7.4.10 The key element of the proposed building is at the north east corner which addresses both the London Road frontage and car park. This corner represents the main entrance to the proposed building and provides the reception area. The proposal is to provide wood cladding in the form of narrow wooden slats alluding to the wooden, rustic details in the historic village centre and would provide a contrasting, contemporary finish to this element of the development which successfully stands out and marks the arrival to the building.
- 7.4.11 Principle 6.7 of the RDG indicates that parking layouts should be high quality and designed to reflect the strong heathland and sylvan identity of the Borough with parking arrangements softened with generous soft landscaping and breaking up of groups of three parking spaces with intervening landscaping. Principle 6.8 of the RDG indicates that on-plot parking should be generally to the side and rear with Principle 6.9 indicating that car parking courts should be designed with active frontages and attractive places with high quality soft and hard landscaping.
- 7.4.12 The proposed parking would be provided within a parking area to the side with some limited parking to the front of the building. Noting the building setback, there would be opportunities to provide soft landscaping to enhance the site frontage. The parking would be arranged principally in groups of three spaces (complying with the RDG) and would be provided with soft landscaping to break-up these parking areas. These arrangements are considered to be acceptable in design terms.

- 7.4.13 The main rear amenity areas would provide significant landscaped areas including opportunities for tree and shrub planting which would enhance the setting of the proposed building.
- 7.4.14 The Urban Design Consultant has supported this amended proposal which has been the subject to extensive review and amendment. The Urban Design Consultant considers that the revised scheme would provide a positive contribution to the existing rather fragmented townscape in the immediate area and complete the build context along London Road. The revised proposal will also contribute towards the character of the Half Moon Street by representing a respectful addition to the currently fragmented townscape and partly disused piece of land.
- 7.4.15 As such, it is considered that the proposed development does satisfactorily integrate into its context and would improve and enhance the character of the area, including the adjoining conservation area, complying with Policies DM9 and DM17 of the CSDMP and the NPPF; and advice in the RDG and BVCAA.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP requires development to pay regard to residential amenity of neighbouring property and uses. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents.
- 7.5.2 No. 1 Brookside Cottages lies to the north east corner of the application site, on the opposite side of the Windle Brook. This property is a narrow Victorian/Edwardian property with kitchen windows in its flank elevation facing the application site and is orientated such that the south flank boundary of this property is with the Windle Brook (and application site beyond). The proposed building would be located 19 metres from the flank boundary of this property and at this point would have a single storey side profile, increasing to a separation distance of 27 metres to the nearest two storey element of the proposed building. The larger two storey height, with accommodation in the roof and with rooms and balconies of the proposed building facing this boundary, is set about 30 metres from this boundary. As such, this relationship is considered to be acceptable.
- 7.5.3 No. 2/3 Half Moon Street is located to the south west corner of the application site, beyond an existing access road. This dwelling is orientated such that its flank elevation faces the application site. This elevation includes a number of windows at ground and first floor level which are secondary windows to habitable rooms or solely serve non-habitable rooms. The proposed building at a two storey height, with accommodation in the roof, and with rooms and balconies facing this boundary, is set 17.5 metres from the flank boundary of this property. As such, this relationship is considered to be acceptable.
- 7.5.4 The rear of properties on High Street, south east of Half Moon Street, face the application site. There are a number of residential flats in this group of buildings and these are set a minimum of about 10 metres at single storey height and 13.5 metres at a two storey height, relationships which are considered to be acceptable.
- 7.5.5 The site lies adjacent to the A30 London Road, a noise generating source. The main rear amenity area is sheltered from this highway by the proposed building and it is the windows in the north and, to a degree, east elevation which face this noise source. The Environmental Health Officer has indicated that a noise assessment and mitigation would be required and can be considered by condition.

- 7.5.6 The main rear amenity area is to be located to the south west portion of the site behind the principal elevations to the north and east (London Road frontage and Windle Brook) and would be sheltered from the main noise source (A30 London Road) by the proposed building and a more formal sitting out area and gardens with a smaller informal area to be provided to the south east corner. This would provide about 900 square metres, at a maximum depth of about 42 metres, of private amenity area which would exceed minimum requirements set out in the RDG.
- 7.5.7 As such, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of CSDMP and advice in the RDG.

## **7.6 Impact on highway safety**

- 7.6.1 The new access would be provided onto London Road. The proposed access would be provided with an adequate level of visibility. The proposal would add 46 dwellings to the highway network in this area, replacing a commercial (restaurant) use. A balance has to be struck between the level of traffic movements expected to be generated by the development proposal against the existing use. The Transport Statement indicates that, when compared with the existing (restaurant) use, there would be a reduction in net movements during the peak travel hours (08:00 to 09:00 and 17:00 to 18:00 hours) of about 60 arrivals and 60 departures per day. The County Highways Authority has reviewed this and agrees that there is likely to be a decrease in traffic movements (see appended response).
- 7.6.2 The Transport Statement indicates that with this type of accommodation there would be an expectation that a proportion of residents may own a car but the ratio of residential car use would be much lower than for a flatted development (Class C3) scheme of this scale, for example, because many residents will have given up their use of a car due to health, age, etc. In addition, the site is sustainable being located close to the Bagshot village centre including shops, bus stops and rail station. In this regard, the applicant is providing a pedestrian/buggy store access onto Half Moon Street. This street is narrow but has correspondingly low traffic speeds such that there would be a very low increased risk of accident from any increased pedestrian movements on this street.
- 7.6.3 The Surrey County Council Vehicle and Cycle Parking Guidance (2018) indicates that for such (Class C2) uses, an individual assessment is required. The Transport Statement indicates that the level of parking provision is approximately 0.63 car spaces per unit across the number of their similar development in the South East. The proposal would provide 32 parking spaces, amounting to about 0.70 spaces per dwelling to serve the proposed dwellings (25 spaces) with accommodation for visitors and staff (7 spaces). In addition, the site is close to the village centre (and public car park). This level of provision is considered to be acceptable to the County Highway Authority indicating that this would be sufficient to accommodate all parking on the site.
- 7.6.4 The County Highway Authority raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway safety, capacity and policy grounds, complying with Policies CP11 and DM11 of CSDMP, and the NPPF.

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

- 7.7.1 The application site partly lies about 0.47 kilometres of the Thames Basin Heaths Special Protection Area (SPA). The SPAAS advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity.

- 7.7.2 Policy CP14 of the CSDMP indicates that *"developments of 10 or more net new dwellings will only be permitted within the identified catchment areas of SANGs."* The application site lies within the catchment of Windlemere SANG where there is capacity available for the proposed development. Contributions are normally secured through the CIL process. However, as indicated in paragraph 7.9 below, CIL would not be liable and under such circumstances a separate SANG contribution would be required. Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years) unless there are reasons why the development cannot be commenced within this shorter timescale.
- 7.7.3 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. This project does not form part of the CIL scheme and a separate contribution is required through an upfront payment or a planning obligation to secure this contribution for the scale of this development. Subject to the securing of this contribution through a legal agreement or upfront, no objections are raised on these grounds.
- 7.7.4 The proposal has been supported by an ecological report which concludes that following desk top studies and surveys, no protected species were to be found on the site. However, there are some limited habitats which could provide potential for bats and reptiles, and water voles in the environs of the Windle Brook adjoining the adjoining site. Whilst a Natural England licensing procedure would be required if protected species were to be uncovered at any stage of works, no objections are raised by Surrey Wildlife Trust to the proposal.
- 7.7.5 As such and subject to the required legal agreement, no objections to the proposal on these grounds are raised with the proposal complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the National Planning Policy Framework and advice in the SPAAS.

## **7.8 Impact on land contamination, flooding and drainage**

- 7.8.1 The site has been used, in part, for commercial purposes, and there are adjacent commercial uses, for which some contamination of the site is possible. The Council's Scientific Officer has indicated that for the proposed use remediation is likely to be required and these matters can be dealt with by condition. No objections have been raised by the Scientific Officer on these grounds. The proposal is therefore considered to be acceptable on these grounds.
- 7.8.2 The proposal would fall within an area of medium/high flood risk (Zones 2 and 3, respectively, as defined by the Environment Agency). The proposed development sets the finished floor levels of the proposed building above the flood plain and provides floodable voids under the building as well as on-site compensatory floodwater storage. The Environment Agency has raised no objections to the proposal on this basis. As such and subject to conditions in this respect, the proposal is considered to be acceptable on flood risk grounds.
- 7.8.3 The LLFA have considered the impact of the proposal on surface water drainage, with on-site storage provided (to reduce off-site flows during periods of peak rainfall), and considered the proposal to be acceptable. No objections are therefore raised to the proposal on surface water grounds.

7.8.4 As such, no objections are raised on land contamination, flooding and drainage grounds, with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

## **7.9 Impact on local infrastructure and affordable housing provision**

7.9.1 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council in July 2014. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. This Council charges CIL on Class C3 residential developments where there is a net increase in floor area (of such uses). However, the proposal relates to Class C2 development and CIL is not applied to such development.

7.9.2 The proposal would deliver 45 (net) residential dwellings. However, the proposal would include extra care provision for elderly housing falling with Class C2, and accordingly, the affordable housing would not be required to comply with Policy CP5 of the CSDMP.

7.9.3 The proposal relates to accommodation more akin to residential flats than more traditional Class C2 bedroom/en-suite accommodation and to be truly Class C2 development, the provision of a minimum level of care for future residents is required. As such, so long as this provision is secured through a legal agreement, no objections would be raised on these grounds and the proposal would comply with Policies CP5 and CP12 of the CSDMP and the NPPF.

## **7.10 Impact on archaeology**

7.10.1 Policy DM17 requires a prior assessment of the possible archaeological significance of a site where it is over 0.4 hectares in area and/or lies in an area of high archaeological potential. In this case, the applicant has provided a desk top assessment to which the County Archaeological Officer has raised no objection subject to the implementation of a programme of archaeological work (in accordance with a written scheme of investigation) by condition. Under these circumstances, no objections are raised with the proposal complying with Policy DM17 of the CSDMP.

## **8.0 CONCLUSION**

8.1 The proposed development is considered to be acceptable in relation to its impact on character and conservation; residential amenity; local infrastructure; affordable housing provision; land contamination, drainage and flood risk; SPA and ecology; and highway safety. As such the application is recommended for approval.

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

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.

## 10.0 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 and a SAMM contribution by 8 November 2019, or any longer period as agreed with the Executive Head of Regulatory, and the following conditions:-**

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

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

2. The proposed development shall be built in accordance with the following approved plans: 1454-SE-2385-RL-PL1110 Rev. B, 1454-SE-2385-RL-PL1111 Rev. B, 1454-SE-2385-RL-PL1112 Rev. B, 1454-SE-2385-RL-PL1210 Rev. B, 1454-SE-2385-RL-PL1221 Rev. B, 1454-SE-2385-RL-PL1222 Rev. B, 1454-SE-2385-RL-PL1223 Rev. B, 1454-SE-2385-RL-PL1214 Rev. B, 1454-SE-2385-RL-PL1310 Rev. B, 1454-SE-2385-RL-PL1311 Rev. B and 1454-SE-2385-RL-PL1312 Rev. B received on 15 July 2019 unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, cladding, windows, guttering and fenestration. Notwithstanding the approved plans, no windows in the extension shall be installed until details have been submitted to, and approved in writing by the local planning authority. The details shall include:-

a) Plans to identify the windows in question and its location(s) within the property(ies), cross referenced to an elevation drawing or floor plan for the avoidance of doubt;

b) 1:20 elevation and plan;

c) 1:10 section with full size glazing bar detail;

d) the position within the opening (depth of reveal) and method of fixing the glazing (putty or beading); and

e) a schedule of the materials proposed, method of opening, and finishes.

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: In the interests of visual amenities of the area including the adjoining Bagshot Village Conservation Area and to accord with Policies DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy SuDS hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5 l/s.
  - b) Detailed 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) 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.
  - d) Details of drainage management responsibilities and maintenance regime for the drainage system.
  - e) 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.

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on and off the site and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

5. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (FRA) by Peter Brett Associates dated July 2019 [Ref: 43792/4001 Rev. A] and received on 29 July 2019 and the following mitigation measures it details:
- a) Finished floor levels shall be set no lower than 57.71 metres above Ordnance Datum (APD).
  - b) Floodable voids shall be incorporated in accordance with Section 6.2.3 of the FRA. The underside of the void shall be set no lower than 57.42 metres above Ordnance Datum (AOD).
  - c) Compensatory storage shall be provided in accordance with Proposed Flood Compensation Scheme drawing Ref: 43792/4001/103 rev. B dated 19.11.2018.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

6. An evacuation strategy for future residents in the event of a flood event shall be submitted to and approved by the Local Planning Authority. This strategy shall be approved prior to occupation and undertaken in the event of a flood event emergency.

Reason: To reduce the future risk for future occupants from any flood event and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

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

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.

8. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved 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 and the National Planning Policy Framework 2019.

9. The development hereby approved shall not be first occupied unless and until the proposed modified access to London Road, as shown on Drawing No. 1454-SE-2385-RL-PL1110 Rev. B received on 15 July 2019 have been constructed in accordance with the approved details.

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.

10. The premises shall be used for extra care apartments (and associated uses) and for no other purpose (including any other purposes in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To ensure that sufficient parking is provided for the use of the site and limit the impact on local infrastructure and affordable housing provision and to comply with Policies CP5, CP11, CP12 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

11. The parking spaces shown on the approved Drawing No. 1454-SE-2385-RL-PL1110 Rev. B received on 15 July 2019 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. The parking spaces should be marked such that a minimum of 7 spaces are provided and made available for staff and visitors.

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.

12. The development hereby approved shall not be occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority for:

a) The secure parking of a minimum of 7 bicycles with the development site,

b) Travel information packs are to be provided to residents/staff/visitors regarding the availability of and whereabouts of local public transport/walking/cycling/car sharing clubs/car club.

and thereafter the approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote alternative methods of transport and reduce the use of the motor car and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

13. The development hereby approved shall not be occupied unless and until at least six of the approved car parking spaces (to be provided under the requirements of Condition 11 above) have been provided with a fast charge socket (current minimum requirement 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: To reduce the vehicle emissions and to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) a method of keeping the local highway network clean
- (g) a method to protect the banks of Windle Brook

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

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11, CP14 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

15. 1. No development above slab level shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
3. A landscape management plan including maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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

16. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of the development or in accordance with a timetable agreed in writing with the Local

Planning Authority. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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

17. No demolition, site clearance or building operations shall commence until tree and ground protection has been installed in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Tree and ground protection to be installed and retained during the course of the development.

Reason: To ensure the retention of trees 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.

18. No development shall take place until a scheme for protecting the proposed dwellings from noise from A30 London Road shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the affected dwellings are occupied.

Reason: In the interests of the amenities enjoyed by the occupiers of the dwellings and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

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

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

#### Informative(s)

1. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place on or within 8 metres of a main river.

For further guidance, please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact National Customer Contact Centre of the Environment Agency on 03708 508 506 (Mondays to Fridays 8am to 6pm) or by emailing [enquiries@environmental-agency.gov.uk](mailto:enquiries@environmental-agency.gov.uk).

2. The permission hereby granted shall not be construed as authority to carry out 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 three months in advance of the intended start date, depending upon the scale of the works proposed and the classification of the road.  
Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licence/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)

3. In relation to Condition 13 above, 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.

4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highway Service.
5. Party Walls (etc) Act 1996 DE3
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels of badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Sections 131, 148 and 149 of the Highways Act 1980).

7. In considering the levels details required for Condition 18 above, the finished floor level requirements should be proposed in compliance with the requirements of Condition 6 above.

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

1. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) in relation to the provision of contribution towards Strategic Access Management and Monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.
2. The proposal fails to provide a satisfactory legal agreement under section 106 of the Town and Country Planning Act 1990 to secure the on-site delivery of extra care housing (Class C2). The proposal would not provide sufficient on-street parking, infrastructure and affordable housing therefore does not satisfactorily address the requirements of Policies CP5, CP12 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.



<b>APPLICATION NUMBER</b>	<b>SU/18/1083</b>
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**DEVELOPMENT AFFECTING ROADS**  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Your Life Management Services Ltd

**Location:** 42 London Road, Bagshot, GU19 5HL

**Development:** Erection of a part three, part four storey building to provide 46 extra care apartments including associated facilities, car parking and landscaping following the demolition of existing buildings.

<b>Contact Officer</b>	Angela Goddard	<b>Consultation Date</b>	14 January 2019	<b>Response Date</b>	12 April 2019
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

1. The development hereby approved shall not be first occupied unless and until the proposed modified accesses to London Road have been constructed in accordance with the approved plans.
2. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning area shall be retained and maintained for their designated purpose.
3. A minimum of 7 parking spaces shall be provided for staff and visitors and until such time that the 25 residential spaces have been fully allocated, the spaces are to be made available for staff and visitor parking.
4. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
  - a. The secure parking of a minimum of 7 bicycles within the development site.
  - b. Travel information packs are to be provided to residents/staff/visitors regarding the availability of and whereabouts of local public transport/walking/cycling/car sharing clubs/car club.

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

6. ( Please Note: Notice in writing must be given by the Local Planning Authority to the Applicant that if planning permission is granted this condition is intended to be imposed or pre-authorisation from the applicant must be sought before recommending the imposition of this condition. The validation requirements for planning applications needing the submission of a Construction Management Plan will provide this notice.)

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) provision of boundary hoarding behind any visibility zones
- (e) measures to prevent the deposit of materials on the highway
- (f) on-site turning for construction vehicles

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

### **Reason**

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

### **Policy**

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2018.

### **Informatives**

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

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

3. 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.

4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

### **Note to Case Officer**

As there is no specific car parking guidance for developments of this type, the applicant has reviewed data gathered from existing McCarthy & Stone Assisted Living Schemes to derive an appropriate parking provision for the proposed development.

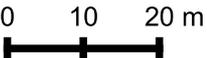
The Highway Authority raised concerns with regard to the number of parking spaces being provided for staff and visitors and considered this may lead to parking on the carriageway of London Road which has no parking restrictions in the vicinity of the site. A request was made for additional survey data to be supplied to demonstrate that the 7 parking spaces being provided for staff/visitors was sufficient.

The applicant has provided further information about the operation and availability of parking spaces particularly at peak times and the Highway Authority are satisfied the provision proposed should be sufficient to accommodate all parking on site.

A review of the vehicle trip generation data for the proposed use of the site shows that there is likely to be a decrease in vehicle movements in the am and pm peak hours and across the day when compared to the existing use.

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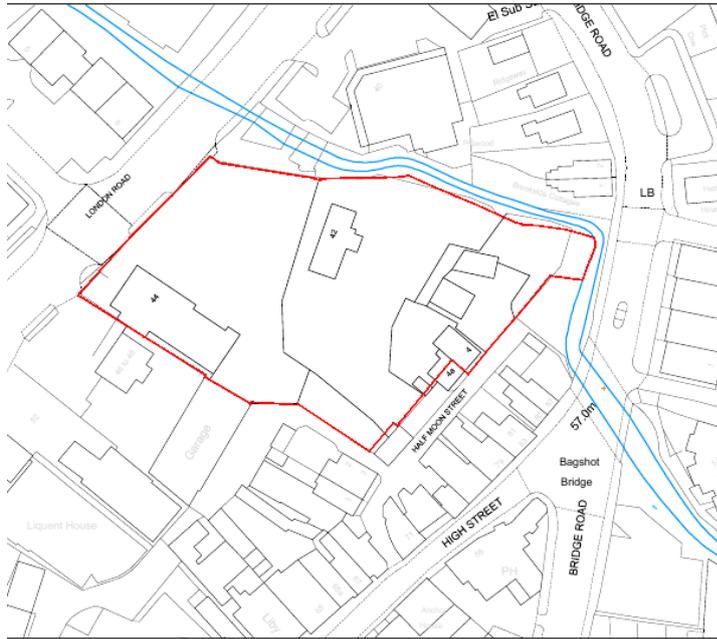


<b>Title</b>	Planning Applications		
<b>Application number</b>	18/1083		<b>Scale @ A4</b> 1:1000
<b>Address</b>	42 LONDON ROAD, BAGSHOT, GU19 5HL		<b>Date</b> 19 Sep 2019
<b>Proposal</b>	Demolition of existing buildings and redevelopment to form 46 Extra Care apartments (C2 use) for older people including communal facilities, car parking and associated landscaping.		
			
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18/1083 – 42-44 LONDON ROAD, BAGSHOT

Location plan



Proposed site layout



# Proposed Elevations



Photo Images



Site Photos

London Road frontage



Rear of site



Half Moon Street



Inside the site



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2019/0304

Reg Date 01/05/2019

Bagshot

**LOCATION:** 134 & 136 LONDON ROAD, BAGSHOT, GU19 5BZ  
**PROPOSAL:** Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved. (Amended & additional plans & docs rec'd 12/07/2019)  
**TYPE:** Outline  
**APPLICANT:** Halebourne Group  
**OFFICER:** Ross Cahalane

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

- 1.1 This application seeks outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road. Access, appearance, layout and scale are to be considered, with landscaping reserved.
- 1.2 The principle of residential development in a sustainable location is supported. However, the bulk and maximum height of the proposed larger front building (Block A) along London Road and its continuous unrelieved depth, bulk and footprint along the southwest side boundary of the site would lead to an unacceptable overdominant and incongruous impact upon the surrounding buildings and streetscene. The overall quantum of proposed development would lead to an inadequate standard of communal amenity space due to the proximity to TPO tree canopies, which would in turn lead to unacceptable pressures for the removal of these trees. This would also mean that ten of the proposed 26 flats would be provided with no amenity space. This lack of suitable amenity space is a further indicator that the overall proposed quantum of built form would result in a density that would unacceptably intensify and over develop the existing site.
- 1.3 The proposed proximity of Block B to the rear of Nos 9 and 11 Allbrook Close is also considered to result in unacceptably adverse impacts in terms of loss of light and overbearing impact. The proposed relationship with No. 11 and 13 Allbrook Close would also lead to unacceptable perceived overlooking upon their rear gardens and elevations. Surrey Wildlife Trust has requested additional bat surveys, which have not been provided. Additional information requested from Surrey County Council as the Lead Local Flood Authority has also not been provided. The required financial contribution towards SAMM has also not been secured to date.
- 1.4 The application is therefore recommended for refusal for all the above reasons.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the eastern side of London Road, within the settlement area of Bagshot. The site includes two detached two-storey dwellings. No. 134 to the north appears to be of late-Victorian/Edwardian origin but is not Listed at statutory or local level. No. 136 is of 1950s origin but has been substantially updated.

- 2.2 Existing properties in the immediate area consist of two storey detached, semi-detached and terraced properties facing London Road, many of which are of Victorian/Edwardian origin and design. The adjacent site to the east and south has been recently redeveloped to comprise a housing estate (former Notcutts Nursery) containing a mixture of dwelling types up to three storey in height, along with a large supermarket building that also contains several smaller retail units.

### **3.0 RELEVANT PLANNING HISTORY**

- 2.1 05/0806 Erection of a 2 storey building with accommodation within the roof to contain 12 two bedroomed apartments. Erection of 2 detached 4 bedroomed and 3 terraced 3 bedroomed dwelling houses and associated parking, access to be considered, following the demolition of 134 and 136 London Road

*Decision: Refused 09/02/2006 for the following summarised reasons:*

1. *Unacceptable impact on the character and appearance of the area and amenity because of:*
  - a. *Unduly harsh visual environment arising from proposed hardstanding and cramped appearance of the rear dwellings, and*
  - b. *Future pressure to remove TPO trees*
2. *Adverse effect on the integrity of the Thames Basin Heaths SPA, and*
3. *Insufficient garden areas for two of the dwellings due to overshadowing from TPO trees.*

- 3.2 05/0807 Erection of a two storey building with accommodation in the roof to contain 12 two bedroomed apartments and erection of 2 detached 4 bedroomed and 3 terrace 3 bedroomed dwellinghouses and associated parking, access to be considered, following demolition of 134 and 136 London Road.

*Decision: Appeal against non-determination - dismissed on 26 April 2006 for the following summarised reasons:*

1. *Cramped appearance of proposed rear dwellings*
2. *Harsh environment created by hard surfacing*
3. *Unacceptable pressure to remove/lop two rear (southeast) TPO trees*
4. *Insufficient garden areas for two of the dwellings due to overshadowing from these TPO trees, and*
5. *Adverse effect on the integrity of the Thames Basin Heaths SPA.*

- 3.3 07/0263 Outline application for the erection of 2, two storey buildings with accommodation in the roof to provide a total of 19, two bedroom flats with associated parking following demolition of existing dwellings. (Access, layout and scale to be considered).

*Decision: Refused and appeal dismissed (April 2008) on grounds of lack of mitigation against adverse impact upon Special Protection Area.*

## 4.0 THE PROPOSAL

- 4.1 Outline planning permission is sought for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road. Access, appearance, layout and scale are to be considered, with landscaping reserved. The proposed accommodation would comprise 8 one-bed flats and 18 two-bed flats.
- 4.2 The proposed development would be provided in the form of two buildings. Both would be 2.5 storey in eaves height, comprising crown roof forms of varying heights with front dormers, lower and pitched roof gables, rooflights and a mixture of pitched and flat roof dormers. Internal bin and cycle storage would be provided within each building.
- 4.3 The larger building (Block A) to the front would contain 15 flats across three floors and would have a maximum width of approx. 50m, maximum depth of approx. 16.7m, maximum eaves height of approx. 7.8m and maximum roof height of approx. 12.1m. The proposed Block B to the rear would contain 11 flats across three floors and would have a maximum width of approx. 17.8m, maximum depth of approx. 17.4m, maximum eaves height of approx. 7.2m and maximum roof height of approx. 11.1m.
- 4.4 Block A would be provided with a separate communal private amenity space of approx. 270 sq m, located across the access road to the north. Block B would be provided with a more immediate south-facing communal private amenity space of approx. 267 sq m.
- 4.5 The proposed flats would be served by 26 car parking spaces located throughout the site, including ten undercroft spaces within Block A. A revised vehicular access off the A30 London Road is proposed, between the existing separate vehicular entrances to the two dwellings proposed for demolition.
- 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 Statement
  - Design and Access Statement
  - Arboricultural Report
  - Transport Statement
  - Preliminary Ecological Appraisal
  - Flood Risk Assessment
  - Development Viability Appraisal Executive Summary

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority: No objection on safety, capacity or policy grounds, subject to conditions [See appended response and Section 7.6]
- 5.2 Surrey County Council Lead Local Flood Authority: Comment: The proposed surface water discharge rate has not been demonstrated to be the practical minimum achievable. Justification should be provided as to why small-scale SuDS features cannot be provided. Additionally,

no maintenance information, or proof of permission to connect to the adjacent private surface water network, has been provided. [See Section 7.7]

- 5.3 Surrey Wildlife Trust: Comment: Further surveys are required to ascertain the status of bats the site. The LPA does not as yet have sufficient information to fully assess the possibility of adverse effect to these legally protected species resulting from the proposed development [See Section 7.8]
- 5.4 Council Arboricultural Officer: No objection, subject to condition [See Section 7.4]
- 5.5 Council Environmental Health Officer: No objection, subject to conditions [See Section 7.5]
- 5.6 Council Scientific Officer: No objection, subject to condition [See Section 7.12]
- 5.7 Council Urban Design Consultant (UDC): Objection - overall scale, height and bulk of the proposed development, including the unbroken length and massing of the front elevation of Block A along the south-western boundary.
- 5.8 Windlesham Parish Council: Objections due to overdevelopment of the site and serious concerns with the proposed access onto the A30 which is an already busy and over-congested route.

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, two letters of support and nine objections have been received.

The letters of support includes the following comments:

- Suitable corner plot
- Surrey Heath in desperate need for houses
- Takes a good advantage of a brownfield site
- There are not many quality apartments in Bagshot

- 6.2 The objections raise the following concerns:

### Character

- Overdevelopment – very high density
- Out of character with neighbouring houses

[See Section 7.3]

### Residential amenity

- Overlooking
- Loss of sunlight

- Views from neighbouring homes will be diminished
- Noise and dirt pollution during construction

*[See Section 7.4]*

#### Highways

- Waterers Way/A30 junction is extremely busy – adding extra vehicles not sensible – this junction should be improved if permission is granted – drivers ignore road signs – already accidents on entrance to Costa opposite
- Traffic congestion is already appalling – proposed access will further slow traffic and increase chance of accidents
- Proposed access will not allow right hand exits, so cars will turn around at Waterers Way roundabout
- Insufficient parking – most households now have at least two cars – no room on already well-used side roads
- Cumulative impact with other future planned developments
- Village is turning into a town
- During construction, builders will need to park on nearby residential roads

*[See Section 7.5]*

#### Ecology

- Impact on wildlife and habitat

*[See Section 7.8]*

#### Other

- Local facilities (schools, doctor surgeries), cannot cope with current demand which should also be addressed

*[See Section 7.9]*

- Impact on property prices

*[This is not a material planning consideration]*

## **7.0 PLANNING ISSUES**

- 7.1 The application site is located in Bagshot, a settlement area as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP14, DM9, DM10 and DM11 of the CSDMP; Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework 2019 (NPPF). Other relevant guidance includes the Residential Design Guide SPD 2017 (RDG), and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019. Details of appearance, scale, layout and access are chosen by the applicant for consideration under this outline

application, with landscaping retained as a reserved matter. The main planning issues in the determination of this application are:

- The principle of the development;
- The impact on the character of the area;
- The impact on residential amenities;
- Means of access and highway impacts;
- The impact on trees;
- The impact on flood risk;
- The impact on ecology;
- The impact on Thames Basin Heaths SPA, and;
- Other matters.

## **7.2 Principle of the development**

- 7.2.1 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. Within the settlement area such as this site is located, the principle of residential development is acceptable. Following the publication of its Interim 5 Year Housing Land Supply 2019-2024, Surrey Heath can now demonstrate a 5.32 year housing land supply. It is nonetheless accepted that the proposal would be a sustainable form of development, being within a settlement area and close to Bagshot Centre and its rail station.
- 7.2.2 The proposed redevelopment would involve the loss of one dwelling (No. 134) of late-Victorian/Edwardian origin. However, this dwelling is not Listed at statutory or local level. The other dwelling No. 136 is of 1950s origin. There are no local or national policies that resist the principle of the loss of these dwellings for additional residential use.
- 7.2.3 It is considered that the proposal would be an efficient use of land and a sustainable form of development. The principle of redevelopment at this site is therefore acceptable.

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

- 7.3.1 Policy DM9 (Design Principles) states that development will be acceptable where it achieves high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework also seeks to secure high quality design, as well as taking account of the character of different areas.
- 7.3.2 It is accepted that Paragraph 122 of the NPPF continues to require planning policies and decisions to ensure that new development makes efficient use of land. It is also accepted that since the latest appeal decision at this site in 2008, the immediate context of the site has since become more urbanised, with the redevelopment of the Nottcutts Nursery for a number of residential units, supermarket and car park areas. However, Paragraph 122 of the NPPF also states that decisions must also take into account the desirability of maintaining an area's prevailing character and setting.

- 7.3.3 The Council's Urban Design Consultant has commented that although the proposed density of 86 dwellings per hectare (dph) exceeds the average density in the area (70 dph), some increase in density would be supported given the sustainable location and the requirement for efficient use of land, provided that the existing local character of the area can be retained and enhanced. Principle 6.4 of the RDG advises that new development should achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area.
- 7.3.4 Paragraphs 127 and 130 of the NPPF also state that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character, 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. Policies CP2 (iv) and DM9 (ii) of the CSDMP also reflect these requirements.
- 7.3.5 Principle 7.4 of the RDG advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area. Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.
- 7.3.6 The surrounding Victorian/Edwardian buildings are all fully two storey in form, containing pitched roofs and with a mixture of hipped ends and gabled frontages. The Council's Urban Design Consultant (UDC) has commented that the proposed architectural design cue, which includes built details such as decorative stringcourses and quoins, is supported and considered suitable in principle for the location. However, concerns have been raised with regards to the overall scale, height and bulk of the proposed development. In particular, the unbroken length and massing of the front elevation of Block A along the south-western boundary of the site, which will be highly visible from the public streetscene. Although the proposed eaves height is just below three storey level, the UDC considers that this main building, with a front elevation maximum height of approx. 12.1m along London Road, will be rather imposing as seen from the south-west, especially given the building's significant total length of approx. 50m.
- 7.3.7 The depth and bulk of the proposed Block A flat building facing London Road would necessitate the use of crown roof forms, which would be widely visible from public views. There are no other such examples of crown roof forms in the immediate vicinity. What is also of significance is the substantial maximum height, overall width/depth and continuous bulk of the building – as raised above by the UDC. It is accepted that some of the residential buildings within the redeveloped Notcutts Nursery site have significant widths and are closely set to each other. However, none have the same prominent and unrelieved building span and bulk as that currently proposed for Block A. It is also not considered appropriate to use the supermarket building to the south as a design cue for the proposal, given its intensive commercial use.

- 7.3.8 Although the area adjacent the tree to the north of Block A is proposed to be used as a communal amenity area, as set out in Section 7.4 below this is not considered suitable for this propose. The only other proposed communal amenity area is behind Block B. The lack of suitable amenity space for Block A is a further indicator that its proposed quantum of built form would result in a hard urban form of development with a density that would unacceptably intensify and over develop the existing site.
- 7.3.9 Given the above context along with the objectives of Principles 6.4, 7.4 and 7.5 of the RDG quoted above, it is considered that the height, scale and footprint of the proposed larger front building, together with the building's contrived crown roof form, would lead to an overdominant and incongruous impact upon the surrounding buildings and streetscene. It is not considered that the reduced eaves level and roof heights to the rear would sufficiently mitigate this adverse harm to the character of the area.
- 7.3.10 The proposed Block B building to the rear would have a slightly lower 2.5 storey eaves level and roof height of approx. 11.1m. It would also have a significantly smaller footprint utilising the lower ground level as it declines from the A30 towards the Notcutts redevelopment, as shown on the streetscene drawing. Although this building also contains crown roofs, it would be significantly inset from the northwest and southeast site boundaries facing the A30. Additionally, the two TPO trees to the south would restrict some views and on the other side of this shrubbery, the additional height of approx. 1.5m above the 2.5 storey entrance dwelling to the redeveloped Notcutts Estate is considered to form an acceptable height transition at higher ground level. The proposed cross-section plan shows that the height increase above and behind the two storey Allbrook Close dwellings to the north would be very limited. In light of the above built form and boundary relationships, it is considered that Block B would not lead to an overdominant or incongruous addition to the surrounding area.
- 7.3.11 Principle 6.7 of the RDG advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough, ensure developments are not functionally and visually dominated by cars, and be spaces that are visually and functionally attractive in the street scene. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. In respect of on-street parking, Principle 6.10 advises that it should not dominate the street scene or accommodate more than a cluster of 3 cars.
- 7.3.12 A continuous line of six car parking spaces is proposed along the north eastern boundary, near to the entrance. However, additional planting is proposed to the front and it is considered that the substantial decline in ground level from the highway would be sufficient to avoid a prominence of hard standing in the streetscene. There would also be two other continuous rows to the rear, comprising six and four parking spaces. However, landscaping is proposed around these spaces which would restrict wider views. The other proposed ten spaces would be within the undercroft of the proposed Building A, and would therefore also be secluded. It is therefore considered that the proposed parking layout as a whole would comply with the overall aims of the abovementioned SPD advice governing parking layouts.

#### **7.4 Impact on trees**

- 7.4.1 There are two Holm Oak and Red Oak TPO trees (ref: 6/00) within the site towards the southeast corner, and one further Oak TPO tree (same ref) dissecting the northern boundary. An arboricultural assessment, method statement and tree protection plan has been provided, which advises that 17 trees and 5 tree groups are to be removed. An additional 6 trees are categorised as unsuitable for retention and need removal for

management reasons irrespective of any development proposals. Tree and ground protection measures and replacement planting is proposed, although no specific replacement planting scheme is provided.

- 7.4.2 The Council's Arboricultural Officer has raised no objection in respect of impact on root protection areas. The proposed tree and ground protection measures are considered appropriate for the location and could be secured by a planning condition to include a pre-commencement site meeting. Additional tree management surgery works have been specified, including the crown lifting of the TPO trees to provide a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. The Council's Arboricultural Officer has commented that although this is acceptable in respect of good management to increase light penetration beneath the canopies, there will be long term pressure to remove at least two of these trees (Holm Oak and Red Oak adjacent the proposed southeast Block B amenity space) due to potential long term pressures to excessively reduce or remove the dominant TPO trees to abate light restriction, leaf litter and debris, perception of threat, physical nuisance etc. This is because the vast majority of both proposed communal amenity areas would be within the TPO canopies.
- 7.4.3 The proposed development is therefore considered to lead to unacceptable impact on the interests of visual amenity, due to the likely future pressure to remove the Red Oak and Holm Oaks trees, owing to their orientation and proximity to the proposed southeast Block B amenity space. It is accepted that landscaping is being held as a reserved matter. However, the current quantum of development and layout proposed cannot avoid future pressures on the TPOs as outlined above. This issue therefore forms an additional recommended reason for refusal.

## **7.5 Impact on residential amenities**

- 7.5.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties and uses should be respected by proposed development. Principle 8.1 of the RDG advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Paragraph 8.4 further advises that a minimum distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship).
- 7.5.2 Principle 8.3 advises that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Paragraphs 8.5-8.6 of the RDG state that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Topographical changes can also create overbearing relationships and poor outlooks.
- 7.5.3 The proposed larger building (Block A) at the front would be sited approx. 20m from the side elevation of the detached dwelling of No. 132 London Road to the northeast. The inset elevation of Block A to the rear would be sited between approx. 18m – 20m from the rear garden side boundary of No. 132, with a TPO tree on the boundary restricting some views. Given these separation distances along with the site orientation and existing relationship with No. 134 to be demolished at closer proximity, it is considered that the proposed building A would not lead to adverse harm upon the amenity of this neighbour in terms of

loss of light, privacy or overbearing impact. The separation distances to the front elevations of the dwellings on the opposite side of London Road would range between approx. 23m-28m, which is also considered sufficient to avoid adverse harm. The proposed southern elevation would face the Waitrose overflow carpark.

- 7.5.4 However, Block B towards the rear would be sited up to approx. 14m from the two storey semi-detached pair of Nos 9 and 11 Allbrook Close to the northeast. Although this proposed elevation would contain no upper floor openings facing these neighbours, it would be sited at higher ground level as outlined in the proposed cross-section drawing. The resultant relationship would breach the 25 degree vertical line of sight test. It is also considered that the site orientation of the proposed building to the southwest would lead to a significant amount of loss of sunlight. As such, it is considered that Block B would lead to unacceptable harm to the amenity of the rear gardens and elevations of Nos 9 and 11 Allbrook Close in terms of loss of light and overbearing impact.
- 7.5.5 Block B would also contain an inset upper floor elevation sited approx. 18-19m from the rear elevation of No. 11 Allbrook Close and the end-terrace dwelling No. 13 further to the northwest. The separation distances would increase up to approx. 24m further to the north along the terrace containing Nos 15, 17, 19 and 21. This inset elevation however contains two window openings on the first floor, and on the second floor, facing directly towards No. 11 and 13. Although these windows would serve communal hallways, given their size, positioning and amount, it is considered that they would lead to unacceptable perceived overlooking upon the rear gardens and elevations of Nos 11 and 13, contrary to Principle 8.4 of the RDG SPD. The increased separation distances of approx. 20m-24m at an angle further along the terrace are however considered sufficient to avoid adverse harm to amenity.
- 7.5.6 The northeast of Block B would be sited approx. 15m from the terraced rear elevations Nos 1, 3, 5 and 7 Allbrook Close to the northeast. The proposed southern corner of this building would be sited approx. 17m toward the rear elevation and rear garden side boundary of the detached dwelling of No. 1 Waterers Way. It is considered that these separation distances and juxtaposition between the buildings would be sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact. No windows would face directly towards these Allbrook Close neighbours. The proposed side elevation would however contain first and second floor windows serving habitable rooms, the nearest of which would be sited approx. 20m at an angle away from the rear elevation of No. 1 Waterers Way. Given the angle of these windows away from the rear elevation of No. 1, in this instance it is considered that no adverse impact would arise in terms of overlooking.
- 7.5.7 The separation distances to the other neighbouring elevations beyond (Nos 3, 5, 7, 9 and 11) would range from approx. 24m – 36m, with a communal parking courtyard sited in between. The northernmost side windows would also be sited approx. 23m at an angle away from the rear elevation of No. 1 Allbrook Close to the east. These separation distances and built form relationships are all considered sufficient to avoid adverse harm to neighbouring amenity.

#### Amenities of future occupiers

- 7.5.8 An Acoustic Evaluation Assessment has been provided, which comments that the proposed communal amenity area furthest from the A30 (adjacent to Block B) would fall within an acceptable noise environment. In order for the other proposed amenity areas nearer to the A30 to also be acceptable, the report recommends a 2m high acoustic fence around the boundary perimeter. Minimum attenuation levels provided by windows and acoustic trickle vents are also recommended, to mitigate against traffic noise. The

Council's Environmental Health Officer has raised no objection, subject to planning conditions to secure the minimum sound insulation and ventilation performance of all flat windows, along with the specification of the proposed 2m high fence.

- 7.5.9 Three of the four ground floor flats of Block A would be provided with directly-accessible private amenity space that would meet the guidance of Principle 8.6 of the RDG concerning provision of private amenity space for flats. Eight of the upper floor flats would contain south-facing external balconies to also meet Principle 8.6. This would however leave six upper floor flats without any private amenity space. Only five of the other proposed eight flats within Block B would be provided with sufficient private garden/balcony space.
- 7.5.10 Principle 8.5 of the RDG advises that for flatted developments, communal open space will also be expected. This should be: connected to the building, easily accessible to all residents, screened from public view, free of vehicles, located to receive sunlight for a substantial part of the day, and actively overlooked to provide surveillance and security. Block A would be provided with a separate communal private amenity space of approx. 270 sq m, located across the access road to the north. Block B would be provided with a more immediate south-facing communal private amenity space of approx. 267 sq m. However, as already outlined in Section 7.4 above both these areas would be mostly covered by mature TPO tree canopies. It is not considered that this arrangement, even with the proposed 3-4m canopy lifting, would be able to provide sunlight to these amenity areas for a substantial part of the day, contrary to Principle 8.5 of the RDG.
- 7.5.11 As such, seven of the proposed flats within Block A, along with three proposed flats within Block B, would be provided with no appropriate communal or private amenity space, contrary to the abovementioned Principles 8.5 and 8.6 of the RDG and thus forming an additional recommended reason for refusal.

## **7.6 Means of access and highway impacts**

- 7.5.12 Principle 7.6 of the RDG SPD advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floorspace provision for each flat would meet the requirements as set out in the national minimum space standards and it is also considered that future occupiers would be afforded with sufficient outlook.
- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 Paragraph 108 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.3 The proposal would involve the provision of one off-street parking space for each flat (8 one-beds and 18 two-beds). A revised vehicular access off the A30 London Road is proposed, between the existing separate vehicular entrances to the two dwellings proposed for demolition. Cycle parking spaces and bin storage would be accommodated within the proposed flat buildings. The Transport Statement advises that pre-application

advice from the County Highway Authority (CHA) was received in respect of the access arrangement and parking provision were acceptable in principle. The CHA requested that the footway along the site frontage with the A30 be widened to 3m, in order to extend the existing shared cycle/footway to the south of the site access (see appended). Amended plans were provided accordingly.

- 7.6.4 The proposed development would be accessed via a very well-used route linking Camberley and Bagshot, and towards the A322 and M3. However, the CHA has not objected on safety, capacity or policy grounds, subject to conditions (see appended). It is therefore not considered that the proposal will give rise to any significant highway issues.
- 7.6.5 The proposed provision of one parking space per one/two-bed flat is considered sufficient given their location in a settlement area and near to bus routes, and approx. 600m walk to Bagshot Centre and approx. 1.3km walk from Bagshot rail station. It is therefore considered that the proposal would not conflict with the aims of Policy DM11.

## **7.7 Impact on flood risk**

- 7.7.1 Policy DM10 of the CSDMP states that the Borough Council will expect development to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale and type of development. The proposal is not within Flood Zone 2 or 3, but several areas within the site are classified by the Environment Agency as being of low risk of surface water flooding.
- 7.7.2 A Flood Risk Assessment has been provided, which includes a surface water management strategy. Surrey County Council as the Lead Local Flood Authority (LLFA) has commented that they are not satisfied that the proposed drainage scheme meets the requirements of the NPPF, the Planning Practice Guidance and the Non-Statutory Technical Standards for sustainable drainage systems. The LLFA considers that the proposed surface water discharge rate has not been demonstrated to be the practical minimum achievable at this site. The LLFA has also commented that justification should be provided as to why small-scale SuDS features cannot be provided. Additionally, no maintenance information, or proof of permission to connect to the adjacent private surface water network, has been provided.
- 7.7.3 In light of all the above, it is considered that it has not been adequately demonstrated that the proposed development would reduce the volume and rate of surface water run-off through the incorporation of appropriately designed SuDS, contrary to Policy DM10 of the CDSMP and the NPPF. It is also considered that it has not been demonstrated how the proposed surface water drainage system meets the minimum requirements of the Non-Statutory Technical Standards for sustainable drainage systems.

## **7.8 Impact on ecology**

- 7.8.1 A Preliminary Ecological Appraisal has been provided, which identified the dwelling of No. 134 London Road as having high potential to support roosting bats, a legally protected species. Surrey Wildlife Trust (SWT) has commented that further surveys are required to help ascertain the status of bats within the site and consequently, the Local Authority does not as yet have sufficient information to be able to fully assess the possibility of adverse effect to these legally protected species resulting from the proposed development.

- 7.8.2 Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath. Developments that result in harm to or loss of features of interest for biodiversity will be resisted. Paragraph 170 of the NPPF requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity.
- 7.8.3 In light of all the above, it is considered that it has not been adequately demonstrated that the proposed development would not adversely impact upon legally protected species. This therefore forms an additional reason for refusal.

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

- 7.9.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA, but all new development is required to either provide: SANG on-site (for large proposals of more than 100 units), or for smaller proposals; a financial contribution towards SANG, provided that sufficient SANG is available and can be allocated to the development. There is currently sufficient SANG available, which is now collected as part of CIL.
- 7.9.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £11,608 is needed. This has not been paid by the applicant. The lack of financial contribution towards SAMM would be contrary to Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD, and therefore must form an additional reason for refusal.

## **7.10 Other matters**

- 7.10.1 Concerns have been raised in respect of school and doctor spaces already limited in the Bagshot area. There is, however, no evidence to necessitate this size of development making a contribution to health or education. Nevertheless, 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 estimated liable amount has been calculated as £386,980.00.
- 7.10.2 Policy CP5 of the CSDMP requires 40% on site provision of affordable housing, for sites in excess of 15 units. A viability appraisal report has been provided by the applicant, as summarised in the Development Viability Appraisal Executive Summary, which concludes that the proposed scheme would be unviable if it provided Affordable Housing. The Council's Viability Consultant has formally reviewed this report and has identified a number of potential cost savings. However, the development profit would still fall significantly below the agreed benchmark land value, meaning that the scheme would remain unviable if it provided Affordable Housing. The Council's Viability Consultant has commented that it is likely that a combination of high site assembly costs and relatively high build costs are having an impact on the viability of this scheme. It is however commented that the Council could request a review mechanism within a Section 106 agreement, in order to capture any potential uplift in viability should the scheme progress.

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

7.10.4 The Council's Scientific Officer has commented that as the site was formerly part of a very large nursery, a planning condition would be required to secure a contaminated land desk survey, site investigation and subsequent remediation action plan, discovery strategy and verification report to demonstrate that the agreed remediation (if required) has been carried out.

## **8.0 CONCLUSION**

8.1 The bulk and maximum height of the Block A along London Road and its continuous unrelieved depth, bulk and footprint along the southwest side boundary of the site, would lead to an overdominant and incongruous impact upon the surrounding buildings and streetscene. The overall quantum of proposed development would also lead to an inadequate standard of communal amenity space due to the proximity to TPO tree canopies, which would in turn lead to unacceptable pressures for the removal of these trees. The resultant lack of suitable amenity space is a further indicator that the overall proposed quantum of built form would result in a density that would unacceptably intensify and over develop the existing site. Block B would result in unacceptably adverse impacts upon neighbouring residential amenities. Surrey Wildlife Trust has requested additional bat surveys, which have not been provided. Additional information requested from Surrey County Council as the Lead Local Flood Authority has also not been provided. The required financial contribution towards SAMM has also not been secured to date. The application is therefore recommended for refusal.

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

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

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

## **10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

1. Block A by reason of its bulk and maximum height along London Road; its continuous unrelieved depth, bulk and massing and footprint along the southwest side boundary of the site; together with the building's contrived crown roof form, would result in an overdominant and incongruous form of development that would form poor relationships with surrounding buildings and be harmful to the visual amenities of the streetscene. The proposal would fail to respect and improve the character and quality of the area contrary to the design requirements of Policies CP2 (iv) and DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, Principles 6.4, 7.4 and 7.5 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2019.
2. The overall quantum of proposed development would lead to an inadequate standard of communal amenity space for future occupiers, due to the proximity to the TPO (ref: 06/00) tree canopies (Holm Oak T2, Red Oak T4 and Oak T7), which would in turn lead to unacceptable long-term pressures for the removal of these trees (to abate light restriction, leaf litter and debris, perception of threat, physical nuisance etc). This would also lead to ten of the proposed 26 flats having no suitable amenity space. These unsuitable communal amenity spaces and associated future pressures on the TPO trees are also indicators that the overall proposed quantum of built form would result in a density that would unacceptably intensify and over develop the existing site. The proposed development as a whole would therefore be contrary to the design and amenity requirements of Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, Principles 8.5 and 8.6 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2019.
3. Block B, by reason of its height, bulk and proximity at higher ground to the rear elevations and garden areas of Nos 9 and 11 Allbrook Close, would result in adverse impacts upon the amenity of current and future occupiers of these neighbours in terms of loss of light and overbearing impact, contrary to Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, Principle 8.3 and Paragraphs 8.5-8.6 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2019.
4. Block B, by reason of the size, positioning and proximity of its first and second floor windows towards the rear elevations and garden areas of Nos 11 and 13 Allbrook Close, would result in adverse impacts upon the amenity of current and future occupiers of these neighbours in terms of perceived overlooking, contrary to the amenity requirements of Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies 2012, Principle 8.1 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2019.
5. The submitted ecological appraisal has recommended that further bat emergence and re-entry surveys should be undertaken. No such survey information has been provided and it has therefore not been demonstrated that the proposed development would not result in harm to or loss of these legally protected species. The proposal therefore fails to demonstrate compliance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012, The Conservation of Habitats and Species Regulations 2017, Government Circular: Biodiversity and Geological Conservation -Statutory obligations and their Impact within the Planning System (ODPM 06/2005, Defra 01/2005), and the National Planning Policy Framework 2019.

6. It has not been adequately demonstrated that the proposed development would reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS). It has also not been demonstrated how the proposed surface water drainage system meets the minimum requirements of the Non-Statutory Technical Standards for sustainable drainage systems. The proposed development therefore fails to demonstrate compliance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.
7. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 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 2019.

Informative(s)

1. Advise CIL Liable on Appeal CIL3
2. 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.



Tel: 020 8541 7428  
E-mail: Angela.Goddard@surreycc.gov.uk

Contact Officer: Angela Goddard  
SURREY HEATH BOROUGH COUNCIL  
SURREY HEATH HOUSE  
KNOLL ROAD  
CAMBERLEY  
GU15 3HD

11 June 2019

Dear Ross

**APPLICATION NO.** SU/19/0304  
**SITE:** 134 & 136 London Road, Bagshot, GU19 5BZ

I refer to the above planning application which appears to affect a road for which Surrey County Council is the Highway Authority. You have requested our consideration of the highway and transport issues associated with this development, before I am able to provide a full response, I require the following information from the Applicant:

As part of the Highway Authority pre-application response, we asked if the developer would be prepared to widen the footway along the frontage of the site to 3m to extend the existing shared cycle/footway to the south of the site access on London Road. This would require any private land being dedicated to the Highway Authority under a S278 Agreement. Could the developer please confirm that they would be prepared to do this work and I can add it as a condition to our formal response.

Please request that the Applicant provides the above amendments/information in sufficient time so that we may respond before your deadline for determination. Please ensure that the response to this letter is in writing and all appropriate documentation, as requested, is attached.

Kind regards

Angela Goddard  
Transport Development Planning

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<b>APPLICATION NUMBER</b>	<b>SU/19/0304</b>
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## DEVELOPMENT AFFECTING ROADS

### TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Halebourne Group

**Location:** 134 & 136 London Road, Bagshot, GU19 5BZ

**Development:** Outline application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access

<b>Contact Officer</b>	Angela Goddard	<b>Consultation Date</b>	8 May 2019	<b>Response Date</b>	12 July 2019
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#### **Informative Note to the LPA:**

The CHA has requested the inclusion of a Construction Transport Management Plan. Notice in writing must be given by the Local Planning Authority to the Applicant that if planning permission is granted this condition is intended to be imposed, or pre-authorisation from the applicant must be sought before recommending the imposition of this condition. The Validation requirements for planning applications needing the submission of a Construction Management Plan will provide this notice.

The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

1. No part of the development shall be occupied unless and until the proposed modified northern pedestrian/vehicular access to London Road including the widening of the footway along the frontage of the site to 3 m to extend the existing shared footway/cycleway with any private land dedicated as public highway shall be constructed and provided with visibility zones of 2.4 m x 120 m in both directions in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction above 0.6 m high.
2. The development hereby approved shall not be first occupied unless and until the existing southern access from the site to London Road has been permanently closed and any kerbs, verge, footway, fully reinstated.
3. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 26 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes

4. The development hereby approved shall not be occupied unless and until at least 5 of the available parking spaces are provided with a fast charge socket (current minimum requirement is 7 kW Mode 3 with Type 2 connector - 230 v AC 32 AMP single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

5. The development hereby approved shall not be first occupied unless and until a Sustainable Travel Information Pack regarding the availability of and whereabouts of local public transport/walking/cycling/car sharing clubs/car clubs has been submitted for the written approval of the Local Planning Authority. The approved Sustainable Travel Information Pack shall be issued to the first time occupier of each dwelling, prior to first occupation.

6. The development hereby approved shall not be first occupied unless and until the secure covered parking of a minimum of 26 bicycles has been provided within the development site in accordance with the approved plans, and thereafter, retained and maintained to the satisfaction of the Local Planning Authority.

7. 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) provision of boundary hoarding behind any visibility zones
- (e) measures to prevent the deposit of materials on the highway
- (f) on-site turning for construction vehicles

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

### **Reason and Policy**

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and in recognition of 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019'.

### **Informatives**

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.

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

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

5. 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.

6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

#### **Note to Case Officer**

The proposed development of 26 flats will be served from the modified northern access onto London Road. A speed survey has been carried out by the developer to determine the required visibility splays and these are shown on the application drawings and considered acceptable by the CHA.

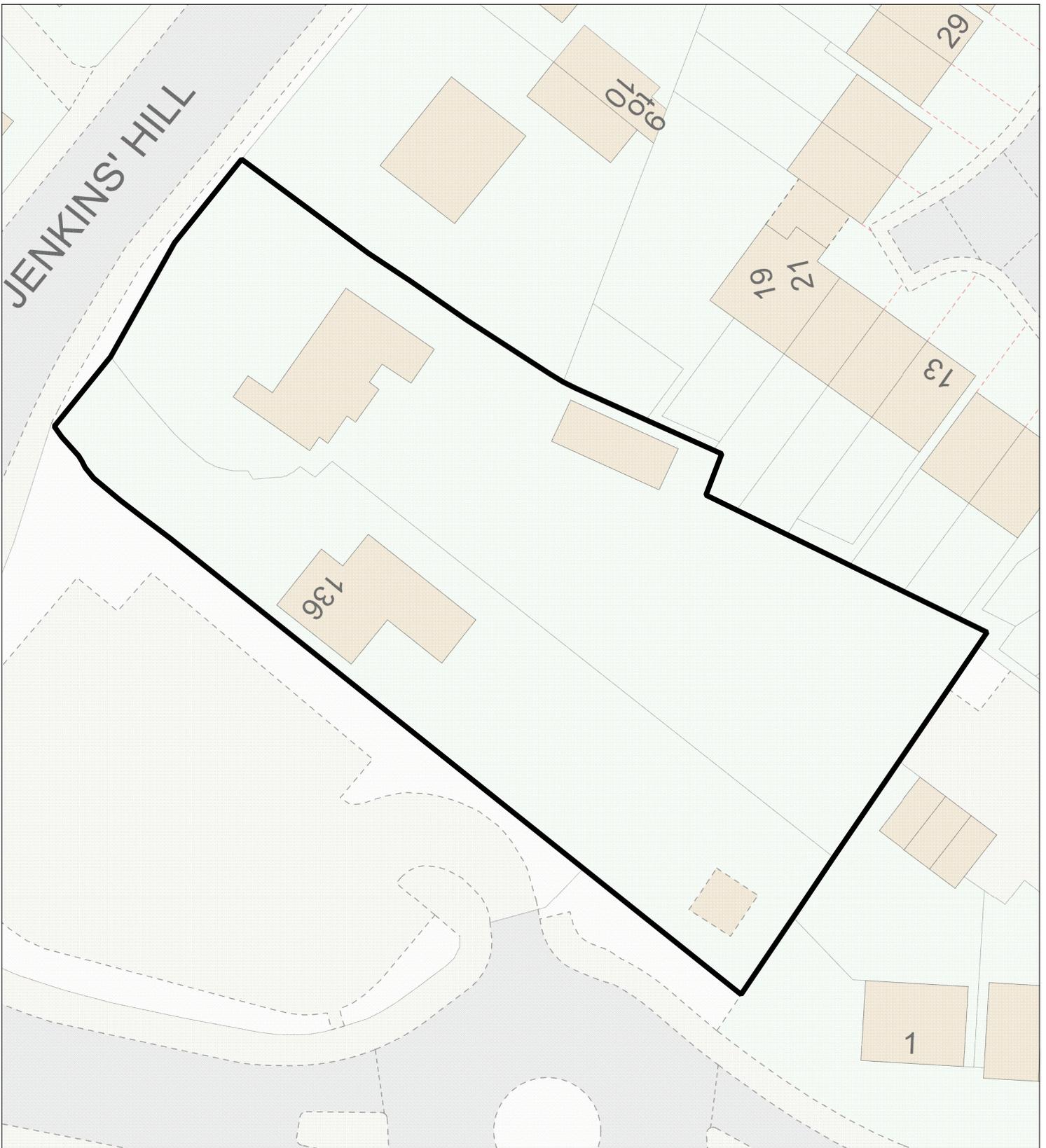
The developer has been contacted with regard to widening the footway along the frontage of the site to 3 m to extend the existing footway/cycle way from the south and has agreed that this will be provided and has therefore been included in the access condition. The developer will be required to enter into a S278 for the footway/access works and will need to dedicate any private land as public highway.

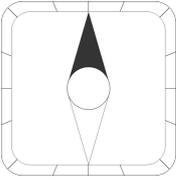
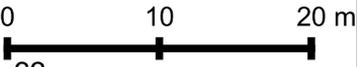
The parking provision of 1 space per flat complies with the minimum residential parking standards.

An assessment of the likely traffic generation from the site shows that there would be 7 movements in the am peak (8am-9am) and 9 movements in the pm peak (5pm-6pm) which equates to 1 additional movement approximately every 7 minutes. It is therefore not considered that the traffic impact of the development on the local highway network would be significant.

It is intended that refuse vehicles will enter the development to service the site and a swept path of a refuse vehicle has been provided demonstrating that it can turn and exit onto London Road in forward gear.

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<b>Title</b>	Planning Applications			
<b>Application number</b>	19/0304		<b>Scale @ A4</b>	1:500
<b>Address</b>	134 & 136 LONDON ROAD, BAGSHOT, GU19 5BZ		<b>Date</b>	19 Sep 2019
<b>Proposal</b>	Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.			
				
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Location plan



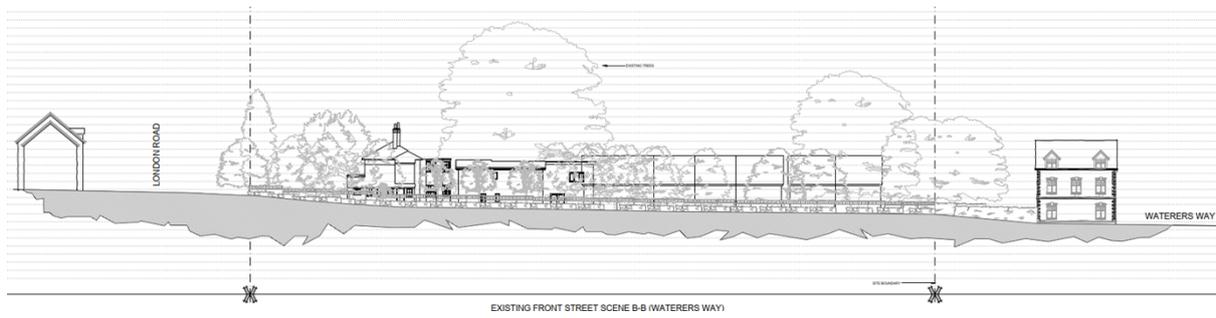
Proposed Site Plan



Existing streetscenes - front facing London Road



Side facing Waitrose car park



Proposed streetscenes - front facing London Road



Side facing Waitrose car park



Proposed elevations – Block A

Southwest and northwest



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION 01

Northeast and southeast

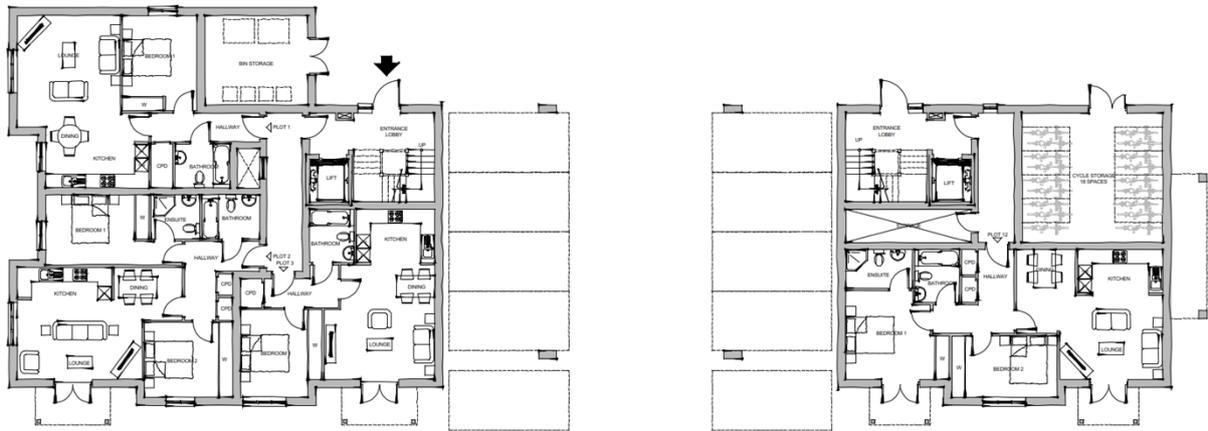


PROPOSED REAR ELEVATION

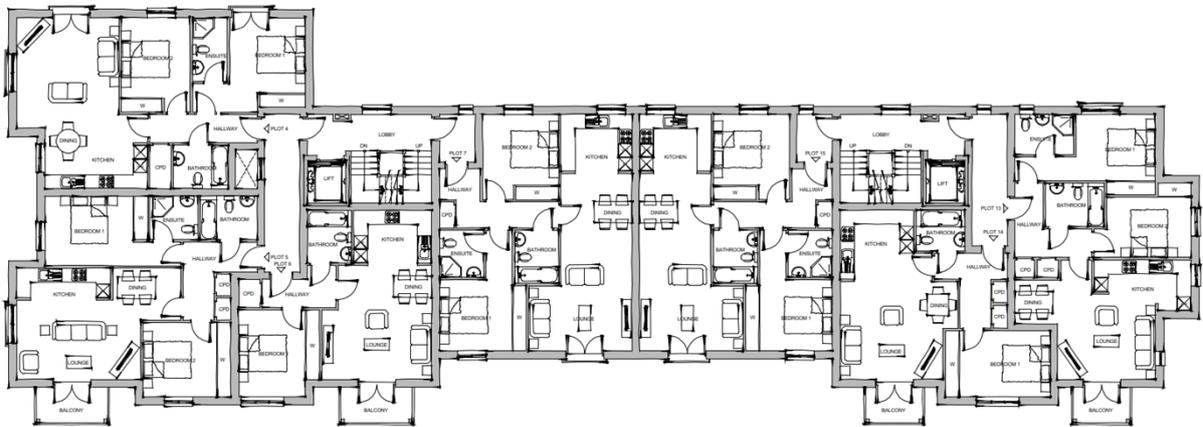


PROPOSED SIDE ELEVATION 02

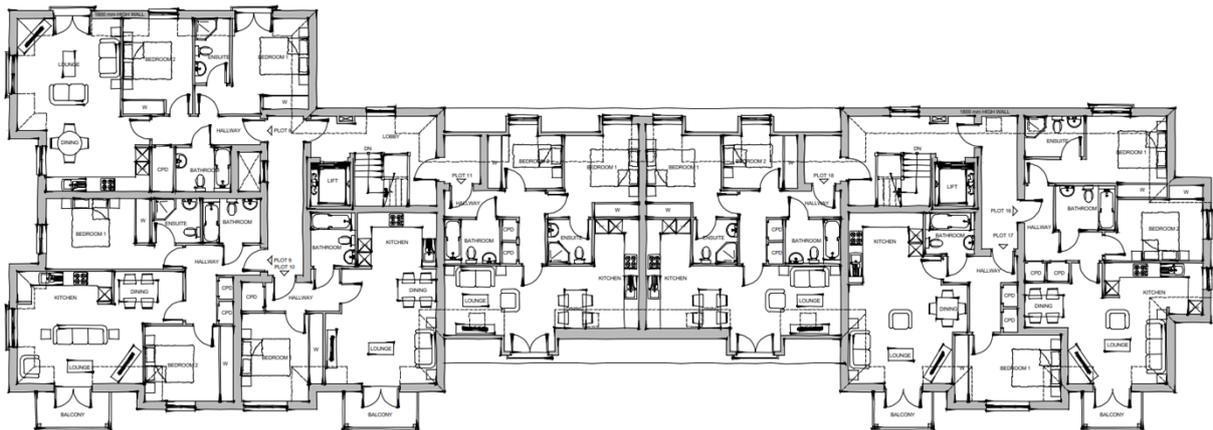
# Proposed floor plans Block A



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Proposed elevations – Block B



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

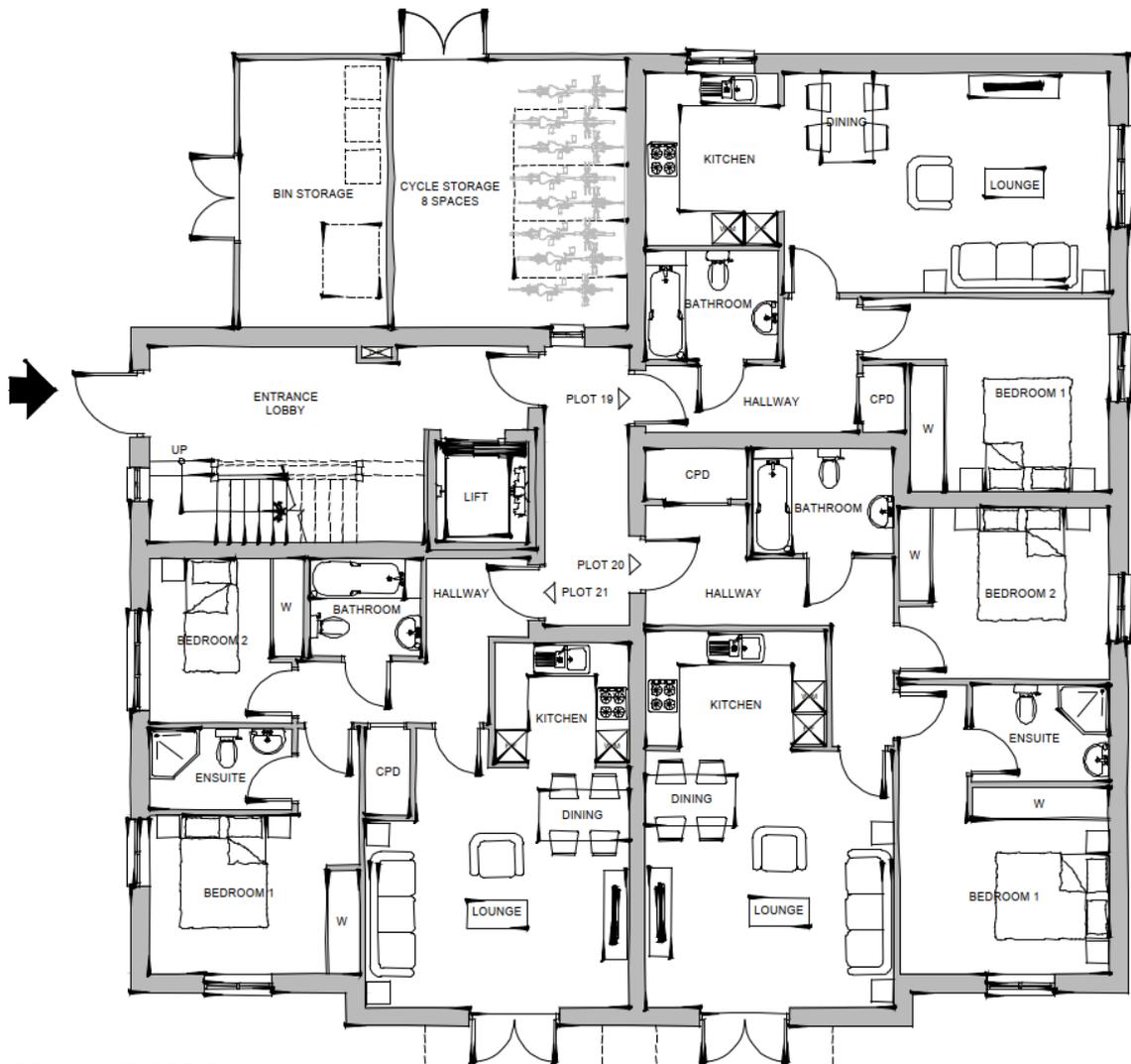


PROPOSED SIDE ELEVATION 01

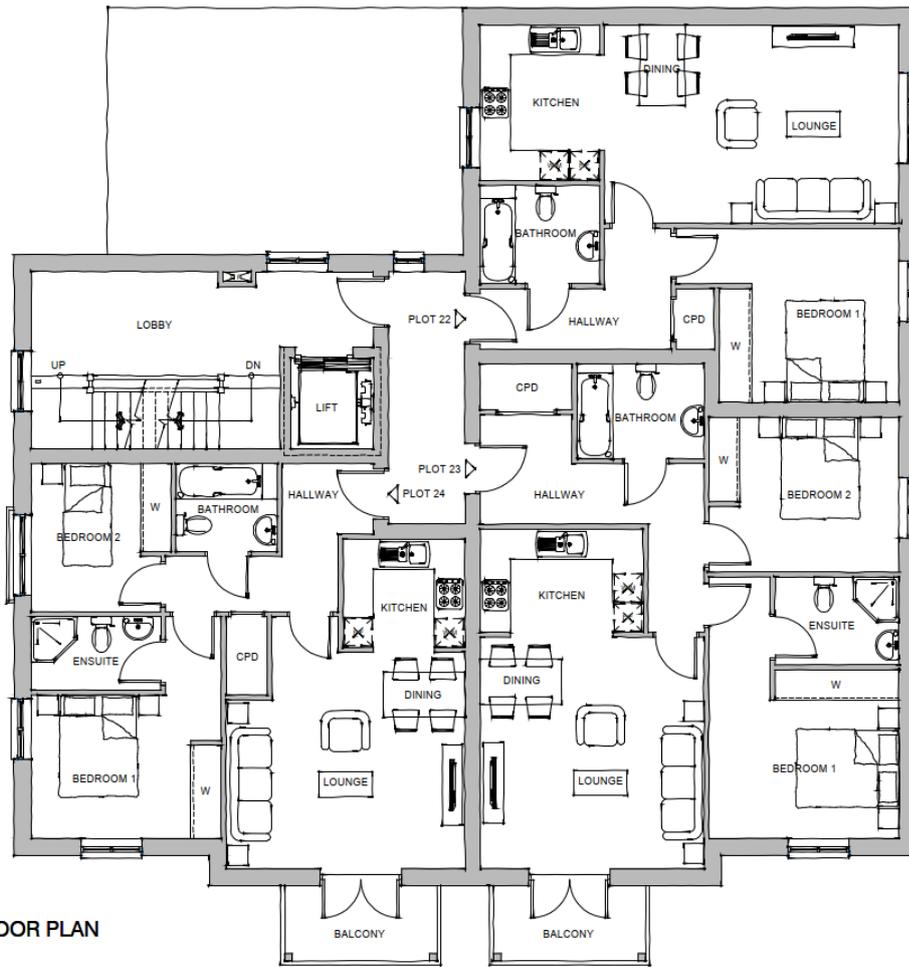


PROPOSED SIDE ELEVATION 02

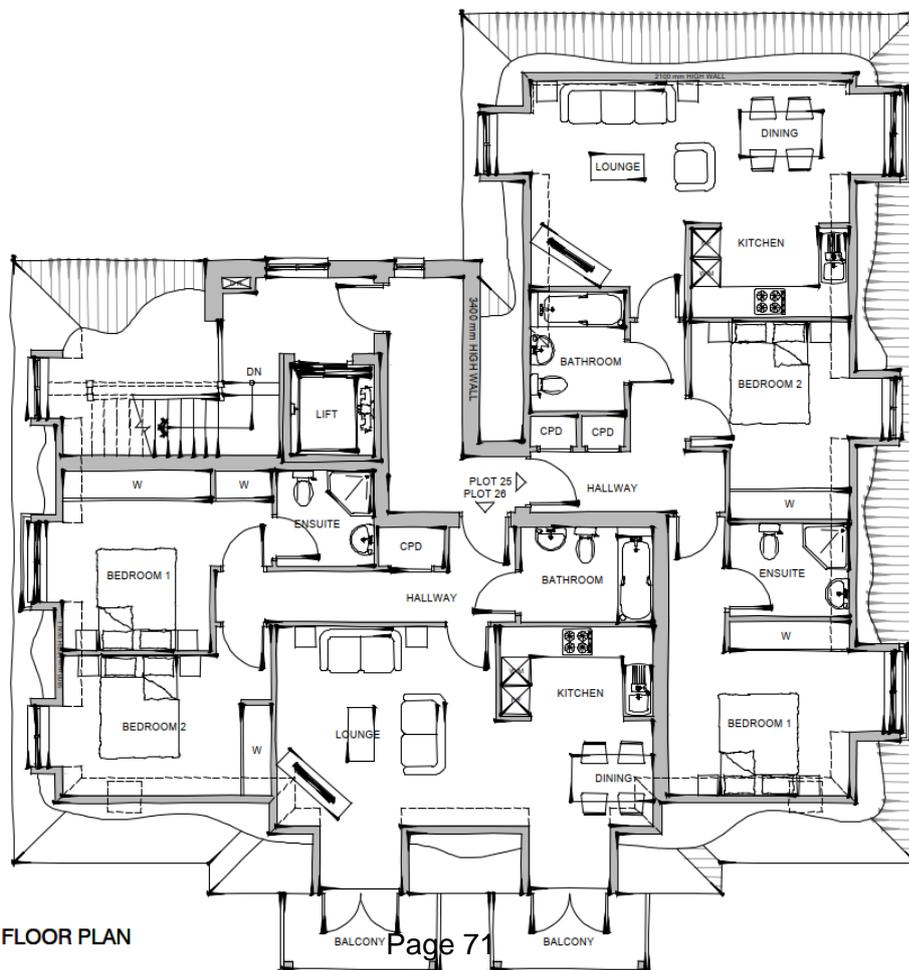
Proposed floor plans Block B



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Existing site photos

Existing shrubbery and No. 134 at front



No. 136 London Road



Streetscene opposite



Waitrose to south



Southern boundary of site facing Waitrose overflow car park



Canopy of front TPO tree (facing rear of No. 134)



Rear elevations of Allbrook Close dwellings



Canopies of rear TPO trees



Rear TPO trees from Waterers Way/Waitrose junction



**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.