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Tuesday, 3 November 2020

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Victoria Wheeler (Vice Chairman),  
Graham Alleway, Peter Barnett, Cliff Betton, Colin Dougan, Shaun Garrett,  
David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram, Morgan Rise,  
Graham Tapper, Helen Whitcroft and Valerie White)

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

Substitutes: Councillors Dan Adams, Richard Brooks, Sarah Jane Croke, Paul Deach,  
Sharon Galliford, Ben Leach, Emma-Jane McGrath, John Skipper and Pat Tedder

#### 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, 12 November 2020  
at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded and live streamed on  
<https://www.youtube.com/user/SurreyHeathBC>

Yours sincerely

Tim Pashen

(Acting) Chief Executive

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#### AGENDA

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

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 15 October 2020.

### **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: 18/0588 - Wyverne Lodge, Dukes Covert, Bagshot, GU19 5HU</b>                   | <b>9 - 30</b>   |
| <b>5</b> | <b>Application Number: 20/0592/FFU - Queen Anne House, Bridge Road, Bagshot, Surrey, GU19 5AT</b>     | <b>31 - 60</b>  |
| <b>6</b> | <b>Application Number: 20/0593/LLB: Queen Anne House - Bridge Road, Bagshot, Surrey, GU19 5AT</b>     | <b>61 - 78</b>  |
| <b>7</b> | <b>Application Number: 20/0510 - The Annexe, 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP</b> | <b>79 - 104</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 15 October 2020**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr Victoria Wheeler (Vice Chairman)

|                         |                        |
|-------------------------|------------------------|
| + Cllr Graham Alleway   | + Cllr Robin Perry     |
| + Cllr Peter Barnett    | + Cllr Darryl Ratiram  |
| + Cllr Cliff Betton     | + Cllr Morgan Rise     |
| Cllr Colin Dougan       | + Cllr Graham Tapper   |
| + Cllr Shaun Garrett    | + Cllr Helen Whitcroft |
| + Cllr David Lewis      | + Cllr Valerie White   |
| + Cllr Charlotte Morley |                        |

+ Present

- Apologies for absence presented

Members in Attendance: Cllr Paul Deach, Cllr Emma McGrath and Cllr Pat Tedder

Officers Present: Sarita Bishop, Ross Cahalane, William Hinde, Jonathan Partington and Eddie Scott

### **1/P Minutes of Previous Meeting**

The minutes of the meeting held on 17 September 2020 were confirmed and signed by the Chairman.

### **2/P Application Number: 20/0226 - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN**

The application was a reserved matters application pursuant to condition 4, attached to 12/546 as amended by 18/0619 and 18/1002 for the redevelopment of Princess Royal Barracks for 1200 dwellings, for the erection of 21 dwellings (phase 4a) with access, appearance, landscaping, layout and scale being considered and submission of details to comply with conditions 16 (ecological mitigation and management), 26 (electric vehicle charging points), 29 (tree retention and protection), 32 (hard and soft landscaping), 33 (landscape management plan), 40 (surface water drainage), 43 (foul sewerage disposal), 52 (archaeology) and 55 (ground contamination).

Members were advised of the following updates on the application:

“Trivselhus have experienced difficulties in sourcing the three pane sliding doors proposed in the rear elevation of house type D. Their supplier is able to provide two pane sliding doors to the same overall opening sizes. This would apply to the doors proposed at ground and second floor levels. Amended plans have been submitted to reflect these changes. These amendments are not considered to

materially affect the visual appearance of the house type D and are acceptable in visual amenity terms.

As a result of the potential impact of the Oak Processionary Moth on Oak trees, the landscaping scheme has been amended to replace Oak with Cherry and Swedish Whitebeam. These changes are acceptable in landscape and visual amenity terms.

Trivselhus have submitted a detailed Construction Phase Plan to address the requirements of proposed condition 6. It addresses previous comments provided by Environmental Health and the County Highway Authority and is considered to be acceptable for the purposes of this condition.

An updated survey plan has also been received to reflect the red line application site.

### Amended conditions

As a result of these changes it is proposed that conditions 1, 2, 4 and 6 are amended. To this end the conditions remain as drafted in the report unless referred to below:

#### Condition 1

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

##### Landscape

D0378\_001\_R18, 002\_R18, 003 R03, 004 R02 and 005 R02

##### House types and garages/car barns

00752D-JTP-HTD1-EL-XX-001 rev G and PL-GA-001 rev F, 002 rev E and 003 rev F

00752D-JTP-HTD2-EL-XX-001 rev F, and PL-GA-001 rev F, 002 rev E and 003 rev F

00752D-JTP-HTE1-EL-XX-001 rev G and 002 rev H and PL-GA-001 ref G and 002 rev F

00752D-JTP- HTE1-EL-XX-003 rev A and 004 rev B, PL-GA-003 rev B and 004 rev A

00752D-JTP-HTE2-EL-XX-001 rev G and 002 rev F and PL-GA-001 rev G and 002 rev G

#### Condition 2

All hard and soft landscaping works shall be carried out in accordance with drawing numbers D0378\_001\_R18 and 002\_R18

#### Condition 4

Prior to the first occupation of any dwelling the feature landscape area as shown in detail on drawing number D0378\_002\_R18 shall be provided, landscaped and made available for use and thereafter retained and maintained for its designated use.

#### Condition 6

The development shall be undertaken in full accordance with the Construction Phase Plan dated/received on 14 October 2020.”

The officer recommendation to grant the application was proposed by Councillor Victoria Wheeler, seconded by Councillor Morgan Rise and put to the vote and carried.

**RESOLVED that application 20/0226 be granted subject to the conditions in the officer report and updates.**

**Note 1**

A roll call vote was conducted and the voting in relation to the item was as follows:

Voting in favour of the recommendation to grant the application:

Councillors Graham Alleway, Cliff Betton, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram, Morgan Rise, Graham Tapper, Victoria Wheeler, Helen Whitcroft and Valerie White.

Voting against the recommendation to grant the application:

Councillor Peter Barnett.

**3/P Application Number: 20/0012 - Bagshot Manor, 1 Green Lane, Bagshot, Surrey, GU19 5NL**

The application was for the erection of 5 dwellings comprising 4 x 3 bed semi-detached and 1 x 4 bed detached with associated landscaping and parking.

The application would normally have been determined under the Council's Scheme of Delegation, however, it had been called in for determination by the Planning Applications Committee at the request of Councillor Valerie White due to concerns about overdevelopment, overlooking and highway issues.

Members were advised of the following updates on the application:

“Flood risk/drainage

Correction:

Paragraph 7.8.7 (Page 67) contains a double negative and should therefore be read as follows:

*In light of all the above, it is considered that it has been adequately demonstrated that the development would not lead to a material increase in surface water flood risk within or around the site, contrary to Policy DM10 of the CSDMP and the NPPF.*

The following additional condition is proposed, to secure implementation of the drainage scheme along with their final management details:

Condition 13

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

*Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.*

#### Parking

The following additional condition is proposed to ensure that the proposed attached garage to Unit 5 is not converted to habitable accommodation (as stated in Page 65, Para 7.6.1 of the Committee Report:

#### Condition 14

*Notwithstanding the provisions of Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re enacting that Order) the attached garage to Unit 5 hereby approved shall not be converted to habitable accommodation without the prior approval in writing of the Local Planning Authority.*

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

The dimensions of the proposed parking spaces have been checked – they are 2.4m wide x 4.8m long in line with the Surrey County Council Transportation Development Planning Good Practice Guide.”

Members raised concerns that vehicles may be parked in the proposed turning area to the right of Unit 5, as shown in the proposed site plan in the agenda pack, which could impede easy access and egress onto the site. As a result it was agreed that condition 9 would be enhanced to specify that no vehicles should be parked in the turning area. It was also agreed that an informative could also be added, if officers felt necessary, to advise the developer.

The recommendation to grant the application was proposed by Councillor Edward Hawkins, seconded by Councillor Robin Perry and put to the vote and carried.

#### **RESOLVED that**

- i. application 20/0012 be granted subject to the conditions in the officer report and updates as amended;**
- ii. and the final wording on the amended condition be delegated to the Executive Head of Regulatory in consultation with the Chairman and Vice Chairman of the Planning Applications Committee.**

#### **Note 1**

A roll call vote was conducted and the voting was as follows:

Voting in favour of the recommendation to grant the application:

Councillors Graham Alleway, Cliff Betton, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram and Graham Tapper.

Voting against the officer recommendation to grant the application:

Councillors Peter Barnett, Morgan Rise, Victoria Wheeler, Helen Whitcroft, Valerie White.

**4/P Application Number: 18/0588 - Wyverne Lodge, Dukes Covert, Bagshot, GU19 5HU**

The recommendation to defer the application was proposed by Councillor Edward Hawkins and seconded by Councillor Robin Perry and carried.

**RESOLVED that application 18/0588 be deferred.**

**5/P Application Number: 20/0638 - 93 Worsley Road, Frimley, Camberley, Surrey, GU16 9BB**

The application was for the erection of detached three bedroom dormer bungalow dwelling with access off Dunbar Road and associated car parking and landscaping.

The application would have normally been determined under the Council's Scheme of Delegation, however, it had been called in for determination by the Planning Applications Committee at the request of Councillor Sashi Mylvaganam due to concerns about overdevelopment and fitting in with the current streetscene.

The officer recommendation to refuse the application was proposed by Councillor Helen Whitcroft, seconded by Councillor Charlotte Morley, and put to the vote and carried.

**RESOLVED that application 20/0638 be refused for the reasons in the officer report.**

**Note 1**

A roll call vote was conducted and the voting was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram, Morgan Rise, Graham Tapper, Victoria Wheeler, Helen Whitcroft and Valerie White.

Chairman



18/0588

Reg. Date 2 July 2018

Bagshot

**LOCATION:** Wyverne Lodge, Dukes Covert, Bagshot, GU19 5HU

**PROPOSAL:** Erection of rear swimming pool building including changing room facilities to facilitate external swim schools/teachers (retrospective) and proposed side infill extension to provide a one-way entrance and exit.

**TYPE:** Full Planning Application

**APPLICANT:** Mrs Husna Hussein-Mohammed

**OFFICER:** Mr Ross Cahalane

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

**This application was deferred from determination at the Planning Applications Committee meeting on 15 October 2020.**

**RECOMMENDATION: GRANT subject to conditions**

#### **UPDATE**

- a. This application was deferred from October committee to allow for a formal 14 day reconsultation period following submission of additional information provided by the applicant.
- b. A Transport Statement (TS) has been provided, commissioned by an objecting neighbouring dwelling (Downwind). The TS includes estimation of trip generations arising from the proposal, along with photos showing vehicles parked outside of the application. Downwind benefits from a Lawful Development Certificate for use of its swimming pool for lessons, and this is also included in the TS assessment.
- c. The Highway Consultant who undertook the TS has also responded to the additional information provided by the applicant, commenting that when accounting for changeover between classes, there is insufficient parking capacity within the site to avoid parking on the road. The existing signage asking for considerate parking is not enforceable, so will not change parking behaviour. Therefore, on-street parking will continue to the detriment of highway and pedestrian safety for residents and visitors. The consultant also comments that photos of the applicant's parking system have not been provided, and evidence showing on-street parking has been provided on the contrary.
- d. The County Highway Authority (CHA) has undertaken an assessment of the application and the TS in terms of the likely net additional traffic generation, access arrangements and parking provision, and is satisfied that the current application would not have a material impact on the safety and operation of the adjoining public highway. The CHA therefore has no highway requirements, commenting that it is satisfied that the on-site parking provision is sufficient for the proposed level of activity. The CHA has also commented that the proposed condition restricting the number of users of the pool to a maximum of five per session will mitigate against the risk of overspill parking.

- e. It is considered that the daily class number and hours of operation limits as set by the proposed Condition 5 would be sufficient to allow time between the classes to avoid as much overlap of vehicles entering and existing as possible. Photos of the application site parking layout, taken by the case officer during the most recent site visit, are provided in the Committee plan pack. Sections 7.4 and 7.5 outline the full LPA assessment of the neighbouring amenity and highways impacts.
- f. The officer recommendation remains to grant permission, subject to the conditions outlined in this report.

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## **ORIGINAL 15 OCTOBER 2020 PLANNING APPLICATIONS COMMITTEE REPORT**

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

### **RECOMMENDATION: GRANT subject to conditions**

#### **1.0 SUMMARY**

- 1.1 This application seeks retrospective planning permission for the erection of a rear swimming pool building including changing room facilities, and a proposed side infill extension to provide a one-way entrance and exit.
- 1.2 Although views of the building from the street are limited, the proposal is inappropriate and harmful development in the Green Belt, as the application dwelling has already been substantially extended. However, no other harm exists in terms of character, impact on highways or residential amenities. In the officer's opinion there are very special circumstances to outweigh the harm. This includes the fact that the owner/occupier could still implement permitted development rights if the use of the premises was not part commercial and erect a similar sized swimming pool as a legitimate fallback. The commercial use itself is low key and is considered to have limited harm to the Green Belt and provides additional benefits by meeting a local community need.
- 1.3 Therefore, subject to planning conditions to remove permitted development rights on the site and restrictions on the intensity of the use the application is recommended for approval. This includes a maximum session limit of nine per day, along with an attendance limit of five per session, to avoid adverse impacts on residential amenity and the highway.

#### **2.0 SITE DESCRIPTION**

- 2.1 The application site comprises a two storey detached dwellinghouse on the southern side of Dukes Covert, a cul-de-sac off the northern side of the A322 Bracknell Road, Bagshot. The character of the area is rural and verdant, characterised by large residential properties on generous curtilages.

#### **3.0 RELEVANT PLANNING HISTORY**

##### Application site

- 3.1 BGR 3199 Erect one detached house and garage  
Decision: Granted (21 October 1960 - implemented)
- 3.2 BGR 4675 single storey side and rear extension  
Decision: Granted (implemented)

- 3.3 80/0220 single storey side and rear extension  
Decision: Granted (implemented)
- 3.4 85/0121 Erect a garage and first floor extension  
Decision: Granted (implemented)
- 3.5 93/0227 Erection of pitched roof over existing garages, lobby and kitchen  
Decision: Granted (implemented)
- 3.6 97/0958 Erection of a single storey front extension  
Decision: Withdrawn (planning permission not required - implemented)
- 3.7 16/1152 Lawful Development Certificate for the proposed erection of a front porch, two storey rear extension, roof and fenestration alterations and rear swimming pool building.  
Decision: Granted (swimming pool implemented only)  
Downwind, Dukes Covert (across from application site)
- 3.8 19/0576 Application for Certificate of Lawfulness for existing use of swimming pool for purposes incidental to the private enjoyment of Downwind as a dwellinghouse and by external swim schools/instructors for teaching children and adults to swim and use of existing drive for parking purposes by both the occupiers of Downwind and users of the pool for teaching purposes between 08:00 to 18:00 comprising a maximum number of 7 sessions per day and a maximum number of 8 persons in the pool area, comprising the pool and its environs, per session.  
Decision: Granted

#### **4.0 THE PROPOSAL**

- 4.1 Retrospective planning permission is sought for the erection of a rear swimming pool building including changing room facilities, and a proposed side infill extension to provide a one-way entrance and exit. The building is used for commercial swimming pool lessons.
- 4.2 The swimming pool building as-constructed consists of pitched roofs with front and rear gable ends and has a maximum depth of approx. 2.5m, maximum width of approx. 9.5m, maximum eaves height of approx. 2.3m and maximum ridge height of approx. 3.2m.
- 4.3 The constructed swimming pool building's size varies from the building granted a lawful development certificate under 16/1152, as follows:
- o The building as-built is approx. 9.5m longer, when including the narrower section (approx. 4m width) alongside the main dwelling side elevation. This section contains a WC room and male/female changing rooms, with a plant room adjoining at the rear;
  - o The maximum ridge height of the main swimming pool roof is approx. 0.8m lower.
- 4.4 The swimming pool as-built requires planning permission, as the overall structure has a maximum height greater than 2.5m, but now contains extra footprint referred to above that is within 2m of the side boundary. Additionally, permission is required because the building is being used for part commercial use i.e. for a purpose not incidental to the enjoyment of the dwellinghouse.
- 4.5 The infill extension facilitates a fully enclosed one-way entry and exit system for external users of the swimming pool, to take into account current Covid-19 guidance. The infill extension would have a front elevation width of approx. 1.6m, and wrap around the dwelling to adjoin with the other swimming pool side elevation, with an eaves height of approx. 2.3m and maximum height of approx. 3.2m.

4.6 The applicant has outlined the following as the current proposed hours of use of the building for swimming lessons:

- Mondays: 10.00-12.00 and 15:30-18:00
- Tuesdays: 09:25-11.55 and 15:00-18:30
- Wednesdays: 13.30-15.30 and 16:00-18:30
- Thursdays: 09.25-11.55 and 15:30-18:30
- Fridays: 09.00-12.00 and 15:30-17:30
- Saturdays: 08:00 to 14:00
- Sundays: 08.05 to 13.55

The applicant has also indicated that to account for Covid-19 guidance, classes would have no more than five participants. Classes run for between 30-45 minutes, with 15 minutes needed in between for changeover. The two schools that currently use the pool provide lessons for children.

4.7 The site has one vehicular access with parking provided at a paved area fully across the front of the dwelling. A supporting statement has been provided by the applicant, to confirm that there are currently no more than 5 swimmers per lesson, leading to a maximum of ten cars within the front driveway at any given time. Photographs of the parking layout within the site have been provided, and the statement also sets out the local demand for these lessons and the health and social benefits - which are outlined in Section 7.6 below.

## 5.0 CONSULTATION RESPONSES

5.1 Windlesham Parish Council: Objection made for the following reason:

The Committee noted that it does not support retrospective applications. It also queried if the pool is in business use and therefore make the appropriate application for this.

*[Officer comment: A planning condition is proposed to restrict the hours of use and the number of participants]*

## 6.0 REPRESENTATION

6.1 At the time of preparation of this report, a representation of support from one neighbour, and objections from two neighbours, have been received.

6.2 The representation of support comments that the building has been built to a high specification and the wooden structure compliments the woodland setting of the area.

6.3 The objections raise the following concerns:

- Cars in relation to swimming class business have been parked on the narrow road, blocking driveways and forcing large vehicles to mount pavements.
- Single access in and out of property is difficult.
- Road is poorly lit and these obstructions could pose a danger for pedestrians in the evening.
- No existing or proposed Master Plan showing car parking and access - insufficient space for the needed swimming pool car parking.
- No statement to include the proposed hours and overall access arrangements.

*[Officer comment: See Sections 7.4 and 7.5].*

- Applicants have purposefully misled Council by changing building specification from what was approved and then commencing and then commencing a swimming pool business.

- Retrospective proposal is not lawful – it has not been in continuous use for more than 10 years, unlike Downwind (19/0576/LDC).

*[Officer comment: Each application must be considered on its own planning merits based on site-specific circumstances].*

- Loss of business from neighbouring swimming pool.

*[Officer comment: This is not a material planning consideration].*

## **7.0 PLANNING ISSUES**

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies DM9, DM10 and DM11. The National Planning Policy Framework (NPPF) and the advice contained within the Council's Residential Design Guide Supplementary Planning Document (RDG) are also material considerations to the determination of this application. The main issues to be considered are:

- Principle and appropriateness of development in the Green Belt;
- Impact upon the character of the area;
- Impact on residential amenity;
- Impact on access, parking and highway safety, and;
- Other matters.

### **7.2 Principle and appropriateness of development in the Green Belt**

7.2.1 Paragraph 145 of the NPPF states that:

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

One of the listed exceptions at paragraph 145 is:

*"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"*

7.2.2 The NPPF does not provide any guidance as to whether outbuildings can be considered as extensions rather than as new buildings. The swimming pool building as-built is considered to be sited sufficiently near to the main dwelling to be assessed as an adjunct to it and therefore an extension for the purposes of para 145 c) of the NPPF. However, as set out in the planning history in Section 3 above, the application site main dwelling has already been substantially extended from its original form. The dwelling as originally built has a footprint of approx. 112 sq m, and this has been extended by approx. 70 sq. m, leading to an approx. 62% increase from its original form (70 / 112 x 100), with the narrower extension on the southeast side being two storey in form an integrating with the original main roof.

7.2.3 The swimming pool building, along with the proposed infill extension, amounts to a total footprint of approx. 222 sq m. leading to a cumulative increase of approx. 284% from its original form (70 + 222 / 112 x 100). Therefore, given the additional footprint in relation to the main dwelling as originally built and given the accumulation of extensions since, the swimming pool building alone and coupled with the proposed infill extension clearly represents disproportionate additions and is therefore inappropriate development in the Green Belt. Furthermore, the development would be harmful to the openness of the Green Belt given its size and given the spread of development over the site.

- 7.2.4 Moreover, the commercial use of the site, particularly unfettered, has the potential to have an urbanising effect upon the Green Belt. This is because of the parked cars and the comings and goings of vehicles and visitors.
- 7.2.5 Given the identified Green Belt harm very special circumstances are required to clearly outweigh this harm and any other harm. The following paragraphs firstly consider whether any other harm exists and then section 7.6 considers very special circumstances.

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

- 7.3.1 Policy DM9 (Design Principles) seeks to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. Principle 10.1 of the RDG advises that extensions will be expected to be subordinate and consistent with the form, scale and architectural style and materials of the original building. Developments that are over-dominant or out of keeping will be resisted.
- 7.3.2 The current swimming pool building contains wooden external cladding, with low eaves level and maximum ridge height of approx. 3.2m. The additional built footprint from the 16/1152 scheme, extends around the side elevation of the main dwelling and up to its front elevation line, but has a narrow width and low height when compared to the host dwelling. The additional proposed infill extension would integrate with the existing sloped roof forms. A planning condition can be imposed to ensure that matching external materials are used. It is considered that the single storey scale and positioning would respect the character of the existing dwelling, with views from the streetscene along the front limited.
- 7.3.3 The use of the swimming pool for lessons would impact on the residential character of the area in terms of trip movements and parking of vehicles. In order to limit this impact to an acceptable level, controls are proposed under Section 7.4 below in terms of hours of use, number of attendees per session and number of sessions per day.
- 7.3.4 Therefore, notwithstanding the Green Belt objection outlined in Section 7.2 above, it is considered that the swimming pool building and the proposed extension to it would sufficiently respect the architecture of the existing dwelling and the character of the surrounding area, thus complying with the design requirements of Policy DM9 and of the CSDMP and the RDG.

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

- 7.4.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 10.1 of the RDG SPD advises that extensions should not result in a material loss of amenity to neighbouring properties as a result of overshadowing, eroding privacy or being overbearing.
- 7.4.2 The main side elevation of the current swimming pool building is sited approx. 2m from the rear garden side boundary with the detached dwelling of Tanglewood to the southeast. However, it is considered that the site orientation and the separation distance from the rear elevation of this neighbour is sufficient to avoid adverse harm in terms of loss of light, outlook, privacy or overbearing impact. No side elevation windows face this neighbour, and a planning condition can be imposed to secure this.
- 7.4.3 The current swimming pool building is sited approx. 15m from the other rear garden side boundary with the detached dwelling of Treetops to the northwest. It is considered that this separation distance is sufficient to avoid adverse impact on the residential amenity of this neighbour.
- 7.4.4 The proposed infill extension would not project beyond the existing front or rear elevations of the swimming pool building. Therefore, it is not considered that this infill extension would lead to adverse impact on neighbouring amenity.

- 7.4.5 The application site only benefits from one vehicular access. However, the entire area in front of the application is paved, with the natural ground level declining noticeably towards the main dwelling. There is also mature shrubbery and a mixed wall/fenced enclosure along the front boundary, which restricts views of vehicles from the streetscene.
- 7.4.6 The recently granted lawful development certificate (19/0756) at the dwelling of Downwind (opposite the application site) has established that a swimming pool at this neighbouring site has been in use for a number of years for teaching purposes, between 08:00 to 18:00 - comprising a maximum number of 7 sessions per day and a maximum number of 8 persons per session. Although this dwelling has two vehicle accesses to allow for generous off-street parking, this activity would still have an appreciable impact on the character of the area in terms of vehicle movements, and is now deemed to be lawful.
- 7.4.7 As set out in Section 4 above, the applicant has proposed restrictive time periods for lessons, and a planning condition can control the hours of use. It has also been indicated that to account for Covid-19 guidance, classes would have no more than five participants. Therefore, it is considered that if this attendance limit was also included in the above planning condition in perpetuity, it would limit the number of trips to an acceptable level, bearing in mind what is deemed lawful under 19/0756. A maximum session limit of eight per day is considered appropriate, given the weekday hours of 08:00 – 18:30 proposed and subject to an attendance limit of five per session. It also considered appropriate to allow no lessons beyond 14:00 on Saturdays, Sundays, with no lessons allowed on Bank Holidays. Subject to this condition, it is considered that the development would not have an adverse impact on the residential amenity of the area in terms of trip movements, parking of vehicles and general noise and disturbance, to accord with Policy DM9 of the CSDMP and the RDG.

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

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.5.2 As already stated, although the application site only benefits from one vehicular access, the entire area in front of the dwelling is paved, with the natural ground level declining noticeably towards the main dwelling. This parking area has a maximum depth of approx. 14m and maximum width of approx. 35m, which would allow for a good amount of parking and turning space. At the time of the most recent site visit, which covered a changeover period between lessons, up to ten parked vehicles were observed within this paved parking area, including swim instructor, users of the lessons, and vehicles associated with the application main dwelling, including a domestic cleaner. It was also noted that vehicles emerging from lessons had sufficient turning space to exit the site in forward gear.
- 7.5.3 It is considered that subject to the recommended planning condition restricting the hours of use, the numbers of classes and numbers of participants, sufficient space within the existing front driveway would remain for off-street parking. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11 of the CSDMP.

## **7.6 Very Special Circumstances**

- 7.6.1 Paragraph 144 of the NPPF states that:

*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

The preceding paragraphs of this report identify harm to the Green Belt but no other material harm to character, residential amenities or the highway.

7.6.2 The applicant's has provided a statement outlining the social benefits of the proposal, which is discussed in Para 7.6.7 below. Case law has held that all factors which are in favour of a grant of planning permission for inappropriate development in the Green Belt are capable of contributing towards the assessment of very special circumstances. Whether the very special circumstances test is met, on the facts of a particular proposal, is a matter for the decision-maker.

7.6.3 It is the quantum of built form, rather than the commercial use of the building, that causes the most discernible harm to the Green Belt. In the officer's opinion the harm caused by the use is limited, particular when the impacts of this can be controlled by robust planning conditions and this use by itself has a negligible effect upon openness. As such it is reasonable to compare the swimming pool as built with what the applicant could otherwise build under permitted development and if the pool was built and solely used for domestic purposes. The 16/1152 lawful development certificate therefore remains a legitimate fall-back position and a size comparison is given in the table below.

|                          | Current proposal                         | 16/1152 outbuilding                        | Unimplemented 16/1152 extensions   |
|--------------------------|--|--|--|
| Footprint                | 222 sq m (incl. 28 sq m proposed infill) | 156 sq m                                   | 30 sq m  |
| Height                   | 3.2 m                                    | 4 m  | 7m   |
| Difference from proposal |  | - 66 sq m in footprint<br>+ 0.8m in height | - 36 sq m (cumulative footprint – including 16/1152 outbuilding)<br>+ 3.8m in height |

7.6.4 The swimming pool building as originally built has a footprint approx. 38 sq. m greater than the 16/1152 building. However, the maximum ridge height is approx. 0.8m lower than the 16/1152 building. The proposed infill extension would lead to an additional footprint of approx. 28sq m. However, this would also be single storey and significantly lower in height than the unimplemented two storey rear extension

7.6.5 The front porch and two storey rear extension, as also authorised in the 16/1152 lawful development certificate, have not been implemented. These unimplemented extensions would have a footprint of approx. 30 sq m. The additional swimming pool footprint (including proposed infill) would still be approx. 66 sq. m greater than these unimplemented extensions. However, the pool building would remain significantly lower in height than the unimplemented two storey rear extension. Additionally, the proposed infill extension would be largely sited between the main dwelling and swimming pool side elevation, which would mitigate the visual impact on the Green Belt.

7.6.6 More crucially, the volume coverage associated with the combined proposed swimming pool footprint increase of approx. 66sq m, with ridge height of approx. 3.2m, would still remain similar to the unimplemented two storey rear extension. This is because although this unimplemented extension would have a smaller footprint of approx. 28 sq m, it would have a much greater bulk on account of its full two storey form and maximum ridge height of approx. 7m.

7.6.7 The applicant's supporting statement argues that as well as a sport, swimming is a lifesaving skill and a form of exercise that is very much needed in this day and age for the younger generation. The statement sets out a number of particular health and social benefits arising from the use of the swimming pool for lessons, including combating child obesity rates and developing wellbeing and personal skills such as confidence and leadership. The two schools that currently use the pool provide lessons for children and also operate from other locations in the region. The property of Downwind opposite has also been providing swim



lessons for children for a number of years, as set out in application 19/0576. As such, there appears to be strong demand in the area for these lessons. The NPPF also supports planning decisions that enable and support healthy lifestyles.

- 7.6.8 The proposed condition limiting hours of use, sessions per day and number of attendees per session, would limit the intensity of such a use in the Green Belt. Subject to this condition, it is not considered that this use would in itself be harmful to the Green Belt. On this basis, weight can also be given to the use of the building providing swimming pool lessons for children.
- 7.6.9 In light of all the above, in this instance it is considered that subject to the above condition, and an additional condition restricting further development across the Green Belt through the removal of permitted development rights, to include the unimplemented 16/1152 extensions, very special circumstances would exist to clearly outweigh the harm to the openness of the Green Belt.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## **9.0 CONCLUSION**

- 9.1 The proposal is inappropriate and harmful development in the Green Belt, as the application dwelling has already been substantially extended. However, no other harm exists in terms of character, highways or residential amenities. In the officer's opinion there are very special circumstances to outweigh the harm. This includes the fact that the owner/occupier could still implement permitted development rights, if the use of the premises was not part commercial and erect a similar sized swimming pool as a legitimate fallback. The commercial use itself is low key and is considered to have limited harm to the Green Belt and provides additional benefits by meeting a local community need. Therefore, subject to planning conditions to remove permitted development rights on the site and restrictions on the intensity of the use the application is recommended for approval.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:

1. The side infill extension to the swimming pool building hereby permitted shall be begun within three years of the date of this permission.

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

2. The development hereby approved relates to the following approved plans:

Location plan, block plan, floor plans and elevations (all received on 02 July 2018); Proposed extension elevations (received on 06 July 2020), unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The side infill extension, hereby approved, shall be constructed in external fascia materials to match those of the existing swimming pool building.

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

4. No additional windows shall be created in the southeast side elevation (facing Tanglewood) of the development hereby permitted without the prior approval in writing of the Local Planning Authority.

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

5. The use of the swimming pool building hereby approved shall be limited to:

Purposes incidental to the private enjoyment of Wyverne Lodge as a dwellinghouse, and;

By external swim schools/instructors for teaching persons to swim, using the existing drive only for parking purposes, to also include the occupiers of Wyverne Lodge and users of the pool for teaching purposes, between the hours listed below only, comprising a maximum number of 9 sessions per day and a maximum number of 5 lesson users in the pool area, per session.

Hours of use:

- 08:00 -18:00 Monday to Friday

- 08:00 - 14:00 Saturdays and Sundays

No use of the swimming pool by external swim schools/instructors for teaching persons to swim shall take place on Public Holidays without the prior agreement in writing of the Local Planning Authority. For the avoidance of doubt 'Public Holidays' include New Years Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day and Boxing Day.

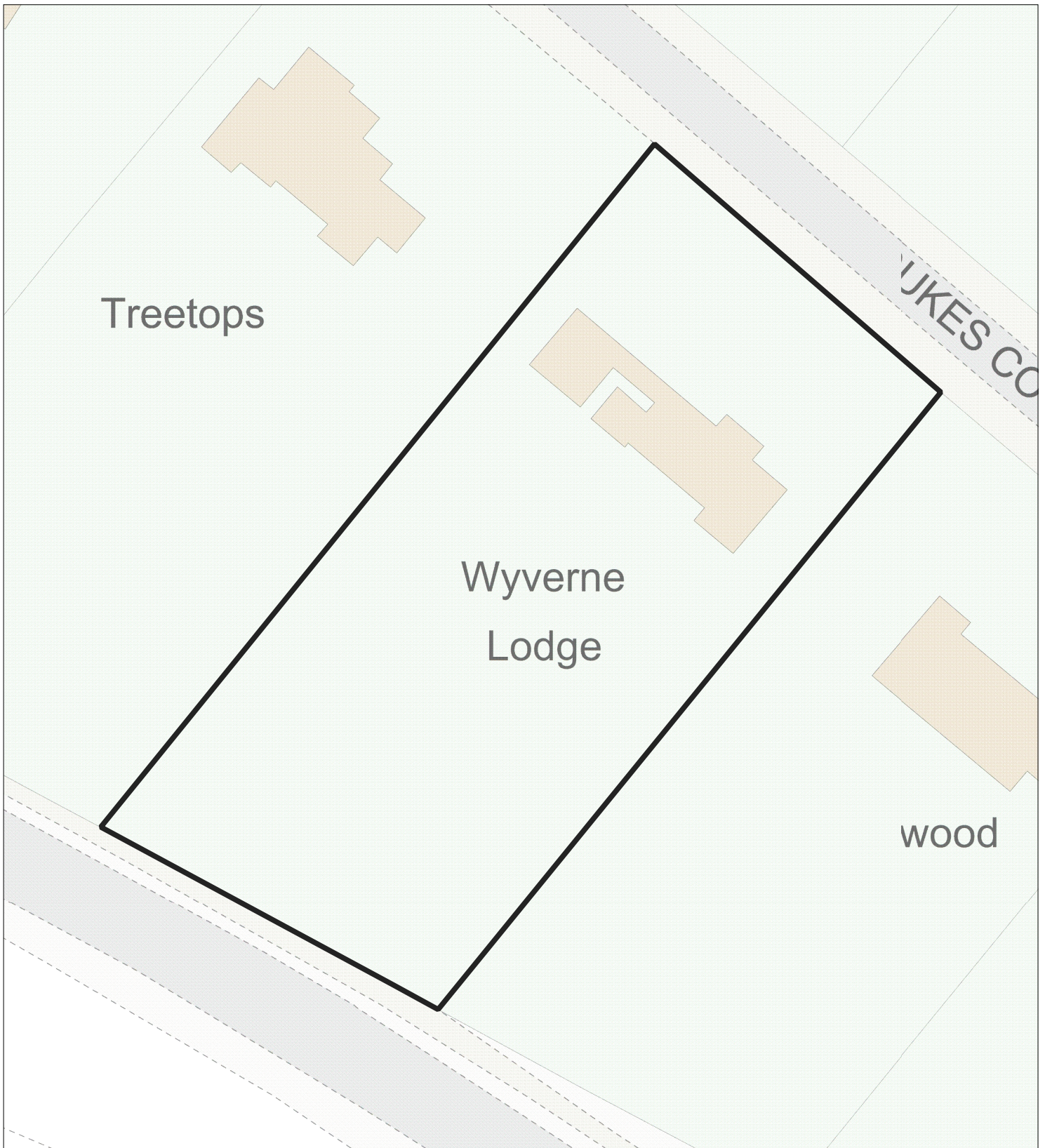
Reason: In the interests of the amenities of adjoining residential occupants and to accord with objectives of the Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

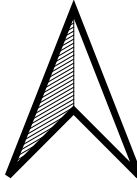
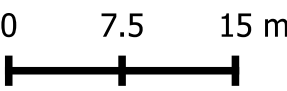

6. Notwithstanding the provisions of Class A, Class B, Class D and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re enacting that Order), no further extensions (including those granted a lawful development certificate under application 16/1152), roof alterations or outbuildings shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above, or any unimplemented house extensions granted a lawful development certificate under application 16/1152, undertaken or implemented between the date of this decision and the commencement of the side infill extension hereby approved, shall be demolished and all material debris resulting permanently removed from the land within one month of the implementation of the infill extension hereby approved.

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

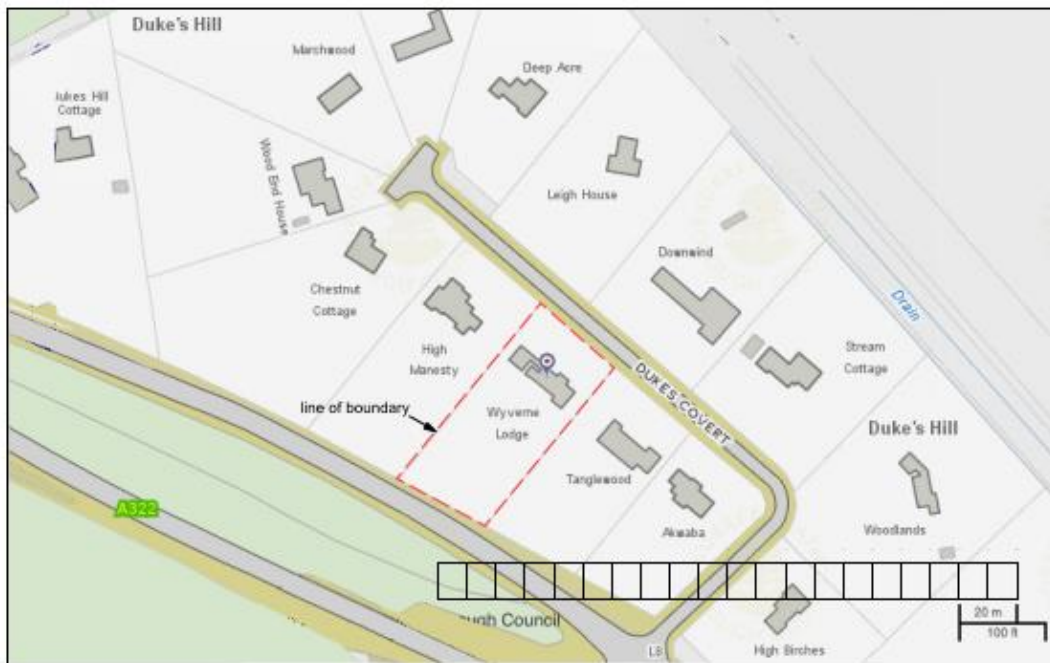
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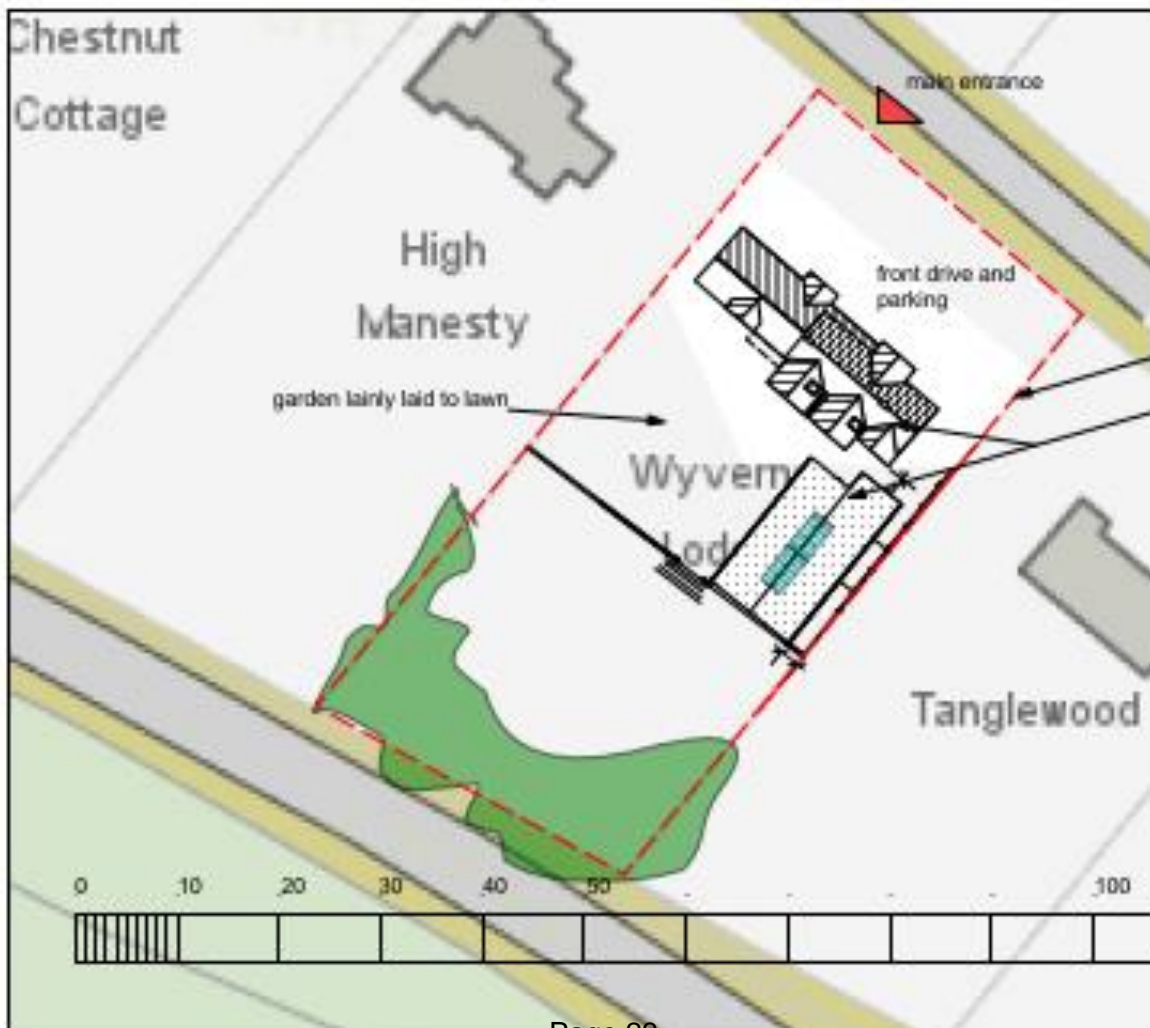
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|---|---|--|-------------------------|
| <b>Title</b>  | Planning Applications   |  |                         |
| <b>Application number</b>   | 18/0588   | <br> | <b>Scale @ A4</b> 1:500 |
| <b>Address</b>  | Wyverne Lodge Dukes Covert Bagshot GU19 5HU   |  | <b>Date</b> 27 Aug 2020 |
| <b>Proposal</b>   | Erection of rear swimming pool building including changing room facilities (retrospective). |  |                         |
|                                      |   |  |                         |
| <p>Version 5      © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020      Author: DE</p> |   |  |                         |

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Location plan



Site Plan – with 16/1152 approved swimming pool building



16/1152 approved swimming pool plans

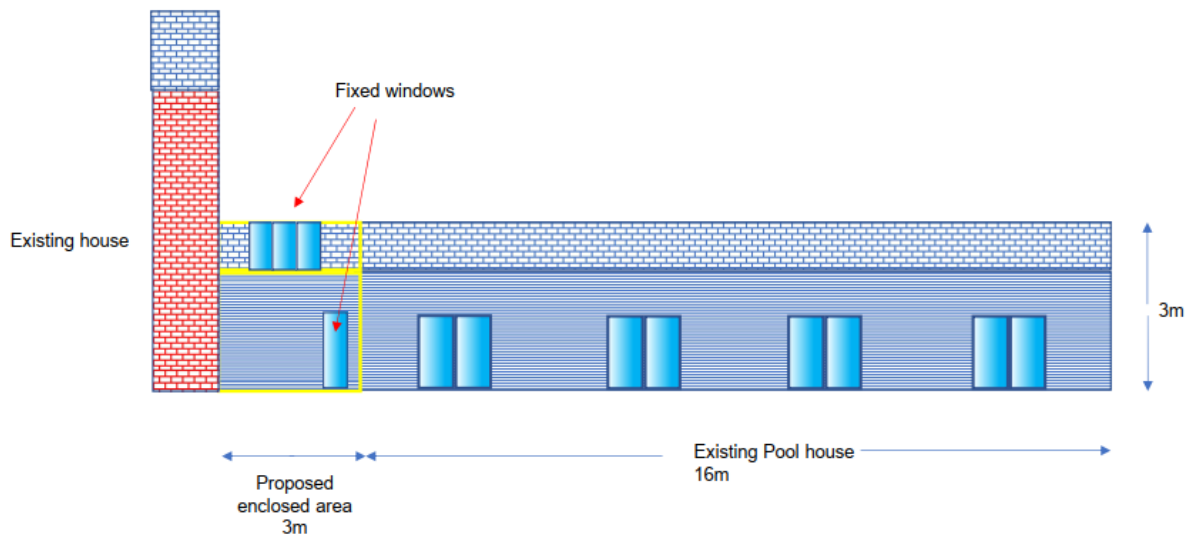
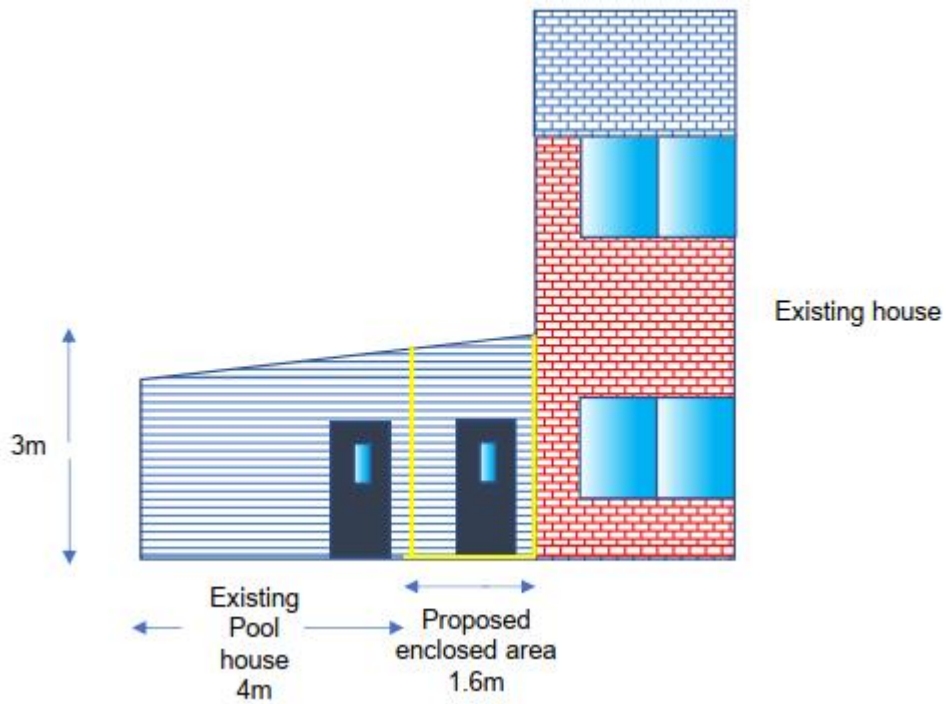


Swimming pool as-built





Proposed infill extension



Existing site photos

Site entrance and road frontage



Front parking area





Swimming pool front elevation



Swimming pool within rear garden





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20/0592/FFU

**Reg. Date** 15 July 2020

Bagshot

|                   |   |
|-------------------|---|
| <b>LOCATION:</b>  | Queen Anne House, Bridge Road, Bagshot, Surrey, GU19 5AT,   |
| <b>PROPOSAL:</b>  | Change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage. |
| <b>TYPE:</b>      | Full Planning Application   |
| <b>APPLICANT:</b> | Ms N Currie & Mr R Aird   |
| <b>OFFICER:</b>   | Miss Patricia Terceiro  |

**This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee at the request of Councillor Valerie White on the grounds of overdevelopment, parking and highway issues.**

#### **RECOMMENDATION: GRANT subject to conditions**

##### **1.0 SUMMARY**

- 1.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. This building is currently used as offices and lies within a generous corner plot with significant level changes. The proposal comprises the change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage.
- 1.2 The principle of development would be considered acceptable. The application has demonstrated that the loss of office space would not be harmful to the local economy and, in addition, the provision of nine residential units would contribute to the housing provision within the Borough. The proposal is considered to respect the heritage status of the site and relate well with the character of the area. The development would also be considered acceptable in terms of residential impact, highway safety and Impact on Thames Basin Heaths SPA. The proposal is recommended for approval, subject to planning conditions.

##### **2.0 SITE DESCRIPTION**

- 2.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. The three storey brick building dates the 18th century and would have been built as a house, but by 1982, it was converted from a restaurant to offices, which remains its current use. The building has been extended overtime with these developments being undertaken in matching materials.
- 2.2 The application plot, which is irregular and large, contains two areas of lawn on each side of the building and is laid to hardstanding on its central and eastern areas. The hardstanding is used for parking purposes. There are level changes on site and the land slopes up towards the east.

- 2.3 The surrounding development is mixed in character and comprises offices, residential, service station and retail/restaurant units further to the south, on approach to the village centre.

### 3.0 RELEVANT HISTORY

- 3.1 19/0452 Erection of detached two storey building with roof accommodation to provide 6 no. flats with associated parking, landscaping, cycle storage and refuse storage compound. Application withdrawn, 2019.
- [Officer comment: the application was due to be presented at the planning committee meeting held on 12 September 2019, however it was withdrawn before that meeting. The proposal was recommended for refusal, as its siting, scale, massing and crown roof would have been harmful to the visual amenities of the area and resulted in a quantum of built form harmful to the setting of the listed building. Additionally, the applicant failed to demonstrate that trees and vegetation would remain viable as a result of the development; and, due to SPA grounds. However, the County Highways Authority did not object to this proposal and there was deemed to be no conflict with residential amenities].*
- 3.2 20/0593/LLB Listed Building Consent for the conversion of Queen Anne House from office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) with associated alterations comprising removal of existing signage and a/c units, new windows, flues and extraction outlets. Pending consideration and reported elsewhere in this agenda, 2020.

### 4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage.
- 4.2 The building currently on site, Queen Anne House, would be converted into 5 no flats (units 1-5): two 2-bed flats on the ground floor, two 1-bed flats on the first floor and one 3-bed flat on the second floor. The external alterations associated with this conversion would be minor in nature and comprise infilling four ground floor rear facing windows and replacing by one ground floor window and removing rear canopy. The external signage and A/C units would also be removed. The flats would be served by 9 no parking spaces sited to the rear of the building and their amenity area would be located to the north of the building. A bike store would be provided near the building's north elevation.
- 4.3 Unit 6 is a 4-bed two storey townhouse style detached dwelling with roof accommodation. It would measure 7.4m in width, 10.1m in depth, 6.1m in height to the eaves and 9.4m in maximum height. This unit would face Bridge Road to the south and have a wraparound garden. It would be served by two parking spaces sited on the northern corner of its plot.
- 4.4 Units 7 and 8 would form a two storey chalet style pair of 2-bed semi-detached properties that would face towards Station Road. Overall, the building would measure 11.4m in width, 11.6m in depth, 3.9m in height to the eaves and 7.4m in ridge height. Each dwelling would have a private garden and their parking spaces would be located in the central area of the site.
- 4.5 Unit 9 would be a 1-bed detached bungalow, which would be oriented into the application site with its rear boundary adjacent to Station Road. The building would measure 11.9m in width, 5.7m in depth, 2.8m in height to the eaves and 4.8m in maximum height. The parking space for this unit would be on the plot's frontage.



- 4.6 The existing vehicular access off Bridge Road would be retained as such and a refuse store facility would be sited near the site's southern boundary. According to the current parking standards, the proposal would require 11 no spaces to be provided. The site plan shows that a total of 16 no spaces would be proposed across the site to ensure that sufficient parking is provided for the larger units and two parking spaces are provided for visitors.
- 4.7 This application seeks to overcome the officer's objections to application ref 19/0452, which comprised the erection of a detached two storey building with roof accommodation of a significant scale, massing and large expanse of crown roof. This current application now comprises the provision of smaller scale residential units and, in addition, it also aims to convert Queen Anne House into flats.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objections, subject to planning conditions (see Annex A)
- 5.2 Windlesham Parish Council Notes that 9 dwellings may be an overdevelopment of the site.
- 5.3 Conservation Officer No objections, subject to planning conditions
- 5.4 Environmental Health No objections, subject to planning conditions

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report two representations have been received which raise the following issues:
- Matters relating to land ownership [*Officer comment: the applicant has signed Certificate B of the application form, indicating that they have served notice on Surrey County Council*];
  - The proposed number of dwellings is too high to be accommodated within the site [*Officer comment: see section 7.4*];
  - Queen Anne house is a historic building and this development would be out of keeping with the character of the plot [*Officer comment: see section 7.4*];
  - The proposal would result in vegetation being removed and it is not clear what landscape would be provided [*Officer comment: see section 7.4*];
  - Bins should not be collected from Station Road [*Officer comment: see section 7.6*];
  - The proposal should not include the provision of dropped kerb onto units 7, 8 and 9 [*Officer comment: see sections 7.4 and 7.6*];
  - There should be no changes to the double yellow lines along Station Road [*Officer comment: this is not a part of this proposal*];
  - The proposal should comprise adequate parking during construction [*Officer comment: see section 7.6*].

## 7.0 PLANNING CONSIDERATION

- 7.1 The application site is located in a mixed use area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14B, DM9, DM11, DM13 and DM17 of the CSDMP. The Residential Design Guide (RDG) SPD 2017 also constitutes a material planning consideration.
- 7.2 The main issues to be considered within this application are:
- Principle of development;
  - Impact on character and appearance of the surrounding area, including trees and heritage assets;
  - Residential amenity;
  - Transport and highways considerations;
  - Impact on flooding;

- Impact on infrastructure; and,
- Impact on the Thames Basin Heaths SPA.

### **7.3 Principle of development**

- 7.3.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This Policy states that new development in Bagshot will be achieved primarily through redevelopment of existing sites. Policy DM13 of the CSDMP states that the loss of employment sites outside of Core Employment Areas may be permitted, provided that (i) it would not adversely affect the overall sustainability of employment opportunities of Bagshot, (ii) would not result in the loss of a strategically important sector for regional, national or global competitiveness or (iii) it would not result in the loss of units capable of use by small business or industry, unless it can be demonstrated that there is no longer a need for such units. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028 and Policy CP6 promotes a range of housing types and tenures.
- 7.3.2 The application site, currently under Office Use (Class B1), is not designated as a Core Employment Area and its approximate 400m<sup>2</sup> floor space is considered appropriate to accommodate small businesses. The applicant has submitted a Marketing Report prepared by Howlands in support of this application which confirms that the site has been marketed since March 2018 with little or no interest. The marketing strategy included display boards, online advertising and brochures throughout this period for either use as a whole building or sub division for smaller office units. The rent was also reduced to below the normal rent level for the area and the property offered for sale or rent. Further financial incentives were also offered including repairs, full re-decoration and internal flooring.
- 7.3.3 The Marketing Report further notes that there is an oversupply of offices in the area and there is little demand for office space in Bagshot. A listed building is no longer viewed as an attractive space for office users who prefer a purpose-built building, good quality lighting without the associated maintenance and running costs or the need for expensive upgrades which are often incompatible with the building's heritage designation.
- 7.3.4 In light of the above, it is not considered that the proposal would adversely impact the overall sustainability or employment opportunities within Bagshot. The Marketing Report has identified an oversupply of smaller and not purpose-built premises in the area and therefore the loss of Queen Anne House would not lead to an adverse impact. Given the wider availability of other more modern premises, it is not considered the proposal would lead to the loss of any strategically important sector. While it is accepted that the building would be capable of use by small business, it is noted that the marketing strategy undertaken by the applicant generated little interest and the site has been vacant since 2018. It is therefore considered that the loss of this space would not be harmful to the local economy.
- 7.3.5 The loss of Class B1 would further be balanced against the provision of additional housing. The proposal would provide nine additional residential units to contribute to the housing supply within the Borough in a highly sustainable location, within walking distance to the village centre. Furthermore, the Council cannot demonstrate a five year housing supply. As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.
- 7.3.6 It is therefore considered that the proposal would be acceptable in principle and would be in line with Policies CP1, CP3, CP6 and DM13 of the CSDMP.

### **7.4 Impact on character of area, including Heritage Assets and trees**

- 7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the

urban, rural, natural and historic environments. Policy DM17 goes on to say that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting.

- 7.4.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 states that new development should respond to the size, shape and rhythm of surrounding plot layouts. Principle 7.1 talks about setbacks in new development should complement the streetscene. Principle 7.4 goes on to say that new residential development should reflect the spacing, heights and building footprints of adjoining buildings. Principle 7.8 supports good quality design and the creation of attractive buildings.
- 7.4.3 Queen Anne House is a large, spacious corner plot and the surrounding plots vary in shape and size. Most of the surrounding dwellings are detached, however there are examples of terraced dwellings and pairs of semis in the vicinity.
- 7.4.4 The proposal would comprise one pair of semis and two detached buildings that would provide an acceptable build line frontage to address both streets. Although it is noted that unit 9 is placed further back from the highway and faces into the application site rather than addressing Station Road, this arrangement allows for the oak tree to be retained. This tree positively contributes to the character of the application site and of Station Road and therefore this arrangement would be considered an acceptable compromise.
- 7.4.5 The proposal would give rise to five plots of different sizes and shapes and it is considered that these would respond well to their varied surrounding context. Internally, there would be an area laid to hardstanding, however this covers the space needed for vehicular parking and access only. The proposed site plan shows that planting would be provided within the site and on its boundaries to soften the built form and it is therefore recommended that a landscape scheme is secured by planning condition. While the proposed refuse store unit would be visible from the road, due to its set back from the site entrance, modest size and surrounding soft landscape, it would be not considered to significantly compromise the visual amenities of the area.
- 7.4.6 Unit 6, a two storey dwelling with roof accommodation, would be sited next to Queen Anne House and provide a continuation of the building line along Bridge Road. The design of this dwelling takes cues from Queen Anne House and, as noted by the Conservation Officer in her consultation response, the design, detailing and proportion of this dwelling would be keeping with the style of the listed building and positively contribute to its curtilage and wider streetscene. The garden between the listed building and unit 6 would allow for space to be retained around Queen Anne House so that the building remains the focus of interest within the streetscene and is not dominated by surrounding development. The properties along Station Road are considered well designed, with good materials, scale and proportion, and would therefore not be harmful to the character of the heritage asset and surrounding area. The properties would retain generous space around themselves and it is therefore considered that the proposed quantum of development can comfortably accommodated within the site.
- 7.4.7 The Conservation Officer advises the conversion of Queen Anne House to flats would be acceptable. The layout of the rooms and flats would generally retain the original room sizes and group them together to form the flats, with little to no harm on the listed building. The position of bathrooms and kitchens makes use existing service points where possible. The windows would be repaired where required and the removal of the portico is welcomed. The external alterations to the building would be minimal in nature and, as such, this element of the proposal would not be considered detrimental to the character of the area.
- 7.4.8 The arboricultural report submitted in support of this application advises that the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site would not be adversely affected as a result of the proposed development. Therefore, a planning condition has been added to this recommendation requiring the works to be undertaken in accordance with this report.

- 7.4.9 In summary, the proposal is considered acceptable in respect of its impact on the character of the area, including the designated heritage asset and trees. The proposed layout is considered acceptable in this form and, in the interests of protecting the setting of the Listed Building, a planning condition has been included removing permitted development rights for householder extensions and outbuildings. Parking for the development is provided within the central area of the site and therefore it is recommended that PD rights are removed for the provision of hardstanding and means of access to the highway. This will secure the frontages to remain soft landscaped. To avoid an internal layout dominated by fences, permitted development rights have been removed for the erection of gates or fences. The Conservation Officer recommends that permitted development rights for the provision of satellite dishes are also removed and the recommended condition also reflects this.
- 7.4.10 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Policies CP2, DM17 and DM9 of the CSDMP, the RDG and Section 16 of the NPPF.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principles 8.1 and 8.3 of the RDG advise that new residential developments should respect residential amenities of both neighbours and future occupiers in terms of privacy and light loss. Principle 8.2 goes on to say that all habitable rooms in new residential development should be provided with appropriate outlook. Principle 7.6 talks about the internal space standards, whereas Principles 8.4, 8.5 and 8.6 set out the outdoor amenity space.

### *Neighbouring properties*

- 7.5.2 The application site is surrounded by residential properties to the north, east and south. The proposed conversion of Queen Anne House would comprise minimal external alterations to the building itself and there is sufficient separation distance to the neighbouring residential dwellings to avoid overlooking. Unit 9 would be the one closest to the residential properties that adjoin the site's eastern boundary. Given its single storey nature, siting adjacent to the frontage of Solstrand and the north facing orientation of its front elevation, it is not considered that unit 9 would be detrimental to the residential amenities currently enjoyed by these neighbours. The refuse store unit would be placed at approximately 0.8m from the common boundary with Plot 1 to the south. This purpose built space would be enclosed which would be considered to limit offensive smells and, due to its modest size and relationship with the dwelling at Plot 1, it would not be considered to result in overbearing, overshadowing or overlooking impacts on these neighbours.

### *Future occupiers of the proposed development*

- 7.5.3 Queen Anne House contains two flank floor windows that would face unit 6, however this is single storey and would not give rise to overlooking concerns. Unit 6 would contain a side door to its utility room facing towards Queen Anne House. It is therefore not considered that this relationship would give rise to overlooking, overbearing or overshadowing impacts.
- 7.5.4 There are first and second floor rear facing flank windows on Queen Anne House that would accommodate habitable rooms. At its closest point, there would be a separation distance of approximately 27m to the pair of semis (units 7 and 8). This relationship would be considered acceptable in terms of overbearing and overshadowing impacts. Given the angled relationship between both buildings, there would be no windows directly facing each other. Also owing to the distance between Queen Anne House and the primary amenity area for each semi-detached property (about 28m and 33m to units 7 and 8, respectively) the proposed arrangement would not be considered to give rise to overlooking impacts.

- 7.5.5 At its closest point, there would be a separation distance of approximately 30.7m between the pairs of semis and unit 6, which would be considered acceptable in respect of residential amenity. The separation distance between units 9 and 6 would be, at its closest point, about 37.6m. Units 8 and 9 would be positioned about 5.3m apart from each other and unit 8's flank elevation facing unit 9 would be blank. This would be acceptable in terms of overbearing, overlooking and overshadowing.
- 7.5.6 In terms of internal space, it is noted that each residential unit would comply with the recommendations contained on the Nationally Described Space Standards in terms of gross internal area. All habitable rooms would be provided with adequate outlook. The proposed garden spaces for units 6 to 9 would measure between 5.9m and 9.5m in depth. Although the rear garden for unit 6 would be shallow, this plot would benefit from a side garden. The gardens for these units would range in terms of area between approximately 120 and 215m<sup>2</sup>, receive direct sunlight, and be accessible from habitable rooms. As such, it is considered the dwellings would be provided with appropriate private amenity space to comply with the standards set out on the RDG. The flats within Queen Anne House would benefit from a communal amenity area to the north of the building which would measure about 498m<sup>2</sup>, receive direct sunlight, be easily accessible to all residents and benefit from good screening. Although part of this area would be adjacent to the parking spaces consideration is afforded to its overall size. As such, the amenity area for the flats would be considered in line with principle 8.5 of the RDG. Although the flats would not be provided with balconies, weight is afforded to the heritage status of the building and proposal's proximity to the village centre of Bagshot and therefore the proposal would be considered acceptable in this regard.
- 7.5.7 The application site is adjacent to a 24hr petrol station, a major road and near a railway. The Environmental Health Officer was consulted on the proposal and advises that these are significant noise sources that may intrude into the living and amenity spaces of future occupiers. The Officer therefore advises that a Noise Impact Assessment is required to determine if mitigation is necessary and a planning condition has been added to this recommendation requiring the provision of such report.
- 7.5.8 As such, the proposal would not be considered to affect the residential amenities of the neighbouring properties and would be in accordance with Policy DM9 of the CSDMP and the RDG.

## **7.6 Parking and access**

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The proposed development would make use of the existing vehicular access off Bridge Road. Units 7 to 9 would be provided with pedestrian access to Station Road. In line with the current 'Vehicular and Cycle Parking Guidance (2018)', the proposal would require 11 no spaces to be provided for all units. However, the parking standards recommend that "where space permits, it may be appropriate to consider increased provision". A total of 16 no of spaces are proposed across the site and this would ensure sufficient parking provision for the larger units and for visitors.
- 7.6.3 The County Highway Authority was consulted on the proposal and advises that sufficient space would be provided within the site for vehicles turn so they are able to enter and leave in forward gear. Although visibility splays fall slightly short of the standards as recommended within Manual for Streets when exiting the site to the right, due to the location of the signalised junction, the Highway Authority does not consider this slight shortfall would lead to highway safety issues, subject to the planning condition added to this recommendation (see Annex A).

- 7.6.4 Cycle parking would be provided with 1 no space available for each 1-bed and 2-bed unit and 2 no spaces for all larger units. Refuse collection for Units 7-9 would be taken from Station Road, whilst the remaining units would be serviced from Bridge Road with a bin store provided within the site. The site has close links to local bus services, Bagshot train station and Bagshot village centre. The Highway Authority therefore advises that the proposal would not have a material impact on highway safety, subject to the planning conditions added to this recommendation.
- 7.6.5 The site plan submitted with this application shows that the development would be provided with 4 no electric vehicle charging points. The Highway Authority advises that this provision should be of one charging point per residential unit and therefore a planning condition to reflect this has been added to this recommendation.
- 7.6.6 The proposal is therefore in line with Policy DM11 of the CSDMP.

## **7.7 Impact on flooding**

- 7.7.1 Policy DM10 states that development proposals should at least be risk neutral. Flood resilient and resistant design, as well as appropriate mitigation and adaptation can be implemented so that the level of flood risk is reduced to acceptable levels.
- 7.7.2 The application site is situated within Flood Zone 1 where residential use is considered to be appropriate. The Design and Access Statement advises that a detailed drainage strategy would be developed following the grant of planning permission and this can be achieved to ensure the requirements of Policy DM10 of the CSDMP are met. A planning condition has been added to this recommendation requiring the provision of this strategy prior to commencing works on site.

## **7.8 Impact on infrastructure**

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.
- 7.8.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.
- 7.8.3 As the proposed development would involve the provision of nine additional residential units, the development would be CIL liable. The new dwellings would be charged at a rate of £220 per m<sup>2</sup>, which applies to residential development located within the Eastern Charging Zone that does not provide its own SANG.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

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

- 7.9.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.

- 7.9.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy (TBHSPAAS) SPD (2019) identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.
- 7.8.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.9.4 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).
- 7.9.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £4 819 which has been paid by the applicant.
- 7.9.6 It is therefore considered that the proposal complies with Policy CP14B of the CSDMP and with the Thames Basin Heaths SPD.

## **7.10 Other matters**

- 7.10.1 The Environmental Health Officer advises that the submitted preliminary risk assessment identifies potentially contaminated land requiring further investigation. As such, a planning condition regarding contaminated land has been added to this recommendation.
- 7.10.2 The Design and Access Statement advises that the proposal aims to use low energy lighting inside all apartments and motion sensors would be fitted in communal areas. This would reduce the amount of lighting used and minimise the amount of energy consumed by the proposed building.
- 7.10.3 The applicant has agreed in writing with the pre-commencement conditions.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 The proposal would be considered acceptable in principle. It is considered that it would not result in an adverse impact on the character and appearance of the surrounding area (including trees and heritage assets), nor on the residential amenities, or highway safety. Therefore, the proposal would comply with Policies CP1, CP3, CP6, CP12, CP14B, DM9, DM13, DM11 and DM17 of the CSDMP, the RDG SPD, and the Thames Basin Heaths SPD. The application is therefore recommended for conditional approval.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

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

Reason: 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, unless the prior written approval has been obtained from the Local Planning Authority.
  - Drawing no 8908 104A - Queen House and unit 6 floor plans, received 15 October 2020
  - Drawing no 8908 105A - Proposed Floor plans (units 7, 8 and 9), received 15 October 2020
  - Drawing no 8908 109A - units 6 to 9, proposed elevations, received 15 October 2020
  - Drawing no 8908 103 - Queen House proposed ground floor plan, received 8 July 2020
  - Drawing no 8908 106 - proposed Queen Anne House elevations, received 8 July 2020
  - Drawing no 908 107 - proposed Queen Anne House elevations, received 8 July 2020
  - Drawing no 8908 100B - site plan, received 15 October 2020

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 external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. This shall include bricks, tiles, materials for infill and repair to Queen Anne House, conservation rooflights, windows and doors. Once approved, the development shall be carried out using only the agreed materials.

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

4. No development shall commence until a landscape scheme to include hard and soft landscaping details has been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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



5. Prior to commencement of works, a Method of Works and Materials Specification to include details of the works proposed to windows and doors to Queen Anne House shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented in full.

Reason: in the interests of protecting the Heritage Asset and to accord with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. Notwithstanding the provisions of Schedule 2 Part 1 Class A, Class B, Class C, Class E, Class F, Class H of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) and of Part 2 Class A and Class B no further extensions, roof alterations, outbuildings, laying of hardstanding, microwave antennas, fences or means of access to the highway shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policies DM17 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012.

7. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report and Tree Protection Plan (Arbtech TPP 01) prepared by ArbTech received 08 July 2020. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

Reason: To preserve and enhance the visual amenities of the heritage asset and locality in accordance with Policies DM17 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. No foundations or ground floor slabs shall be constructed on site until details of the proposed finished ground floor slab levels of units 6 to 9 and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) have been submitted to and approved by the Local Planning Authority in writing. 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.

9. The visibility splay in the leading traffic direction (right) from the existing access should be kept clear by regularly maintaining the trees/vegetation along the frontage of the site onto Bridge Road.

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

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with Drawing no 8908 100B - site plan, received 15 October 2020 for the parking of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

11. The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles within the development site, have been provided in accordance with Drawing no 8908 100B - site plan, received 15 October 2020 and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

12. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors;
  - (b) loading and unloading of plant and materials;
  - (c) storage of plant and materials;
  - (d) measures to prevent the deposit of materials on the highway;
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

13. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

14. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until items 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until item 4 has been complied with in relation to that contamination.

1. Site Characterisation: An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site,

whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, service lines and pipes, adjoining land, groundwaters and surface waters;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

4. Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of item 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of item 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with item 3.

5. Long Term Monitoring and Maintenance. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

15. Prior to commencement of works on site a noise impact assessment addressing the compliance with internal and external amenity standards under BS 8233:14 shall be submitted to and approved by the Local Planning Authority. Any mitigation measures identified within the assessment shall be implemented prior to first occupation.

Reason: To protect the residential amenities of the development's future occupiers in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

16. 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 planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
  - a) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc)
  - b) 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.
  - c) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - d) 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.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

### **Informative(s)**

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant's attention is drawn to the Party Walls (etc) Act 1996.
3. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
4. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

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

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

5. 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. Please see the Officer's Report for further details.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or 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).
9. 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.

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| <b>APPLICATION NUMBER</b> | <b>SU/20/0592</b> |
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**DEVELOPMENT AFFECTING ROADS**  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:** Ms N Currie & Mr R Aird

**Location:** Queen Anne House, Bridge Road, Bagshot, Surrey, GU19 5AT

**Development:** Change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage.

|                        |                |                          |              |                      |              |
|------------------------|----------------|--------------------------|--------------|----------------------|--------------|
| <b>Contact Officer</b> | Matthew Strong | <b>Consultation Date</b> | 22 July 2020 | <b>Response Date</b> | 28 July 2020 |
|------------------------|----------------|--------------------------|--------------|----------------------|--------------|

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:

**Conditions**

1. The visibility splay in the leading traffic direction (right) from the existing access should be kept clear by regularly maintaining the trees/vegetation along the frontage of the site onto Bridge Road.
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 the parking of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
3. The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles within the development site, have been provided in accordance with the approved plans and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
4. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) measures to prevent the deposit of materials on the highway
 has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

5. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

### **Reason**

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework.

### **Policy**

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

### **Informatives**

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

The permission hereby granted shall not be construed as authority to 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.

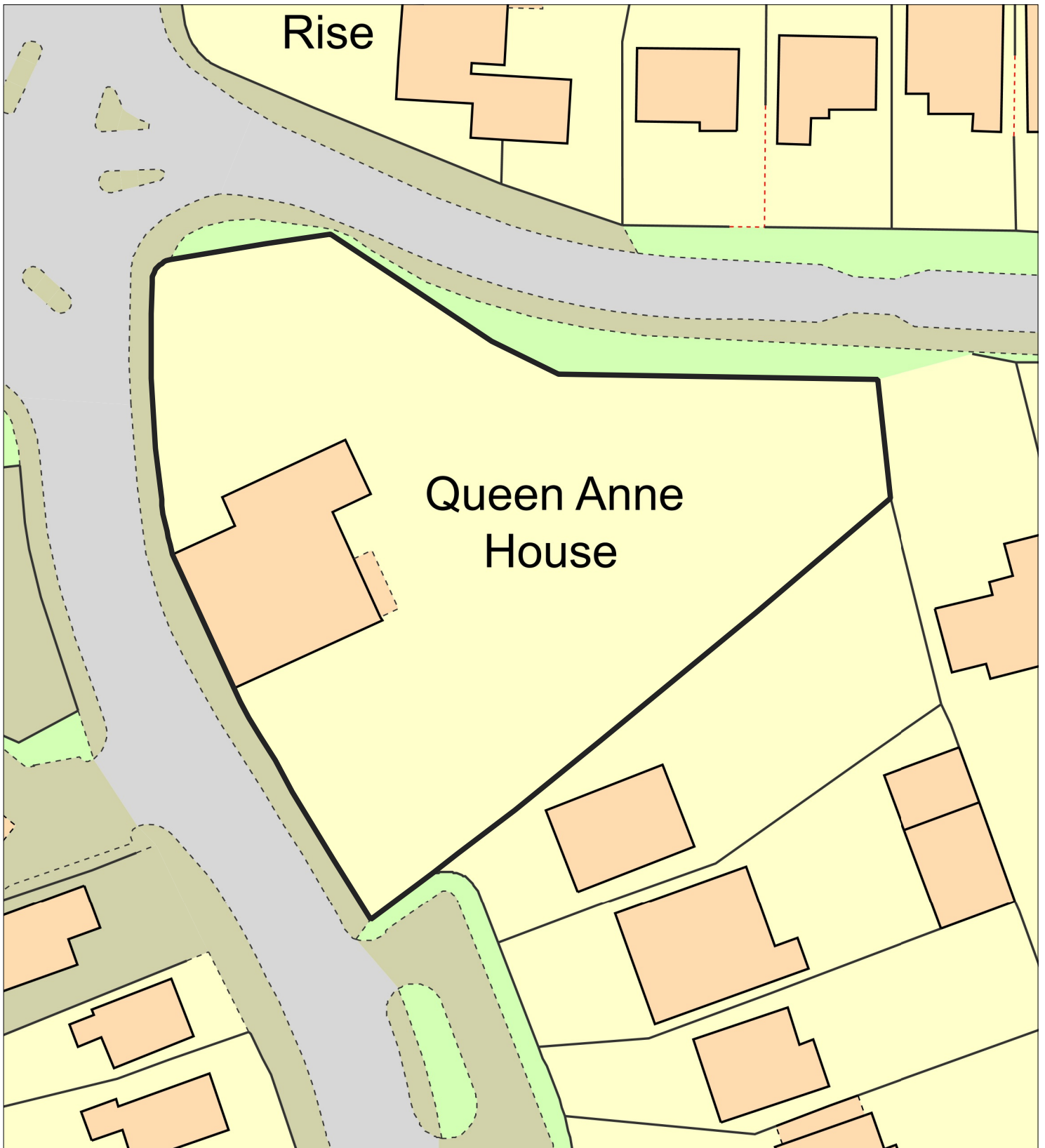
The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing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

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.

### **Note to Planner**

The proposal will utilise the existing vehicular access to Bridge Road. A pedestrian route will be provided in the north of the site which will lead onto Station Road, allowing residents access to Units 7-9 on foot. The proposal will provide vehicular parking for 16 cars which is considered satisfactory and in line with parking standards. Sufficient space will be provided within the site for vehicles turn so they are able to enter and leave in forward gear. Visibility splays fall slightly short of the standards as recommended within Manual for Streets when exiting the site to the right, however, due to the location of the signalised junction, this slight shortfall is not considered to lead to highway safety issues. Condition 1 has been included above to ensure the maximum achievable splays are achievable at all times. Cycle parking will be provided with 1 space available for each 1 and 2 bedroom unit and 2 spaces for all larger units. Refuse collection for Units 7-9 will be taken from Station Road, whilst the remaining units will be serviced from Bridge Road with a bin store provided within the site. The site has close links to local bus services, Bagshot train station and Bagshot town centre. The Highway Authority considers that the proposal would not have a material impact on highway safety.



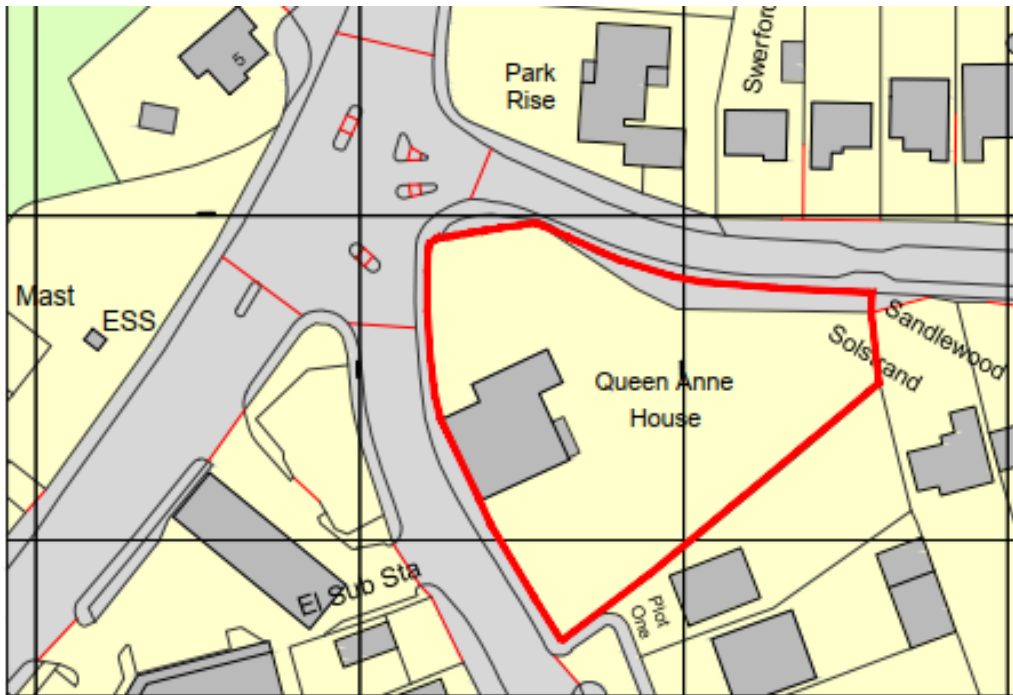


|                           |   |   |                         |
|---------------------------|---|---|-------------------------|
| <b>Title</b>              | Planning Applications   |   |                         |
| <b>Application number</b> | 20/0592/FFU   |   | <b>Scale @ A4</b> 1:500 |
| <b>Address</b>            | Queen Anne House Bridge Road Bagshot Surrey GU19 5AT  |   | <b>Date</b> 23 Oct 2020 |
| <b>Proposal</b>           | Change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage. |   |                         |
| Version 5                 |   | © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020 |                         |

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20/0592/FFU and 20/0593/LLB – QUEEN ANNE HOUSE, BRIDGE ROAD, BAGSHOT, SURREY, GU19 5AT

Location plan



Block plan



Queen Anne House: existing elevations



Existing front (Bridge Road) elevation scale A1 1:100, A3 1:200



Existing rear (East) elevation scale A1 1:100, A3 1:200



Existing side (North) elevation scale A1 1:100, A3 1:200

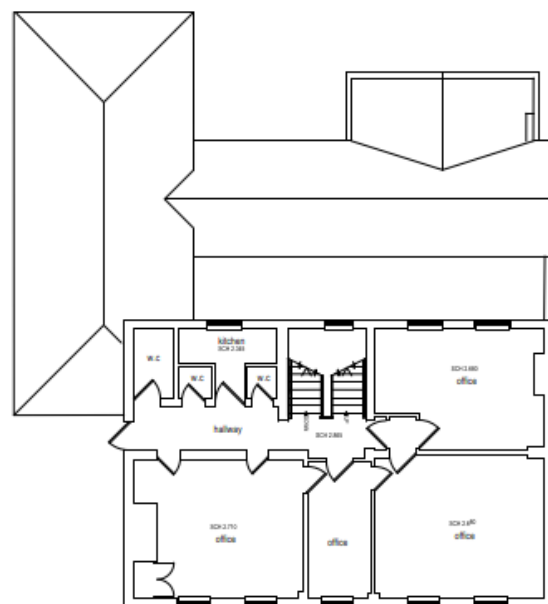


Existing side (South) elevation scale A1 1:100, A3 1:200

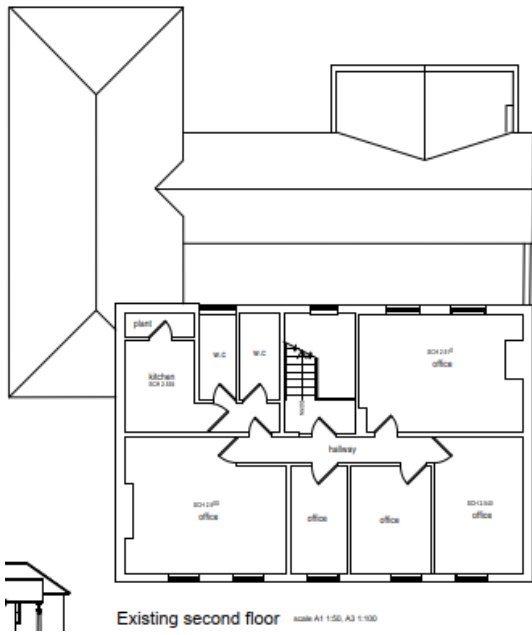
Queen Anne House: existing floor plans



Existing ground floor scale A1 1:50, A3 1:100

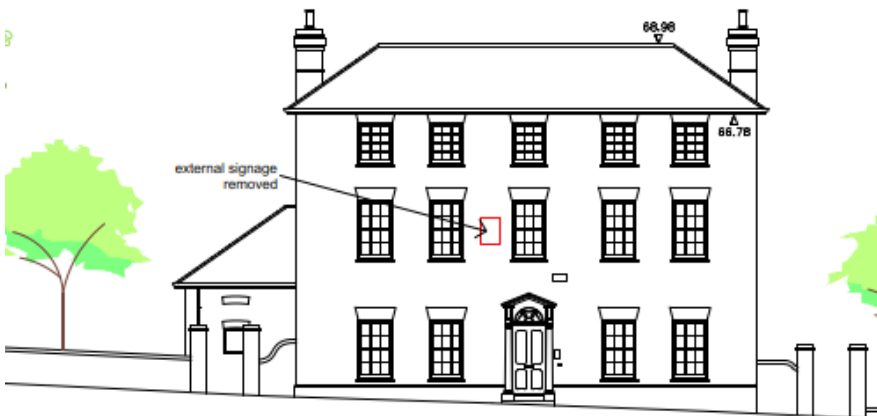


Existing first floor scale A1 1:50, A3 1:100



Existing second floor scale A1 1:50, A3 1:100

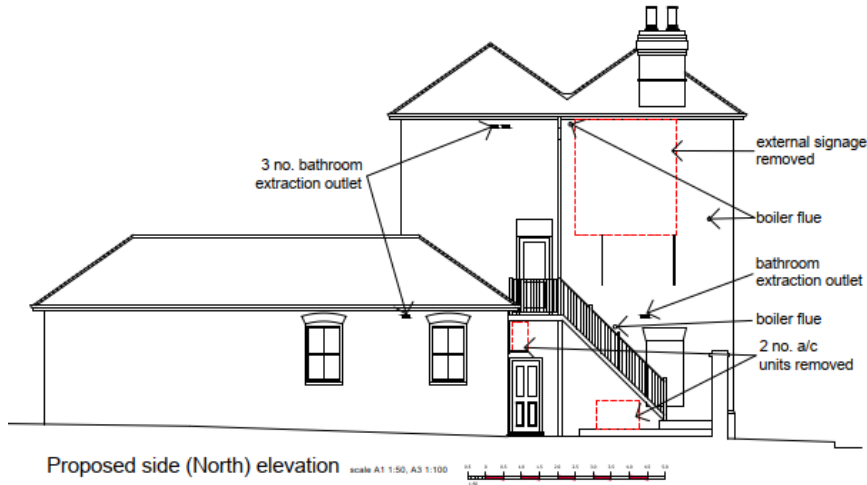
Queen Anne House: proposed elevations



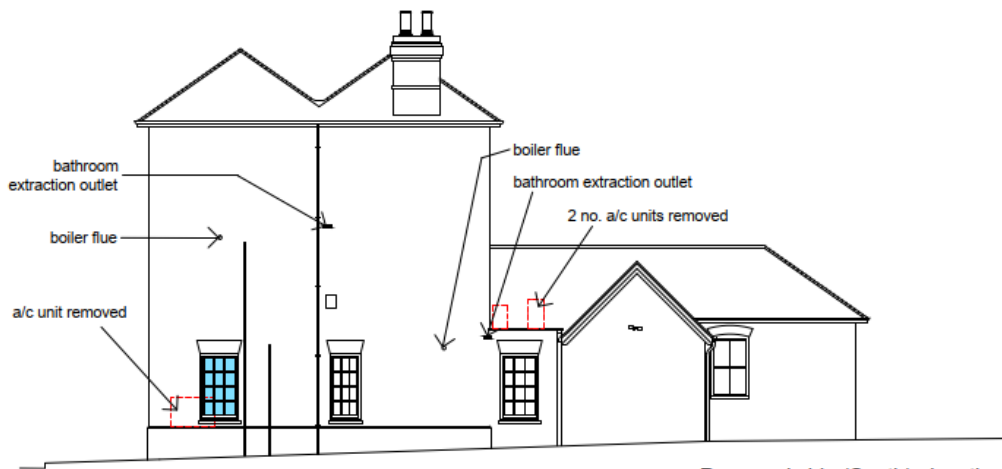
Proposed front (Bridge Road) elevation scale A1 1:50, A3 1:100



Proposed rear (East) elevation scale A1 1:50, A3 1:100

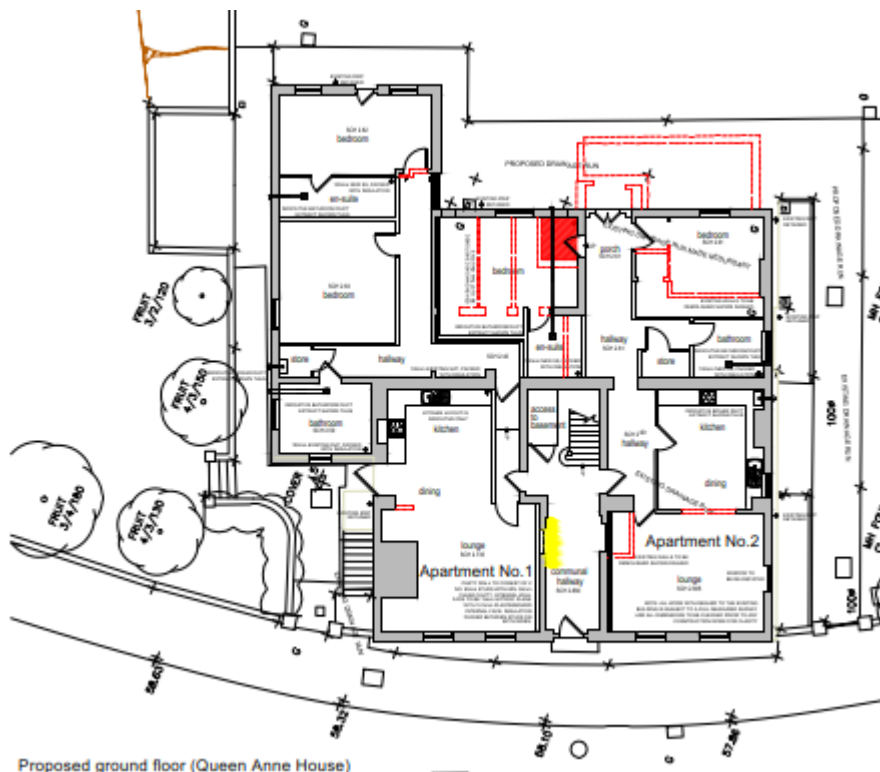


Proposed side (North) elevation

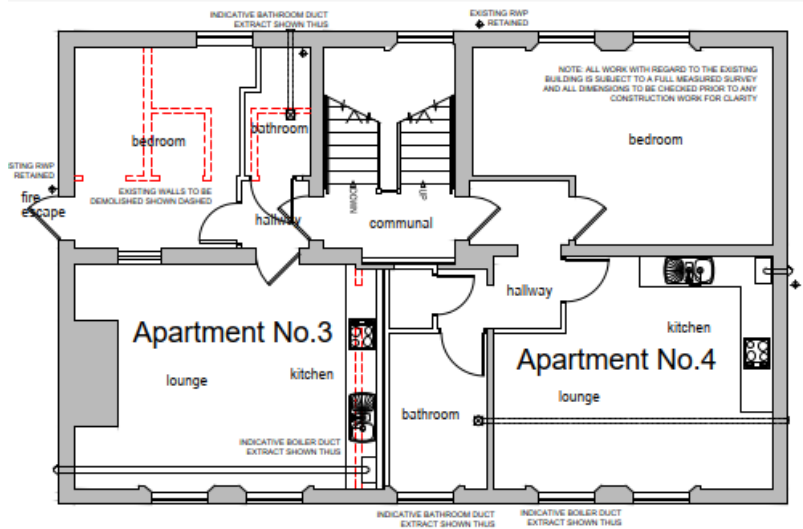


Proposed side (South) elevation

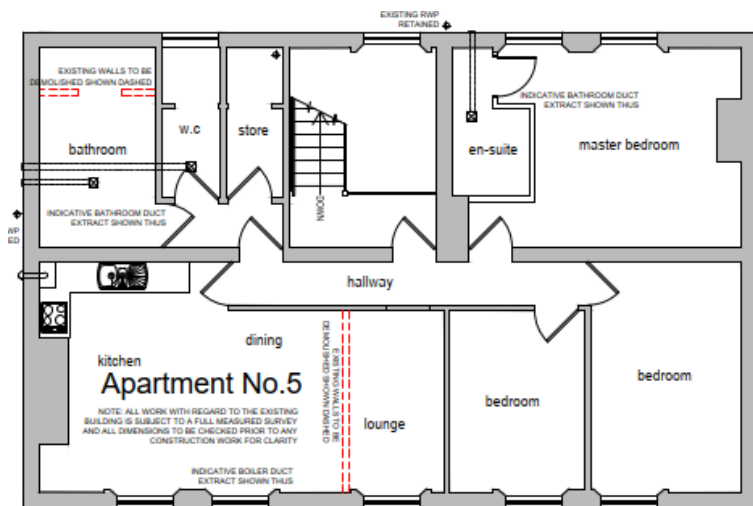
Queen Anne House: proposed floor plans



Proposed ground floor (Queen Anne House)

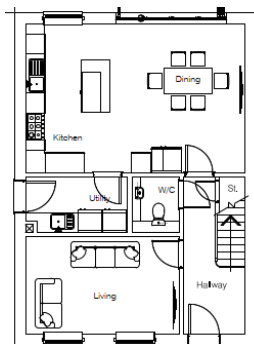


Proposed first floor (Queen Anne House) scale A1 1:50, A3 1:100

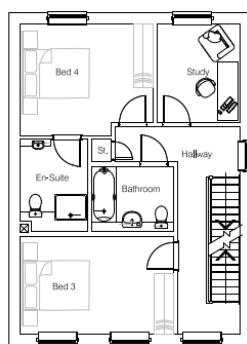


Proposed second floor (Queen Anne House) scale A1 1:50, A3 1:100

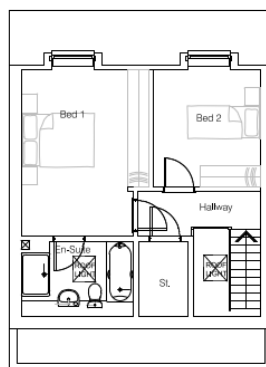
Unit 6: proposed floor plans and elevations



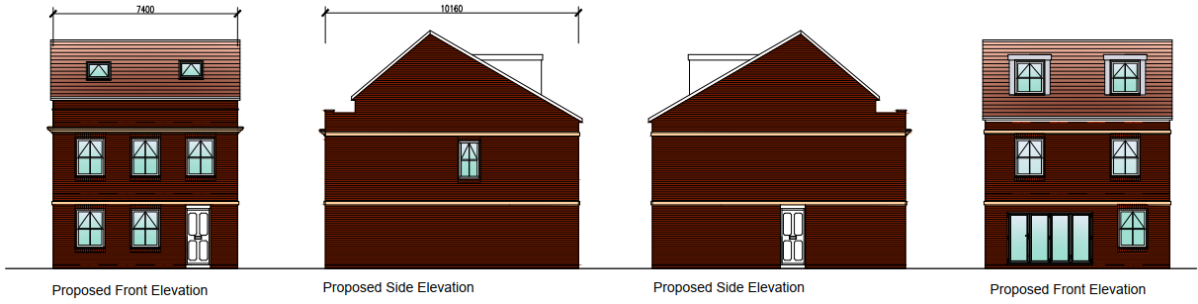
Ground floor (Unit 6)



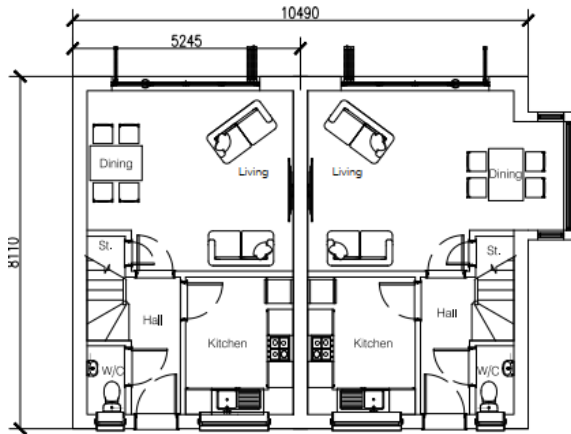
First floor (Unit 6)



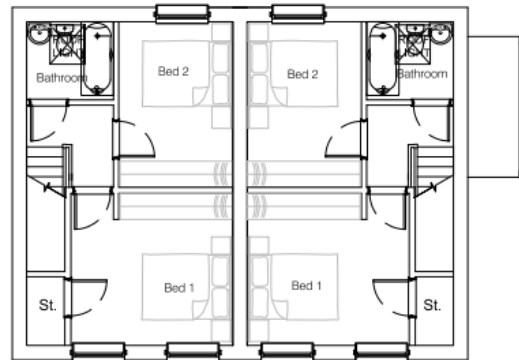
Second floor (Unit 6)



**Units 7 and 8: proposed floor plans and elevations**

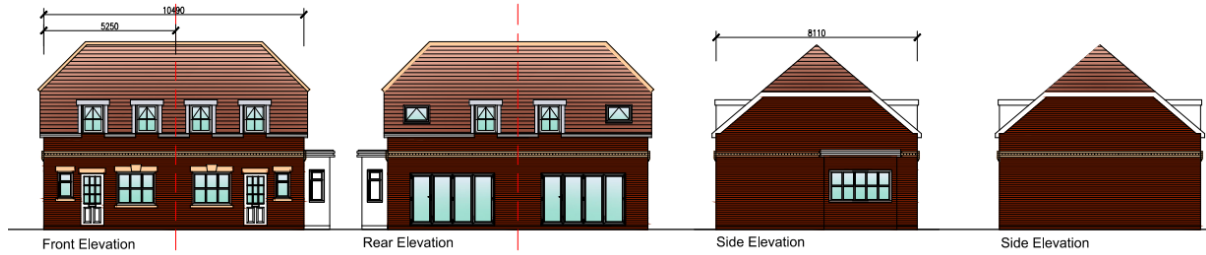


**Ground floor plans (Units 7 & 8)**

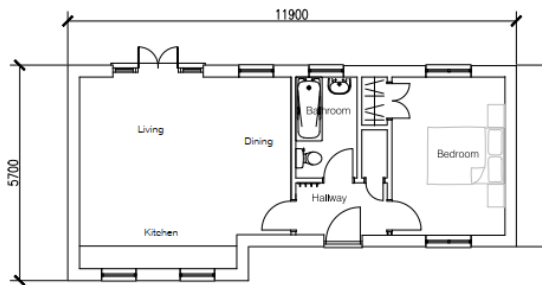


**First floor plans (Units 7 & 8)**

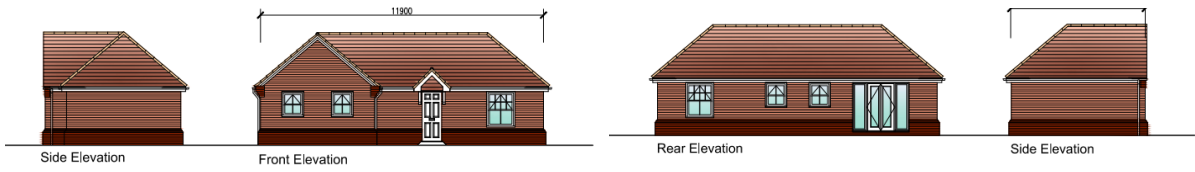
scale A1 1:50 A3 1:100



**Unit 9: proposed floor plans and elevations**







Perspectives





Site photos

View from Bridge Road



Central area of the site



Rear of Queen Anne House



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20/0593/LLB

**Reg. Date** 15 July 2020

Bagshot

|                   |   |
|-------------------|---|
| <b>LOCATION:</b>  | Queen Anne House, Bridge Road, Bagshot, Surrey, GU19 5AT,   |
| <b>PROPOSAL:</b>  | Listed Building Consent for the conversion of Queen Anne House from office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) with associated alterations comprising removal of existing rear canopy, signage and a/c units, new windows, flues and extraction outlets. |
| <b>TYPE:</b>      | Listed Building Consent (Alter/Extend)  |
| <b>APPLICANT:</b> | Ms N Currie & Mr R Aird   |
| <b>OFFICER:</b>   | Miss Patricia Terceiro  |

**This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported due to the fact that it is intrinsically linked to application 20/0592/FFU reported elsewhere on the agenda.**

#### **RECOMMENDATION: GRANT subject to conditions**

##### **1.0 SUMMARY**

- 1.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. This building is currently used as offices and lies within a generous corner plot with significant level changes. This Listed Building Consent is for the conversion of Queen Anne House from office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) with associated alterations comprising removal of existing signage and a/c units, new windows, flues and extraction outlets.
- 1.2 The conversion of Queen Anne House to flats would be acceptable. The layout of the rooms and flats would generally retain the original room sizes and group them together to form the flats. The external alterations to the building would be minimal in nature. The proposal is therefore not considered harmful to this historic asset and is recommended for approval.

##### **2.0 SITE DESCRIPTION**

- 2.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. The three storey brick building dates the 18th century and would have been built as a house, but by 1982 it was converted from a restaurant to offices, which remains its current use. The building has been extended overtime with these developments being undertaken in matching materials.
- 2.2 The application plot, which is irregular and large, contains two areas of lawn on each side of the building and is laid to hardstanding on its central and eastern areas. The hardstanding is used for parking purposes. There are level changes on site and the land slopes up towards the east.

- 2.3 The surrounding development is mixed in character and comprises offices, residential, service station and retail/restaurant units further to the south, on approach to the village centre.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 19/0452 Erection of detached two storey building with roof accommodation to provide 6 no. flats with associated parking, landscaping, cycle storage and refuse storage compound. Application withdrawn, 2019.
- [Officer comment: the application was due to be presented at the planning committee meeting held on 12 September 2019, however it was withdrawn before that meeting. The proposal was recommended for refusal, as its siting, scale, massing and crown roof would have been harmful to the visual amenities of the area and resulted in a quantum of built form harmful to the setting of the listed building. Additionally, the applicant failed to demonstrate that trees and vegetation would remain viable as a result of the development; and, due to SPA grounds. However, the County Highways Authority did not object to this proposal and there was deemed to be no conflict with residential amenities].*
- 3.2 20/0592/FFU Change of use from Office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) and erection of 4 no. dwellings (1x 4 Bed, 2x 2 Bed and 1x 1 Bed) including pedestrian accesses off Bridge Road with associated parking, landscaping and cycle and refuse storage. Pending consideration and reported elsewhere in this agenda, 2020.

### 4.0 THE PROPOSAL

- 4.1 This Listed Building Consent seeks permission for the for the conversion of Queen Anne House from office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed). The external alterations associated with the proposal would comprise removing existing rear canopy; removing the signage on the front and north-facing side elevations; removing existing rear canopy; infilling four ground floor rear facing windows and replacing by one window; removing 2 no a/c units on the north facing side elevation and 3 no on the south facing side elevation; installing flues and extraction outlets on the rear and both side elevations.
- 4.2 The building's internal layout would comprise the following:
- Ground floor: communal hallway, landing, two 2-bed flats;
  - First floor: landing, two 1-bed flats;
  - Second floor: one 4-bed flat, landing.

### 5.0 CONSULTATION RESPONSES

- |     |                           |   |
|-----|---------------------------|---|
| 5.1 | Conservation Officer      | No objection, subject to planning conditions                  |
| 5.2 | Windlesham Parish Council | Notes that 9 dwellings may be an overdevelopment of the site. |

### 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no written representations have been received in respect of the proposal.

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application site is located in a in a mixed use area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). The application building is Grade II Listed and, in this case, consideration is given to Policy DM17 of the CSDMP and to the National Planning Policy Framework.
- 7.2 The main issue to be considered with this application is the impact on the character of the Listed Building.

### **7.3 Impact on the character of the Listed Building**

- 7.3.1 Para 192 of the NPPF states that in determining planning applications, LPAs should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character.
- 7.3.2 Policy DM17 states that development which affects any heritage asset should first establish and take into account its individual significance and seek to promote the conservation and enhancement of the asset and its setting.
- 7.3.3 The Conservation Officer advises the conversion of Queen Anne House to flats would be acceptable. The layout of the rooms and flats would generally retain the original room sizes and group them together to form the flats, with little to no harm on the listed building. The position of bathrooms and kitchens makes use existing service points where possible. The windows would be repaired where required and the removal of the portico is welcomed. The external alterations to the building would be minimal in nature and, as such, this element of the proposal would not be considered detrimental to the character of the area. As such, subject to a planning condition requiring a method of works and materials specification to include details of the works proposed to windows and doors to Queen Anne House the Conservation Officer raises no objections to the proposal. This condition has been agreed with the applicant via email.
- 7.3.4 In light of the above, the proposal would be in line with Policy DM17 of the CSDMP and with Section 16 of the NPPF.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 It is considered that the proposed development would be in keeping with the character and appearance of this Grade II Listed Building. Therefore, the proposal complies with Policy DM17 of the CSDMP and the NPPF. The application is therefore recommended for conditional approval.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

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

Reason: 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, unless the prior written approval has been obtained from the Local Planning Authority.
  - Drawing no 8908 104A - Queen House and unit 6 floor plans, received 15 October 2020
  - Drawing no 8908 105A - Proposed Floor plans (units 7, 8 and 9), received 15 October 2020
  - Drawing no 8908 109A - units 6 to 9, proposed elevations, received 15 October 2020
  - Drawing no 8908 103 - Queen House proposed ground floor plan, received 8 July 2020
  - Drawing no 8908 106 - proposed Queen Anne House elevations, received 8 July 2020
  - Drawing no 908 107 - proposed Queen Anne House elevations, received 8 July 2020
  - Drawing no 8908 100B - site plan, received 15 October 2020

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 external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. This shall include bricks, tiles, materials for infill and repair to Queen Anne House, conservation rooflights, windows and doors. Once approved, the development shall be carried out using only the agreed materials.

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

4. Prior to commencement of works, a Method of Works and Materials Specification to include details of the works proposed to windows and doors to Queen Anne House shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented in full.

Reason: in the interests of protecting the Heritage Asset and to accord with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

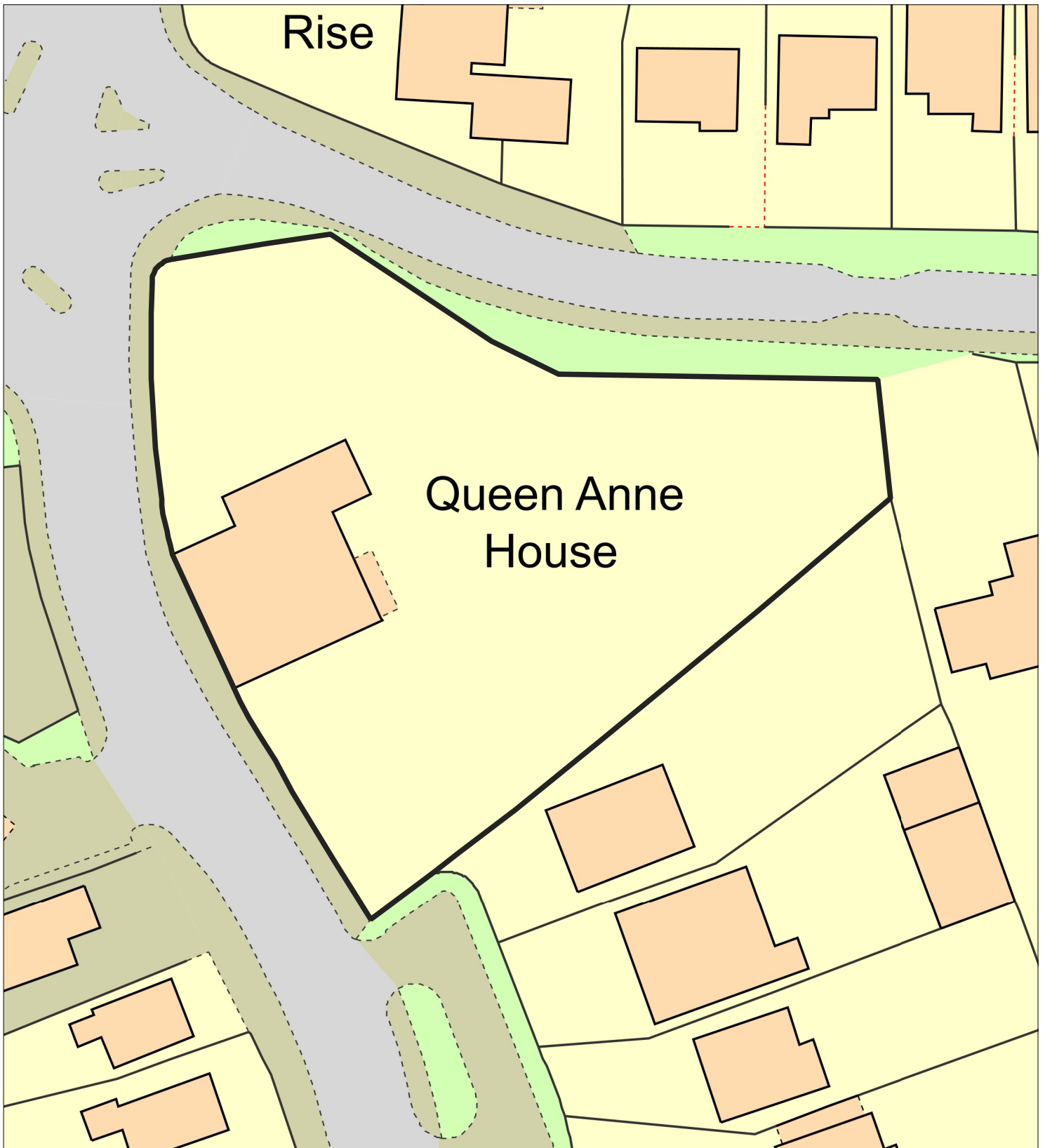
### Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant's attention is drawn to the Party Walls (etc) Act 1996.



3. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
4. 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. Please see the Officer's Report for further details.

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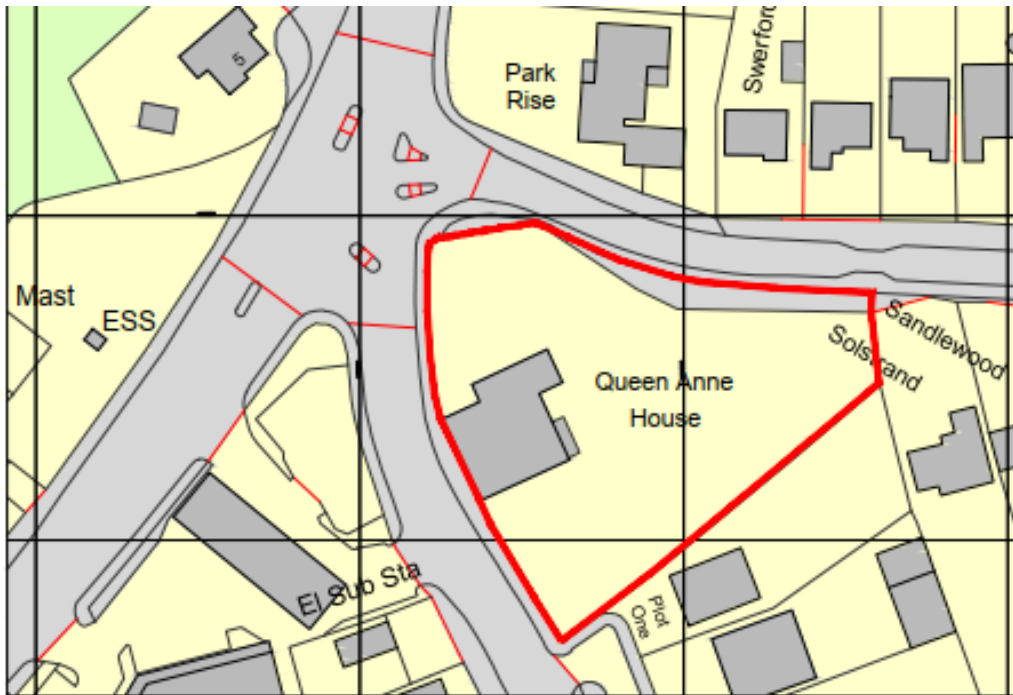


|  |   |  |                         |
|--|---|--|-------------------------|
| <b>Title</b>   | Planning Applications   |  |                         |
| <b>Application number</b>  | 20/0593/LLB   |  | <b>Scale @ A4</b> 1:500 |
| <b>Address</b>   | Queen Anne House Bridge Road Bagshot Surrey GU19 5AT  |  | <b>Date</b> 23 Oct 2020 |
| <b>Proposal</b>  | Listed Building Consent for the conversion of Queen Anne House from office (Class B1c) to residential (Class C3) comprising 5 no. flats (1x 3 Bed, 2x 2 Bed and 2x 1 Bed) with associated alterations comprising removal of existing rear canopy, signage and a/c units, new windows, flues and extraction outlets. |  |                         |
|  | Page 67   |  |                         |
| Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020 Author: DE |   |  |                         |

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20/0592/FFU and 20/0593/LLB – QUEEN ANNE HOUSE, BRIDGE ROAD, BAGSHOT, SURREY, GU19 5AT

Location plan



Block plan



Queen Anne House: existing elevations



Existing front (Bridge Road) elevation scale A1 1:100, A3 1:200



Existing rear (East) elevation scale A1 1:100, A3 1:200



Existing side (North) elevation scale A1 1:100, A3 1:200

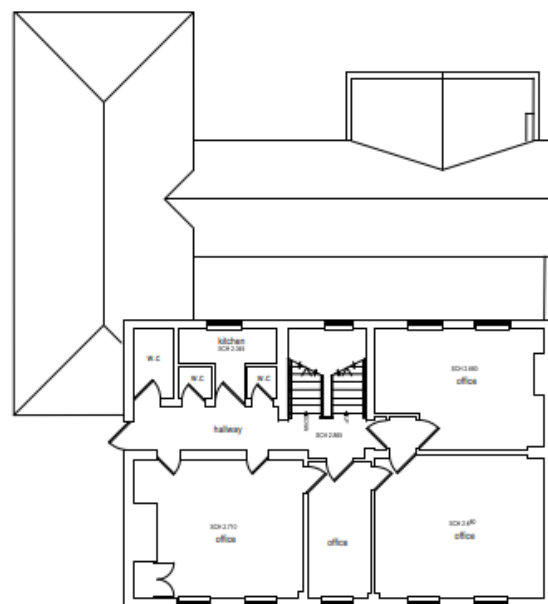


Existing side (South) elevation scale A1 1:100, A3 1:200

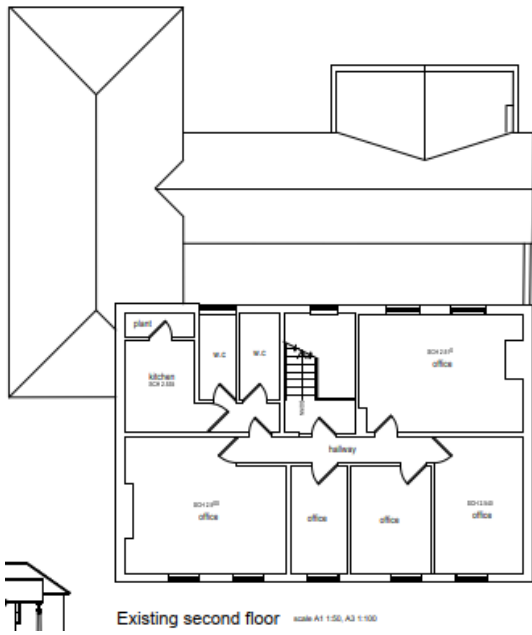
Queen Anne House: existing floor plans



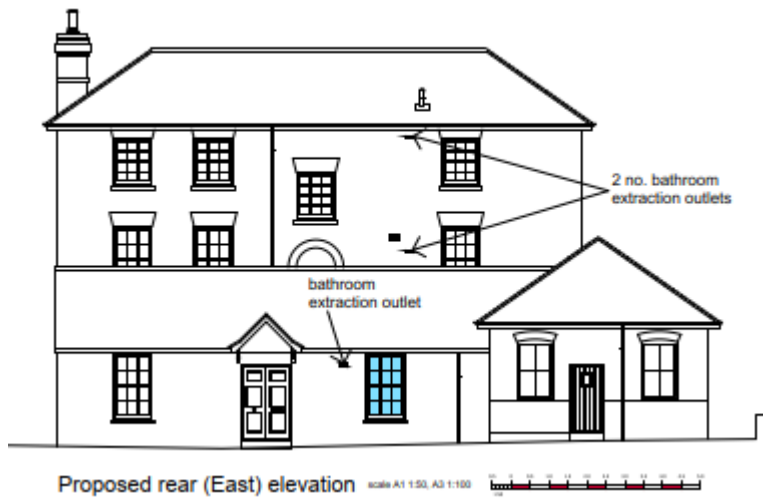
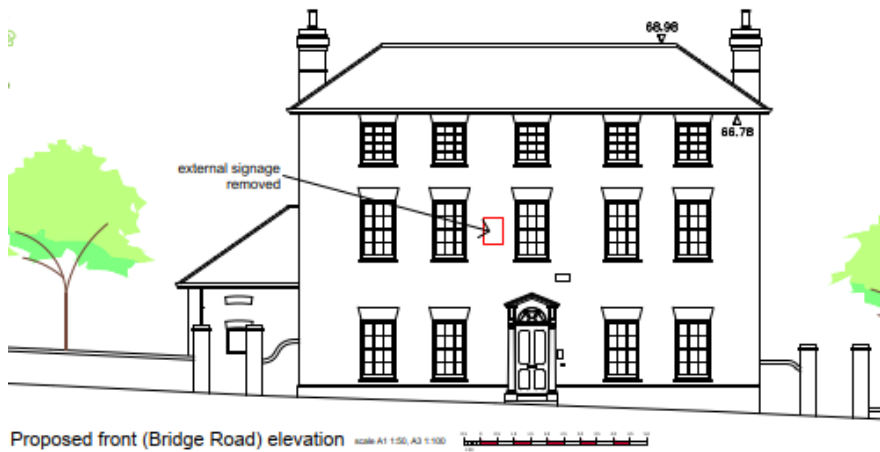
Existing ground floor scale A1 1:50, A3 1:100

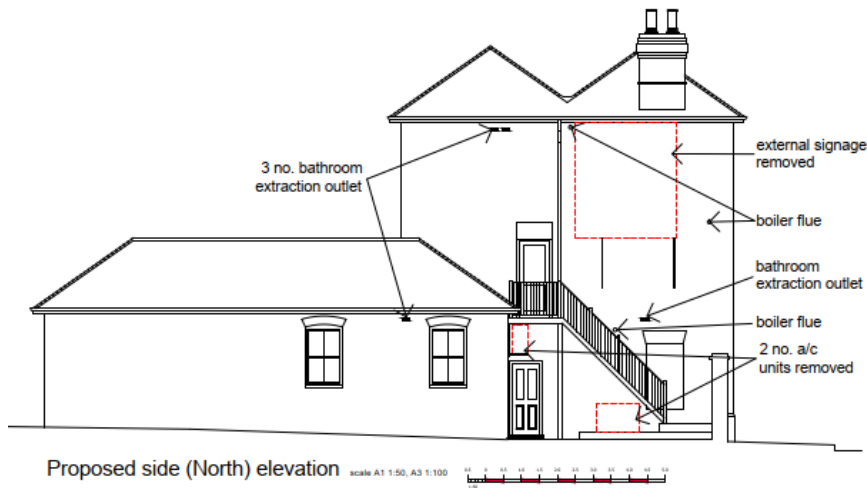


Existing first floor scale A1 1:50, A3 1:100

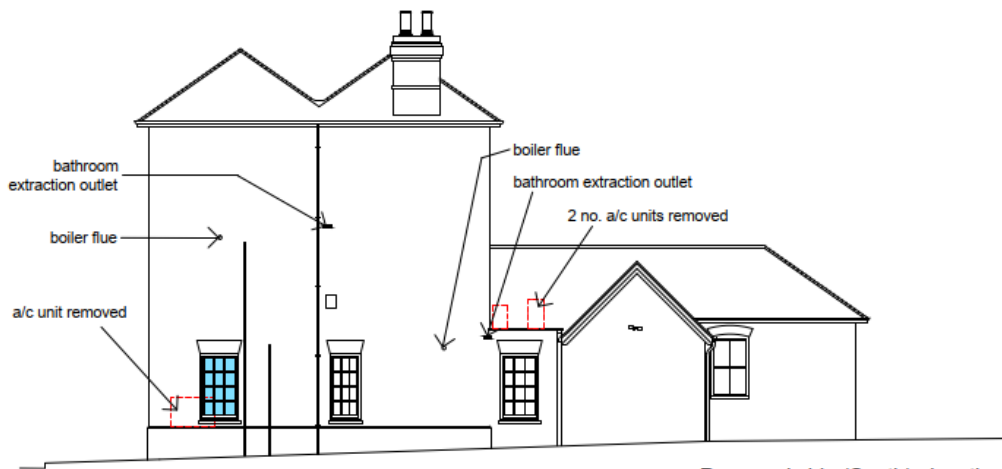


Queen Anne House: proposed elevations



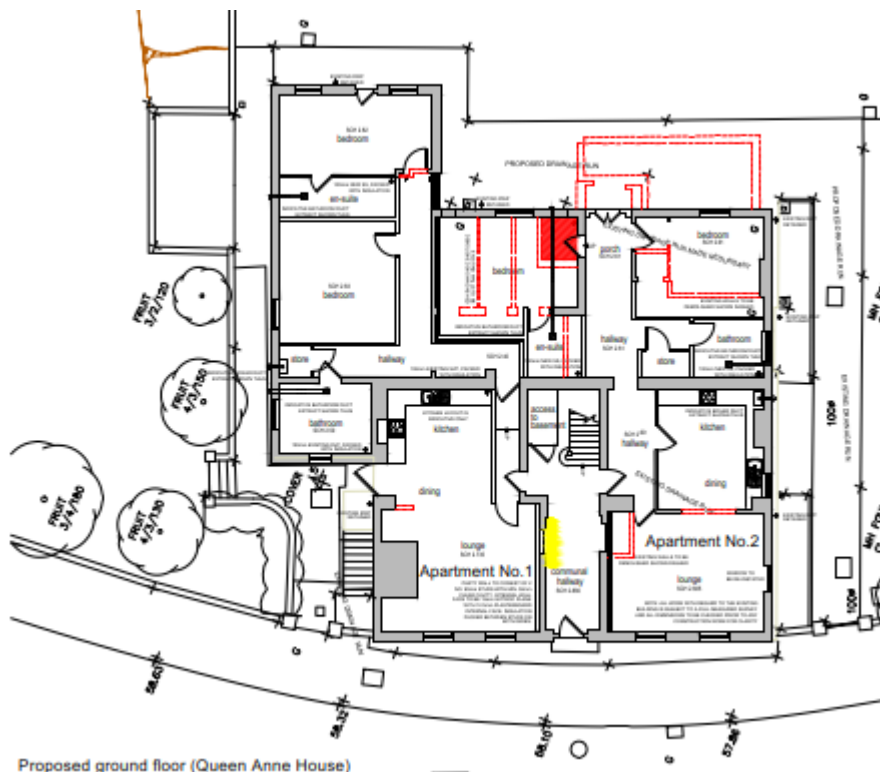


Proposed side (North) elevation



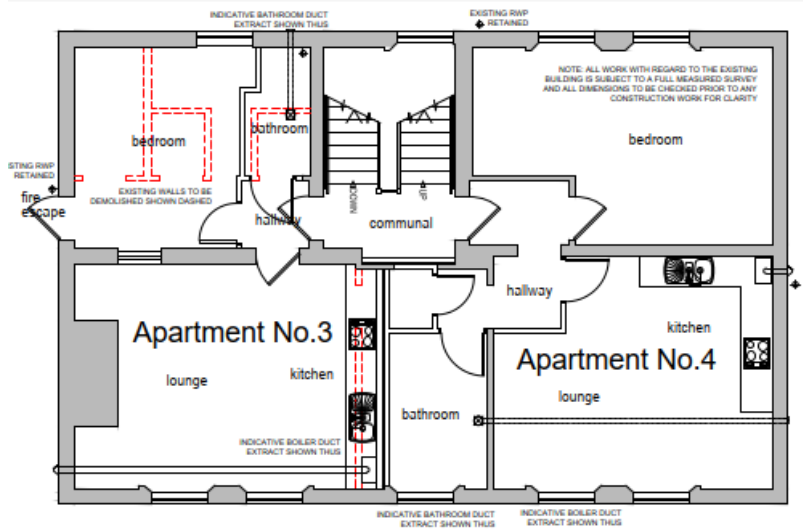
Proposed side (South) elevation

Queen Anne House: proposed floor plans

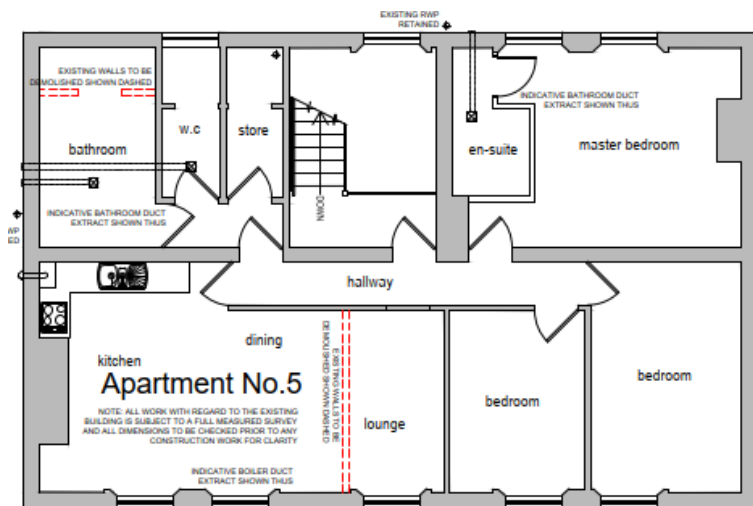


Proposed ground floor (Queen Anne House)



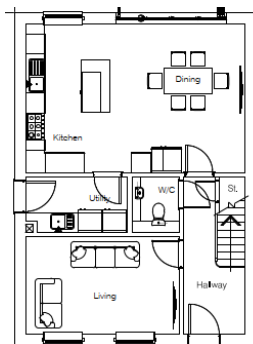


Proposed first floor (Queen Anne House) scale A1 1:50, A3 1:100

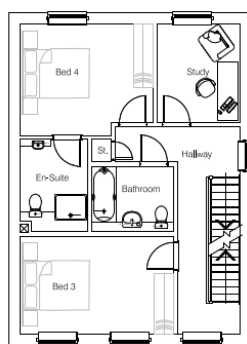


Proposed second floor (Queen Anne House) scale A1 1:50, A3 1:100

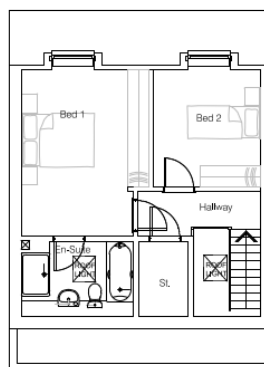
Unit 6: proposed floor plans and elevations



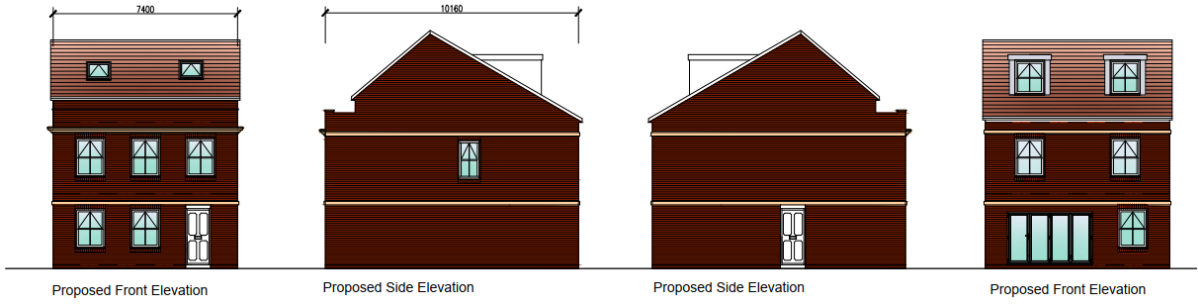
Ground floor (Unit 6)



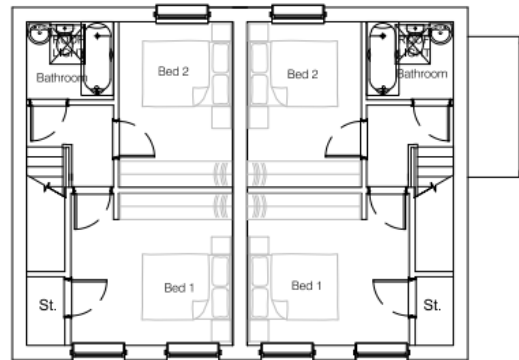
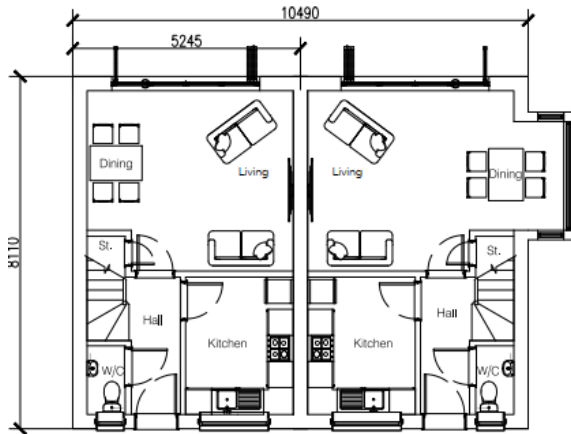
First floor (Unit 6)



Second floor (Unit 6)

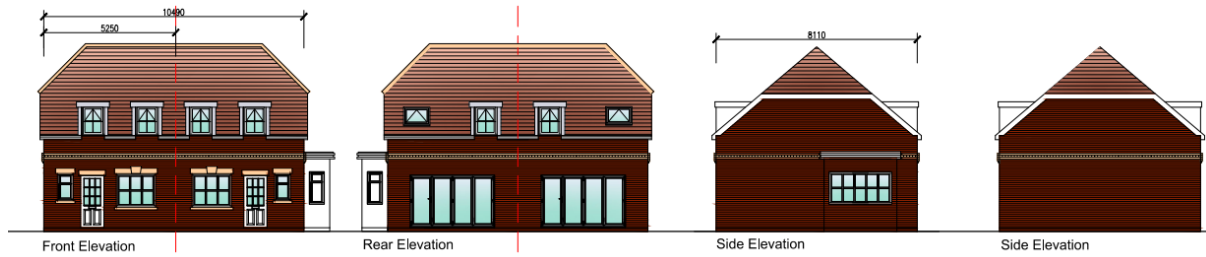


**Units 7 and 8: proposed floor plans and elevations**

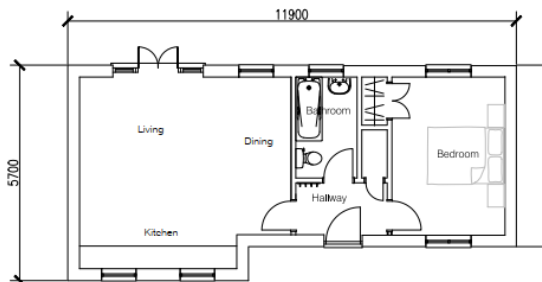


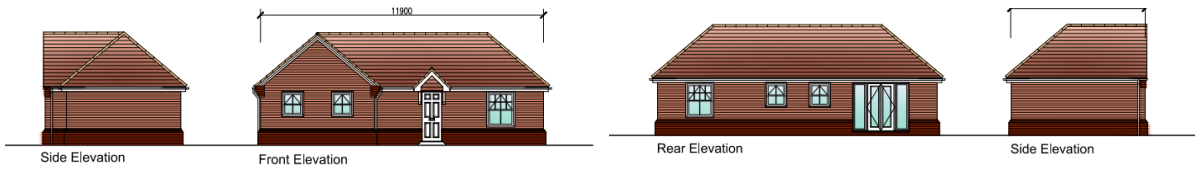
**Ground floor plans (Units 7 & 8)**

**First floor plans (Units 7 & 8)**



**Unit 9: proposed floor plans and elevations**





Perspectives





Site photos

View from Bridge Road



Central area of the site



Rear of Queen Anne House



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20/0510/FFU

Reg. Date 3 July 2020

Lightwater

|                   |   |
|-------------------|---|
| <b>LOCATION:</b>  | The Annexe, 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP,   |
| <b>PROPOSAL:</b>  | Demolition of existing single storey annexe and construction of a two storey attached 3 bed house with associated access and parking. |
| <b>TYPE:</b>      | Full Planning Application   |
| <b>APPLICANT:</b> | Mr Gareth Wilkins   |
| <b>OFFICER:</b>   | Miss Patricia Terceiro  |

**This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee at the request of Cllr Rebecca Jennings-Evans, on the grounds of overdevelopment, not in keeping with the street scene and failing to comply with the Lightwater Village Design Statement.**

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 The application site is located in Mount Pleasant Close, Lightwater and the surrounding area is residential in nature. The application plot is generous in size and comprises a detached two storey dwellinghouse, which benefits from an attached single side garage to the western elevation and from an enclosed garden to the rear. The proposal seeks planning consent for the erection of a two storey 3-bed house with associated access and parking, following demolition of existing annexe. The proposal would attach to the main dwelling (which would be retained on a reduced curtilage), forming a pair of semi-detached properties.
- 1.2 The principle of development is considered acceptable. However, the resulting plot would be narrow and appear out of context with the surrounding plot layouts. The lack of front boundary treatment and position of the driveway would appear at odds with other properties in the road and be harmful to the character of the area. In addition, the proposal has failed to mitigate its impact on the Thames Basin Heaths SPA. The proposal is therefore recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site is located in Mount Pleasant Close, Lightwater. The application property is a residential detached two storey dwelling house and benefits from an attached single side garage to the western elevation. There is also a single storey projection from the eastern side elevation that contains annexe accommodation. The dwelling is set back from the main road and benefits from a driveway set to hardstanding and there is an enclosed garden to the rear. The frontage of the property consists of tall hedging which forms a front boundary and mature trees located in close proximity to the shared east and west boundary.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 16/0664 Erection of a two-storey 3-bedroom detached dwelling with new crossover, driveway and new residential curtilage, following demolition of the annexe and single storey rear extension to existing dwelling. Refused, 2016 for the following reasons and subsequently dismissed at appeal in 2017 (see Annex A on this agenda):

*The proposal by reason of the small gaps between the first floor side elevation of the proposed new dwelling and those either side, and the narrow width combined with the height of the proposed dwelling and the narrow plot, would result in a cramped and incongruous development, disrupting the existing spacious and low density character of this part of the road, and would be harmful to the existing character and appearance of the streetscene. Additionally the lack of front boundary treatment and position of the driveway is out of keeping with other properties within the road. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012, Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement, and the National Planning Policy Framework.*

- 3.2 16/1153 Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof. Approved, 2017. Not implemented and expired.

- 3.3 17/0707 Erection of a two storey, 2 bedroom dwelling with associated parking and garden area, and single storey rear extension to existing dwelling, following demolition of existing annexe. Refused, 2017 for the following reasons and subsequently dismissed at appeal in 2018 (see Annex B):

*1 - The proposal by reason of its narrow width, the small gaps between the first floor side elevation of the proposed new dwelling and those either side, and the narrow plot, would result in a cramped and incongruous development, disrupting the existing spacious and low density character of this part of the road, and would be harmful to the existing character and appearance of the streetscene. Additionally the roof design, the lack of front boundary treatment and position of the driveway would be out of keeping with other properties within the road and also cause harm to character. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012, Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement, and the National Planning Policy Framework.*

*2 – Impact on Thames Basin Heaths SPA.*

- 3.4 20/0347/FFU Erection of first floor side extension. Approved, 2020. Not implemented.

### 4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a two storey 3-bed dwelling attached to no 6 Mount Pleasant with associated access and parking, following demolition of existing single storey annex. No 6 would be retained in a reduced curtilage.

- 4.2 The proposal would have a hipped roof and measure 6.7m in width, 10.1m in depth, 7.1m in height to the eaves and 8.6m in maximum height. It would be externally finished in brickwork, tiles, and timber to the windows and doors. The proposed layout would comprise the following:



- Ground floor: living room, hall, WC, open plan kitchen / dining area;
- First floor: three bedrooms, family bathroom, landing.

4.3 The proposed dwelling would benefit from a long and narrow garden to the rear and parking for two vehicles on its frontage. The proposal would see the creation of a new vehicular access point to Mount Pleasant.

## 5.0 CONSULTATION RESPONSES

- |     |                                 |  |
|-----|---------------------------------|--|
| 5.1 | Surrey County Highway Authority | No objections, subject to planning conditions  |
| 5.2 | Joint Waste Solutions           | Advises regarding the number of bins.  |
| 5.3 | Windlesham Parish Council       | Notes that they have received correspondence from residents objecting to the application for a number of reasons as follows: <ul style="list-style-type: none"> <li>• access issues;</li> <li>• loss of amenity;</li> <li>• overdevelopment of the site and the appearance of the development not being in keeping with the street scene.</li> </ul> |

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 3 representations have been received which raise the following issues:
- The erection of a 2-storey house would give the appearance of a bad infill, out of character for this part of the road [*See Section 7.4*];
  - There are no semi-detached properties in the whole of Mount Pleasant Close so the proposal would be out of keeping with this road [*See Section 7.4*];
  - The size and scale of the resulting pair of semis would be dominating and fail to be sympathetic to the surrounding properties [*See Section 7.4*];
  - The separation gap would be too small compared to other properties on the street and the proposal would feel cramped [*See Section 7.4*];
  - The proposal would result in the loss of a hedge [*See Section 7.4*];
  - Impact on the residential amenities of the adjacent neighbours in terms of overlooking, loss of light [*See Section 7.5*];
  - The proposed new drive way and entrance would be badly placed for sight lines for both pedestrians and vehicular traffic [*See Section 7.6*];
  - Inadequate provision of parking spaces [*See Section 7.6*];
  - Matters relating to Human Rights [*Officer comment: The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community*].

## 7.0 PLANNING CONSIDERATIONS

7.1 The application site is located in a residential area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14B, DM9, and DM11 of the CSDMP. The Residential Design Guide (RDG) SPD 2017 as well as the Lightwater Village Design Statement (LVDS) SPD 2007 also constitute material planning considerations.

- 7.2 The site's planning history, including the 2017 and 2018 dismissed appeals (see Annexes A and B, respectively), are also material considerations. Despite being applications for new dwellings, there are some key differences between those proposals and the development hereby being assessed:
- Application 16/0664: gabled roof two storey detached dwelling. This dwelling had limited gaps to its side boundaries which created a cramped appearance. The high ridge emphasised the narrow frontage and added to the appearance that the proposal would be squeezed into the streetscene.
  - Application 17/0707: two storey detached pitched roof dwelling, modest in width and height and retaining side gaps noticeably smaller than the surrounding pattern.

The removal of the existing front boundary treatment to accommodate parking, as well as the plot size and shape is similar on the previous applications.

- 7.3 The main issues to be considered within this application are:

- Principle of development;
- Impact on character and appearance of the surrounding area, including trees;
- Residential amenity;
- Transport and highways considerations;
- Impact on infrastructure; and,
- Impact on the Thames Basin Heaths SPA

#### **7.4 Principle of development**

7.4.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This Policy states that Lightwater Village has limited capacity to accommodate new development. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028 and Policy CP6 promotes a range of housing types and tenures.

7.4.2 The site is located in a residential area that is within a defined settlement. The proposal would provide one additional dwelling to contribute to the housing supply within the Borough. Furthermore, the Council cannot demonstrate a five year housing supply. As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.

7.4.3 It is therefore considered that the proposal would be acceptable in principle and would be in line with Policies CP1, CP3, CP6 of the CSDMP.

#### **7.5 Impact on character of area**

7.5.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.

7.5.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 states that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Principle 6.8 goes on to say that where front of plot parking is proposed this should be enclosed with soft landscape. Principle 7.4 advises that new residential development should reflect the spacing, heights, and building footprints of existing buildings.

- 7.5.3 Design Principle B1 of the LVDS requires development to pay regard to the size of building plots, space between buildings, the scale and shape of buildings. Design Principle B2 seeks to prevent overdevelopment of plots. Design Principle B4 goes on to say that the visual impact of car parking should be minimised. Design Principle B8 states that new development should consist principally of two-storey buildings, respect the spacious character of the residential area through reflecting the predominant depth of front gardens and the size and frequency of gaps between houses; development should incorporate front boundary treatments particularly through the use of hedges and substantial landscaping should be provided.
- 7.5.4 The proposed dwelling would be similar in appearance to the extension granted under permission 20/0347/FFU. Notwithstanding this, the current application aims to create an independent dwelling with all associated residential paraphernalia and this would give rise to a materially different form of development which would be assessed under different tests than a householder extension. As such, little weight is afforded to this permission.
- 7.5.5 This proposal follows a series of refused applications and dismissed appeals for the erection of detached dwellings on site. These applications date 2016 and 2017 and it is noted that the Residential Design Guide was adopted in 2017. Although the RDG was not explicitly referenced in the 2017 application, Policy DM9 of the CSDMP states that development will be expected to incorporate and reflect design and character measures as set out in either general or area specific SPD. As such, the proposal was assessed in light of this SPD as well.
- 7.5.6 The application site is wider than the majority of the surrounding plots and the proposal would comprise the sub-division of the plot. Consequently, the new plot's width would be significantly narrower than those of other plots in the vicinity and appear out of context with the surrounding character. This is noted in para 13 of the 2018 Appeal Decision (Annex B).
- 7.5.7 The streetscene of Mount Pleasant is varied in terms of design, sizes, materials and architectural style. It contains detached bungalows and two storey dwellings and, although some of the latter are linked by their garages, gaps at first storey are retained. The proposal would introduce a semi-detached dwelling and it is considered that this unique form of development would appear at odds with the character of the area. Given its subservient design, the proposed dwelling when seen against the attached property and the resulting pair of semis, by virtue of their different design and size, would appear unbalanced and disjointed. In addition, the proposed dwelling would also appear narrower than the dwellings either side. Consequently, the dwelling would appear visually out of keeping with its surroundings.
- 7.5.8 The proposal would retain a separation distance of about 1.3m to the site's side boundary, similar to the extension approved under 20/0347/FFU. This was granted on the basis that, on balance, although the proposal would result in a spread of two storey development across the plot, space would be retained to the western elevation wherein a gap in built form to the shared boundary would remain. This current proposal would however sub-divide no 6 and therefore this argument would no longer apply. As noted in para 12 of the 2017 Appeal Decision (Annex A) a separation gap less than 2m in width at first floor level would be noticeably narrower than that of the separation between other dwellings within this streetscene and this would be harmful in visual terms.
- 7.5.9 Part of the property's front wall, existing hedgerow and large tree would be removed to provide two parking spaces within the new plot's frontage. The proposed dwelling's frontage would be laid to hardstanding for parking purposes and there is no sufficient space to provide generous soft-landscaping to soften the hard and built up appearance of the proposed frontage. The nearest properties in the road have low walls/fences or vegetation on their front boundaries, rather than parking spaces directly accessed from the road. The narrow width of this plot means that a similar arrangement would be more difficult to accommodate on this plot and, as such, the appearance of the front of the property would be out of keeping with most of the other properties in the road due to the lack of front boundary treatment.

- 7.5.10 Although the applicant argues that these parking arrangements could be achieved under permitted development, as considered by the Inspector on para 15 of the 2017 appeal decision (Annex A), it is unlikely that this would be provided without the need created by the proposed dwelling, as no 6 benefits from sufficient parking spaces. Notwithstanding this, it is considered that the applicant's ability to remove the boundary treatment and lay the drive to gravel under permitted development rights would not justify the approval of a plot sub-division and dwelling that would be harmful to the character of the area.
- 7.5.11 In summary, it is considered that the proposal would result in a very narrow plot that would fail to respond to the size, shape and rhythm of surrounding plot layouts. The proposed dwelling would also fail to reflect the pattern of gaps between development within the road. In addition, the dwelling's frontage would mostly be laid to hard standing for parking purposes and the absence of soft-landscape to enclose this would further exacerbate the cramped nature of the overall dwelling. As such, the proposal would fail to comply with Policies CP2 and DM9 of the CSDMP, the RDG and the LVDS.

## **7.6 Impact on residential amenity**

- 7.6.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principles 8.1 and 8.3 of the RDG seek to protect residential amenities in terms of overbearing and overshadowing. Principle 8.4 sets out the standards for garden spaces and Principle 7.6 talks about internal space. Principle 8.2 advises that windows serving habitable rooms in new residential developments should be provided with adequate outlook.
- 7.6.2 As the proposed dwelling would have a similar external appearance as the extension approved under permission 20/0347/FFU, the proposal would not be considered detrimental to the residential amenities of the neighbours to the front, rear and no 4 Mount Pleasant Close.
- 7.6.3 The proposed dwelling would be attached to no 6 Mount Pleasant and project beyond this property's rear elevation by about 2.8m at two storey height and 4m at ground level. No 6's openings closer to the proposal serve a playroom (ground floor, bi-fold doors) and bedroom (first floor window). A loss of light assessment has been undertaken in accordance with Section 8 of the RDG and concluded the dwelling would not cause a material light loss to these openings. The proposal would not contain flank windows facing towards no 6 and would therefore be considered acceptable in respect of overlooking impacts.
- 7.6.4 The proposal would however, as discussed above, project beyond no 6's rear elevation by 2.8m at two storey height and 4m at ground level. No 6's set of bi-fold doors would be at approximately 1.6m from the proposed dwelling and it is considered that, by virtue of its height, the proposal would appear somehow overbearing when seen from these glassed doors and primary amenity area close to them. However, it is not considered that a refusal of the application on these grounds could be sustained. The proposed first floor bedroom window would retain a separation distance of approximately 2.5m to the proposal which would be considered sufficient to mitigate against overbearing impacts, in light of its projection beyond no 6's rear elevation.
- 7.6.5 Turning into the residential amenities of the dwelling's future occupiers, it is noted that the size of the proposed garden would comply with the standards required by the RDG. All habitable rooms would be served by windows with adequate outlook and the internal area would be in accordance with the national space standards.
- 7.6.6 As such, the proposal would not be considered to affect the residential amenities of the neighbouring properties and would be in accordance with Policy DM9 of the CSDMP and the RDG.

## **7.7 Parking and access**

- 7.7.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.7.2 The County Highway Authority has been consulted on the proposal and advises that the proposal would not have a material impact on highway safety, subject to planning conditions regarding visibility splays, the provision of parking spaces prior to occupation and the provision of a fast-charge Electric Vehicle charging point. The proposal would be provided with 2 no vehicular parking spaces which would comply with the current 'Vehicular and Cycle Parking Guidance (2018)' for a 3-bed dwelling in a village location.
- 7.7.3 The proposal is therefore in line with Policy DM11 of the CSDMP.

## **7.8 Impact on infrastructure**

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.
- 7.8.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.
- 7.8.3 As the proposed development would involve the provision of an additional residential unit, the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m<sup>2</sup>, for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

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

- 7.9.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.
- 7.9.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2019) identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.
- 7.9.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.

- 7.9.4 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).
- 7.9.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £711 which has not been paid by the applicant
- 7.9.6 It is therefore considered that the proposal would fail to comply with Policy CP14B of the CSDMP and with the Thames Basin Heaths SPD.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 It is accepted that there is no demonstrable 5-year housing land supply and the erection of one additional dwelling would contribute to this, albeit to a very modest degree. However, the proposal would be harmful to the character and appearance of the area (section 7.4 above) and to the Thames Basin Heaths Special Protection Area (SPA) (section 7.8 above). The application is therefore recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reasons:

1. The proposal would introduce a semi-detached dwelling, at odds with the pattern of dwellings along Mount Pleasant Close. The resulting plot, by virtue of its narrow width, would appear out of context with the surrounding plot layouts and the lack of front boundary treatment and position of the driveway would be out of keeping with other properties within the road and be harmful to the character of the area. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 6.6, 6.8 and 7.4 of the Residential Design Guide Supplementary Planning Document (2017), Policies B1, B2 and B8 of the Lightwater Village Design Statement (2007), and the National Planning Policy Framework.
2. 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 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. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.
3. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner.

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## Appeal Decision

Site visit made on 3 July 2017

**by R J Jackson BA MPhil DMS MRTPI MCMi**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 20 July 2017**

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**Appeal Ref: APP/D3640/W/17/3172317**

**The Annexe, 6 Mount Pleasant Close, Lightwater GU18 5TP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gareth Wilkins against the decision of Surrey Heath Borough Council.
  - The application Ref 16/0664, dated 4 July 2016, was refused by notice dated 14 October 2016.
  - The development proposed is demolition of single storey attached annex, erection of detached two storey 3 bed house with new cross over and drive way. Erection of single storey extension to rear of existing house.
- 

### Decision

1. The appeal is dismissed.

### Preliminary matters

2. Although the address of the property as set out in the heading is that set out on the application form, the 'red line' of the application site includes the area both of the Annexe and 6 Mount Pleasant Close itself.
3. After refusing the appeal application the Council granted planning permission for "Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof" on the appeal site (Council Ref: 16/1153). I will discuss the implications of this later in this decision.
4. As set out in the heading the proposal is for a dwelling and a rear extension to the 'parent' property. The Council's reasons for refusal only related to the new dwelling, but the rear extension appears part of an integrated proposal for the site. I therefore consider that the extension cannot be considered separately and in the event that the proposal for the dwelling is unacceptable then the appeal should be dismissed rather than considering a 'split' decision allowing the extension and dismissing the dwelling.

### Main Issues

5. The main issue is the effect on the character and appearance of the area.

## Reasons

### *Character and appearance*

6. The appeal property is located towards the eastern end of Mount Pleasant Close where the road has a sinuous alignment. On the same side of the road as the appeal site the properties immediately to the west are bungalows while the two properties to the east are two storey houses linked by a pair of garages. Opposite are two storey houses, set down slightly from the road as the land drops away to the south.
7. The immediate local area is made up predominantly of frontage development with distinct gaps between the properties, particularly above ground floor level. This ensures that the area has a sense of spaciousness. This development character alters some distance further along Mount Pleasant Close where development becomes denser with smaller gaps. The appeal site is wider than many others in the area adding to the sense of space.
8. The appeal property is, when compared to others in the street scene, a large two storey dwelling with a single storey, flat roofed extension on the east side set back from the front elevation. The extension is linked to the main house by a single door. There is also a single storey extension on the west side of the property. The front boundary treatment is made up of a low block wall with a dense evergreen hedge, approximately 2 m high, above with a Scots Pine at the end. This screens the dwelling from views from directly in front of it. At the eastern end there a pedestrian access to the building.
9. The appeal proposal is to demolish the extension on the eastern side and erect a detached two storey dwelling. There would be a gap of approximately 1 m between the walls of the existing and proposed dwellings and this would be reduced above the walls by the overhang to both roofs. The property would be set at a lower level than 6 Mount Pleasant Close but above No 4 to the east. The main front elevation located on a similar line to the existing extension, although a part two-, part single-storey gable/porch feature would extend further forward, although not as far as the front elevation of the parent property.
10. Parking would be provided in front of the dwelling, immediately inside the footway with a small vegetated area between the parking area and dwelling. The pedestrian access location would be retained to the new dwelling although the Scots Pine would be felled to provide the parking area.
11. As noted above, the proposal is also for a single storey flat roofed extension on the rear of No 6 located on the eastern side of that property.
12. While there would remain a gap similar to that between the properties opposite between the new dwelling and No 4, the gap between this new dwelling and No 6 would be harmfully narrow and out of character with the area where wider gaps are more common. This lack of space would be emphasised at roof level where the two overhangs would converge meaning that the proposal would appear cramped. As noted above it is the gaps above ground floor that are particularly important in creating the character of the immediate area. The other examples of more cramped development cited by the appellant are further along this road in an area with a different character and, in my view, are not directly comparable.

13. As noted above planning permission exists for a two storey side extension. This would result in the same gap as in the appeal proposal between the new dwelling and No 4. The roof line of the extension would be lower in absolute terms than that of the appeal proposal. If this appeal were to be dismissed I consider that there is a realistic prospect that this extension would be constructed, and I therefore give that significant weight.
14. However, the gap between No 6 and the new dwelling and the design of the new dwelling mean that the effect on the street scene would be materially different. The gap, such as it is, would make it clear that it was a separate dwelling and not a subordinate extension to No 6, and the front element of the proposed dwelling with its gable front gives an emphasis to the lack of separation and thus the cramped nature of the proposal.
15. Further the proposal would open up the frontage to create the parking area for the occupiers of the new dwelling further emphasising the prominence of the new dwelling. The parking spaces, of themselves, would be similar to others in Mount Pleasant Close. However, it would be the opening up of the area that would create the view that would emphasise the cramped nature of the overall development. That such parking spaces could be created without the need for planning consent does not alter my conclusion on this as I can see no need for additional parking spaces beyond those already provided for No 6, and I therefore consider it unlikely that this would be provided without the need created by the proposed new dwelling.
16. As such the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 (the CSDMP) which require that development respects and enhances the quality of the urban environment. It would also be contrary to Policies B1, B2 and B8 of the Lightwater Village Design Statement which indicated development should pay regard to the locally distinctive and valued patterns of development, that overdevelopment will be resisted and that development should respect the spacious character of the residential area by reflecting the size and frequency of gaps between houses. It would finally be contrary to paragraph 58 of the National Planning Policy Framework (the Framework) which indicates that development should respond to local character and history.

### **Other matters**

17. The site lies within 5 km of the Thames Basin Heaths Special Protection Area (the SPA) which is designated under the Habitats Directive for its populations of woodlark, nightjar and the Dartford Warbler. In line with the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) planning permission is to be refused if development either on its own or in combination with other plans or projects would have a significant adverse effect on the SPA. The additional resident human population associated with the development proposed has been shown through research to be likely to recreate on the SPA leading to such significant harm.
18. To provide mitigation for developments potentially having such an effect the Council has published a Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which was adopted in 2012. The Council indicates that this sets out a strategy of providing additional greenspace to provide an

alternative location for recreation (Suitable Alternative Natural Greenspace or SANG) and access management (Strategic Access Management and Monitoring or SAMM).

19. The Council has introduced the Community Infrastructure Levy and indicates that SANG is provided from the contributions secured under the Levy. However, the Levy does not provide for a contribution towards SAMM which consequently needs to be secured separately. In the Council report on the application it indicates that a contribution towards SAMM has been paid by the applicant and I am therefore satisfied that the effects of the proposal would be appropriately mitigated and there would be compliance with the relevant policies of the South East Plan and the CSDMP.
20. The Council has confirmed that it is unable to demonstrate a five year supply of housing land meaning that policies for the supply of housing are out-of-date; see paragraph 49 of the Framework. This means that the tilted balance set out in paragraph 14 of the Framework applies. However, I am satisfied that the significant and demonstrable harm of the proposal as identified above would outweigh the benefit of the one additional dwelling which would not have a material effect on the housing land supply situation. As such the proposal would not represent sustainable development and the appeal should be dismissed.

### **Conclusion**

21. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*RJ Jackson*

INSPECTOR



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## Appeal Decision

Site visit made on 21 May 2018

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 June 2018

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**Appeal Ref: APP/D3640/W/18/3193257**

**The Annexe, 6 Mount Pleasant Close, Lightwater GU18 5TP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gareth Wilkins against the decision of Surrey Heath Borough Council.
  - The application Ref 17/0707, dated 27 July 2017, was refused by notice dated 4 October 2017.
  - The development proposed is demolition of single storey annexe and erection of a 2 storey 2 bedroom house, plus single storey extension.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Although the address of the property as set out in the heading reflects that provided on the planning application form, the 'red line' of the application site includes the area both of the Annexe and 6 Mount Pleasant Close itself.
3. The Council has granted planning permission for development described as "*Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof*" on the appeal site (Council Ref: 16/1153). I will deal with this in my consideration later in this decision.
4. The site has also been subject to a refused planning permission (Council Ref: 16/0664) and subsequent appeal (Appeal Ref: APP/D3640/W/17/3172317) for the "*Erection of a two-storey 3-bedroom detached dwelling with new crossover, driveway and new residential curtilage, following demolition of the annexe and single storey rear extension to existing dwelling*". I note that the proposal before me has sought to increase the separation between the new dwelling and 6 Mount Pleasant Close. It has also a markedly different roof form to that previously proposed. I have considered the proposal, the subject of this appeal, on its own merit.
5. The proposal is for a new detached dwelling and a rear extension to the 'parent' property. The Council's reasons for refusal relate only to the new dwelling. Nonetheless, I consider the rear extension forms part of the integrated proposal for the site and cannot be considered separately. In the event that one element is unacceptable then the appeal should be dismissed rather than considering a split decision.

## **Main Issues**

6. The main issues raised in respect of the appeal are the effect of the proposed development on:
  - (a) The character and appearance of the area; and
  - (b) Habitat and biodiversity at the Thames Basin Heaths Special Protection Area (SPA).

## **Reasons**

### *Character and appearance*

7. On the same side of the road as the appeal property the dwellings to the west are bungalows and the properties to the east are two storey dwellings linked by garages. Opposite are two storey houses. The development in the immediate vicinity of the appeal site is road frontage development with distinct gaps between properties, particularly above ground floor level. The gaps create a sense of spaciousness to the character and appearance of this part of the Mount Pleasant Close.
8. The appeal site is wider than most other plots in the vicinity of the appeal site. The spaces either side of the two storey dwelling above the existing single storey extensions add to the sense of spaciousness to this part of the streetscene. These spaces are clearly visible from the highway above the existing tall evergreen hedge with low wall the forms the front boundary of the appeal site.
9. The proposal is to demolish the existing eastern single storey side extension and erect a detached two storey dwelling. There would be approximate gaps of 1.5m between the new dwelling and 6 Mount Pleasant Close and 2m between 4 Mount Pleasant Close. Part of the frontage wall and existing hedgerow would be removed to provide two parking spaces within the site frontage in front of the proposed dwelling. This would also involve the removal of the large Scots Pine from the frontage of the site.
10. The resulting gap between the proposed dwelling and 6 Mount Pleasant Close would be less than that between 2 and 4 Mount Pleasant Close, as well as that of other gaps between the dwelling opposite the appeal site and that of 6 and 8 Mount Pleasant Close. Although there is separation between the dwellings further west along the northern side of Mount Pleasant Close, these properties are bungalows and have a low density character.
11. I have been referred to other examples of development further along Mount Pleasant Road but that area has a different character and, therefore, is not directly comparable. The properties of Barons Mead and 9 Mount Pleasant Close are bungalows. That is a different development to that proposed here. Whilst some properties host some intervening pitched roof garages, gaps at first storey are retained.
12. I accept that the gap between No 6 and the proposed property has increased when compared to that of the previously proposed scheme. Nonetheless, the gap, being less than 2m width at first floor level, would be noticeably narrower than that of the separation between other dwellings within this streetscene. The resulting gap would be visually harmfully narrower than existing gaps.

This would be out of keeping with the character of the area and those wider gaps that are a particularly important characteristic of the spacious appearance of this streetscene.

13. In addition, the plot width and the width of the proposed dwelling would be significantly narrower than those of other plots and properties in the immediate locality. The proposed dwelling would also appear substantially narrower than the dwellings either side. I saw that front and side roof hips are prevalent within this streetscene. Whilst I find that the hipped design of the roof in itself would not be appreciably different to other roof forms in this location, being centrally pitched this contributes to the visual narrowness of the proposed dwelling. The proposed dwelling overall would have a diminutive appearance and would appear visually cramped positioned between the larger properties of 4 and 6 Mount Pleasant Close. Consequently, the dwelling would appear visually out of keeping within this streetscene.
14. The proposed parking area, whilst in itself similar to other examples in Mount Pleasant Close, would open up the frontage of the site. The opening up of the frontage would emphasise the cramped appearance of the proposed dwelling and the loss of the first floor gap. The visual harm resulting from the proposed development would, therefore, appear more pronounced in the streetscene.
15. Planning permission is in place for a two storey side extension and there is a realistic prospect that it would be constructed (Council Ref: 16/1153). However, the gap between No 6 and the new dwelling and the contrived narrow appearance of the new dwelling mean that the effect on the streetscene would be materially different. This is not a similar proposal given it would be for a detached dwelling. The gap between No 6 and the new dwelling creates this clear distinction.
16. I accept that the existing site of No 6 and the existing dwelling with its annexe extension, that could be occupied independently, is larger than that of other plots and properties in the area. Whilst the existing dwelling differs in these respects to this street context, this does not assume that redevelopment of part of the appeal site with a visually cramped form of development is justified.
17. The proposal also includes the addition of a single storey extension at the rear of 6 Mount Pleasant Close. I have no concerns in regard to that element of the proposed development.
18. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012 which require development to respect and enhance the quality of the urban environment. It would also conflict with Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement that require development to pay regard to the locally distinctive and valued patterns of development. These Design Statement policies also indicate that development should respect the spacious character of the residential area by reflecting the size and frequency of gaps between houses and that overdevelopment will be restricted. It would also be contrary to the core principles of the National Planning Policy Framework (the Framework) that require development to take account of the character of different areas and that seek to secure high quality design.

*Thames Basin Heaths SPA*

19. Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and saved Policy NRM6 of the South East Plan 2009 indicate that development will only be permitted where it would not give rise to likely significant adverse effect on the ecological integrity of the Thames Basin Heaths SPA.
20. The Council advise that a contribution towards Strategic Access Management and Monitoring (SAMMS) would be required given the sites proximity to the SPA. The Council has confirmed that it has received a SAMMs payment. For this reason, the proposed conflict with these policies and the provisions of the Framework has potentially been overcome. Notwithstanding this, had I considered the development acceptable in all other respects, I would have sought to explore the implications of the recent Court Judgement<sup>1</sup> and the necessity for undertaking an Appropriate Assessment.

**Other Matters**

21. I accept that the proposed dwelling would be accessible to services, facilities and public transport at Lightwater, Bagshot, Camberley, Woking and Farnborough. It would also contribute a two bedroom dwelling to the Borough's house supply deficit and that the new dwelling would be within an existing residential settlement. Whilst these are modest benefits of the scheme they do not overcome or outweigh the concerns that I have identified in regard to the environmental dimension of sustainable development.

**Conclusion**

22. Having regard to the above findings, the appeal should be dismissed.

*Nicola Davies*

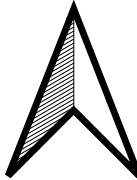
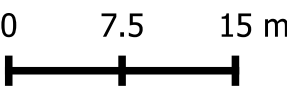

INSPECTOR

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<sup>1</sup> Court of Justice of the European Union: People Over Wind, Peter Sweetman V Coillte Teoranta



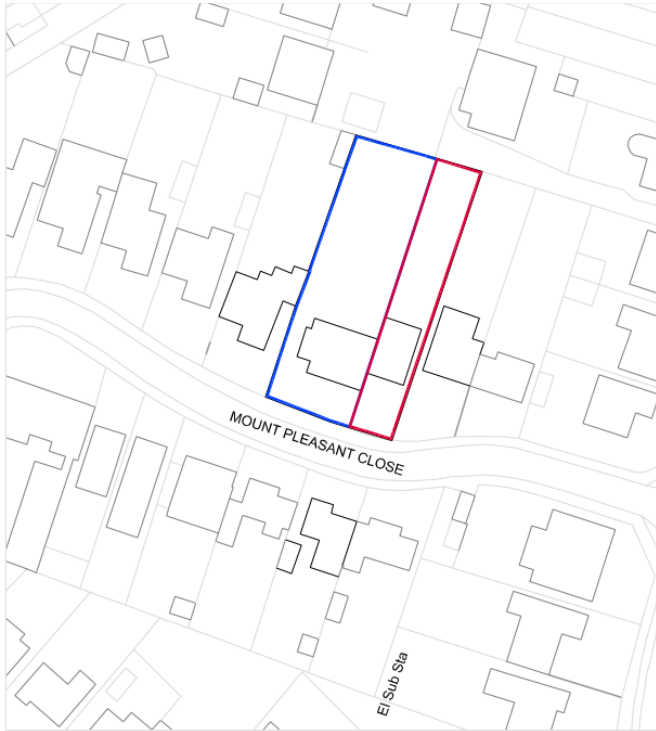


|   |   |  |                         |
|---|---|--|-------------------------|
| <b>Title</b>  | Planning Applications   |  |                         |
| <b>Application number</b>   | 20/0510/FFU   | <br> | <b>Scale @ A4</b> 1:500 |
| <b>Address</b>  | The Annexe 6 Mount Pleasant Close Lightwater Surrey GU18 5TP  |  | <b>Date</b> 23 Oct 2020 |
| <b>Proposal</b>   | Demolition of existing single storey annexe and construction of a two storey attached 3 bed house with associated access and parking. |  |                         |
| Page 97   |   |  |                         |
|  |   |  |                         |
| Version 5   | © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020   | Author: DE   |                         |

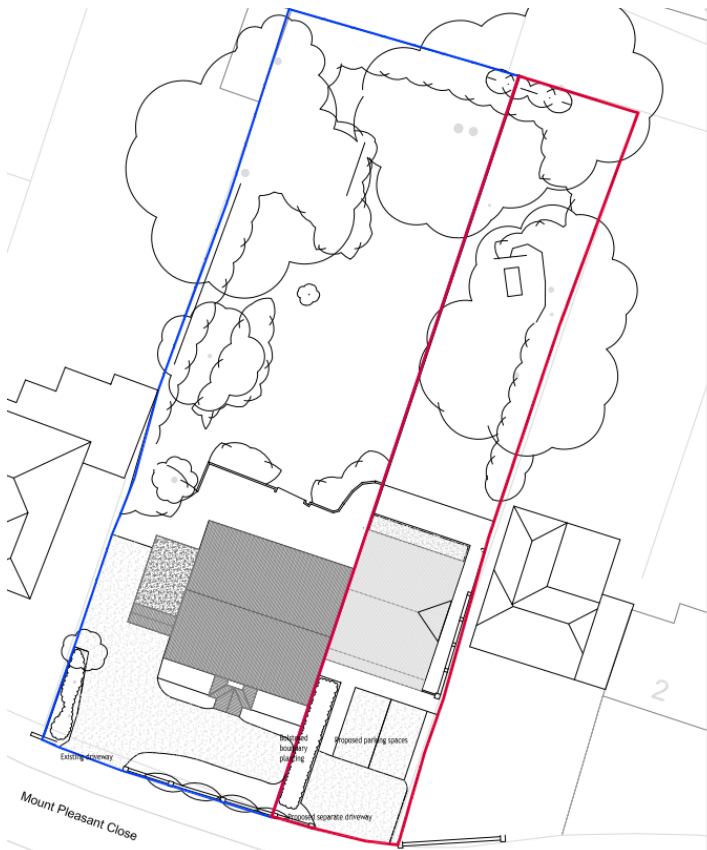
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20/0510/FFU – THE ANNEXE, 6 MOUNT PLEASANT CLOSE, LIGHTWATER, SURREY,  
GU18 5TP

Location plan



Block plan



## Existing elevations



Existing Front Elevation



Existing Rear Elevation

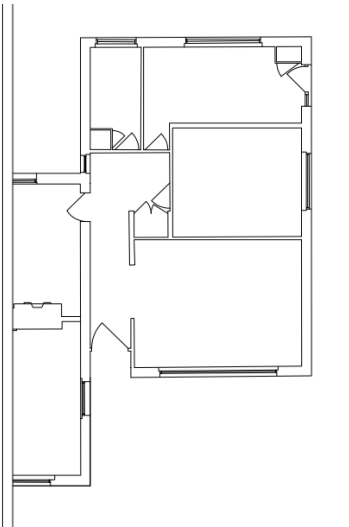


Existing North East Elevation

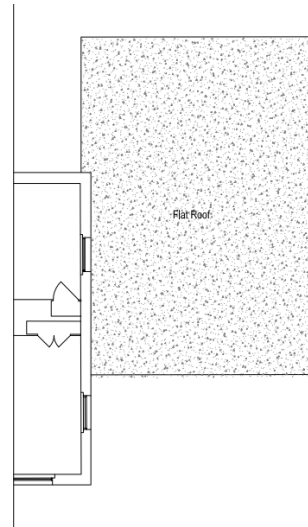


Existing North West Elevation

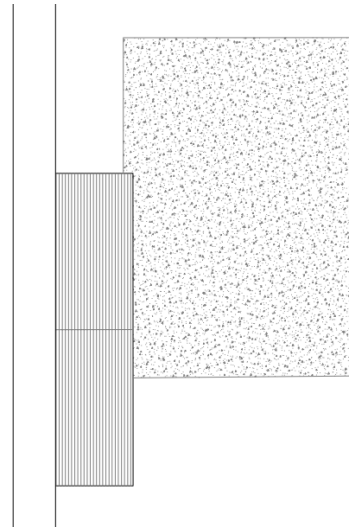
## Existing floor plans



Existing Ground Floor Plan



Existing First Floor Plan



Existing Roof Plan

## Proposed elevations



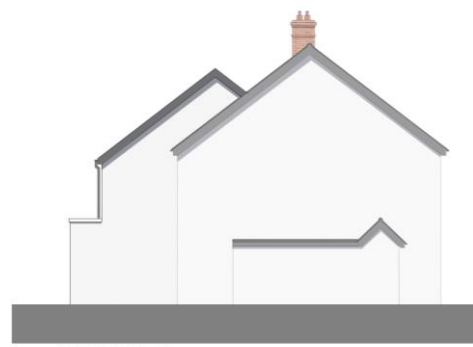
Proposed Front Elevation



Proposed Rear Elevation

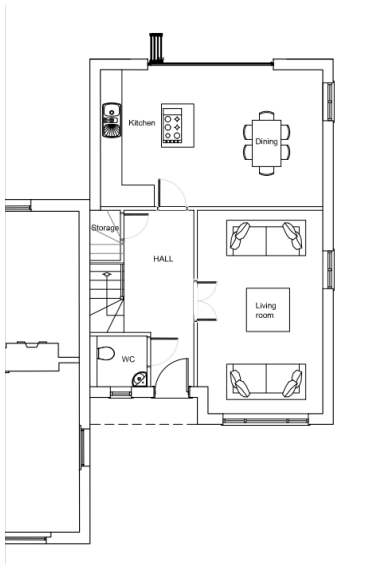


Proposed North East Elevation

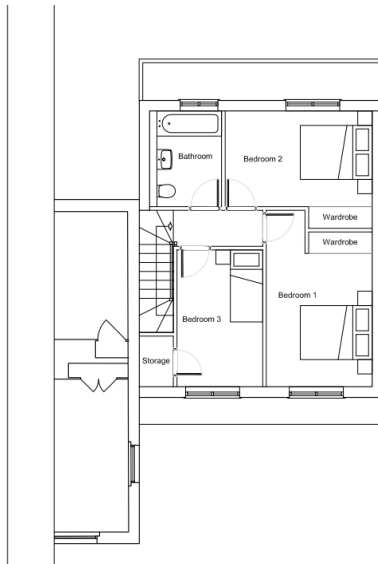


Proposed North West Elevation

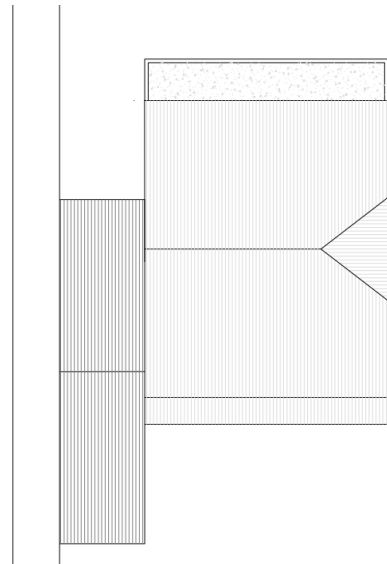
### Proposed floor plans



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Roof Plan

### Site photos

#### View from the front of the site





Rear garden, facing no 4



Rear garden, facing no 8



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

**NOTES**

**Officers Report**

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

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

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

**How the Committee makes a decision:**

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

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

**The Committee cannot base decisions on:**

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

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

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