



Surrey Heath Borough Council

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Tuesday, 8 December 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 virtually on **Thursday, 17
December 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

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes of Previous Meeting	3 - 14

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 12 November 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

- | | | |
|----------|--|----------------|
| 4 | Application Number: 20/0153 - Land To The Rear Of 42 Station Road, Frimley, Camberley, Surrey, GU16 7HF * | 15 - 42 |
| 5 | Application Number: 20/0819 - Laurel Farm, Fairfield Lane, West End, Woking, Surrey, GU24 9QX | 43 - 64 |

* indicates that the application met the criteria for public speaking

Glossary

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 12 November 2020

+ 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

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

Members in Attendance: Cllr Pat Tedder

Officers Present: Ross Cahalane, Jonathan Partington, Gavin Ramothal, Eddie Scott and Patricia Terceiro

35/P Minutes of Previous Meeting

The minutes of the meeting held on 15 October 2020 were confirmed and signed by the Chairman.

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

The application was for the erection of a 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.

The application would have normally been determined under the Council's Scheme of Delegation. However, it had been reported to the Planning Applications Committee at the request of the Executive Head of Regulatory.

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

Members were advised of the following updates on the application:

"Representations"

An additional objection has been received from a neighbour and their appointed planning and highway consultant, raising the following planning related issues:

- The Committee Report and proposed recommendation to grant planning permission subject to 6 conditions, is extensive and detailed, but based on incorrect and insufficient information leaving the permission, if granted in November 2020, open to challenge.
- The application fails to include essential scalable plan information about the existing and proposed house and grounds or the existing proposed car parking layout or vehicle tracking / arrangements.
- The applicants have had more than 2 years to rectify these problems and it seems likely now in the face of repeated objections and the requests for more information by the Case Officer, that the applicant has deliberately withheld and obscured key information.

[Officer Comment: It is considered that all relevant planning issues are covered in the Officer's Report and based on up-to-date and on-the-ground information]

Green Belt

- There are several permitted and lawful swimming pools in the area better located and better suited to this use with adequate off-street car parking. within 50 yards is an existing pool granted business use by the Council, and has been in operation for the last 14 years, 1 mile towards Bracknell are 3 swimming pools, with Bracknell leisure centre 500 yards further. Some 3 miles away towards Camberley, SHBC is building a new swimming and leisure centre.
- The proposal fails to demonstrate very special circumstances exist and therefore the presumption must be to protect the Green Belt. It is therefore inappropriate development. This proposal only demonstrates that there are private commercial reasons for this planning application. The applicant has submitted a further document in support naming 9 items that will increase the well-being, health and skills of all users. However, there is no exceptional or vitally important quantitative or qualitative need, with all of the other above pools in operation.

[Officer Comment: Each application must be considered on its own site specific planning merits. Sections 7.2 and 7.6 of the Committee Report cover the impact on the Green Belt and all matters which in combination are considered to amount to Very Special Circumstances]

Character and amenity

- The building is bigger than agreed, and is nearer neighbour's boundary.
- The proposed extensions and use, by reason of its proximity and existing and proposed over-bearing impact to neighbours and failure to respect and character and quality of Dukes Covert would be contrary to the design requirements of Policy DM9 of the Surrey Heath Core Strategy and Development.

[Officer Comment: Sections 7.3 and 7.4 of the Committee Report address character and amenity matters.]

Highways

- The proposed development during and outside of the Covid Pandemic would not accord with DM11 (Traffic Management and Highway Safety) because it would adversely affect the safe and efficient flow of traffic movement on the highway.
- The County Highway Authority (CHA) has not provided independent or full comments in their consultation response.
- There are no reasonable or enforceable planning conditions that could be attached to mitigate the impact of this proposal. The LPA cannot force all cars to be parked off-road. Condition 5 would be easy to remove/relax, and would still lead to overspill car parking.
- The commercial swim school has led to major parking problems in Dukes Covert and adverse impact on Dukes Covert - a quiet but narrow residential cul-de-sac set within the Green Belt. Thoughtless on-street car parking is ongoing, and is usually at its worst over the weekend.
- If permission is granted, as soon as the COVID Pandemic is over, the applicant will increase the swimming activity and this will cause traffic problems which will eventually result in an accident.

[Officer Comment: Section 7.5 of the Committee Report addresses highway matters. The Update to the Report states that the CHA has undertaken an assessment of the application and the Transport Statement (submitted by the objecting neighbour) 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 (No. 5) restricting the number of users of the pool to a maximum of five per session will mitigate against the risk of overspill parking. This condition is considered enforceable and additional permission would be needed for any variation to it.]

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

RESOLVED that application 18/0588 be granted subject to the conditions in the officer report.

Note 1

It was noted for the record that:

- i. Councillor Edward Hawkins declared that all the Committee had received correspondence on the application;

- ii. Councillor Valerie White declared that she had previously, but not recently, had conversations with the applicant and the neighbour in the past; and
- iii. Councillor Victoria Wheeler had previously had conversations with the neighbours to the application site.

Note 2

A roll call vote was taken on the officer recommendation to grant the application and the voting was as follows:

Voting in favour of the officer recommendation to grant the application:

Councillors Peter Barnett, Cliff Betton, Paul Deach, Colin Dougan, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Darryl Ratiram, Morgan Rise, Graham Tapper, Helen Whitcroft and Valerie White.

Voting against the officer recommendation to grant the application:

Councillors Graham Alleway and Victoria Wheeler.

37/P Application Number: 20/0592/FFU - Queen Anne House, Bridge Road, Bagshot, Surrey, GU19 5AT

The planning application was for 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.

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

Members were advised of the following updates on the application:

“Corrections

Para 6.1 should read ‘...*four representations*...’.

Para 4.7 should read ‘...*sufficient parking is provided for all units and three parking spaces are provided for visitors*’.

Representations

One representation has been received in support of the proposal, so long as that the development is provided with adequate soft-landscaping.

Parking provision

To clarify, the proposed parking provision would be as follows:

Dwelling type	Recommended provision	No of spaces provided and location
2-bed flat (unit 1)	1 space per unit	1 space in the communal parking area
2-bed flat (unit 2)	1 space per unit	1 space in the communal

		parking area
1-bed flat (unit 3)	1 space per unit	1 space in the communal parking area
1-bed flat (unit 4)	1 space per unit	1 space in the communal parking area
3-bed flat (unit 5)	2 spaces per unit	2 spaces in the communal parking area
4-bed dwelling (unit 6)	2 spaces per unit	2 spaces within the plot
2-bed dwelling (unit 7)	1 space per unit	2 spaces in the communal parking area
2-bed dwelling (unit 8)	1 space per unit	2 spaces in the communal parking area
1-bed bungalow (unit 9)	1 space per unit	1 space within the plot
Total	11	13

Three visitor parking spaces would be provided.

Amendment to Conditions

The applicant has proposed that in place of “No development shall commence”, the following conditions be reworded such that they are pre-occupation. This is considered acceptable and the amended conditions are provided below:

4. A landscape scheme to include hard and soft landscaping shall be 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.

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. Within 7 days of commencement of development digital photographs shall be submitted to the Council that record all aspects of any facilitation tree works and the physical tree and ground protection measures that have been implemented 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.”

Members acknowledged the openness of the current site and felt that if fencing were to be erected around the perimeter of the site, harm would be caused to the

existing visual and residential amenities. As a result an additional informative was added to the officer's recommendation to emphasise that no close board fencing should be erected around the site.

The officer recommendation to grant the application was proposed by Councillor Graham Tapper, seconded by Cliff Betton and carried.

RESOLVED that application 20/0592 be granted subject to the conditions in the officer report and the additional informative.

Note 1

The application was discussed by the Committee concurrently with application 20/0593 as the applications were intrinsically linked. However separate votes were taken on the applications.

Note 2

It was noted for the record that Councillor Valerie White declared that she had visited the site a couple of years ago prior to the application.

Note 3

A roll call vote on the officer recommendation to grant the application was conducted and the voting was as follows:

Voting in favour of the officer recommendation to grant the application:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Paul Deach, Colin Dougan, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Darryl Ratiram, Morgan Rise, Graham Tapper, Victoria Wheeler and Helen Whitcroft.

Voting against the officer recommendation to grant the application:

Councillor Valerie White.

38/P Application Number: 20/0593/LLB: Queen Anne House - Bridge Road, Bagshot, Surrey, GU19 5AT

The application was for 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.

The application would have normally been determined under the Council's Scheme of Delegation. However, it was reported to the Planning Applications Committee due to the fact that it was intrinsically linked to application 20/0592/FFU which was also determined at the meeting.

Members were advised of the following updates on the application to application 20/0592/FFU, as both applications are intrinsically linked:

“Corrections

Para 6.1 should read ‘...*four representations*...’.

Para 4.7 should read ‘...*sufficient parking is provided for all units and three parking spaces are provided for visitors*’.

Representations

One representation has been received in support of the proposal, so long as that the development is provided with adequate soft-landscaping.

Parking provision

To clarify, the proposed parking provision would be as follows:

Dwelling type	Recommended provision	No of spaces provided and location
2-bed flat (unit 1)	1 space per unit	1 space in the communal parking area
2-bed flat (unit 2)	1 space per unit	1 space in the communal parking area
1-bed flat (unit 3)	1 space per unit	1 space in the communal parking area
1-bed flat (unit 4)	1 space per unit	1 space in the communal parking area
3-bed flat (unit 5)	2 spaces per unit	2 spaces in the communal parking area
4-bed dwelling (unit 6)	2 spaces per unit	2 spaces within the plot
2-bed dwelling (unit 7)	1 space per unit	2 spaces in the communal parking area
2-bed dwelling (unit 8)	1 space per unit	2 spaces in the communal parking area
1-bed bungalow (unit 9)	1 space per unit	1 space within the plot
Total	11	13

Three visitor parking spaces would be provided.

Amendment to Conditions

The applicant has proposed that in place of “No development shall commence”, the following conditions be reworded such that they are pre-occupation. This is considered acceptable and the amended conditions are provided below:

4. A landscape scheme to include hard and soft landscaping shall be 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.

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. Within 7 days of commencement of development digital photographs shall be submitted to the Council that record all aspects of any facilitation tree works and the physical tree and ground protection measures that have been implemented 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.”

Members acknowledged the openness of the current site and felt that if fencing were to be erected around the perimeter of the site, harm would be caused to the existing visual and residential amenities. As a result an additional informative was added to the officer’s recommendation to emphasise that no close board fencing should be erected around the site.

The officer recommendation to grant the application was proposed by Councillor Morgan Rise, seconded by Valerie White and carried.

RESOLVED that application 20/0593 be granted subject to the conditions in the officer report and additional informative.

Note 1

The application was discussed by the Committee concurrently with application 20/0592 as the applications were intrinsically linked. However separate votes were taken on the applications.

Note 2

It was noted for the record that Councillor Valerie White declared that she had visited the site a couple of years ago prior to the application.

Note 3

A roll call vote on the officer recommendation to grant the application was conducted and the voting was as follows:

Voting in favour of the officer recommendation to grant the application:

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

39/P Application Number: 20/0510 - The Annexe, 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP

The application was for the demolition of existing single storey annexe and construction of a two storey attached 3 bed house with associated access and parking.

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

Members received the following updates on the application:

"Corrections

Para 7.5.9 should read '*...due to the lack of adequate front boundary treatment*'.

Representations

Four written representations have been received following publication of the Committee Agenda which raise the following issues:

- The application would be over development of the site and would not be in keeping with the surrounding properties *[see section 7.5 of the officer's report]*;
- The proposal would lead to further traffic congestion on the roads left hand bend directly where The Annex is situated and the access from the road would be inadequate *[see section 7.7 of the officer's report]*;
- This planning application would not conform to the Lightwater design statement *[see section 7.5 of the officer's report]*.

On 3 November 2020 the applicant also made the following representation in response to the publication of the committee report regarding the (i) width of the proposed plot; (ii) mixed character of the road; (iii) weight afforded to approved application 20/0347/FFU; and, (iv) creation of driveway and boundary treatment.

Officer's comments

Point (i):

In relation to the width of the proposed plot and its relation to local character, it is noted that in the same side of the road as the application property the dwellings to the west are bungalows and the properties to the east are two storey dwellings linked by garages. Directly opposite there are two storey houses. The development in the immediate vicinity of the application site is road frontage development with two storey dwellings and plot widths that do not fall below 10m. The proposed plot, at an approximate 8.2m width, would be narrower than those on its immediate context, which is considered the most sensitive.

The applicant makes reference to the width of plots 9 and 9A further to the west and it is noted that plot 9 would be about the same width as the proposed site and 9A would be slightly narrower. However, these plots accommodate bungalows, which is a different development from the proposed two storey dwelling. As bungalows, the built form is lesser and so smaller plots would be more appropriate by comparison. In addition, the Inspector in para 11 of the 2018 Appeal Decision (page 94 of the Agenda) notes that this area has a different character and, therefore, is not directly comparable. This approach was followed in assessing this proposal.

The plot width for previous application 17/0707 was approximately 7.7m and the plot width for previous application 16/0664 was about 7.6m. In light of the above context, it is not considered the revised plot width would be materially different from the previously dismissed appeals.

Point (ii):

See section 7.4 of the officer's report, where the proposal's impact on the character of the area is discussed.

Point (iii):

The provision of a new dwelling means that the effect on the streetscene would be materially different than a householder extension, as recognised by the Inspector in para 15 of the 2018 Appeal Decision (page 95 of the Agenda). The weight afforded to this permission is a matter of planning judgment and is discussed in para 7.5.4 of the officer's report.

Point (iv):

The creation of a driveway is discussed in paras 7.5.8 and 7.5.9 of the officer's report. In para 15 of the 2017 Appeal Decision (pages 91 and 95 of the Agenda, respectively) the Inspector noted that although these parking arrangements could be achieved under permitted development, it is unlikely that this would be provided without the need created by the proposed dwelling and the same approach was followed in this assessment.

Both appeal decisions refer that the parking spaces, of themselves, would be similar to others in Mount Pleasant Close, however it is the opening up of the site's frontage that would emphasise the proposal's harm to the character of the area (see para 14 of both 2017 and 2018 Appeal Decisions, pages 91 and 95 of the Agenda, respectively). It is also noted that the plans submitted with the 2017 application show a partial boundary treatment to the front elevation, which did not preclude the Inspector of reaching this conclusion. The same approach was followed in assessing this application. It is also noted that there would not be sufficient space to provide soft landscaping to enclose the parking area and soften the proposed built form, as required by Principle 6.8 of the RDG."

The officer recommendation to refuse the application was proposed by Councillor Colin Dougan, seconded by Councillor Garrett and put to the vote and carried.

RESOLVED that application 20/0510 be refused.

Note 1

It was noted for the record that Councillor Peter Barnett declared that he had been in correspondence with the applicant and Councillor Sharon Galliford had visited objectors to the application on his behalf.

Note 2

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

Voting in favour of the officer recommendation to refuse the application:

Councillors Graham Alleway, Paul Deach, Colin Dougan, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Darryl Ratiram, Morgan Rise, Victoria Wheeler and Helen Whitcroft.

Voting against the officer recommendation to refuse the application:

Councillors Peter Barnett, Cliff Betton and Graham Tapper.

Chairman

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20/0153/FFU

Reg. Date

10 July 2020

Frimley

LOCATION:	Land To The Rear Of 42 Station Road, Frimley, Camberley, Surrey, GU16 7HF,
PROPOSAL:	Erection of a two storey building comprising 4 two bedroom flats with associated amenity space
TYPE:	Full Planning Application
APPLICANT:	Mr Paterson
OFFICER:	Mrs Sarita Bishop

This application would normally be determined under the Council's Scheme of Delegation. However, it has been referred for determination by the Executive Head of Regulatory as the owner of the site has been a Surrey Heath councillor within the last four years

RECOMMENDATION: REFUSE

1. SUMMARY

- 1.1 This application seeks planning permission for the erection of a two storey building comprising 4 two bedroom flats with associated amenity space.
- 1.2 The siting, height, depth, proximity and massing of the proposed building to the rear of 42 Station Road would be inappropriate for this location, harmful to the character, appearance and quality of the area and the amenities of adjoining and future residents. Furthermore, it has not been satisfactorily demonstrated how the car parking demands of the scheme are to be met. In addition the proposal has not mitigated its impact on the Thames Basin Heaths Special Protection Area.
- 1.3 Given the concerns raised as set out in detail below the application is recommended for refusal.

2. SITE DESCRIPTION

- 2.1 The application site, of some 0.049 hectares, is located on the north east side of Station Road. It comprises a grassed area to the rear of 42 Station Road with trees and vegetation predominantly along the rear site boundary. It is noted that the site is described in the Planning, Design and Access statement as vacant and neglected land. However, the established and recognised use of the land is as rear garden associated with 42 Station Road and, in the absence of any evidence to the contrary, the application is considered on this basis. There are two fence panels across part of the width of the garden from the common boundary with 44 Station Road and projecting just over 4 metres from the rear of the existing conservatory. There is a gap between the two fence panels and the common boundary with 40 Station Road which, at the time of the officer site visit, continued to provide unrestricted access to the application site for use as garden by the residents of 42 Station Road. The boundaries for the remainder of the site are formed by fencing, bushes, trees and the existing houses. The submitted plans show an existing vehicle access between 40 and 42 Station Road which is capable of providing limited off street parking. There is a gap in part of the the boundary between 40 and 42 Station Road which, at the time of

the officer site visit had no boundary treatment due to the removal of vegetation which was previously in this location. With the exception of a small area by the rear site boundary, the site is within Flood Zone 2.

- 2.2 Station Road is bisected by the elevated Frimley Bypass. The area of Station Road in the vicinity of the application site is typically characterised by detached two storey dwellings with small front gardens and long rear gardens. This results in a linear form of frontage development with strong front and rear building lines. With limited off street parking provision, on street car parking is also a characteristic of Station Road.
- 2.3 Nos. 40, 42 and 44 Station Road adjoin the application site to the north, south and west. These comprise three detached dwellings dating from the first half of the 20th century. They are almost identical in design when viewed from Station Road with front gables under dual pitched roofs in a white external finish. All three dwellings have been extended to the rear. There is a part single part two storey extension to the rear of 40 Station Road, there is a conservatory to the rear of 42 Station Road and a single storey rear extension to the rear of 44 Station Road.
- 2.4 A three storey office building and associated car parking occupied by BAE Systems lie to the east. Vehicular access to this site is from Lyon Way.
- 2.5 The site lies within the Victorian/Edwardian Subdivisions of the Historic Routes Character Area as defined by the Western Urban Area Character supplementary planning document.

3.0 RELEVANT HISTORY

- 3.1 In 2018 and 2019 it was determined that prior approval was not required for larger home extensions to the rear of 40, 42 and 44 Station Road of between 7.9 metres and 8 metres in depth, all of which have now lapsed.
- 3.2 In the early 2000s there were a number of applications for the redevelopment of land at 40-54 and rear of 56 Station Road for a minimum of 45 dwellings. These applications were either withdrawn or appeals were withdrawn having been lodged either against refusal of planning permission or grounds of non-determination.

4.1 THE PROPOSAL

- 4.1 Permission is sought for the erection of a two storey building comprising 4 two bedroom flats with associated amenity space. The application site is divided into three areas comprising the proposed building which is bounded by two amenity areas to the front and rear, parts of which are for communal use.
- 4.2 The proposed building is to be sited some 15 metres to the rear of the main two storey rear elevation of 42 Station Road. Pedestrian access would be provided from the existing vehicle access between 42 and 40 Station Road. This area provided access to a garage which was formerly on this site to the rear of 42 Station Road. It is proposed to extend pedestrian access along the majority of the length of common boundary with 40 Station Road to provide access to the garden areas at the rear of the site and secondary escape access to flats 3 and 4. The building would be sited on the common boundary with 44 Station Road with the pedestrian access of about a metre separating the building from the common boundary with 40 Station Road. The proposed design of the building incorporates gables and pitched and hipped roofs in a white external finish.
- 4.3 The proposed building would have a depth of some 22 metres and a width of some 8 metres (excluding bays). It would have three pitched roofs with maximum ridge heights of 6.5 metres to 7 metres. Given the angled line of the rear boundary separation distances of between some 22.5 metres and 23.5 metres are proposed to the adjoining

office development. A screened external staircase is proposed to the rear of the building to provide escape access to the first floor flats (3 and 4).

- 4.4 Two amenity areas are proposed. The first is between the front of the proposed building up to the revised rear fence line for 42 Station Road. This is shown to be a predominantly communal space and includes the cycle and bin stores for the development, a seating area, ramped access to the flats and small private amenity spaces for the occupiers of flats 1 and 2. Panel fencing and living green screens of approximately 2.5 metres to 3 metres in height are proposed to form the common boundaries with 40, 42 and 44 Station Road.
- 4.5 The second amenity area is to the rear of the building. This incorporates four enclosed private gardens for each flat and a shared amenity space and store. Flats 1 and 2 have direct access to their gardens with gardens 3 and 4 being some 12 metres to 16 metres from the rear of the building (some 8 metres to 12 metres from the rear external staircase).
- 4.6 Two 2 bedroom flats are proposed on each floor and have been designed to comply with the Technical Housing Standards – nationally described space standards issued by Ministry of Housing, Communities and Local Government in March 2015. The primary access for the proposed flats is in the front elevation of the building. The recessed first floor windows in the front elevation, which serve the living areas are screened by permanent fixed louvres. The ground floor windows in the side elevation facing 40 Station Road, which serve the living/kitchen areas, family and ensuite bathrooms and bedroom 1, are screened by Western Red Cedar panels with such panels shown at first floor level as an elevational feature. A first floor projecting window is also proposed in this elevation. This is also screened by a Western Red Cedar panel with a limited outlook to the rear. This projection oversails the pedestrian access to the side of the building. Three opaque high level windows are proposed in the side elevation on the boundary with 44 Station Road.
- 4.7 No car parking provision is proposed on site. The application proposed that car parking is provided off site in the Burrell Road car park.
- 4.8 The application is supported by a Planning, Design and Access statement, an Apartment Buildings context plan, an Urban Context plan, an Artists impression of the proposal, a Flood Risk Assessment, an Arboriculture Method Statement, a Parking Provision statement, a plan showing the location of public car parks in the vicinity of the site, a telecommunications supplementary statement and a Communications/Transport plan.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|-------------------------------------|--|
| 5.1 | County Highway Authority | No objection. The updated response received is annexed to this report as Annex A. |
| 5.2 | Council's Arboricultural Consultant | No objection subject to conditions. |
| 5.3 | Natural England | No objection subject to appropriate mitigation being secured in relation to the impact on the Thames Basin Heaths Special Protection Area. |
| 5.4 | Scientific Officer | No objection subject to condition. |
| 5.5 | Environmental Health | No objection on noise grounds. |

5.6	Council's Drainage Officer	Views awaited.
5.7	Environment Agency	No objection.
5.8	Joint Waste Solutions	Information provided on refuse and recycling requirements.

6.0 REPRESENTATIONS

- 6.1 At the time of the preparation of this report 14 representations have been received objecting to the proposal on the following grounds:

Character [See sections 7.4.1 to 7.4.11]

- Conflicts with the Surrey Heath Core Strategy and Development Management Policies 2011-2028, the Western Urban Area Character supplementary planning document (SPD) and the Residential Design Guide SPD;
- Backland development;
- Out of keeping with current plot divisions;
- Negative impact on the traditional character of the area;
- Appears no consideration to the size, shape and rhythm of the surrounding plot layouts;
- The physical space that the building would dominate is against the character of the area;
- The appearance of the building and design concepts are at odds with the rhythm of the existing Edwardian family homes;
- There are no other dwellings in gardens;
- The proposal does not address the immediate environment in which the site is situated;
- Too large for available space;
- Building blocks of flats anywhere in the area will certainly be of detriment to the character of the area;
- This road does not need another four properties on it as it simply cannot sustain them;
- Development too high;
- Poor quality overdevelopment;
- Practically the width of the plot seems inadequate of the size of the development proposed.

Landscape [See sections 7.4.12 to 7.4.14]

- Existing rose bushes shown have been removed and replaced by hard landscaping which diminishes the frontage;
- Tree report advised of keeping trees in place for privacy reasons but application is suggesting trees would be removed;
- Concerns regarding roots of large Oak trees at the end of the garden being affected by the development;
- There are two Oak trees however only one is included on plan.

Residential amenity [See sections 7.5.1 to 7.5.9]

- Overbearing impact;
- The proposed development in scale, size, dominance, mass, context, visual and physical relationship create an unsatisfactory impact on residential amenity;

- The proposed building would be adjacent to existing patio/outdoor dining space rendering this space exceptionally enclosed and becoming shaded for the majority of the day;
 - The amenity space for 42 Station Road would be reduced to a depth of 4.5 metres (rear of conservatory to current fence panel in situ) which is unacceptable when considering the design of the overall community;
 - Overlooking to 42 Station Road from habitable rooms with fixed louvre panels;
 - Potential light nuisance from security/safety lighting;
 - Typically no properties on the street have windows on the side of adjoining properties;
 - Noise, dust and fumes;
 - Potential location of communal bins in proximity to bedroom windows;
 - Loss of light/sunlight;
 - Loss of privacy;
 - The proposal will negatively impact on the quality of life of other street residents;
- Residential environment created [See sections 7.6.1 to 7.6.6]
- Louvres covering the windows results in limited direct sun ingress;
 - The design of the bedrooms is of very poor quality in terms of layout and usability;
 - The front amenity space does not meet standard in RDG;
 - The rear gardens are mainly north facing and shrouded by mature tall trees.
- Highway matters [See sections 7.7.1 to 7.7.8]
- Application form is not correct in that the proposal alters vehicular access for the existing driveway;
 - The repurposing of the driveway for pedestrian only access negatively impact the parking provision for 42 Station Road (a three bed house) placing an additional burden on Station Road as a whole;
 - Due to the number of units and the nature of the location in Frimley the likelihood of potential residents owning a car is high;
 - The applicant has said “Frimley train station at the end of the road giving direct access to a global city” which is factually incorrect as there are no direct trains to London or to airports from Frimley station;
 - Very little mention of the impact of cars, provision for parking and the assessment of road use;
 - The applicant’s proposal for very limited provision of parking in Burrell Road car park has not been formally evidenced, nor is this considered to be a viable and sustainable option in the longer term;
 - As a no through road Station Road have very limited turning space;
 - Passing places for cars travelling along the road can be limited and causes regular congestion therefore any increase in traffic within the road could easily put more strain on an already challenging environment for residents and children;
 - Parking in Frimley is already considered to be at a premium directly as a result of Frimley Park hospital and people working within the High Street;
 - There is limited infrastructure and under investment in cycling provision within the community and the proposed use of bicycles is not a reasonable option in their view;
 - Waitrose is one of the most expensive supermarkets in the country with no others being available within walking distance;
 - If the proposed homes are intended to be for families, the nearest school is almost a mile walk which for a young child is not reasonable;
 - Reliance on the car would become essential for daily living;
 - 42 Station Road will lose allocated parking space to create access to the flats which could potentially lead to a further 8 cars requiring parking on an already busy and crowded road;

- Inconceivable that none of the prospective residents of the proposed development will not own some form of motorised vehicle;
 - Inconceivable that residents will park in Burrell Road car park particularly if they have shopping or any type of heavy goods in their cars;
 - There is not enough parking down Station Road for parking for flats;
 - No mention of visitor parking;
 - If planning granted then you cannot oppose anyone else building flats in the gardens of properties in Station Road and this would result in complete mayhem with parking situation;
 - There are already disagreements and notes being stuck on vehicles by the owner of 42 Station Road so he is fully aware of the parking problems down Station Road;
 - Lack of parking will only cause neighbour disputes and unrest in Station Road and be a burden on local resources;
 - No room for additional parking on the street;
 - The proposals for parking are fanciful, unrealistic and disingenuous;
 - No access for emergency services;
 - Station Road is already a very busy street with a doctors surgery;
 - Burrell Road car park is also very busy which will increase the problems;
 - The proposals in the plan to address the additional 6-8 cars are at best unworkable and on the face of it, a creative fabrication;
 - Existing parking issues would suggest that no increase in density can be supported without suitable mitigation such as a residents parking scheme being funded by the developer.
- Drainage [See sections 7.10.1 to 7.10.3]
- Ground displacement and reduced drainage poses further issues for entire street
- Other matters
- The submitted images appear to present several buildings as being “adjacent” and as the “standard” within Station Road which is not the case;
 - The submitted block plans are not representative of 40 and 44 Station Road as both properties have been extended to the rear and correcting these plans may highlight further increased impacts concerning overshadowing, diminished privacy, light and amenity space;
 - No precedent for this type of development [*Officer comment: each application is determined on its own planning merits*];
 - Following clarification letter of 26 March confirming that foundations will not project beyond boundaries the proposal is no longer representative of the building as it will be repositioned away from the boundary or reduce the width of the building reducing living space or amenity space;
 - From the scale plans it would seem that the building extends 48 metres from the kerbside not the 45 metres stated within the application to meet the Fire Brigade requirements [*Officer comment: fire safety is dealt with under the Building Regulations*];
 - No evidence of water tank provision for the proposed sprinkler system;
 - Concerns about fire escape provision in terms of location and accessibility out onto Station Road;
 - How will measures to protect tree roots on neighbouring land from damage be enforced;
 - Shrubbery and hedging either side of the proposal’s pathway may have a negative impact to the existing foundations at 40 Station Road given soil depth required for healthy root systems;
 - No opportunity for community involvement;

- Concerns about the Council's notification process with neighbours [*Officer comment: publicity for this application has taken place in accordance with the relevant legislation*];
- Foxes and bats live in close vicinity to proposed development;
- Concern that the proposal is the first step toward a Council ambition to redevelop the area;
- Recent occupant of 42 Station Road was a Surrey Heath councillor who is planning to leave the area [*Officer comment: this is not a material consideration in planning terms*];
- This whole process appears on the surface to be extremely dubious and that nepotism has played a part in the proposal;
- Disruption to ground nesting birds and rare newts as per previous rejection that prevented residents being bought out by developers;
- Development is without merit;
- The proposal will effectively prevent future development of the whole site;
- Development is for the commercial benefit of the investors only with a wholesale disregard for the negative impact it will have on the quality of life of the neighbours and Station Road residents;

7.0 PLANNING CONSIDERATION

7.1 The site is located within the settlement area of Frimley as defined by the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). As such Policies CP1 (The Spatial Strategy), CP2 (Sustainable Development and Design), CP3 (Scale and Distribution of Housing), CP6 (Dwelling Size and Type), CP11 (Movement), CP12 (Infrastructure Delivery and Implementation), CP13 (Green Infrastructure), CP14A and 14B (Biodiversity and Nature Conservation), DM9 (Design Principles), DM10 (Development and Flood Risk) and DM11 (Traffic Management and Highway Safety) The site is also within the Victorian/Edwardian Subdivisions sub area (offset from main thoroughfares) of the Historic Routes Character Area as defined by the Western Urban Area Character (WUA) Supplementary Planning Document May 2012. The Council's Supplementary Planning Documents in relation to the Residential Design Guide (RDG) September 2017, Infrastructure Delivery July 2014 and the Thames Basin Heaths Special Protection Area (TBHSPA) Avoidance Strategy 2019, the Vehicular and Cycle Parking Guidance January 2018 published by Surrey County Council, the National Planning Policy Framework/Practice Guidance and saved Policy NRM6 of the South East Plan are also relevant to the consideration of the submitted proposal.

7.2 The main planning issues relevant to this application are considered to be as follows:

- Principle of the development;
- The impact on the character of the area,
- The impact on residential amenity of adjoining occupiers;
- The residential environment created;
- Highways, parking and access;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths Special Protection Area;
- Flood risk and surface water drainage

7.3 The principle of development

7.3.1 The National Planning Policy Framework (NPPF) advises that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 7.3.2 The site is within the settlement area of Frimley, wherein residential development is acceptable. Policy CP1 of the CSDMP 2012 states that new development will be directed in accordance with the spatial strategy which provides the most sustainable approach to accommodating growth within the borough, that new development will come forward largely through the redevelopment of previously developed sites in the western part of the borough. Frimley is acknowledged as being a sustainable location but notes that it has limited potential for housing growth. In this regard it is noted that in the glossary to the NPPF, residential gardens are excluded from the definition of previously developed land. Whilst the Council cannot currently demonstrate a 5 year housing land supply, and recognising that the site is in a sustainable location, the release of this site for housing should not automatically be accepted, nor be at the expense of the established residential context; the impacts of which are fully considered below.

7.4 The impact on the character of the area

- 7.4.1 Paragraph 124 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 127 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.
- 7.4.2 Policy CP2 of the CSDMP 2012 states that new development should ensure that all land is used efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density, and that trees and vegetation worthy of retention should be protected.
- 7.4.3 The NPPF promotes an efficient use of land. However, this should not be at the expense of the character and appearance of the area. Paragraph 127 of the NPPF requires that whilst not preventing or discouraging appropriate innovation or change, development should be sympathetic to local character.
- 7.4.4 The WUA and RDG also emphasise the need for new development to respect, enhance and have regard to distinctive patterns of development and take opportunities to add to the positive features of the area. Principle 6.6 of the RDG states:

“New residential development will be expected to respond to the size and rhythm of surrounding plot layouts

Fine residential plot divisions will be supported and encouraged particularly in intensifying urban areas. Loss of fine grain plots layouts will generally be resisted.

Plot boundaries to the front, side and rear will be expected to be clearly and strongly defined. Proposals with weak or absent plot definition and plot layouts that are out of context with the surrounding character will be resisted”

- 7.4.5 The Guiding Principles of the Victorian/Edwardian subdivisions sub area of the Historic Routes Character Area state that new development should pay particular regard to the need to reflect historic plot divisions, architectural detailing and scale and massing in all development, include high quality architectural detailing of publicly visible elevations, provision of opportunities to soften the closely set buildings with vegetation, buildings should predominantly contain traditional elements such as the use of gables, pitched roofs etc, be principally of red brick with the occasional use of render, the inclusion of front boundary walls and/or hedges and buildings to strongly address the road frontage with a traditional front/back relationship to the street. It also states that buildings with large footprints that include large areas of flat roof will be resisted with the massing of building and roof elevation being broken down to avoid this problem. Positive features of the character area include the retention of many properties from the Victorian/Edwardian

era, concentrations of buildings with original Victorian/Edwardian architectural features, plot layouts and building scale and massing and attractive streetscenes with strong enclosure and repetitive rhythms of building proportions, materials and colours. The RDG also sets out standards for new development including guidance on architectural detailing, use of natural light, window design, internal space standards, density and layout.

Layout and design

- 7.4.6 The applicant has provided a context plan for apartment buildings. The plan shows the site in the context of Frimley High Street, the Station Road doctors' surgery, residential development in Station Road/Burrell Road and the Lyon Way Core Employment Area. Three apartment buildings are referred to, two of which are former office buildings converted under Class O of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (Wyvern House Frimley High Street and Magna Vita Lyon Way). It is also noted that they are not in the same character area as the proposed site. 56 Station Road is a two storey building comprising 6 one bedroom flats with 10 parking spaces located at the end of Station Road. This building was approved in 1996 and is frontage development onto Station Road. When this building was originally approved it was subject to an age occupation restriction of 60 years old because the parking standard in operation at that time for unrestricted occupation could not be met. Additional parking was subsequently provided and the age restriction was lifted. After detailed assessment it is considered that the context provided particularly in relation to apartment buildings is not comparable to the application proposal. Notwithstanding this, the proposal, also has to be assessed on its overall impact on the character of the area and this is discussed in more detail below.
- 7.4.7 The Station Road streetscene in the vicinity of the site is generally characterised by detached houses with regular spacing and similar building relationships to the street. There are significant separation distances between the dwellings and the Lyon Way Core Employment Area located to the north east and south west, of these properties, which is provided by long rear gardens. This gives a feeling of openness and a defined visual break between residential and commercial development which are defining features of this part of Station Road. There is minimal development beyond the rear house elevations. This together with the frontage relationship to Station Road result in strong front and rear building lines which are typical of this part of Station Road.
- 7.4.8 The proposed building is shown to be located to the rear of Station Road in a backland location. The site has been subdivided into numerous areas to facilitate the building and its associated amenity areas. This does not reflect the frontage development which is characteristic of Station Road, nor the size, shape and rhythm of surrounding plot layouts. Furthermore, the plot layout is out of context with the surrounding character in terms of size and shape. The siting of the building to the rear of frontage development fails to reflect or respect the strong front and rear building lines typical of the area. Having regard to these comments the proposal would be completely out of character with the established pattern of development and would result in an incongruous form of rear garden development. As such the proposal conflicts with Policy DM9 and is contrary to Principle 6.6 of the RDG.
- 7.4.9 Dwellings in the vicinity of the application site, generally, have a similar character which reflect their time of construction, design and external finish. The proposed building would have a two storey depth of some 22 metres which is significantly greater than any other building in Station Road including the purpose built flats at 56 Station Road. This size of footprint is at odds with those of existing buildings and as such it is harmful to the character of the area. This impact is further exacerbated by the screened external staircase at the rear of the building which is a wholly alien feature in this part of Station Road.

- 7.4.10 The design of the building incorporates features from existing dwellings in the vicinity of the site such as the gable details in the front elevation of the building, dual pitched roofs and the use of white render. The proposed building comprises three distinct design elements. The front part of the building has side gables under a dual pitched roof with two subordinate front facing gable details. The first floor windows incorporate permanent fixed louvres. The pitched roof for the middle section of the building links into the roof in the front section of the building. A hipped pitched roof is proposed at the end of this section. These roofscapes include solar panels and rooflights to illuminate flats 3 and 4. The rear section has side facing gables and a dual pitched roof and a screened external staircase.
- 7.4.11 It is considered that the proposed building would have a disjointed and contrived appearance as a result of the depth of building in combination with various pitched roofs and side and front facing gables. This also results in awkward transitions at roof level particularly at the rear section of the building. The windows in the side elevation adjoining 40 Station Road incorporate Western Red Cedar screening panels. The resultant impact on the design of the buildings whereby the windows are wholly covered with no glazing visible is considered to be contrived and out of keeping with the established pattern and form of fenestration in the area and objection is raised to the proposal in this regard. Having regard to the above comments, the proposal would not reflect the cohesive and simple design approach typically seen in this part of Station Road nor does it reflect the pattern and form of existing fenestration. As such the proposal is considered to be unacceptable in design terms which would result in significant and demonstrable harm to the character and appearance of the area and objection is raised to the proposal in this regard.

Landscape

- 7.4.12 The application is supported by an Arboricultural Method Statement which includes a tree survey. No trees are shown within the application site with two hedges (one Beech and one Leylandii, now removed) shown on the survey plan forming part of the common boundary with 40 Station Road. Established trees are shown within the gardens of 40 and 44 Station Road and within the curtilage of the office building to the rear. The Council's Arboricultural Consultant is satisfied with the submitted information subject to the imposition of appropriate conditions to secure details of foundations, service routes and landscaping. As such no objection is raised to the proposal on landscape grounds.
- 7.4.13 Given the above commentary the proposed development would be contrary to policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies (2012), the principles and objectives of the WUCA and RDG and the NPPF in that it would result in material harm to the character of the area such that planning permission should be refused.

7.5 The impact on residential amenity of adjoining occupiers

- 7.5.1 Paragraph 127 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.3 of the RDG states that the occupants of new dwellings should be provided with good quality daylight and sun access, and that developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.1 states that new development should have a degree of privacy and should not have a significant adverse effect on the privacy of neighbouring properties. Principle 8.4 sets out the minimum garden space standards.

- 7.5.2 The application site is bounded by the residential properties of 40, 42 and 44 Station Road with an office building and its car parking. When considering the impact on neighbouring occupiers the existing pattern/form of development and overlooking are material considerations in assessing the proposed scheme.
- 7.5.3 The proposed building is proposed to be sited immediately adjacent to the common boundary with 44 Station Road and within about a metre of the common boundary with 40 Station Road. Given this and having regard to the depth and height of the building proposed, the proposal is considered to give rise to unacceptable overbearing and overshadowing impacts to the rear gardens of these properties which would be unacceptable in residential terms. The building would dominate both gardens resulting in poor relationships with both properties and a material loss of outlook. As such objection is raised to the proposal in these grounds.
- 7.5.4 The general pattern of overlooking in Station Road is to the front and rear of properties. The proposal introduces a number of habitable and non habitable windows in the side elevations, some of which are high level in opaque glazing with the remainder being screened by wooden panels. Whilst it is acknowledged that the screens and the height of the windows have been proposed to address issues associated with potential direct overlooking to adjoining neighbours, they would be visible from adjoining properties and there would be a resultant perception of being overlooked.
- 7.5.6 The RDG advises that a minimum distance of 20 metres is the Council's generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other i.e. a back to back relationship. For two storey rear to side relationships it may be possible to reduce the separation distance to 15 metres. In this case the separation distance between the first floors rear windows in 42 Station Road and the screened first floor windows in the proposed building is 15 metres. Whilst the louvres have been incorporated to address potential privacy concerns, there would also be perception of being overlooked which would be unacceptable in amenity terms. Furthermore, there is an existing ground floor window in the side elevation of 42 Station Road which forms the boundary for the main pedestrian access to the proposed building. This access is proposed to be the sole access for residents, visitors and deliveries/collections to the proposed building. It is therefore considered that the likely pattern of activity associated with the use of this access and the potential loss of privacy in proximity to this window would be detrimental to the quiet enjoyment of their property that the residents of 42 Station Road may reasonably expect to enjoy. As such objection is raised to the proposal on these grounds.
- 7.5.7 The proposed bin stores are shown to be sited along the common boundary with 40 Station Road and would be screened by fencing or the proposed living green screen. It is considered that, in the event that planning permission were to be granted, appropriate bin stores could be secured to ensure these facilities would not give rise to unacceptable odour impacts.
- 7.5.8 The sub-division of the original curtilage for 42 Station Road to facilitate the proposed development has resulted in a rear garden area of some 38 square metres being retained for 42 Station Road. The RDG advises that the minimum outdoor amenity size standards for a three bedroom house is between 55 square metres (predominantly south facing) and 65 square metres (predominantly north facing). The consequence of the subdivision of the site has resulted in inadequate amenity space provision being retained for the residents of 42 Station Road and objection is raised to the proposal in this regard.
- 7.5.9 The proposal is therefore considered to have significant adverse impacts on adjoining properties to the detriment of the amenities these residents may reasonably expect to enjoy. As such objection is raised to the proposal in this regard.

7.6 The residential environment created

- 7.6.1 The proposal is for 4 two bedroom flats. The proposed double bedrooms indicate a floor area of 15.95 square metres with the singles having a floor area of 10.7 square metres. The submission states that it complies with the Governments Technical Housing Standards. In this regard the standard advised that:

“c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide

d. in order to provide two bedspaces a double (or twin bedroom) has a floor area of at least 11.5m²

e. one double (or twin bedroom) is at least 2.75 metres wide and every other double (or twin) bedroom is at least 2.55m wide.....”

- 7.6.2 With the exception of bedroom 2 for flat 4, the desire to provide two bedrooms has resulted in bedroom layouts which are contrived with long corridors and differing widths, none of which consistently provide a width of 2.75m or 2.15m for the single or double bedrooms to provide a bedroom which meets the minimum space standard. As such the proposal conflicts with Principle 7.6 of the RDG wherein the Council expect new housing development to comply with the national internal space standards.

- 7.6.3 Whilst windows are proposed to serve habitable rooms within the building, the windows in the first floor front elevation facing 42 Station Road and the side elevation facing 40 Station Road, would be screened by louvres or wooden panels. Whilst it is recognised that there are rooflights in first floor apartments, this lack of outlook would create a poor living environment. Furthermore, it is considered that the diminished levels of natural light to the kitchens and living rooms in the ground floor flats would result in a reliance in artificial light and ventilation which would not be considered desirable or sustainable. As such the proposal conflicts with Principles 7.2, 8.2 and 8.3 of the RDG wherein the Council will expect new residential development to make optimal use of natural light, warmth and ventilation so as to minimise the use of energy for lighting and heating, the provision of at least one main window to a habitable room with an adequate outlook to external space and good quality daylight and sun access levels to habitable internal rooms for occupants of new dwellings.

- 7.6.4 Principle 8.6 of the RDG states that flatted development will be expected to provide private outdoor amenity space for each unit. The proposal includes communal and private amenity spaces which are considered to meet the recreational and functional needs of future residents and are acceptable.

- 7.6.5 Bin storage facilities are proposed within the communal space proposed at the front of the building. They would be located adjacent to the common boundary with 40 Station Road. Subject to the comments above at paragraph 7.5.7 it is considered that appropriate bin storage facilities would be provided.

- 7.6.6 The proposal is therefore considered to result in an unacceptable standard of living for the future occupiers of the development for the reasons outlined above and objection is raised to the proposal in this regard.

7.7 Highways, parking and access

- 7.7.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.

- 7.7.2 The proposal details the use of the existing vehicle access for pedestrian purposes. This means that the limited off street parking for 42 Station Road would be removed. The proposal states that four proposed parking spaces are to be off site within the Council's Burrell Road Car Park some 260 metres walking distance from the site. In their initial response, the County Highway Authority (CHA) advised that dedicated leased parking in this car park would be acceptable.
- 7.7.3 However the views of the Council's Parking Manager have been sought in this regard. He advises that dedicated leased parking for residents is not provided by the Council's Parking Service. Season tickets are available for residents and businesses but possession of such a ticket does not guarantee a space. He confirms that this car park is small and busy with a lot of short stay use which needs to be preserved to offer parking for customers, shoppers and visitors to the doctors' surgery. Given these comments the provision of dedicated leased car parking for future residents of the proposed scheme in perpetuity cannot be secured. As such the application is to be assessed on the basis that no car parking provision is proposed to serve the proposed development.
- 7.7.4 The CHA was advised of these comments and its revised response is attached as Annex A. It agrees that for the reasons outlined above, the Burrell Road car park should not be considered as a suitable alternative to providing parking within the development. Notwithstanding this, it is considered unlikely that residents would wish to park so far from their dwelling in any event.
- 7.7.5 The CHA confirms that one parking space should be provided per apartment in accordance with the SCC parking guidelines. However, it considers the site to be in a sustainable location, being a short walking distance to local bus services, Frimley train station and local amenities and makes good cycle provision which may be secured by condition in the event that planning permission were to be granted. In raising no objection to the proposal it is of the view that the development would maximise opportunities for trips to be made by non-car modes of travel and would therefore support car free living.
- 7.7.6 However, the CHA does recognise that it is likely that at least some of the residents of the proposed development would own private cars and would therefore have a need for parking. The under-provision of parking may lead to the loss of on street parking amenity for local residents which is a matter for the local planning authority. It acknowledges that there is evidence that Station Road already has on street parking pressure which may therefore be exacerbated by the proposed development and notes that an objective assessment of this could be made through a Parking Street survey. Given the above comments and those made by local residents concerning the issues surrounding on street parking it is considered that the proposal has not demonstrated that it can satisfactorily address the parking needs arising from the development and as such objection is raised to the proposal in this regard.
- 7.7.7 The proposed bin storage facilities would be within the 25 metre carry distance of the highway. As such no objection is raised to these proposed arrangements.
- 7.7.8 The proposal will lead to an increase in vehicle movements on the local highway network. The CHA raise no objection to the proposal in this regard.

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 and that contributions in the longer term will be through the CIL Charging Schedule which came into force on 1 December 2014. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.

- 7.8.2 This development would be CIL liable and an Informative would be added to the decision advising the applicant of the CIL requirements in the event of an appeal being lodged. It is therefore considered that the proposal would be in accordance with Policy CP12, the Infrastructure Delivery SPD and the NPPF in this regard.

7.9 Impact on the Thames Basin Heaths Special Protection Area

- 7.9.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.9.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 800m from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL.
- 7.9.3 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 which has not been paid by the applicant.
- 7.9.4 It is therefore considered that the proposal conflicts with Policy CP14B, Policy NRM6 and the Thames Basin Heaths Special Protection Area SPD.

7.10 Flood risk and surface water drainage

- 7.10.1 The site is within Flood Zone 2. Paragraphs 155-165 of the NPPF considers flood risk. This is supported by the technical guidance with the PPG. Policy DM10 is reflective of the NPPF and states that development within flood zones 2 and 3 will not be supported unless the sequential and exception tests have been applied and passed and is a form of development compatible with the level of risk. It is also necessary to demonstrate through a site flood risk assessment that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral. Where risks are identified, flood resilient and resilient design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels.
- 7.10.2 The application is accompanied by the Flood Risk Assessment and Sustainable Urban Drainage Strategy. The Assessment acknowledges that the proposed development is categorised as "more vulnerable" for the purposes of PPG. It recommends that the finished floor level is no lower than 0.17m above the general ground level, the use of permeable paving and the provision of an underground geo cellular storage.
- 7.10.3 The Environment Agency has raised no objection to the proposed development as submitted subject to their Flood Risk Standing Advice and for the local planning authority to determine if the sequential test has to be applied including whether or not there are other sites available at lower flood risk. The views of the Council's Drainage Officer are awaited and an update will be given to the meeting.

7.11 Other matters

- 7.11.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted. In the absence of any specific information submitted in this regard, it is considered that these measures may be secured by way of condition in the event that planning permission were to be granted.

8.0 CONCLUSION

- 8.1 In conclusion, the siting, depth, proximity, height and massing of the proposed building to the rear of 42 Station Road would be inappropriate for this location, harmful to the character, appearance and quality of the area and the amenities of adjoining and future residents. Furthermore, it has not been satisfactorily demonstrated how the car parking demands of the scheme are to be met. In addition, the proposal has not mitigated its impact on the Thames Basin Heaths Special Protection Area. The benefit of providing 4 additional dwellings is not outweighed by the harm identified above.

9.0 POSITIVE/PROACTIVE WORKING

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

a) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. This part of Station Road is characterised by a sense of spaciousness and a linear pattern of development with typically detached dwellings, deep rear gardens and strong front and rear building lines. The proposal development's subdivision of the existing plot by the erection of a building with associated amenity spaces in a backland location having regard to the siting, quantum, massing, depth and height of development and unsatisfactory window treatment would result in a harsh and incongruous pattern and form of development, being intrusive, imposing and forming poor relationships with the neighbouring properties. As such the proposal would fail to respect and enhance the character, appearance and quality of the area including the Victorian/Edwardian subdivisions of the Historic Routes Character Area, contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Guiding Principles VS1 and VS3 of the Western Urban Area Character Supplementary Planning Document 2012, Principles 4.1, 6.2, 6.6, 7.1, 7.4, 7.5, 7.8 and 7.9 within the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
2. By virtue of its siting, proximity, depth, height, massing and orientation the proposed building is considered to have unacceptable overbearing and overshadowing impacts on the rear gardens of 40 and 44 Station Road. Furthermore, the proposed screened windows/panels in the side elevation facing 40 Station Road and the first floor windows in the front elevation facing 42 Station Road are considered to give rise to a perceived sense of overlooking to the residents of these properties. In addition, activity associated with the use of the sole pedestrian access to the proposed building by residents, visitors and service people in proximity to the ground floor side window in 42

Station Road would give rise to unacceptable levels of disturbance and loss of occupational privacy to the residents of 42 Station Road. As such, the proposal is considered to result in a material loss of amenity to adjoining residents that they may reasonably expect to enjoy. The proposal is therefore considered to conflict with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Principles 8.1 and 8.3 of the Residential Design Guide supplementary planning document 2017.

3. The proposal does not provide a satisfactory living environment for future residents in that the proposed bedrooms do not meet the minimum space standard for a room with two bed spaces as set out the Technical Housing Standards - nationally described space standard issued by the Department for Communities and Local Government March 2015. Furthermore, the screening of windows results in a reliance in artificial light/ventilation, loss of outlook and inadequate access to good quality daylight and sunlight which is neither desirable nor sustainable. As such the proposal conflicts with the objectives of Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2011-2028 and Principles 7.2, 7.6, 8.2 and 8.6 of the Residential Design Guide supplementary planning document September 2017.
4. It has not been satisfactorily demonstrated that the proposal would make adequate car parking provision for future residents. As such the proposal conflicts with the objectives of Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the Vehicular and Cycle Guidance January 2018 published by Surrey Council.
5. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 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. 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.

APPLICATION NUMBER	SU/20/0153
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DEVELOPMENT AFFECTING ROADS

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

Applicant: Mr Paterson

Location: Land To The Rear Of 42 Station Road, Frimley, Camberley, Surrey GU16 7HF

Development: Erection of a two storey building comprising 4 two bedroom flats with associated amenity space.

Contact Officer	Richard Peplow	Consultation Date	15 July 2020	Response Date	17 November 2020
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

Condition

The development hereby approved shall not be first occupied unless and until the secure, lit and covered parking of bicycles within the development site, have been provided in accordance with the approved plans, Drawing No. Station42m-P-041, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

The above condition is 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

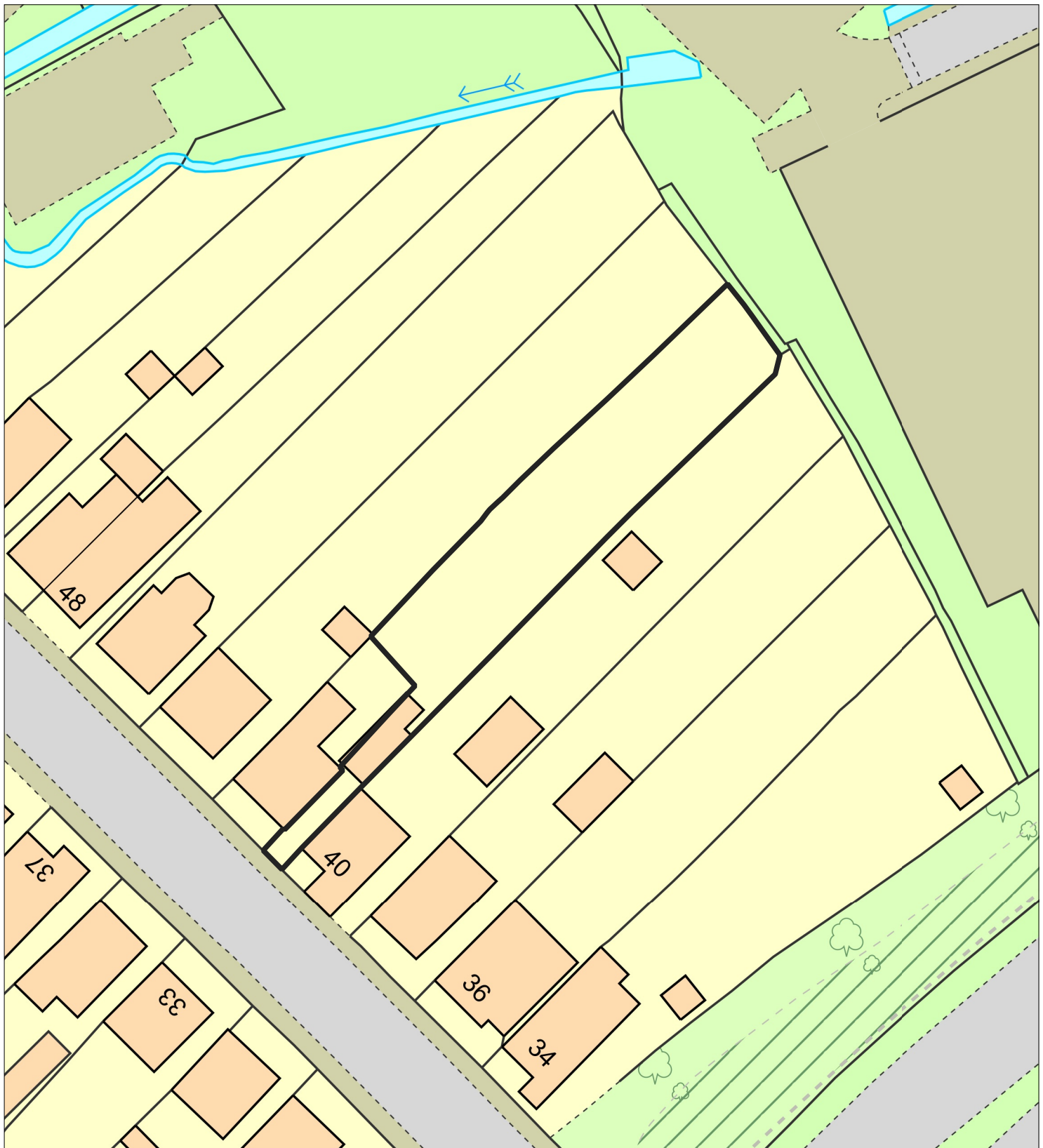
Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

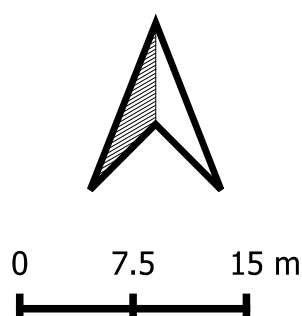

Note to Planner

The proposal does not include any off-street parking provision within the site. The application proposes the lease of one space per apartment in the Burrell Road car park. However, the County Highway Authority (CHA) understands that leased parking spaces are not provided. Instead resident parking season tickets are available for sales. A season ticket does not guarantee a space. The availability of season tickets is dependent on parking demands and cannot be guaranteed in perpetuity. The proposal should not therefore be considered a suitable alternative to providing parking within the development. One parking space should be provided per apartment in accordance with Surrey County Council's parking standards.

The CHA considers the site to be in a sustainable location, being a short walking distance to local bus services, Frimley train station and local amenities. The proposal also includes good cycle parking provision. The development would therefore maximise opportunities for trips to be made by non-car modes of travel and would therefore support car-free living. Occasional car use could be enabled by local car club membership. It is likely however that at least some of the residents of the proposed development would own private cars and would therefore have a need for parking.

Whilst the CHA does not consider the under-provision of parking in this location to be a highway safety issue, it may lead to the loss of on-street parking amenity for local-residents which is a matter for the consideration of the Local Planning Authority. There is evidence that Station Road already has on-street parking pressure, which may therefore be exacerbated. An objective assessment of this could be made through a Parking Stress survey.

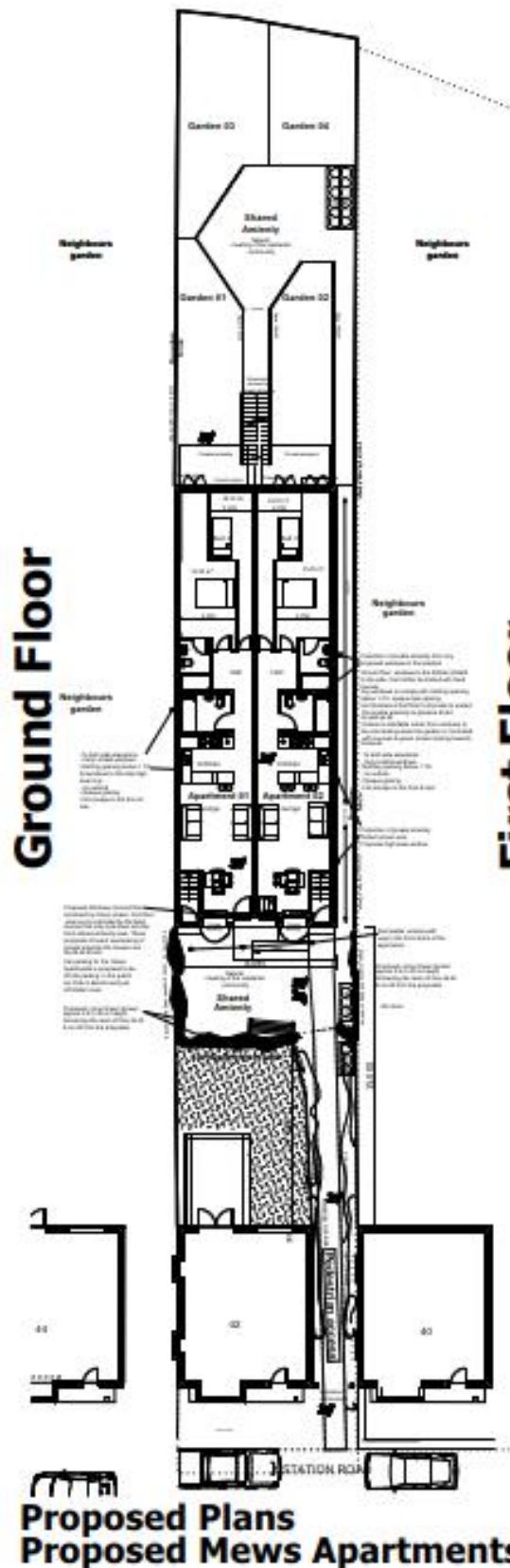


Title	Planning Applications			
Application number	20/0153/FFU		Scale @ A4	1:500
Address	Land To The Rear Of 42 Station Road Frimley Camberley Surrey GU16 7HF		Date	23 Nov 2020
Proposal	Erection of a two storey building comprising 4 two bedroom flats with associated amenity space			
Page 33				
Version 5		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020		Author: DE

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Plans



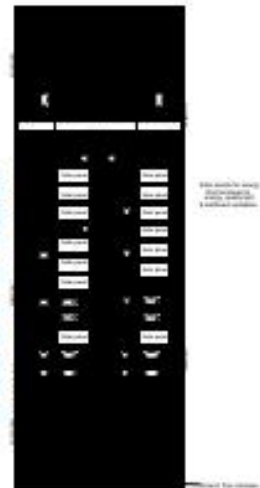
First Floor



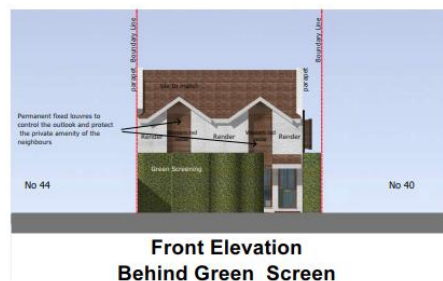
Obvious Strategies

- Strategically no windows requiring a view for habitable room have been placed on the side elevations (Apart from one which is controlled to only look backwards, in accordance with the local authorities' advice, so as not to affect neighbours' amenity). Windows for views are found to the front & rear of the proposals. Additional ventilation & light can be found from the roof windows.
- The proposals have deployed the use of screening to protect private amenity of the neighbours. This is in the form of a living green screen & also in fixed louvers.
- 4nos Apartment units with 4 nos parking spaces to be off site. The Existing vehicle access driveway to be used for pedestrian access

Roof Plan

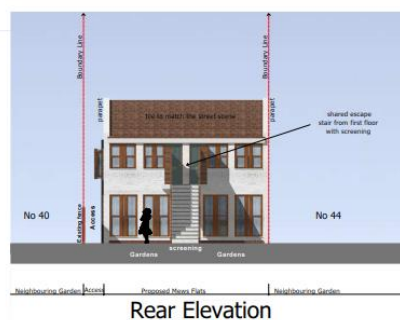
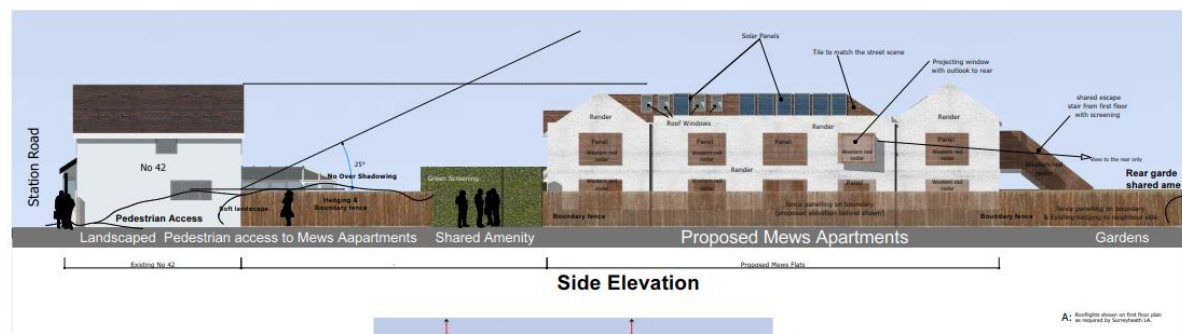


Proposed front and side elevations



Proposed Elevations - Front and Side

Proposed rear and side elevations



Proposed Elevations - Rear and Side

View from Station Road



Station Road



View of site from rear of 42 Station Road



View from rear of site towards 42 Station Road



View of rear of 42 Station Road including side access



View from 40 Station Road as time of officer site visit



View from 44 Station Road at time officer site visit



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20/0819/FFU

Reg. Date

14 September 2020

Bisley & West End

LOCATION: Laurel Farm, Fairfield Lane, West End, Woking, Surrey, GU24 9QX,

PROPOSAL: Erection of detached single storey three bedroom dwelling (Class C3) following demolition of two agricultural barns.

TYPE: Full Planning Application

APPLICANT: Mrs C Weston

OFFICER: Mr Ross Cahalane

The application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Graham Alleway due to concerns regarding the impact on the Green Belt.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of detached single storey three bedroom dwelling following demolition of two agricultural barns. The proposed replacement building would have the same siting, dimensions, design and internal layout as the 20/0098/FFU approved dwelling - which was for a conversion/part-rebuild of the existing building, rather than a full replacement as currently proposed. Given this along with the legitimate fallback position of the extant Prior Approval scheme for conversion to two dwellings, it is considered that very special circumstances exist that clearly outweigh the identified by-definition harm to the Green Belt. The current proposed identical design would also respect the rural character of the surrounding area and neighbouring amenity. The proposal is supported by Surrey County Highway Authority and the Council's Scientific Officer, subject to conditions, and is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the northern side of the Fairfield Land cul-de-sac - an unadopted and unmade laneway off Benner Lane, West End. The site is relatively flat, and comprises residential cabins (one of which benefits from a lawful development certificate), animal barns/stables/shed buildings facing a yard area, along with garden, grazing and paddock areas to the north and west.
- 2.2 The site sits opposite an allocated housing site which has planning permission (and is now implemented), but set back considerably from Fairfield Lane by a private access drive running between two other dwellings (The Laurels and No. 1 Pankhurst Cottages). The site is within the Green Belt outside of the defined village settlement, and is surrounded on three sides by open land.

3.0 RELEVANT PLANNING HISTORY

- 3.1 90/0592 Retention of existing stables and cattle shed and erection of two calf sheds.
Decision: Granted (October 1990- implemented)
- 3.2 02/0768 Certificate of Lawful use in respect of the stationing of a mobile home for residential use.
Decision: Granted (October 2002)
- 3.3 03/0562 Erection of a mobile home of timber construction following removal of existing mobile home.
Decision: Refused (July 2003)
- 3.4 11/0347 Certificate of Lawful Existing Development for the use of two log cabins as two self contained residential dwellings (Class C3).
Decision: Split decision (September 2011) - first log cabin authorised under 02/0768; second log cabin refused as ten year use not demonstrated.
- 3.5 19/0609 Prior approval application for a proposed change of use of two adjoining agricultural barns to two dwellings (Class C3) with associated alterations under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (As amended)
Decision: Granted (not implemented)
- 3.6 20/0098/FFU Proposed conversion, extension and part demolition with rebuild operations of two agricultural barns into a single dwellinghouse (Class C3).
Decision: Granted (not implemented)

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the proposed erection of a detached single storey three bedroom dwelling (Class C3) following demolition of two agricultural barns.
- 4.2 The proposed dwelling would consist of crown roof forms with a mixture of hipped and gabled ends to the front, with eaves height of approx. 2.9m and maximum roof height of 4.56m (1.06m higher than the existing highest ridgeline). The proposed additional footprint to facilitate this dwelling would be to the front, with maximum projecting depth of approx. 1.9m.
- 4.3 The proposed dwelling would have three bedrooms. The proposal will utilise the existing vehicular access off Fairfield Lane, along with the yard area of the holding, to provide a parking/turning area adjacent the dwelling.
- 4.4 The current proposed replacement building to provide a dwelling would have the same siting, dimensions, design and internal layout as the 20/0098/FFU approved dwelling - which was for a conversion/part-rebuild of the existing building, rather than a full replacement as currently proposed.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority: No objection [*See Section 7.6 and Annex A*]
- 5.2 Council Environmental Health Officer: No objection, subject to condition [*See Paragraph 7.9.2*]

- 5.3 Council Joint Waste Solutions Team Comments *[See Paragraph 7.9.4]*
- 5.4 West End Parish Council: Objection - due to concerns that this is over development in the Green Belt. It is requested that the officers examine the size of the development and whether there are any special circumstances for this development in the Greenbelt.
[See Section 7.3]

6.0 REPRESENTATION

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

7.0 PLANNING CONSIDERATION

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CP1, CP2, CP6, CP12, CP14, DM1, DM9 and DM11. The National Planning Policy Framework (NPPF) and the Surrey Heath Residential Design Guide Supplementary Planning Document (RDG SPD) 2017 form additional material considerations in the determination of this application.

- 7.2 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;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Other matters, and;
- Very special circumstances.

7.3 Principle and appropriateness of development in the Green Belt

- 7.3.1 Para 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the listed exceptions to this is: 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces' (Paragraph 145d).
- 7.3.2 The NPPF does not however contain specific percentage tolerance figures for replacement buildings in the Green Belt. The application building appears to have been erected in the 1970s or 1980s, and is shown on the 90/0592 plans. The following table indicates the differences in footprint, volume and height in comparison with the existing building:

	Existing building	Proposed dwelling	Difference
Footprint	191sq.m	209sq. m	+9%
Volume	605m3	762m3	+26%
Maximum Height	3.5m	4.56m	+1.06m

7.3.3 The proposed replacement building footprint, volume and maximum height increases, as set out above, is not considered to form a materially larger building either in visual or spatial terms. Notwithstanding the proposed increase in roof bulk, the new building would remain single storey in form and appearance, with the additional footprint contained within a lower pitched roof form to the side.

7.3.4 However, this NPPF provision for development in the Green Belt does not allow for the replacement and change of use of a building. As such, it is considered that the proposed replacement of the existing building to a dwelling does not benefit from support under Chapter 13 of the NPPF and therefore constitutes inappropriate development in the Green Belt by definition. The applicant acknowledges this and has provided a case for very special circumstances to clearly outweigh this identified harm, which is considered in Section 7.10 below. The following paragraphs firstly consider whether any other harm exists.

7.4 Impact on character of the surrounding area

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

7.4.2 Principle 7.4 of the RDG advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted unless it can be demonstrated that the proposals would make a positive contribution to the streetscape.

7.4.3 Although the main element of the proposed replacement building to provide a dwelling would contain a crown roof, it would remain single storey in form and scale with some traditional rural design features comprising timber cladding and false stable door details. The proposed additional maximum height of 1.06m would sit well within its farmyard setting, which includes stable and shed buildings to the southwest – with some roof forms higher than the existing building. It is therefore considered that the current proposed replacement building would not give rise to a contrived layout at odds with its immediate setting and the rural character of the surrounding area. Also to note is that the proposed replacement building to provide a dwelling would have the same siting, dimensions, design and internal layout at the 20/0098/FFU approved dwelling - which was for a conversion/part-rebuild of the existing building, rather than a full replacement as currently proposed. A pre-commencement planning condition is proposed to require agreement of the precise external material details, to ensure that the rural setting is respected.

7.4.4 On the basis of all the above, it is considered that the proposed replacement building to provide a dwelling would not lead to an overdominant or incongruous impact upon the rural character of the site and surrounding area, in compliance with the design requirements of Policy DM9 of the CSDMP and the RDG.

7.5 Impact on residential amenity

7.5.1 Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or

unneighbourly built form. Principle 8.1 of the RDG states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces.

- 7.5.2 The proposed replacement building to provide a dwelling would be sited approx. 17.5m from the nearest corner of the two storey semi-detached dwelling of No. 1 Pankhurst Cottages to the southeast, with shrubbery along its side and rear garden boundary. It is considered that given these separation distances along with the site orientation and the single storey form proposed, no adverse impact to amenity would arise in terms of loss of light, privacy, overbearing impact or general noise and light disturbance.
- 7.5.3 The proposed dwelling would be sited approx. 12.3m from the nearest corner of the detached dormer bungalow dwelling of The Laurels, sited on the other side of the site access to the southwest. Although the garden of this neighbour is more open, its rear elevation and primary amenity is at right angle to the proposed dwelling. Given this relationship along with the site orientation and single storey form proposed, it is considered that no adverse impact to the amenity of this neighbour would arise in terms of loss of light, privacy, overbearing impact or general noise and light disturbance.
- 7.5.4 It is considered that the proposed development would be sited at sufficient distance from other neighbouring boundaries and elevations to avoid material harm to amenity.
- 7.5.5 The proposed floorspace would meet the national minimum space standards. Given the extant 19/0609 Prior Approval for use of the existing building as two dwellings, the outlook and lack of immediate amenity space for the current proposed single dwelling is considered acceptable.
- 7.5.6 Having regard to all the above, it is considered that the proposal complies with the amenity requirements of Policy DM9 of the CSDMP and the supporting aims of the RDG.

7.6 Impact on access, parking and highway safety

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 The existing vehicular access off Fairfield Lane to the site would not be altered. The County Highway Authority (CHA) has been consulted and has no objections to make on safety, policy or capacity grounds, commenting that Fairfield Lane is a private road and that it is not considered that the proposal would have a material impact on the wider highway network under CHA control. The Public Footpath No. 19 referred to appears to run along Fairfield Lane in front of the application site, although an advisory informative will be added.
- 7.6.3 It is considered that sufficient off-street parking space would be provided within the retained hard standing area in front of the dwelling. It is therefore considered that the proposed development would not prejudice highway safety nor cause inconvenience to other highway users, in compliance with Policy DM11.

7.7 Impact on infrastructure

- 7.7.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal comprises a replacement building to provide a new dwelling, the development

is CIL liable. CIL is a land charge that is payable at commencement of works. However, the submitted CIL forms include the self-build exemption. Advisory informatives have been added.

7.8 Impact on the Thames Basin Heaths SPA

7.8.1 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided - which is now collected as part of the CIL regime referred to above. There is currently sufficient SANG available.

7.8.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £711.00 is needed. This payment was made by the same applicant under the 20/0098 application.

7.9 Other matters

7.9.1 The proposed footprint increase would be to the front on an existing hard standing area. The proposed roof height increases would not appear to require any removal or works to the adjacent trees to the south or east. On this basis, it is considered that no adverse impact upon existing tree cover would arise.

7.9.2 A contaminated land risk assessment has been provided, which was also submitted under the 20/0098/FFU. The Council's Scientific Officer commented that the report identifies the site has potentially been used for farm storage and use of farming materials, chemicals and vehicles/equipment along with animals, but suggests no leakages or spillages etc would have penetrated the hardstanding. As such, no further investigations are recommended. However, the report does suggest that there may be gas contaminated land. Given the potential for contamination from the historic and current use of the land, design measures to prevent the ingress of gases and volatiles can only be determined once ground investigations have been carried out. As such, a pre-commencement planning condition was recommended by the Scientific Officer. This will be re-imposed, given that the current proposal now involves full replacement of the existing building.

7.9.3 The application building lies within Flood Zone 1 and is also not within an area of known risk from surface water flooding, according to Environment Agency data. The building also benefits from extant Prior Approval for use as two dwellings, whereby the Council's Drainage Officer raised no objection. It is however considered necessary and reasonable to re-impose the pre-occupation planning condition requiring agreement of full details of the proposed drainage system. On this basis, it is not envisaged that the proposed development would lead to a material increase in flood risk within or around the site.

7.9.4 The Council's Joint Waste Solutions Team has recommended provision of specific sized refuse, recycling and brown waste bins. An advisory informative will be added.

7.10 Very special circumstances

7.10.1 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.

- 7.10.2 As set out in Section 7.3 above, the applicant accepts that the NPPF does not allow for a simultaneous change of use and extension to a building. An explicit case for 'very special circumstances' (VSC) has therefore been put forward. 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.
- 7.10.3 The applicant's supporting statement refers to the 19/0609 Prior Approval already granted for the conversion of the building to two dwellings. This Prior Approval is extant and is therefore accepted as a legitimate fallback position. It authorises the use of the application building as two dwellings – one with two bedrooms and the other with one bedroom. The current proposed dwelling would have three bedrooms and although this would have the same bedroom capacity as the prior approval, it would have a lower average occupancy rate as set out in the TBH SPD.
- 7.10.4 During determination of the 20/0098/FFU application, notwithstanding the proposed increase in footprint, volume and height, it was considered that the proposed three-bed dwelling would form a less intensive use in the Green Belt than the extant Prior Approval scheme. This single dwelling proposal was therefore considered to better reflect the purposes of the Green Belt as set out in the NPPF.
- 7.10.5 The applicant now also argues that the Council cannot meet its 5 year housing supply and whilst the NPPF does not specifically provide for a tilted balance in the Green Belt, the contribution of a new dwelling nevertheless weighs in favour of the proposal as a material consideration. However, this provision is no greater than what has already been approved.
- 7.10.6 More crucially, the current proposed replacement building would have the exact same footprint, height and volume as the extended building as approved under 20/0098/FFU. As such, there would be no greater impact on the openness Green Belt than this extant 20/0098/FFU permission, and the current proposal is as also identical in terms of siting, layout and appearance.
- 7.10.7 Given this along with the legitimate fallback position of the extant Prior Approval scheme, it is considered that very special circumstances exist that clearly outweigh the identified by-definition harm to the Green Belt. A planning condition can be imposed removing permitted development rights for any extensions to the converted building, or any outbuildings, so that the openness of the Green Belt can continue to be maintained.

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 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 proposed replacement building would have the same siting, dimensions, design and internal layout as the 20/0098/FFU approved dwelling - which was for a conversion/part-rebuild of the existing building, rather than a full replacement as currently proposed. Given this along with the legitimate fallback position of the extant Prior Approval scheme for conversion to two dwellings, it is considered that very special circumstances exist that clearly outweigh the identified by-definition harm to the Green Belt. The current proposed identical design would also respect the rural character of the surrounding area and neighbouring amenity. The proposal is supported by Surrey County Highway Authority and the Council's Scientific Officer, subject to conditions, and is therefore recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

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

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

Proposed block plan (Drawing No. 002); Proposed elevations, floor plan and roof plan (Drawing No. 005) - both received on 16 September 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. 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. 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. (i) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
(ii) The above scheme shall include :-
 - (a) a contaminated land desk study and suggested site assessment methodology;
 - (b) a site investigation report based upon (a);
 - (c) a remediation action plan based upon (a) and (b);
 - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
 - (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d), and;
 - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out.
(iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed.

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

5. The development hereby approved shall not be first occupied unless and until full details of the proposed drainage system and foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details, and thereafter be retained and maintained wholly in accordance with such details.

Reason: In order that the development is flood resilient and resistant, in accordance with Policy DM10 of the Surrey Heath 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, roof alterations, porches or outbuildings 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 preserving the openness of the Green Belt and visual and residential amenity, to accord with Policies DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

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

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

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

2. The applicant is reminded of the self-build declaration on the completed CIL Exemption Claim form.

The Planning Authority will notify you in writing as soon as practicable, confirming the amount of exemption granted. If the development commences before the

Planning Authority has notified you of its decision on the claim, the levy charge must be paid in full within the time period specified by the Planning Authority.

Before commencing the development, you must submit a CIL Commencement Notice to the Planning Authority. This must state the date on which the development will commence, and the Planning Authority must receive it on or before that date. Failure to submit the Commencement Notice in time will immediately mean the development is liable for the full levy charge.

On completion of the development you must submit evidence of self-build and the property must remain your principal residence for a minimum of three years. If personal circumstances change and you want to dispose of the property before the three year occupancy limit expires, you can do so, but you must notify the Planning Authority and the levy then becomes payable in full. Failure to notify the Planning Authority will result in enforcement action against the applicant and surcharges will become payable.

3. The applicant is advised that the dwelling hereby approved shall be provided with its own set of waste and recycling bins as follows:
1 x 240ltr recycling bin
1 x 180ltr general waste bin
1 x food set, including 1 x 23ltr caddy and 1 x 7ltr kitchen caddy.
4. The applicant is reminded that Public Footpath 19 crosses the application site along Fairfield Lane and that it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

APPLICATION NUMBER	SU/20/0819
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DEVELOPMENT AFFECTING ROADS

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

Applicant: Mrs C Weston

Location: Laurel Farm Fairfield Lane West End Woking Surrey GU24 9QX

Development: Erection of detached single storey three bedroom dwelling (Class C3) following demolition of two agricultural barns.

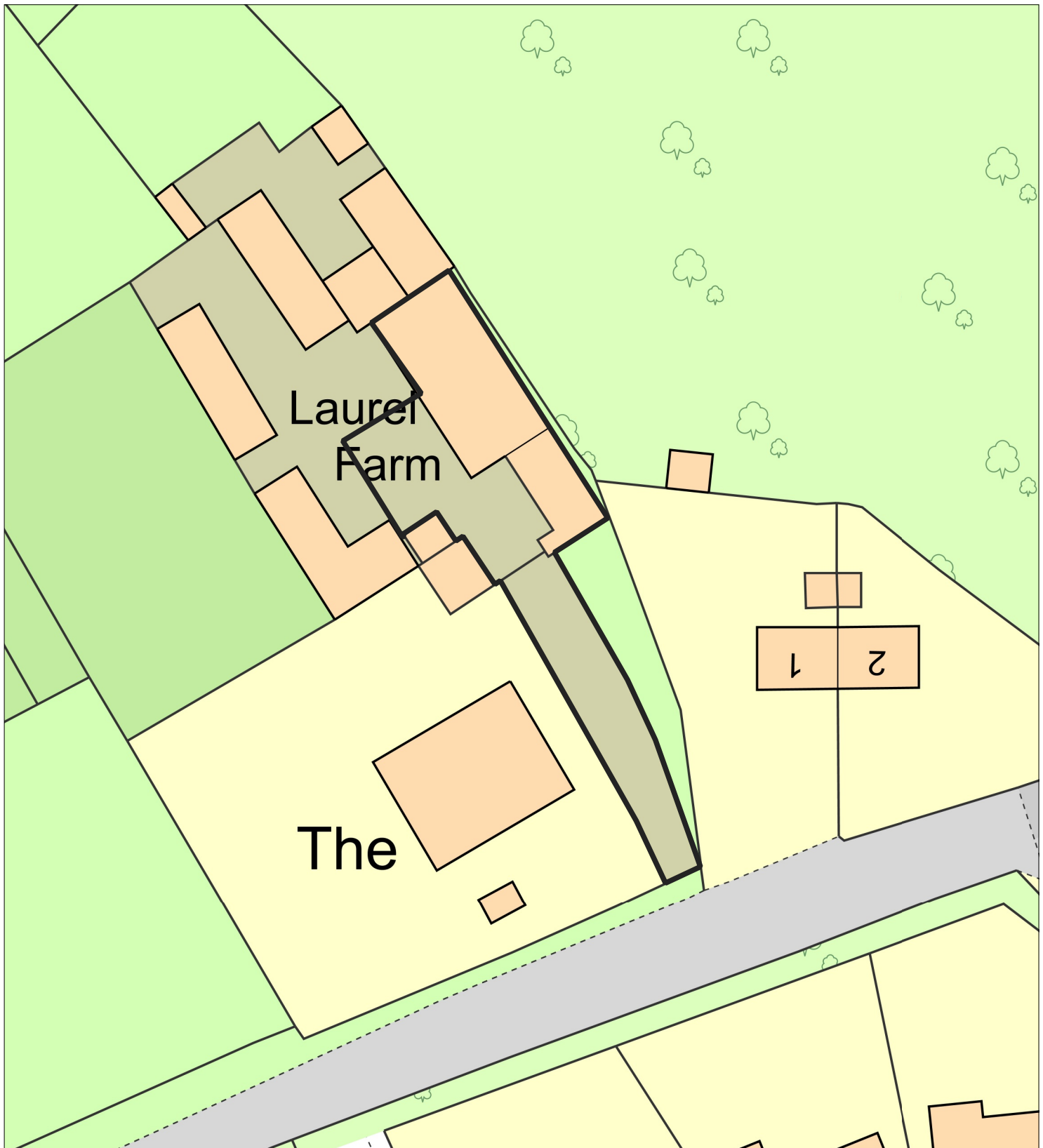
Contact Officer	Richard Peplow	Consultation Date	21 September 2020	Response Date	9 October 2020
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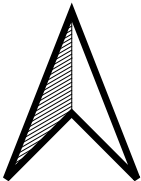
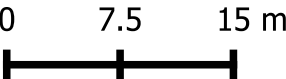

The application site is accessed via Fairfield Lane, which is a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.

Highway Informatives

The developer is advised that Public Footpath Number 19 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

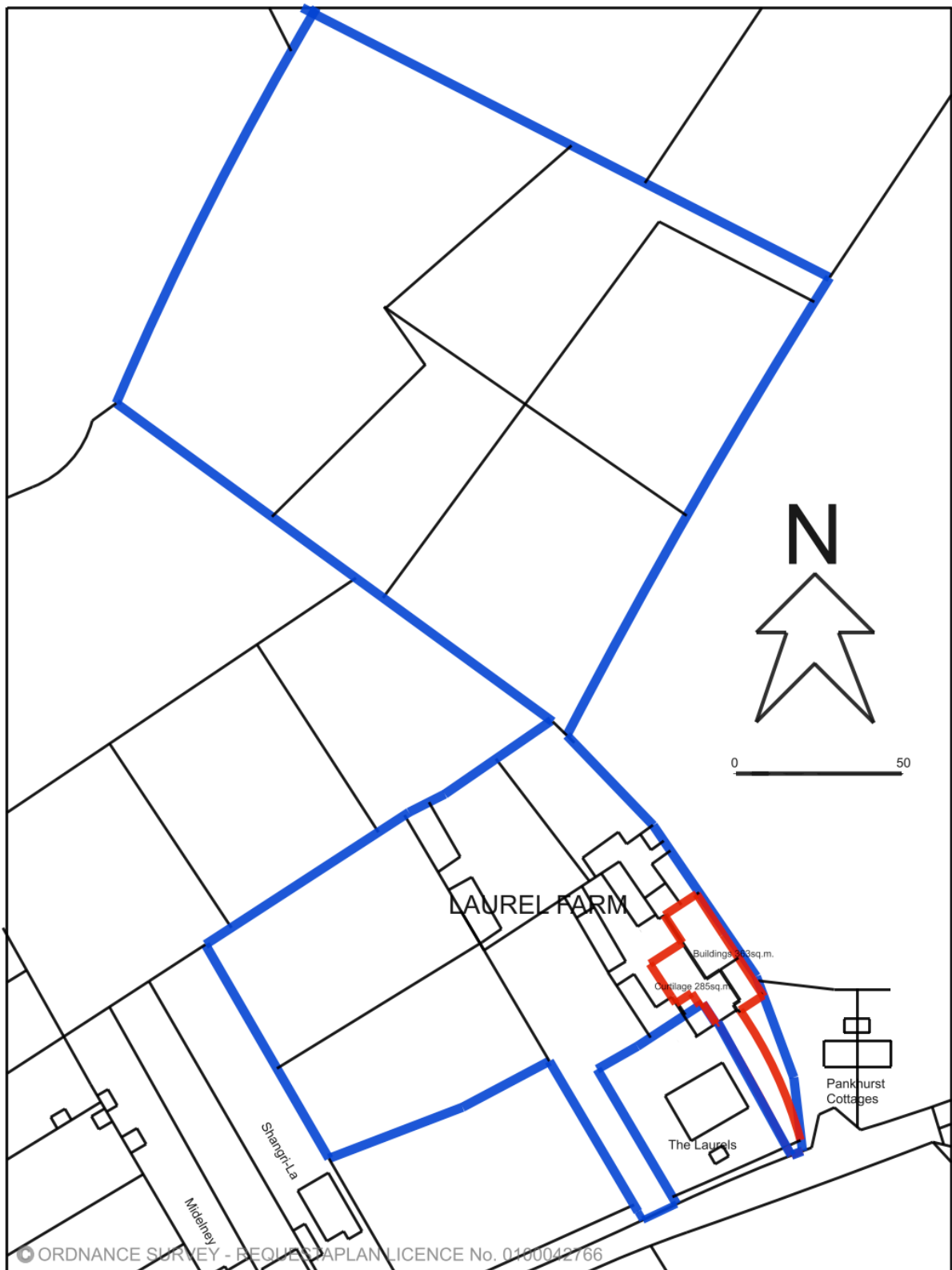
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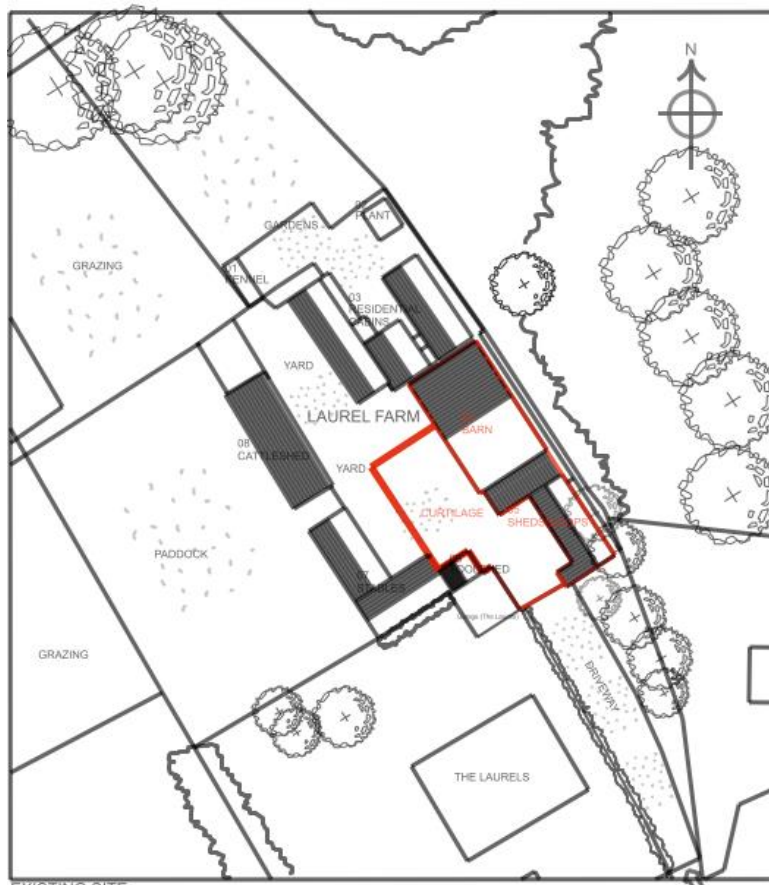
Title	Planning Applications			
Application number	20/0819/FFU	  Page 55	Scale @ A4	1:500
Address	Laurel Farm Fairfield Lane West End Woking Surrey GU24 9QX		Date	23 Nov 2020
Proposal	Erection of detached single storey three bedroom dwelling (Class C3) following demolition of two agricultural barns.			
Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2020 Author: DE				

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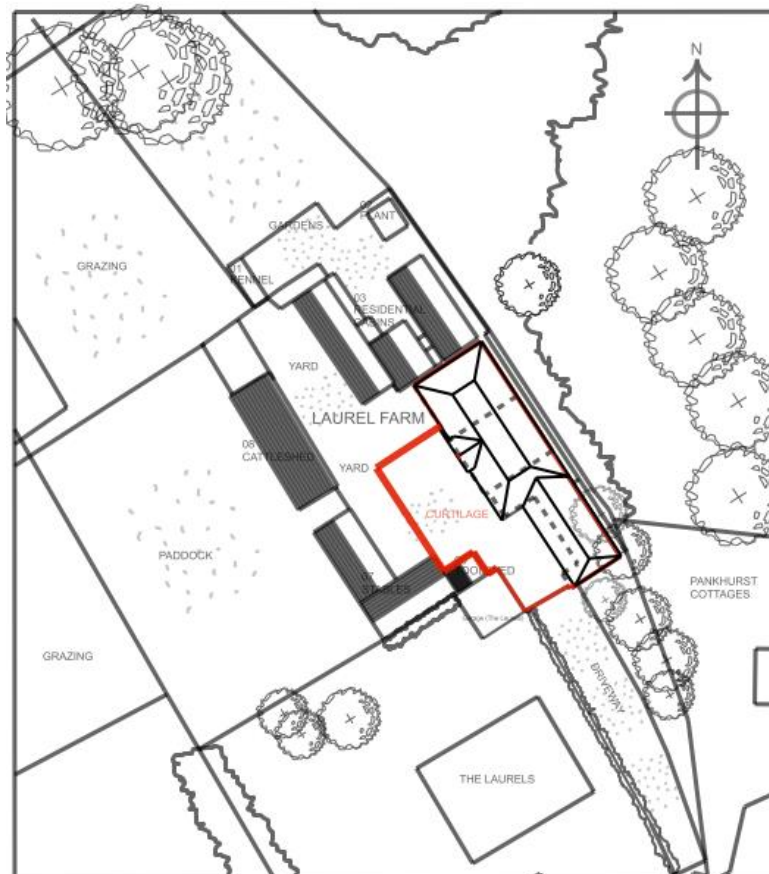
Location plan



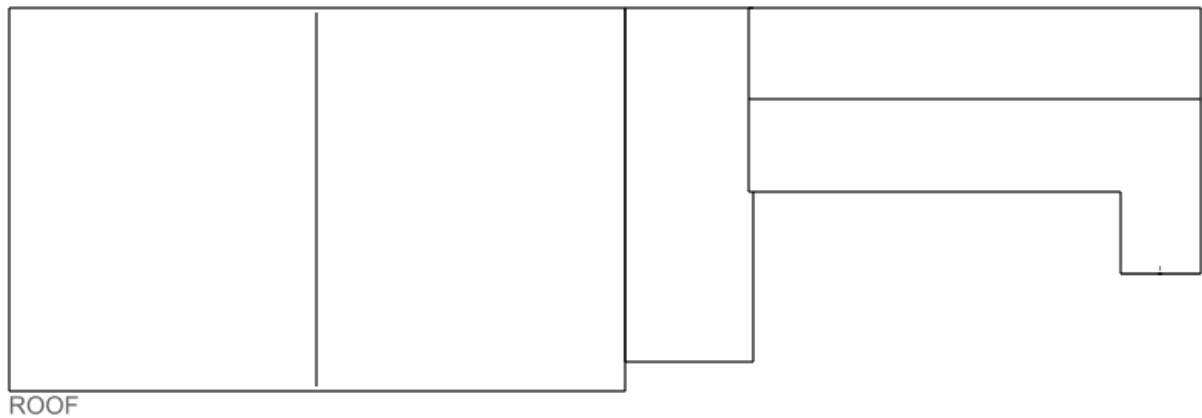
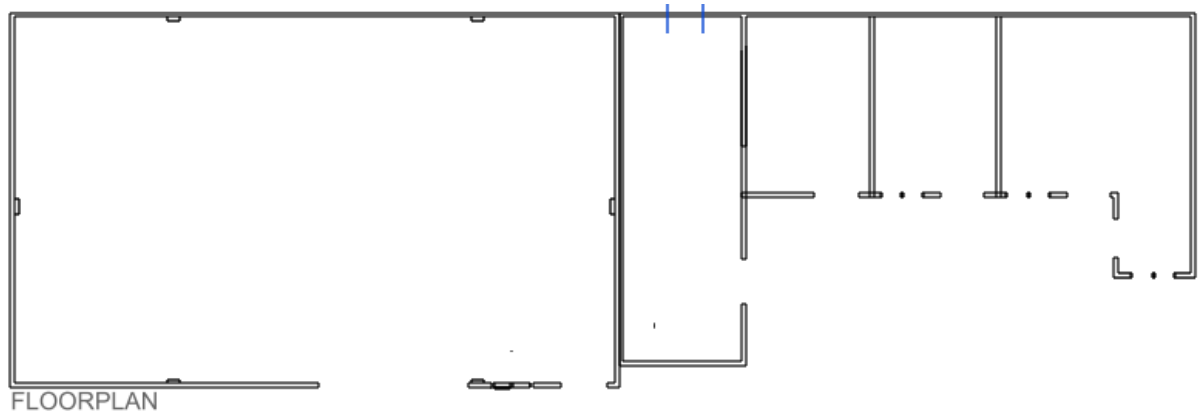
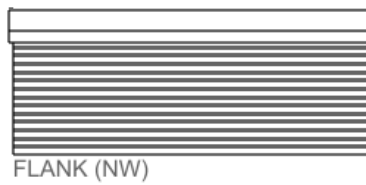
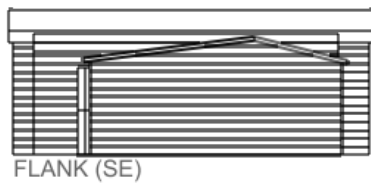
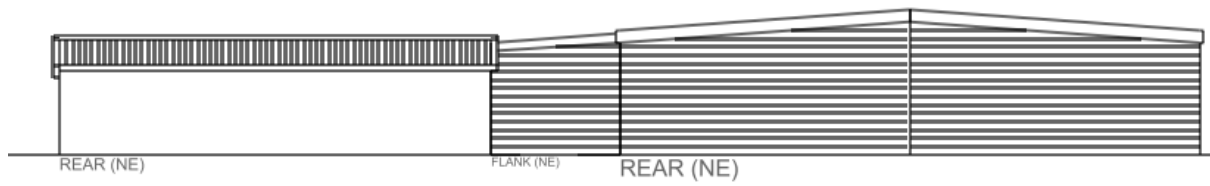
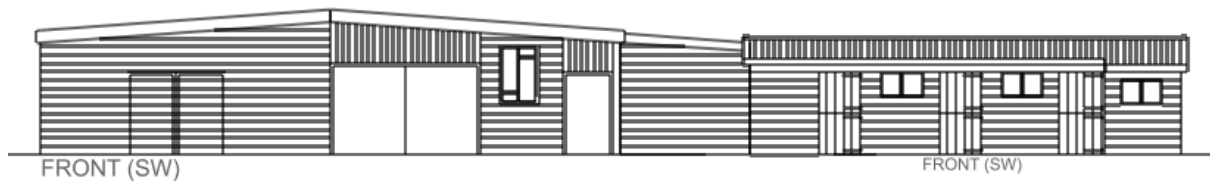
Existing site plan



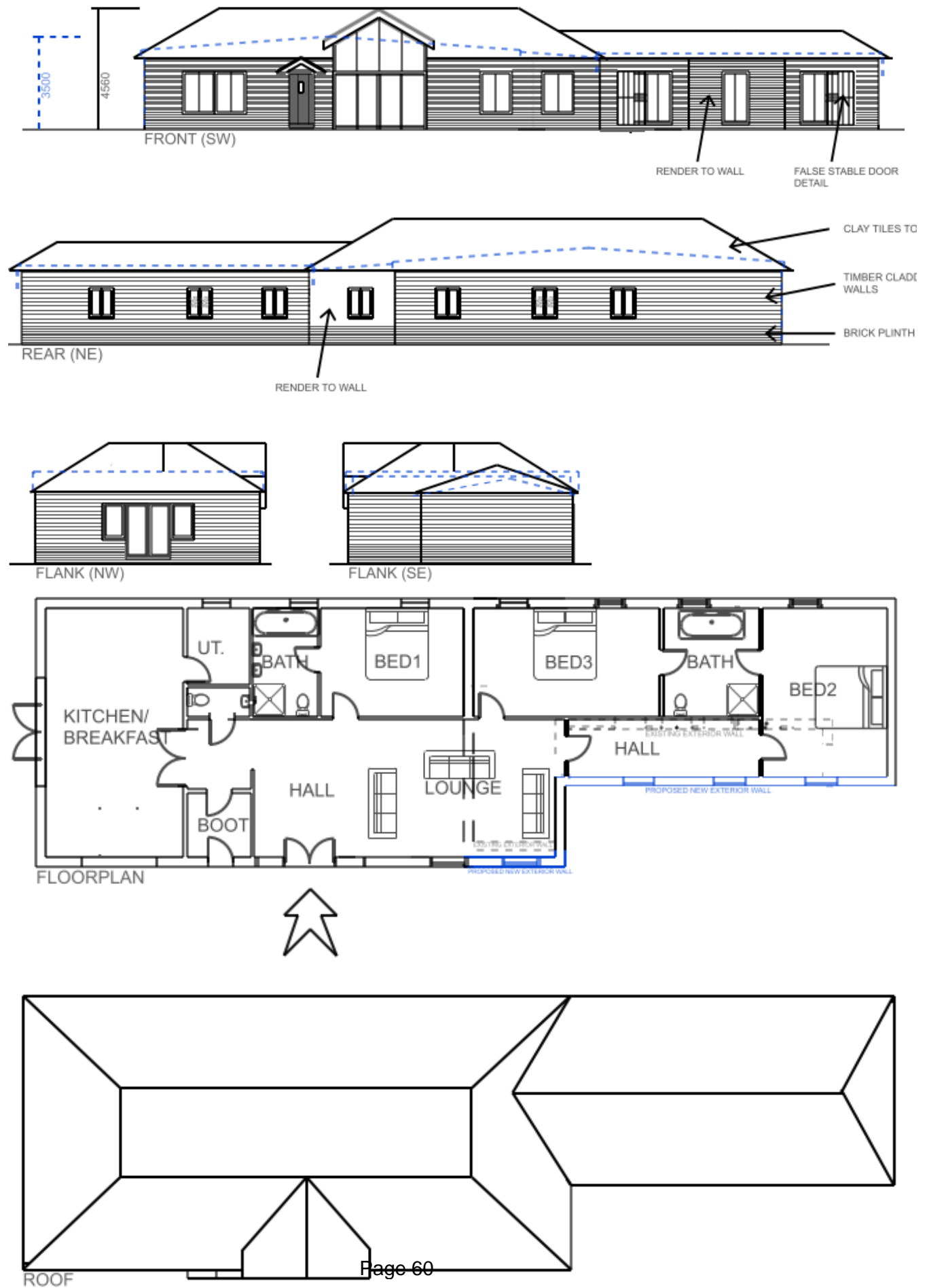
Proposed site plan



Existing plans



Proposed plans



Site photos

Site entrance from Fairfield Lane



Existing building



Surrounding buildings



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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:

A1. Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
A2. Financial & professional Services	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
A3. Restaurants and Cafes	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
A4. Drinking Establishments	Public houses, wine bars or other drinking establishments (but not nightclubs).
A5. Hot Food Takeaways	For the sale of hot food consumption off the premises.
B1. Business	Offices, research and development, light industry appropriate to a residential area.
B2. General Industrial	Use for the carrying on of an industrial process other than one falling within class B1 above.
B8. Storage or Distribution	Use for the storage or as a distribution centre including open air storage.
C1. Hotels	Hotels, board and guest houses where, in each case no significant element of care is provided.
C2. Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
C2A. Secure Residential Institutions	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.
C3. Dwelling houses	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.
C4. Houses in Multiple Occupation	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.
D1. Non-residential Institutions	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.
D2. Assembly & Leisure	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).
Sui Generis	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.