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Monday, 18 April 2022

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Victoria Wheeler (Vice Chairman),  
Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, David Lewis,  
Charlotte Morley, Liz Noble, Robin Perry, Darryl Ratiram, 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, Paul Deach, Sharon Galliford, Shaun Garrett,  
Emma-Jane McGrath, Morgan Rise, 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 Head of  
Planning and the Democratic Services Officer by 4pm on the Thursday  
preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber, Surrey  
Heath House, Knoll Road, Camberley, GU15 3HD on **Thursday, 5 May 2022 at 6.30 pm**. The  
agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

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#### AGENDA

	Pages
<b>1 Apologies for Absence</b>	
<b>2 Minutes of Previous Meeting</b>	<b>3 - 6</b>

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 7<sup>th</sup> April 2022.

### **3 Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

#### **Human Rights Statement**

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

#### **Planning Applications**

<b>4</b>	<b>*Application Number 22/0167 - Langshot Equestrian Film Studio, Gracious Pond Road, Chobham, Woking, Surrey, GU24 8HJ</b>	<b>7 - 26</b>
<b>5</b>	<b>Application Number 19/2313 - Hudson House, Albany Park, Camberley, Surrey, GU16 7PL</b>	<b>27 - 40</b>
<b>6</b>	<b>Application Number 21/0901 - Windlesham Garden Centre, London Road, Windlesham, Surrey, GU20 6LL</b>	<b>41 - 68</b>
<b>7</b>	<b>Application Number 20/0494 - Windlesham Garden Centre, London Road, Windlesham, Surrey, GU20 6LL</b>	<b>69 - 90</b>
<b>8</b>	<b>*Application Number 21/0936 - Orchard Cottage, Shepherds Lane, Windlesham, Surrey, GU20 6HL</b>	<b>91 - 140</b>

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

#### **Glossary**

**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 7 April 2022**

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

+ Cllr Graham Alleway	- Cllr Charlotte Morley
+ Cllr Peter Barnett	+ Cllr Robin Perry
+* Cllr Cliff Betton	+ Cllr Darryl Ratiram
+ Cllr Stuart Black	+ Cllr Graham Tapper
+ Cllr Mark Gordon	+ Cllr Helen Whitcroft
+ Cllr David Lewis	+ Cllr Valerie White

+ Present

- Apologies for absence presented

Members in Attendance: Cllr Paul Deach and Cllr Pat Tedder

Officers Present: Sarita Bishop, Gavin Chinniah, Julia Greenfield, William Hinde, Shannon Kimber, Jonathan Partington, Gavin Ramtohal, Eddie Scott, Sarah Shepherd, Nick Steevens, Olafiyin Taiwo, Ryno Van der Hoven and Bob Watson

**57/P Minutes of Previous Meeting**

The minutes of the meeting held on 10 February 2022 were confirmed, with an amendment made to minute 53/P to correct the list of Members who voted on the application.

**58/P Application Number: 21/1327/RRM - Royal Logistic Corps Training Group, Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RW**

The application was a reserved matters application pursuant to Condition 4 for land adjacent to the former Headquarters Building to provide additional amenity space ancillary to the residential use of the Headquarters Building (Phase 4e) with access, layout, scale, appearance and landscaping being considered and the partial submission of details pursuant to conditions 9 (affordable housing), 16 (Ecological Mitigation and Management) and 29 (Tree Retention and Protection) attached to 12/0546 as amended by 18/0619 and 18/1002.

“Members were advised of the following updates on the application:

Surrey Wildlife Trust raise no objection to the Ecological Mitigation and Management Plan subject to the submission of an Ecological Mitigation and Management Plan Completion Document prior to occupation which means the use

of the land for the purposes of this application. This may be secured by way of condition as follows:

New condition 2

Prior to the first use of the land an Ecological Mitigation and Management Plan Completion Document shall be submitted which demonstrates that the measures detailed in the Ecological Mitigation and Management Plan reference LANG22486\_LEMP by ACD Environmental

Condition 1 is amended to be consistent with proposed condition 2

The proposed development shall be undertaken in accordance with the following approved plans and document: 2013\_008, AQH/HQB/RMA01 and Ecological Mitigation and Management Plan reference LANG22486\_LEMP by ACD Environmental

For information the following application, 22/0277/NMA has been received in respect of the adjoining Headquarters Building which is under consideration.

Application for non material amendment to condition 1 attached to hybrid permission 12/0546 dated 04 April 2014 (as amended) in relation to the conversion of the Headquarters Building into 15 apartments to allow for changes to the internal layout to provide 3 one bedroom, 10 two bedroom and 2 three bedroom apartments with associated alterations to the external appearance of the building, closure of north eastern access, alterations to site layout including car parking spaces, provision of electric vehicle charging points, relocation of refuse stores and landscaping.”

The Officer recommendation to grant the application was proposed by Councillor Valerie White, seconded by Councillor Peter Barnett and put to the vote and carried.

**RESOLVED that application 21/1327 be approved subject to the conditions as set out in the officer report**

**Note 1**

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

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

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Edward Hawkins, David Lewis, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft, and Valerie White.

**59/P Application Number: 21/1264/FFU - 26 Haining Gardens, Camberley, Surrey, GU16 6BJ**

The application was for the erection of a first floor side extension, conversion of garage to habitable accommodation and erection of a single storey rear extension.

Members were advised of the following updates on the application:

“Following points raised through the neighbour notification, amended floor plans have been submitted which show the squared-off rear elevation of the conservatory to the rear of the neighbouring property.”

Following the Committee’s discussions, it was agreed to add a condition to remove the permitted development rights associated with the property. Moreover, it was also agreed to add a further condition to dictate that the proposed bike store should be retained and not converted into habitable accommodation.

The Officer recommendation, as amended, was proposed by Councillor Perry, seconded by Councillor Victoria Wheeler and put to the vote and carried.

**RESOLVED that**

- I. application 21/1264 be granted subject to the conditions in the officer report and agreed additional conditions; and**
- II. the wording of the additional conditions be delegated to the Head of Planning in consultation with the Chairman and Vice-Chairman of the Committee and Ward Councillors.**

**Note 1**

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

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

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Edward Hawkins, David Lewis, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft, and Valerie White.

**60/P Planning Enforcement Monitoring Update**

The Committee received a report which provided details on the performance of the Planning Enforcement Team for the fourth quarter (1st January 2022 to 24th March 2022). The previous monitoring update to the Planning Applications Committee was in January 2022 and reported on performance from 1st September 2021 to 31st December 2021.

During the period in question, the Planning Enforcement Team, which was part of the wider Corporate Enforcement Team, investigated allegations of planning breaches, as shown below:

<b>Number of referrals received</b>	<b>48</b>
<b>No breach found</b>	<b>8</b>

<b>Breach resolved</b>	<b>8</b>
<b>Not expedient to pursue</b>	<b>3</b>
<b>Enforcement Notices issued</b>	<b>3</b>
<b>Requisition of Information Notices (PCN/S16/S330) issued</b>	<b>0</b>
<b>Planning applications received dealing with matters under investigation</b>	<b>2</b>
<b>Pending consideration (Open investigations)</b>	<b>26</b>

As previously reported, the new role Planning Enforcement Officer (Compliance) was filled in September 2021. Due to a large number of significant high priority urgent investigations in existence, this resource had been utilised in dealing with these investigations as a first priority.

The Team had made significant progress in reviewing the outstanding investigations and had moved into the new year in a much better position, and noted the added temporary resource in the form of an additional Planning Enforcement Officer. Therefore, officers had been working on formally instating the Compliance role from the new financial year which was now set to take place on 1 April 2022.

As previously reported the Uniform project remained ongoing. Furthermore, extensive additional work had been undertaken on this project since the installation of Enterprise. The latest work concentrated on the reporting mechanisms which involved significant input from both the Corporate Enforcement team and the IT service.

Members praised officers for the recent swift action that they had undertaken in Bagshot. Members also applauded the pragmatism taken by the service in respect of a closed case of the installation of 3 solar panels on a flat roof. Furthermore, the Committee noted that the new format of reporting of the pre-application process was very clear and readable.

Chairman

<b>LOCATION:</b>	Langshot Equestrian Centre, Gracious Pond Road, Chobham, Woking, Surrey, GU24 8HJ,
<b>PROPOSAL:</b>	Temporary use of land for five years for open air film-making and vehicle parking; associated temporary use of existing buildings for film storage, offices and workshops; and associated erection of four temporary detached buildings for film storage
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr and Mr D and N Flower and Waldron
<b>OFFICER:</b>	Duncan Carty

This application is being referred to the Planning Applications Committee because it relates to major development because the combined size of the existing and proposed buildings exceeds 1,000 square metres.

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 This planning application relates to the use of land for five years for open air film making and vehicle parking with an associated use of existing buildings for film storage, offices and workshops and associated erection of four temporary detached buildings for film storage. The application site lies to the north-east of Chobham falling within the Green Belt, accessed from a private road off Gracious Pond Road. The site borders Chobham Common which forms a part of the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 The current proposal would have an adverse visual impact, and reduce openness, on the countryside character and Green Belt. It can also not be demonstrated that the use of the land would not have an adverse impact on trees, highway safety, nor drainage/flood risk. In addition and following the undertaking of an Appropriate Assessment, it has not been demonstrated that the use of the land could not take place without adversely impacting on the integrity of the SPA. It would also have an adverse impact on residential amenity. It is not considered that very special circumstances exist to outweigh the Green Belt, and all other identified, harm. The application is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site lies to the north-east of Chobham falling within the Green Belt, the site borders Chobham Common, to the north and east, which forms a part of the Thames Basin Heaths Special Protection Area (SPA). The site is accessed from a private road off Gracious Pond Road. The private road is shared with other properties including de Graff Trailers and Longshot Stud Farm as well as Albury Farm, a residential property. Public footpaths 54, 55, 97 and 188 lie close to the site boundaries.

- 2.2 The application site includes the former Langshot Equestrian Centre, which has been closed within the last few years, and has been the subject to a replacement dwelling (with some buildings already removed and lawfully commenced), see planning history below. The remaining buildings include the former indoor school which has been used for vehicle storage (see planning history below). There is a large parking area to the front of the existing buildings on the site.

### 3.0 RELEVANT HISTORY

The application site was established as a riding school and has an extensive planning history of which the following are most relevant:

- 3.1 BGR3433 Erection of a building for indoor riding school and agricultural purposes.  
*Approved in June 1961 and implemented.*
- 3.2 15/1128 Erection of a part two storey, part single storey dwelling and ancillary garage building with 2 no staff flats with access and parking court following the demolition of all existing buildings.  
*Approved in July 2016 and lawfully started (see below).*
- 3.3 20/0278 Temporary change of use (for up to two years) from equestrian use to a flexible use with business (Class B1) and storage or distribution (Class B8) part retrospective.  
*Currently under consideration.*
- 3.4 21/0824 Certificate of Lawful Proposed development in relation to the commencement of development under planning permission 15/1128 including the construction of the new access and part foundation of new dwellinghouse, closure of previous site access and removal of 10 no buildings.  
*Considered to be lawful in December 2021.*
- 3.5 22/0126 Application under Class E, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to determine if prior approval is required for a proposed temporary use, for nine months, of land for the purpose of commercial film-making and provision of temporary structures in connection with that use.  
*Refused in April 2022 on the basis that it had not been demonstrated that the development and use would not adversely affect the integrity of the SPA, highway safety and flood risk and it was unacceptable on residential amenity grounds.*

### 4.0 THE PROPOSAL

- 4.1 This planning application relates to the use of land for five years for open air film making and vehicle parking with an associated use of existing buildings for film storage, offices and workshops and associated erection of a temporary detached building for use as a workshop. The proposal is to use existing buildings (comprising 1,980 square metres) to provide workshops, offices/welfare and storage and provide a temporary workshop building (of 900 square metres). Parking is provided to the front of the workshops with an overflow car park area on a paddock behind (and possible temporary unit base). There is an indication that this area may include the installation of further portable (temporary) buildings that may be required during film making but this would require separate planning permission. The use of a paddock to the front for open-air filming is also proposed.



- 4.2 The planning statement provided to support this application indicates that there are three stages of film making including preparation, film making and strike. The hours of operation for preparation and strike would be from Mondays to Fridays and between 07:30 and 18:00 hours only. The hours for filming would be 06:00 to 22:00 hours from Mondays to Sundays with a maximum of 60 night shoots per year.
- 4.3 The planning statement also advises on the likely traffic movements on and off the site which include 45 cars, 2 vans and 4 lorries per day during preparation and strike (although car movements reducing during strike to 25 cars) and 200 cars, 4 vans, 12 tech trucks and 4 trucks per day during filming.
- 4.4 The application has been supported by a planning (with design and access) statement, ecology report and flood risk assessment.

## 5.0 CONSULTATION RESPONSES

- |     |                            |  |
|-----|----------------------------|--|
| 5.1 | County Highway Authority   | Insufficient details have been provided to fully assess impact on local highway and footpath network (See Annex A).  |
| 5.2 | Environmental Health       | Raises an objection on disturbance to neighbouring properties. A noise impact assessment has not been provided.  |
| 5.3 | Natural England            | No comments received to date.  |
| 5.4 | Surrey Wildlife Trust      | No comments received to date.  |
| 5.5 | Local Lead Flood Authority | Insufficient details have been provided.   |
| 5.6 | Arboricultural Officer     | An objection is raised on lack of information.   |
| 5.7 | Chobham Parish Council     | An objection is raised on impact on residential properties, traffic/highway network, Green Belt, horses at the stud farm, public rights of way, sustainability, biodiversity and loss of equestrian use. |

## 6.0 REPRESENTATION

- 6.1 There were 2 neighbour notification letters sent on 2 March 2022 and at the time of preparation of this report, there were 3 representations in support and 103 representations, including one from the Chobham Society, raising an objection on the following grounds [up to 29/3]:
- 6.2 Impact on the Green Belt and countryside character [see sections 7.2 and 7.3]
- Inappropriate development/use in a fragile part of the Green Belt
  - Harmful to the Green Belt and decrease openness
  - Impact on rural character and area of natural beauty
  - Change character of narrow country lane (into busy road)/tree roads
  - Impact from fencing on trees
  - Overdevelopment
  - Out of keeping with character of area
  - Temporary building out of keeping
  - Unsuitable development in the area
  - Filming marked difference to authorised use
  - Sufficient “very special circumstances” have not been established

### 6.3 Impact on residential amenity [see section 7.4]

- Noise nuisance
- Impact from noise which travels far in this quiet location at night
- Close to adjoining properties
- Development too high
- Increase of pollution – noise, light, air, cesspit/septic tank
- Loss of privacy and light
- Overnight activity – comings and goings, lighting, generators running, light, noise
- Film sites are busy, noisy and disruptive places
- Noise levels above WHO European limit of 40 decibels
- Disruption to neighbours – open air filming and night shoots, metal work, power tools, floodlights, loudspeakers, generators, megaphones, shouting, guns, vehicle movements (including HGV's), catering vans

### 6.4 Impact on traffic and highway safety [see section 7.5]

- Impact on highway safety
- Increase in volume of traffic on local highway network and through village
- Insufficient parking
- Surrounding roads unfit to support extra cars and lorries – too narrow
- Insufficient evidence to assess highway impact
- Inadequate access
- Inadequate public transport provisions
- Loss of parking
- Disruption to local road network and other users (walkers/runners, dog walkers, cyclists, lorries, trucks, tractors, horse riders)
- Impact on footways, cycleways and bridleways and access to Common
- Impact on road used as a rat run
- Existing road is dangerous with no footways, poor lighting and visibility
- Increased risk of accidents (there has been a recent serious accident close the site access) and at nearby 90 degree turn in road, dangerous low branches
- Poor road surface made worse/more dangerous for users
- Under estimation of likely traffic generation (and an over estimation of existing users)

### 6.5 Impact on ecology and the SPA [see section 7.6]

- Impact on local ecology
- Impact on wildlife – bats, nightjars, Dartford Warblers, woodlarks, invertebrates, badgers, owls, mammals, moths, deer, amphibians
- Bats are found in the area (against the advice within the ecology report)
- Impact on bird nesting season
- Impact on the Chobham Common SSSI and SPA, Grade 1, NNCR and NNR
- Impact of noise and lighting on the SSSI
- Habitat disturbance from fencing
- Insufficient details provided to demonstrate that no harm to protected species would occur
- Impact from noise from footpath
- Impact on wildlife (using the track access) from traffic
- Economic benefits insufficient to outweigh harm
- No appropriate ecological assessment has been undertaken and no assessment of night activity on habitats
- 2km exclusion zone for nesting nightjars
- Negative effect on flora and fauna
- External lighting and noise should not be allowed, particularly in the nesting season
- Increased fire risk to Chobham Common

## 6.6 Other matters

- Conflict with local plan [*Officer comment: This is not further explained*]
- This is a purely business venture, limited benefits to local businesses and no benefit to local residents [*Officer comment: This is noted*]
- More open space needed on development [*Officer comment: This is not further explained*]
- Impact on local infrastructure [*Officer comment: This is not further explained*]
- Impact on stud farm and horses in surrounding fields – impact on competition/sensitive horses from noise [*Officer comment: It is not considered that this would be a reason for refusal*]
- Increased risk of flooding [*See section 7.7*]
- Impact on drainage – toxic chemicals, explosive debris, fake blood, diesel, paints, petrol, general waste into water (stream/ditch/drains/sewer) network
- Impact on streams [*See section 7.7*]
- Impact on pollution from vehicles [*See sections 7.4 and 7.6*]
- Affect local geology [*Officer comment: This is not further explained*]
- Previous/existing enforcement/noise issues at the site [*Officer comment: Any such matters would be dealt with outside of this application determination*]
- Littering [*Officer comment: It is not considered that this would be a reason for refusal*]
- Impact on animal welfare [*Officer comment: As a matter separate from the impact on protected species and their habitats, it is not considered that this would be a reason for refusal*]
- Support the objection of Chobham Parish Council [*Officer comment: This is noted*]
- Insufficient, conflicting, incorrect and missing details [*Officer comment: Sufficient details have been provided to determine this application*]
- General dislike of proposal [*Officer comment: This is not further explained*]
- Other facilities would be required – wardrobe, makeup, action vehicle workshop, kitchen, actor's caravans, workplace accommodation (e.g. toilets) [*Officer comment: This is noted but would require separate planning permission and would be considered at that time*]
- Potential contaminated land [*Officer comment: It is not a site with historic land contamination issues*]
- Strain on existing communal facilities [*Officer comment: It has not been made clear which facilities could be affected*]
- Not in line with recent COP26 regulations [*Officer comment: This relates to wider global need to accelerate Climate Change requirements and is not so relevant to more local proposals*]
- Further damage to road surface, footpaths and verges [*Officer comment: This would be a County matter*]
- Impact on lawful status of site [*Officer comment: If minded to approve a restriction on the time limit for this use would be imposed and the lawful status would not be affected*]
- Extends activity beyond hours of local businesses
- Impact on listed building (35 Mincing Lane) from traffic (lorries) [*Officer comment: Damage from traffic could occur from any traffic. It is not considered that the change to traffic would be so significant to warrant the refusal of this application*]
- Precedent for permanent filming and storage use [*Officer comment: Each application is assessed on its own merits*]
- More established site should be considered (instead) e.g. Longcross [*Officer comment: The availability of other filming sites would not be a reason to refuse this application*]
- Level of neighbour notification [*Officer comment: The level of neighbour notification exceeds statutory requirements*]
- No consultation by the applicant [*Officer comment: There is no statutory requirement for such consultations to be undertaken*]
- Will be unenforced at end of temporary period [*Officer comment: If minded to*

*approve, a condition to limit the time period for the use would be imposed and a requirement to cease the use at that date. This would not, in itself, be a reason to refuse this application]*

- Impact on property values [*Officer comment: This is not a material planning consideration]*
- No survey comparisons with other studios [*Officer comment: This is noted]*
- Impact on well-being of local residents and wider community [*Officer comment: This is noted but would not be a reason to refuse this application]*

6.7 The three representations in support raise the following points:

- Job creation, interest and excitement to community
- Could be a success like the Chobham Club
- Likely to be used sporadically unlikely to be used in heavy capacity for more than a few days per year
- Better use than heavy industrial or housing
- Substantial businesses nearby (De Graff trailers, Moores Motors)
- Letter campaign against proposal
- Work on Esso pipeline nearby to cease during bird nesting season

## **7.0 PLANNING CONSIDERATION**

7.1 This application site is located within the Green Belt and adjacent to the Thames Basin Heaths Special Protection Area (SPA). In considering this proposal regard has been had to the National Planning Policy Framework (NPPF); and Policies CP1, CP2, CP11, CP14, DM1, DM9, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). The main issues are:

- Impact on the Green Belt;
- Impact on local character;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on the Thames Basin Heaths Special Protection Area and ecology; and
- Impact on drainage and flood risk.

### **7.2 Impact on the Green Belt**

7.2.1 Paragraph 149 of the NPPF indicates that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in certain circumstances. Paragraph 150 of the NPPF indicates that other forms of development, such as changes of use and reuse of buildings (provided that they are permanent and substantial construction), provided they preserve its openness and do not conflict with the purposes of including land within it. The purposes of the Green Belt, as confirmed in Paragraph 138 of the NPPF, include to assist in safeguarding the countryside from encroachment.

7.2.2 The current proposal includes the erection of a building for a commercial (film making) use which does not fall within the exceptions set out in Paragraph 149 of the NPPF and would therefore, as agreed by the applicant, be inappropriate development in the Green Belt. It is also considered that the proposed use of land and reuse of existing buildings, which it is considered would result in countryside encroachment and not preserve openness due to the increased activity would also be inappropriate in the Green Belt. The impact on openness relates to both the visual and spatial harm from the proposed building and use. The location, close to woodland, would not sufficiently reduce this impact because of the views across this relatively flat and open land. Whilst it is noted that the proposal is for a temporary period (of five years), the harm would still be substantial during this period.

7.2.3 Paragraphs 147 and 148 of the NPPF indicate that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be 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 for the proposal, is clearly outweighed by other considerations.

7.2.4 The applicant has advised, in their planning statement, that the "very special circumstances" to support the proposal weighs substantially in favour of the proposal. These are:

- The economic benefits of the proposal to assist the film making business in the United Kingdom which is a major growth industry and is incentivised by tax relief.
- This would also stimulate local growth, for transport (e.g. taxis), cleaning, security and on-site support, waste, plant hire, and local services and local shops and businesses (e.g. restaurants), and would recognise and address the specific locational requirements of the creative industries. In addition, film production can have national or international benefits.
- The introduction of permitted development rights is also sighted as a reflection of national policy to support the film industry.

However, whilst it is accepted that the British film industry is a growth industry, there is concern that the specific benefits of this proposal have not been fully substantiated with evidence and detail. For example, there is insufficient detail on the precise economic contribution both regionally and nationally. For example, there is insufficient justification to justify the unique contribution that this site can make to filming needs and there has been no assessment of alternative sites which may have been available to use instead.

7.2.5 It is considered that the economic benefits, in any case, could only provide a moderate benefit. The provision of permitted development rights would not, in itself, indicate that the proposal should be acceptable, and in any event a temporary proposal has already refused under the permitted development prior approval process, highlighting that planning policy still needs to be complied with. No weight is therefore afforded to this argument. It is therefore considered that, either individually or cumulatively, these benefits would not outweigh the harm to the Green Belt outlined above, and other harm outlined below. As such, it is not considered that the proposal is acceptable in Green Belt terms with the proposal failing to comply with the NPPF.

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

7.3.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects and enhances the local or natural character of the environment be it in an urban or rural setting. Whilst it is noted that there is a lawful dwelling that can be built on this site (with the demolition of all other structures at the site), it is still used for commercial purposes and the remaining buildings on the site have a more utilitarian appearance. The proposed building would also have a similar utilitarian appearance. It is also noted that the proposed time period for the use and buildings is five years and would therefore not be permanent.

7.3.2 The application site is accessed from a private road and is set back from the public highway, behind a tree screen. However, clear views of the site would be obtained from the public footpaths at the east flank and rear of the site. The resulting activity along with parking which would be provided behind the main collection of existing/proposed buildings would be visible to the public from the footpath network. The proposal would include activity close to the woodland edge and a tree report to demonstrate that the use can take place without harm to the trees has been provided. The Arboricultural Officer has objected to the proposal on this ground.

7.3.3 It is considered that the proposed buildings would not have an adverse visual impact on local character, per se, but the level of activity (film making and parking) that would be provided on open fields would have an adverse visual impact on the local, rural character failing to comply with Policy DM9 of the CSDMP. In addition, it has not been demonstrated that there would not be harm to the health of trees from the proposal failing to comply with Policy DM9 of the CSDMP.

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

7.4.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. Paragraphs 4.2 and 4.3 of the report above indicate the hours of operation and likely traffic, including lorry, movements. The use, at the filming stage, will include late evening activity and a number of open-air night shoots and a significant number of traffic movements. This will require external lighting in an area without significant external lighting (including no street lighting).

7.4.2 The nearest residential properties to the site would lie opposite the main area for film making and it is considered that this would result in a significant amount of disturbance from lighting and noise that could disrupt later in the evenings and, on occasion, overnight. The Environmental Health team has raised an objection to the likely impacts, particularly with the evening and night shoots, noting that the application was not supported by a noise impact assessment. This is considered to be unacceptable failing to comply with Policy DM9 of the CSDMP.

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

7.5.1 Policy DM11 of the CSDMP indicates 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. All development should ensure safe and well-designed access and egress and layouts which consider the needs of all highway users.

7.5.2 Policy CP11 requires all new development that will generate a high number of trips will be directed towards previously developed and in sustainable locations or will be required to demonstrate that it can be made sustainable to reduce the need to travel and promote travel by sustainable modes of transport. All new development should be appropriately located in relation to public transport and the highway network and comply with parking standards.

7.5.3 The County Highway Authority has raised concerns that insufficient details have been provided to justify the impacts of the proposal on highway safety. The proposal would provide a significant employment in a relatively unsustainable location with no public transport links. A transport assessment has not been provided to compare the traffic generation between the lawful (equestrian) use with the current proposal and whether the access and egress can be achieved (tracking details required). The impact on the local highway and footpath network has not been assessed and the impact on all road users is required. The proposal would result in an increase in vehicle movements, including HGV's, on narrow rural roads used by horse-riders, cyclists and pedestrians.

7.5.4 The temporary nature of the proposal is noted. However, it is considered that it has not been demonstrated that the proposal can be provided without detriment to highway safety and an objection is raised on this ground, with the proposal failing to comply with Policies CP11 and DM11 of the CSDMP and the NPPF.

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

7.6.1 Policy CP14 of the CSDMP indicates that development will be permitted where it does not give rise to likely significant effect on the integrity of the SPA. And development which results in harm to or loss of features of interest for biodiversity will not be permitted. The site lies adjacent to the SPA to the north, east and part of the south boundaries of the site.

- 7.6.2 The ecological report provided with the application concludes that there are no ecological constraints concerning bats, badgers, barn owls, water voles and amphibians. Nevertheless, the site lies adjacent to the SPA and would include some overnight activity and use of external lighting which could disrupt wildlife including protected species (e.g. low nesting birds). The edge of woodland can often be used by bats and no assessment has been made of such impacts.
- 7.6.3 This application follows the prior approval for the use of land for film making a nine month period. This application was refused, in part, on the basis that it had not been demonstrated that the proposal could be provided without harm to the integrity of the SPA. An Appropriate Assessment had been undertaken to inform this decision. In a similar manner, an Appropriate Assessment has been undertaken for this proposal reaching similar conclusions. It had not been demonstrated that the disruption, from noise, light and general activity could not be mitigated for protected species, the low nesting birds, within the SPA.
- 7.6.4 Whilst the comments of Natural England and Surrey Wildlife Trust are awaited, concerns are raised that the proposal could lead to adverse impact on protected species and their habitats, particularly in relation to noise and light on evening and night time activity, and an objection is raised to the proposal on this ground with the proposal failing to comply with Policy CP14 of the CSDMP and the NPPF.

## **7.7 Impact on drainage and flood risk**

- 7.7.1 Policy DM10 of the CSDMP indicates that development of sites over 1 hectare in area (as in this proposal) will not be supported without a site flood risk assessment that demonstrates the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral and development would be expected to reduce the volume and rate of surface water run-off through the appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale of the development.
- 7.7.2 A flood risk assessment (FRA) has been provided to support this application. However, the LLFA has raised concerns that the proposed drainage scheme would not meet the requirements with ground investigations not undertaken to confirm the suitability (or lack) of soakaway drainage. Infiltration through permeable paving is proposed as a way of managing the additional surface water runoff created through the increase in impermeable area in the site. No evidence has been submitted to prove that infiltration is possible.
- 7.7.3 The FRA also indicates that if infiltration is found to not be possible, limited discharge into the watercourse which runs through the site would be required but no details of the discharge rate, the volume of attenuation and where the discharge point will be has been provided. Insufficient evidence has been provided to indicate that surface water flood risk will not be increased both on and off the development site.
- 7.7.4 As such, the proposal is considered to be unacceptable in terms of its impact on drainage and flood risk and as such an objection is raised on this ground, with the proposal failing to comply with Policy DM10 of the CSDMP and the NPPF.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

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

registered.

c) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

- 8.2 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

## **9.0 CONCLUSION**

- 9.1 It is noted that the proposal relates to temporary development but that this use would remain for up to five years under this application. It is considered that the proposal would have an adverse visual impact, and reduce openness, on the countryside character and Green Belt. It is inappropriate development in the Green Belt for which very special circumstances do not exist to outweigh this, and all other identified, harm. It would also have an adverse impact on residential amenity. It has not been demonstrated that the use of the land would not have an adverse impact on highway safety, trees, drainage/flood risk nor ecology. In addition, and following the undertaking of an Appropriate Assessment, it has not been demonstrated that the use of the land could not take place without adversely impacting on the integrity of the SPA. The application is recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reasons:

1. The proposed development and use, by reason of the provision of a temporary building and spread of commercial activity across the site, would be inappropriate development in the Green Belt encroaching commercial development and use into the countryside and having an adverse impact on the spatial and visual openness of the Green Belt for which very special circumstances do not exist to outweigh the harm to the Green Belt and all other harm, as set out in the reasons below, failing to comply with the National Planning Policy Framework.
2. It has not been demonstrated, following the undertaking of an Appropriate Assessment, that the development and use, by reason of noise, external lighting, hours of operation and general activity especially in the evenings and overnight, can be undertaken without harm to protected species nor the integrity of the Thames Basin Heaths Special Protection Area failing to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and Regulations 75-78 of the Conservation of Habitats Regulations 2017, Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017.
3. The proposed development and use would, by reason of noise, external lighting and general activity especially in the evening and overnight, lead to an adverse amenity to the occupiers of nearby residential properties failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.
4. It has not been demonstrated that the development and use can be undertaken without harm to highway safety failing to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.



5. In the absence of an acceptable drainage strategy design, it has not been demonstrated that the development and use can be undertaken without leading to an increased flood risk on and off the site and would fail to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
6. In the absence of tree report, it has not been demonstrated that the development and use can be undertaken without leading to an adverse impact on the health of existing trees on and off the site and would fail to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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Duncan Carty  
SURREY HEATH BOROUGH COUNCIL  
SURREY HEATH HOUSE  
KNOLL ROAD  
CAMBERLEY  
GU15 3HD

15 March 2022

Dear Duncan

**APPLICATION NO.** SU/22/0167

**SITE:** Langshot Equestrian Centre, Gracious Pond Road, Chobham, Woking, Surrey, GU24 8HJ

I refer to the above planning application upon which you have requested our consideration of the highway and transport issues. Before I am able to provide a full response, please request the following be provided by the Applicant:

The proposed development may lead to an increase in vehicle movements, including HGVs, on narrow rural roads used by horse-riders, cyclists and pedestrians.

A Transport Assessment needs to be provided detailing the estimated traffic generation from the proposed light industrial use compared to the existing lawful use as an Equestrian Centre.

Note: The Design and Access Statement includes an estimated number of vehicles per day (e.g. 200 private cars) and also refers to frequent van and 18t truck deliveries. The TA must quantify the total trip generation i.e. total arrivals and departures per day and at identified peak times.

This should be compared to the estimated trip generation for an Equestrian Centre in a stand alone, i.e. rural location, using TRICS survey data and methodology. Data should be provided for all vehicles and for OGVs. Any additional supporting evidence of the historic use of Langshot Equestrian Centre should be provided, as appropriate.

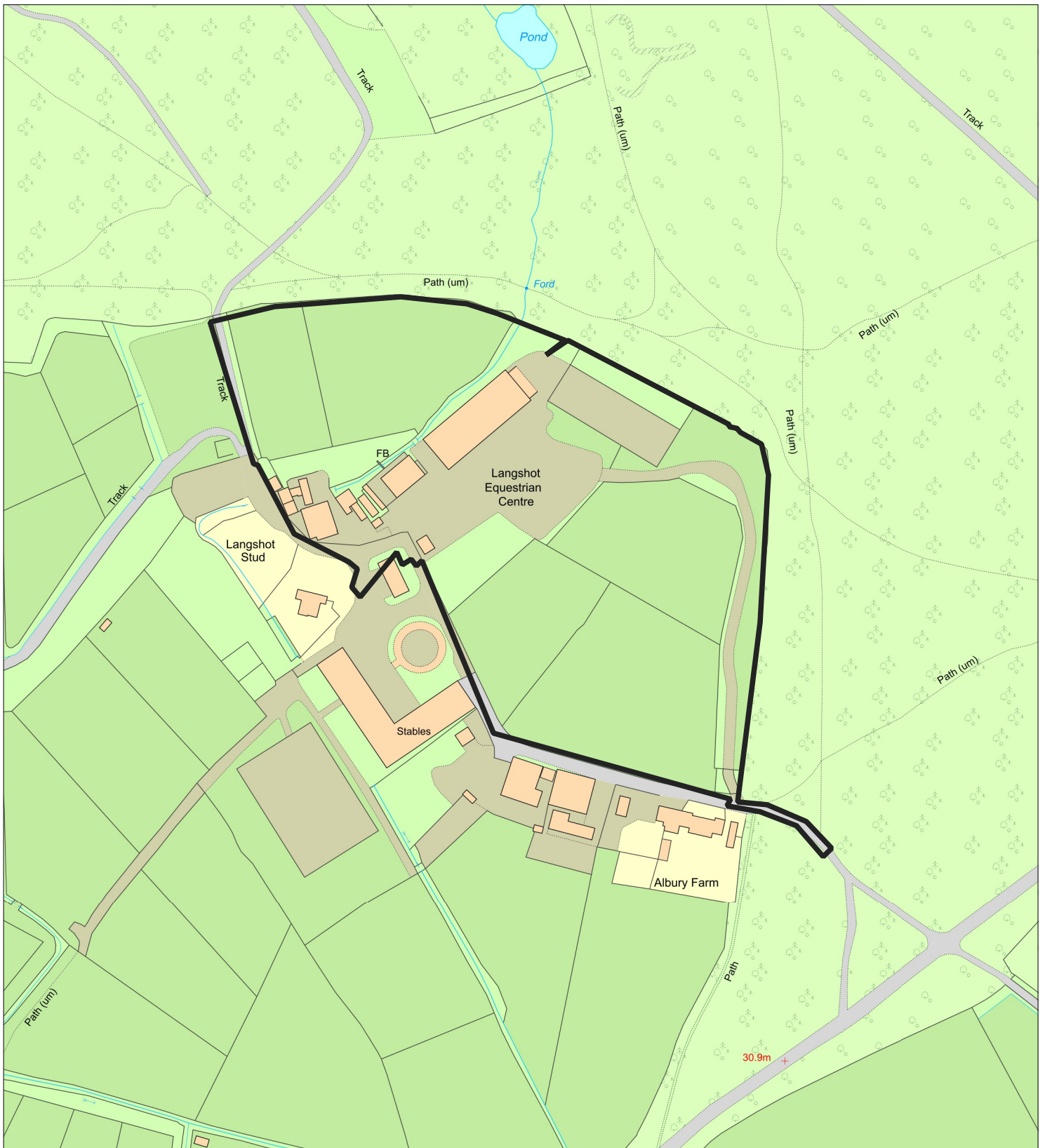
The Transport Assessment must consider the impact of any significant increase in traffic commenting on the suitability of the access(es) onto Gracious Pond Road, potential impact on users of Footpath 54 and the wider impact on the local highway network. As the proposed use

might include articulated lorries, vehicle tracking should be provided at the access(es) from Gracious Pond Road leading to the site.

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

Yours sincerely,

Richard Peplow  
Transport Development Planning Officer

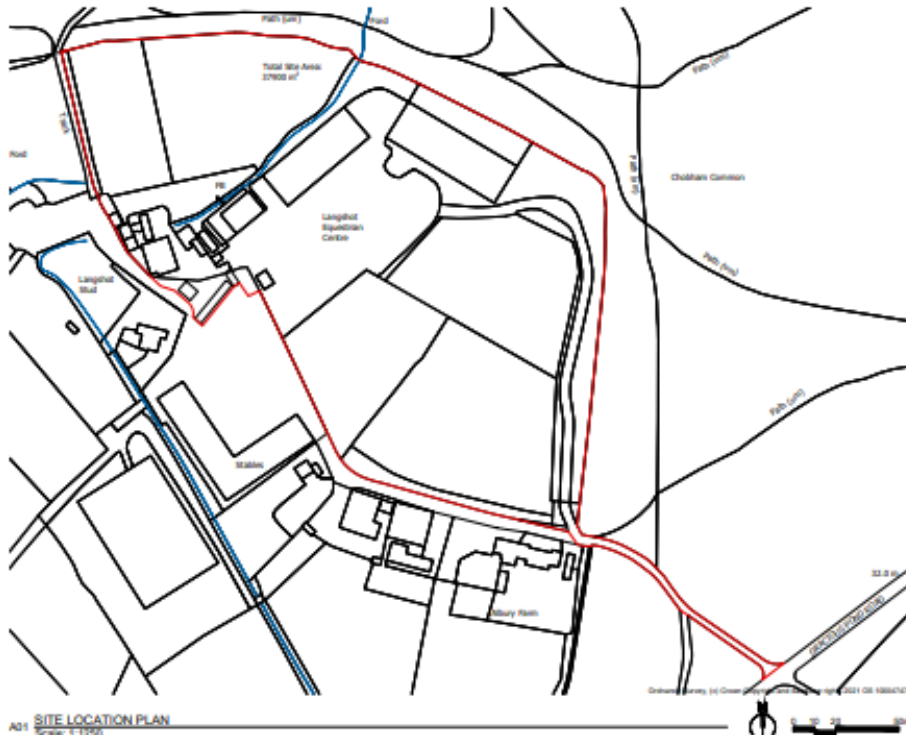


<b>Title</b>	Planning Applications		
<b>Application number</b>	22/0167/FFU		<b>Scale @ A4</b> 1:2,500
<b>Address</b>	Langshot Equestrian Centre Gracious Pond Road Chobham Woking Surrey GU24 8HJ		<b>Date</b> 06 Apr 2022
<b>Proposal</b>	Temporary use of land for five years for open air film-making and vehicle parking; associated temporary use of existing buildings for film storage, offices and workshops; and associated erection of four temporary detached buildings for film storage		
Version 5		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022	

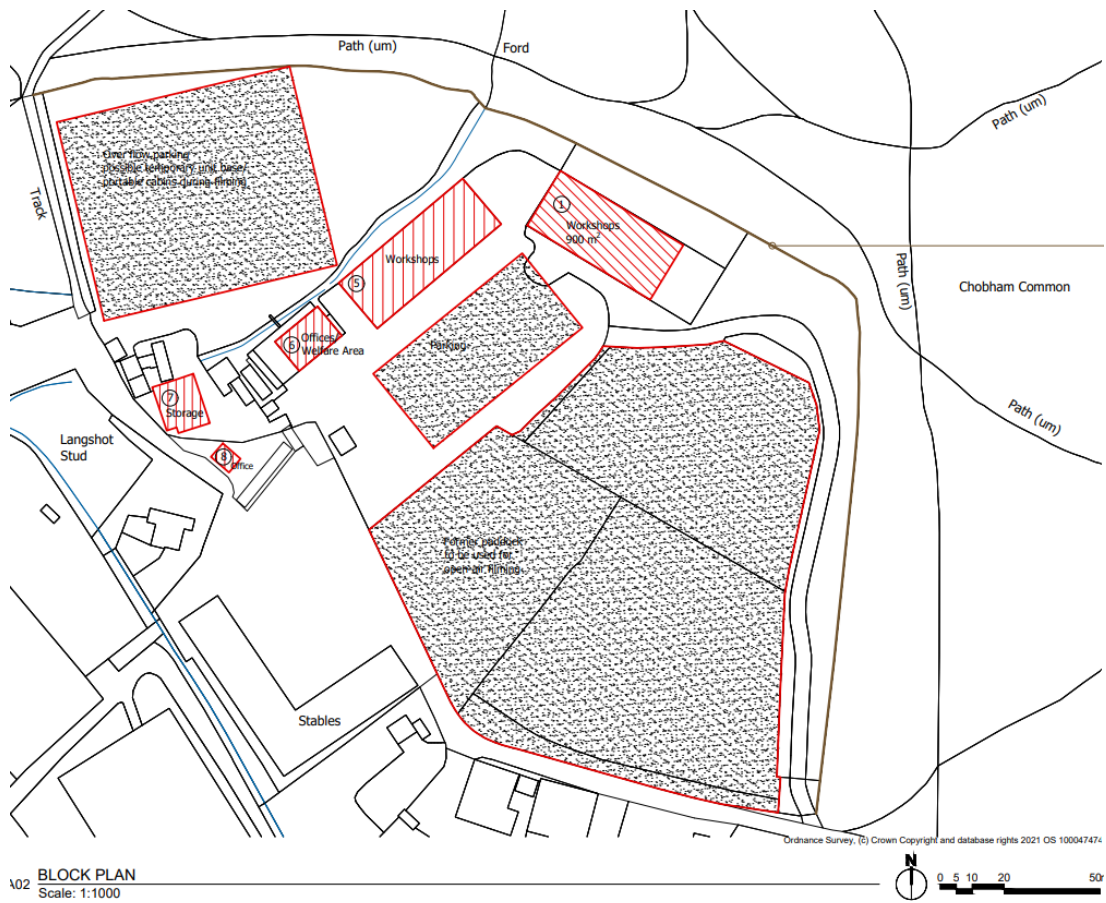
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# PAC Plans 22-0167 Langshot Equestrian Centre, Gracious Pond Road, Chobham

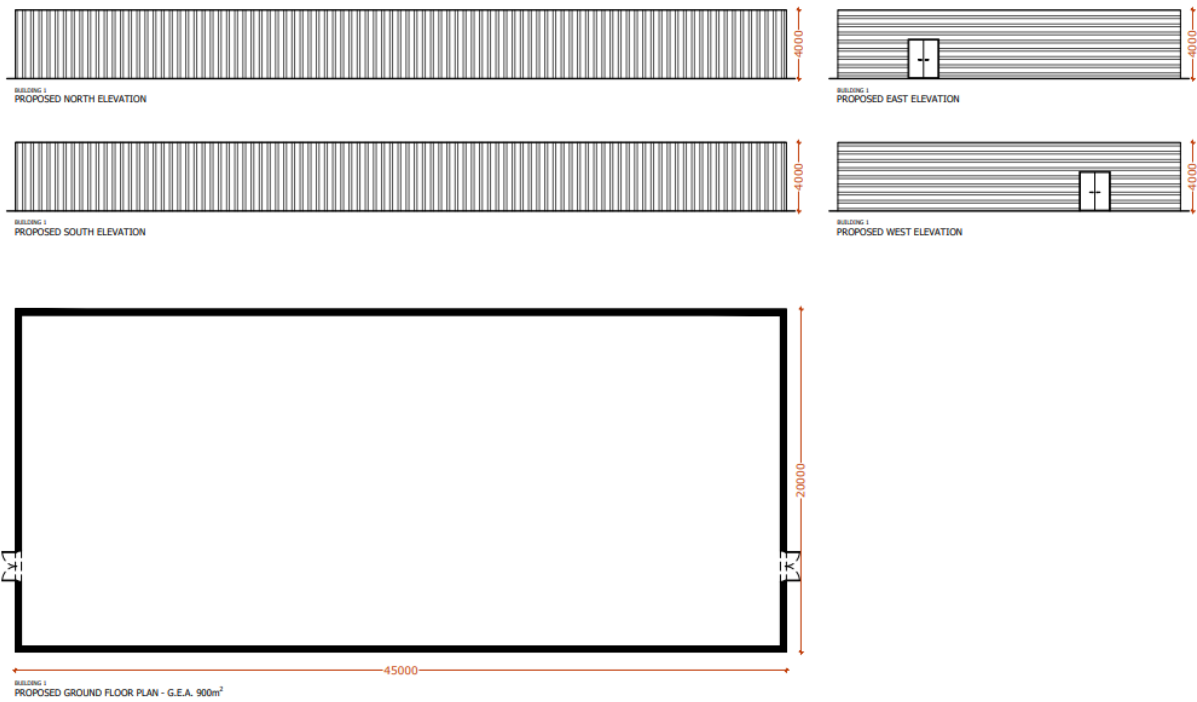
## Site Location Plan



## Proposed layout



## Elevations and floor plans – Building 1



## Site access





Existing buildings



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19/2313/FFU

**Reg. Date**

20 December 2019

Frimley

<b>LOCATION:</b>	Hudson House, Albany Park, Camberley, Surrey, GU16 7PL,
<b>PROPOSAL:</b>	Change of Use from warehousing to light industrial, general industrial and warehousing
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Surrey Heath Borough Council
<b>OFFICER:</b>	Duncan Carty

This application is being referred to the Planning Applications Committee because it relates to major development (floor area exceeds 1,000m<sup>2</sup>) and Surrey Heath Borough Council is the applicant.

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

#### **1.0 SUMMARY**

- 1.1 This application relates to a change of use of a commercial building within a Core Employment Area within the settlement of Frimley, just south of the Motorway M3. The application site lies on the north side of Albany Park, fronting onto Frimley Road.
- 1.2 The consideration of this application has been delayed by the Covid pandemic. There was interest in the current planning use before the pandemic but this fell away and a more recent enquiry, widening the use of the building, has come forward instead. This relates to a proposed occupier, moving into the Borough, who design and manufacture temperature, pressure and flow control (safety) instrumentation for the commercial and industrial sectors with particular expertise in hazardous environments.
- 1.3 The current proposal relates to a warehouse building, with ancillary offices, and relates to the change of use to light industrial, general industrial or warehouse uses. The application proposal is considered to be acceptable on character, residential amenity and highway safety grounds. It is recommended for approval.

#### **2.0 SITE DESCRIPTION**

- 2.1 The application site lies within a Core Employment Area within the settlement of Frimley, just south of the Motorway M3. It also lies within the Industrial Estate and Infrastructure Character Area as defined within the Western Urban Area Character SPD 2012. The application site lies on the north side of Albany Park, fronting onto Frimley Road, behind a landscaped frontage. To the immediate north is the Matalan retail unit. Commercial properties lie to the rear and south with the nearest residential properties in Gilbert Road. The application building is Council owned.
- 2.2 The application property is a two-storey ancillary office accommodation to the front of the building with a large warehouse to the rear. It provides about 3,600 square metres of accommodation with 68 car parking spaces provided in a car park to the front and a car parking area to the side and rear of the building. The predominantly rectangular building has a depth of about 105 metres and a maximum width of 32 metres, with a general height of 6-8

metres. There are three vehicular access to the site, all accessed from Albany Park, with the main servicing point at the rear access point. Two lorry spaces/servicing are provided to the rear.

### **3.0 RELEVANT HISTORY**

- 3.1 84/0158 Erection of a wholesale distribution warehouse with ancillary accommodation, car parking and service areas together with acc Albany Park.

*Granted in April 1984 and implemented.*

- 3.2 92/0717 Change of use from storage and distribution to general industrial.

*Granted in November 1992 but not implemented.*

### **4.0 THE PROPOSAL**

- 4.1 The current proposal relates to the change of use to light industrial, general industrial or warehouse uses. Light industrial use is defined in the Use Classes Order as an industrial use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell and/or other pollution. General industrial uses relate to heavier industrial uses, which could cause such harm. Warehouse uses relate to storage and distribution uses. The proposal is to seek the widening of potential uses to include light industrial and general industrial uses. The application proposal has been amended since the submission of the original application which was originally intended to be used for warehousing.

- 4.2 The expected occupier relates to a light industrial use for the design and manufacture of design and manufacture temperature, pressure and flow control (safety) instrumentation for the commercial and industrial sectors with particular expertise in hazardous environments including water treatment, oil and gas and nuclear. The intended occupier is not yet in the public domain due to commercial confidentiality issues. However, it is anticipated that 20% of the building would be used for part storage; 10% goods ready for despatch and space for unloading/loading to vehicles; 60% assembly; and, 10% testing of products.

- 4.3 The existing car parking and servicing arrangements will be retained with the existing 2 level access doors to the yard used. Having regard to waste it is anticipated that this would via the rear yard where there is space for appropriate waste receptacles without interfering with the parking spaces and circulation.

### **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority No objections (See Annex A).
- 5.2 Senior Environmental Health Officer No objections.

### **6.0 REPRESENTATIONS**

- 6.1 Thirteen representations letters were sent on 17 January 2020 and, on the basis of the amended description, on 16 February 2022. At the time of preparation of this report no letters of representation in support or raising an objection

### **7.0 PLANNING CONSIDERATION**

- 7.1 This application site is located within a Core Employment Area within the settlement of Frimley. In considering this proposal regard has been had to the National Planning Policy Framework (NPPF); and Policies CP1, CP2, CP8, CP11, DM9 and DM11 of the Surrey

Heath Core Strategy and Development Management Policies Document 2012 (CSDMP); and advice within the Western Urban Area Character SPD 2012. The main issues are:

- Principle for the development;
- Impact on local character;
- Impact on residential amenity; and
- Impact on highway safety.

## **7.2 Principle for the Development**

7.2.1 Policy CP8 of the CSDMP indicates that in making provision for new jobs in the plan period, there will be a need to promote a more intensive use of existing employment areas through the recycling, refurbishment and regeneration of existing older or vacant stock. The current proposal would provide the re-use of an existing vacant commercial building for employment purposes which supports this policy. Specifically, the intended company will combine their existing workforce of 60-70 employees from two locations into one location at the application site. This is likely to see relocation of existing employees to Camberley and may involve recruitment from the local workforce. It is understood that the previous occupier (Travelex) had similar staffing numbers. As such, it is considered that the principle for the development is acceptable, subject to the assessment below.

## **7.3 Impact on local character**

7.3.1 Policy DM9 of the CSDMP indicates that development proposals should respect and enhance the local character of the area. Policy CP2 reflects this requirement. The current proposal relates to a change of use only and no external alterations are proposed. The change of use would not, in itself, lead to any significant impact on the character of the area, complying with Policies CP2 and DM9 of the CSDMP and advice in the WUAC.

## **7.4 Impact on residential amenity**

7.4.1 Policy DM9 of the CSDMP indicates that development proposals should respect the amenities of the occupiers of neighbouring properties and uses. The site is predominantly surrounded by other commercial uses with the nearest residential properties in Gilbert Road set about 100 metres from the existing building. No objections are raised by the Senior Environmental Health Officer. It is noted that there are no limitations on the hours of operation for the existing use and no such controls would be required noting its location. Noting the other commercial uses and proximity to the Motorway M3, resulting in higher background noise levels, as well as the separation distances from residential properties, it is considered that the proposal is acceptable on residential amenity grounds complying with Policy DM9 of the CSDMP.

## **7.5 Impact on highway safety**

7.5.1 Policy DM11 of the CSDMP indicates 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 any impacts to acceptable levels can be implemented. Policy CP11 of the CSDMP requires development to comply with the parking standards. Paragraph 111 of the NPPF indicates that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe.

5.5.2 The current proposal would provide 68 car parking spaces for 3,600 square metres of commercial floorspace, equating to one car space per 53 square metres of floorspace which sits between the maximum standards for industrial and commercial uses (one car space per 30 to 100 square metres). The County Highway Authority has advised that the application site is accessed via Albany Park, which is a private road and does not form a part of the public highway, therefore it falls outside of that 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 public highway. As such, no objections are raised on highway safety matters with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

8.2 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

## **9.0 CONCLUSION**

9.1 The current proposal is considered to be acceptable in terms of its principle, local character, residential amenity and highway safety. The application is 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: 0344800-LP Rev B; 0344800-A-00 Rev A, 0344800-01 Rev A, 0344800-00-1 Rev A, 0344800-00-2 Rev A and E3751 Rev A, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The premises shall be used for light industrial, general industrial or storage and distribution (warehousing) uses only; and for no other purpose (including any other purposes in Classes B2, B8 or E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

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

4. The parking spaces shown on the approved plan 0344800-A-00 Rev A shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

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

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<b>APPLICATION NUMBER</b>	<b>SU/19/2313/F FU</b>
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**DEVELOPMENT AFFECTING ROADS**  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:** Michael Cummings

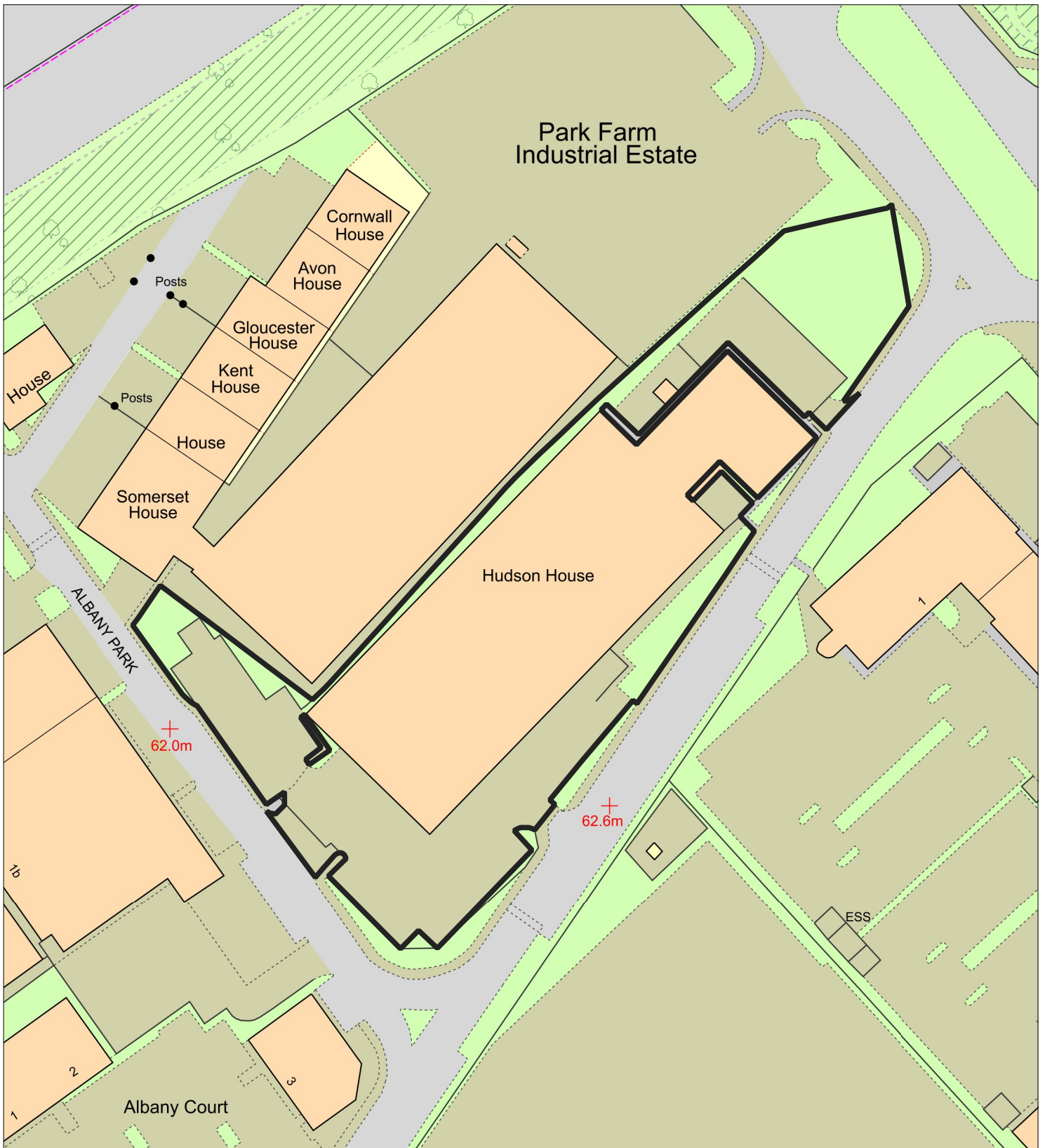
**Location:** Hudson House Albany Park Camberley Surrey GU16 7PL

**Development:** Change of Use from warehousing to light industrial, general industrial and warehousing

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	16 February 2022	<b>Response Date</b>	29 March 2022
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The application site is accessed via Albany Park, 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.

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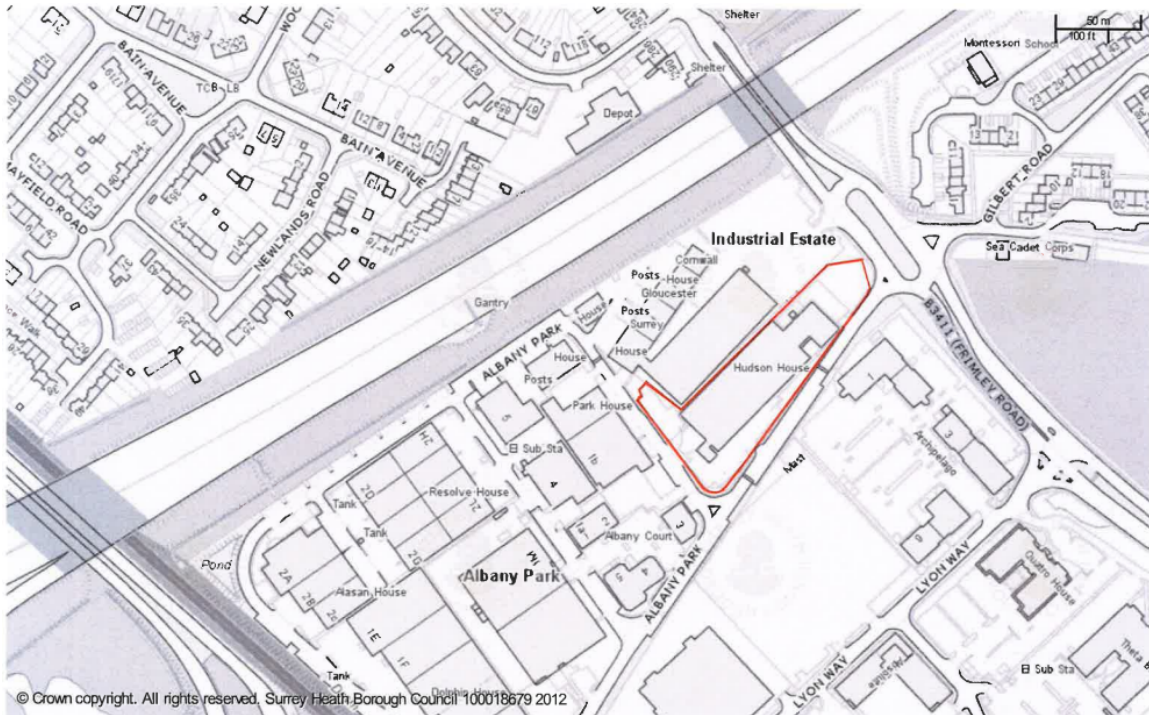


<b>Title</b>	Planning Applications		
<b>Application number</b>	19/2313/FFU		<b>Scale @ A4</b> 1:1,000
<b>Address</b>	Hudson House Albany Park Camberley Surrey GU16 7PL		<b>Date</b> 06 Apr 2022
<b>Proposal</b>	Change of Use from warehousing to light industrial, general industrial and warehousing		
<p>Page 35</p> <p>Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022 Author: SM</p>			

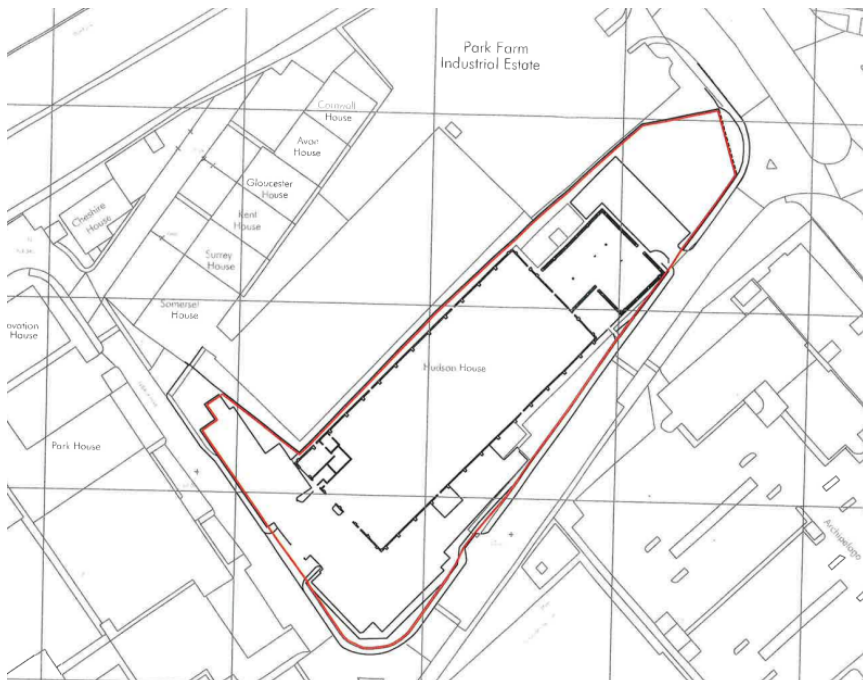
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## PAC Plans 19-2313 Hudson House, Albany Park, Camberley

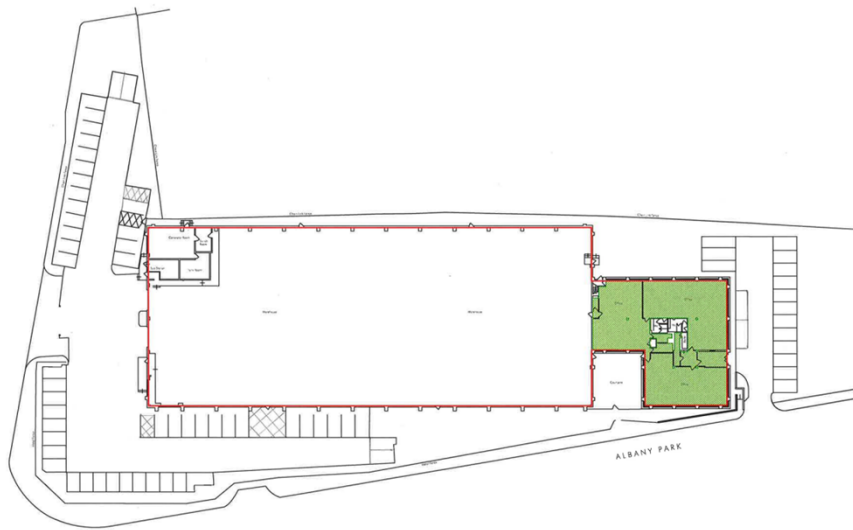
### Site Location Plan



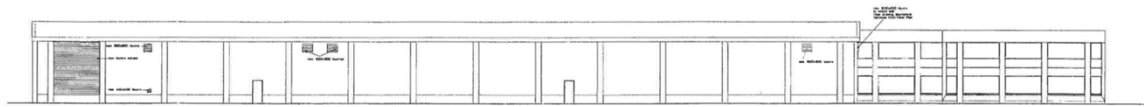
### Site Plan



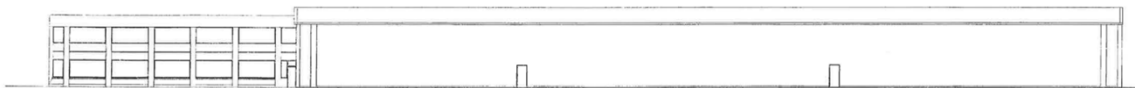
# Layout



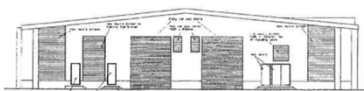
# Elevations



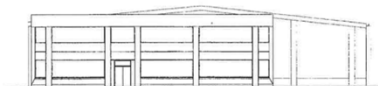
SOUTH EAST ELEVATION



NORTH WEST ELEVATION



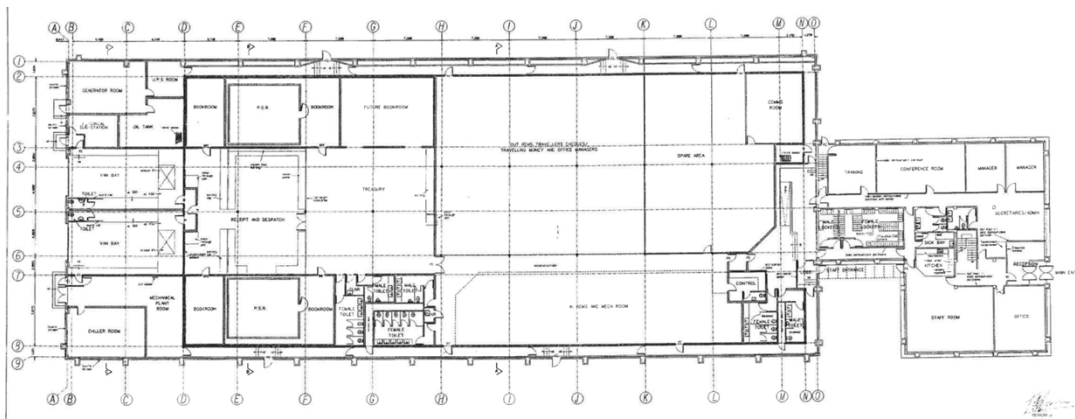
SOUTH WEST ELEVATION



NORTH EAST ELEVATION



# Floor plans



Application site from Frimley Road



Application site from rear



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<b>LOCATION:</b>	Windlesham Garden Centre, London Road, Windlesham, Surrey, GU20 6LL,
<b>PROPOSAL:</b>	Demolition of part of the existing building, erection of a single storey glass house extension (use class 'E') and designation of a smoking area with associated alterations, resurfacing of existing car park with associated lighting and creation of a raised veranda and porch to existing farm shop (retrospective) and provision of smoking shelter, cycle parking and electric vehicle charging points
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Wooldridge Partnership
<b>OFFICER:</b>	Sarita Bishop

This application is being referred to Planning Applications Committee because of its association with 20/0494, reported elsewhere on this agenda.

**RECOMMENDATION: GRANT, subject to conditions**

**1.0 SUMMARY**

- 1.1 The application site comprises part of Windlesham Garden Centre, which lies on the northern side of the A30, outside the settlement area of Windlesham and within the Green Belt. The application site which is the subject of this application comprises a number of buildings primarily to the front of the garden centre site, as well as the parking areas to the front and rear (in part). The application seeks retrospective permission for demolition of part of the existing building, the erection of a single storey glass house extension (use class 'E') and designation of a smoking area with associated alterations), resurfacing of existing car park with associated lighting and creation of a raised veranda and porch to existing farm shop with a proposed smoking shelter, cycle parking and electric vehicle charging points.
- 1.2 The proposals are on previously developed land within the Green Belt. They are not considered to cause any material harm or have a greater impact on the openness of the Green Belt than the existing buildings or to conflict with the Green Belt objectives of preserving openness or with the purposes of including land within it. The development is acceptable in visual amenity and highway safety terms and in relation to surface water drainage, archaeology and contaminated land. Subject to a condition on the management of the car parking in the evening there would be sufficient legislative controls in place to safeguard the amenities of adjoining residents.
- 1.3 Another application presented at this Committee (20/0494) considers a retrospective application for the replacement of a retail glasshouse with another retail building. There is also further development at the wider garden centre site which is unauthorised and enforcement are currently investigating this. However, development outside this application site, and the fact that the application is retrospective are not relevant planning reasons to refuse this application. It is therefore proposed for permission, subject to conditions.

## 2.0 SITE DESCRIPTION

- 2.1 The application site, of some 1.3 hectares, is located on the northern side of the A30, outside the settlement area of Windlesham and within the Green Belt. The site comprises a complex of buildings which accommodate various retail uses including a farm shop including a butchers, a restaurant, a garden centre, Pavilion Interiors, Lakeland, Optiplan kitchens, Maidenhead Aquatics, two golf shops and Sherborne conservatories. These buildings are laid out around a large central car park which also extends to the north of the application site which provides 134 spaces. The car park area to the north also includes an unauthorised car wash/canopy which is the subject of investigation by the Council's Corporate Enforcement team. The site is within Flood Zone 1 and is shown as being potentially contaminated (though is categorised as very low risk).
- 2.2 To the north east there is a large garden furniture store. To the north west there are a number of structures and new surfaces which have been laid which include the building the subject of 20/0494 as set out below and a new car park has been created to the north together with changes to site level. These works are being investigated as breaches of planning control by the Corporate Enforcement team. Whilst outside of the current application site these areas are within the applicant's control.
- 2.3 The closest residential properties are Lavershot Cottage and Flats 1-3 Lavershot Court to the west, 1 and 2 Homestead Cottages to the south and Holm Place/The Bear House to the east.

## 3.0 RELEVANT HISTORY

- 3.1 There are a large number of applications relating to the wider Garden Centre site, of which the application site is a component part. The site was historically a plant nursery, although was granted a Certificate of Existing Use in 1971 for the front part of the site as a garden centre. The planning history shows that in the 1980s it was operating as part nursery and part garden centre, with many of the former nursery buildings being converted to retail at that time. The most recent relevant applications are set out below.
- |     |         |  |
|-----|---------|--|
| 3.1 | 11/0230 | Erection of a replacement walkway and bedding canopies to a maximum height of 3.5 metres and a timber entrance canopy following re-roofing of existing garden centre retail glasshouses following demolition of timber structure. Approved but not implemented.  |
| 3.2 | 11/0943 | Erection of replacement retail glasshouse and entrance canopy and walkway following demolition of existing retail glasshouse and timber walkways. Approved but not implemented. This also relates to the current application 20/0494 below.  |
| 3.3 | 17/0110 | Outline application for the erection of 9 dwellings (7 market houses and 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings (access and layout being considered). Approved but not implemented.  |
| 3.4 | 20/0218 | Change of use of part of the existing garden centre from Use Class A1 to Use Class A3, demolition of part of the existing building, erection of a single storey glass house extension to be used for Use Class A3 purposes and designation of a smoking area with associated alterations (part retrospective). This application was withdrawn as a result of the change to the Town and Country Planning (Use Classes) Order 1987 in September 2020. Amongst the changes introduced, Classes A1 (retail) |

B1 (office, research and development and light industrial process), D1 (non residential institutions, in part) and D2 (assembly and leisure in part) were replaced by a new Class E. This new class included the following uses:

- Shops (previously A1);
- Financial and professional services (previously A2);
- Food and drink (mainly on the premises) (previously A3)
- Business (office, research and development and light industrial process) (previously B1);
- Non residential institutions (medical or health services, creches, day nurseries and centres) (previously D1);
- Assembly and leisure (indoor sport, recreation or fitness, gyms) (previously D2);

This change means that planning permission is not required to change the use of a building from one use within Class E to another.

- 3.5 20/0494 Demolition of existing glass house and other buildings on site and erection of a replacement building with A1 use (retrospective). This application is almost identical to that permitted under 11/0493 and is elsewhere on this agenda.
- 3.6 20/1022 Erection of a detached building (Class E) for use as pools and spas office following demolition of existing with external display area. Awaiting determination. The building is beyond the current application site boundary but includes the use of the car parking area the subject of the application under consideration. As such it is not to be determined whilst the car parking area is unauthorised.

#### **4.0 THE PROPOSAL**

- 4.1 The current proposal is similar to 20/0218 above. This proposal seeks retrospective permission for the demolition of part of the existing building, erection of a single storey glass house extension (use class 'E') and designation of a smoking area with associated alterations), resurfacing of existing car park with associated lighting and creation of a raised veranda and porch to existing farm shop with a proposed smoking shelter, cycle parking and electric vehicle charging points.
- 4.2 The demolished glass house had an area of 130 square metres. The single storey glass house extension to be retained has an area of 150 square metres and is used as a restaurant within Class E. This extension is predominantly finished in glazing. An external extraction flue is also included to serve the restaurant use.
- 4.3 The proposed smoking shelter of 13 square metres is proposed to be finished in timber with a felt flat roof. This and the proposed cycle parking are located within the car parking area to the north of the site.
- 4.4 As originally submitted the car parking layout showed 134 spaces. Whilst there is no change in site area, an amended plan has been provided which details the provision of 151 spaces. The existing car parking areas to the east and north of the main buildings on the western side of the site are shown to be resurfaced with a new car parking layout to include 10 spaces for disabled use and 7 parent and child spaces. New planting beds, walkways and external lighting are also shown. The external lighting within the car park comprises low level bollard lights with external lights also provided on the existing buildings. Four electric charging points are also to be provided at the entrance to the site. 5 Sheffield cycle stands are proposed to provide 10 cycle parking spaces are to be provided adjacent to the proposed smoking shelter.

- 4.5 A raised veranda with access ramp and porch are proposed to be retained at the front of the Seasons Farm Shop. This has a timber structure with a tiled roof.
- 4.6 The application is supported by a Planning, Design and Access statement, an Archaeological Assessment, a Ground Conditions Desk Top Study Report, a Drainage Statement, a Transport Note Addendum, a Utilities Report and a Car Park Management Plan.
- 4.7 It is noted that the submitted application seeks retrospective permission for development already carried out. Whilst it is the Council's view that planning permission should be in place before development is undertaken, section 73A of the Town and Country Planning Act 1990 as amended enables applicants to submit an application for planning permission for development already carried out. Government guidance confirms that such applications must be considered in the normal way i.e. based on all the relevant material planning considerations. It would not be appropriate to refuse an application on the grounds that it is retrospective.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objection subject to conditions, attached as Annexes A and B.
- 5.2 Windlesham Parish Council Has commented on the application as follows:
- opposes all retrospective planning [*Officer comment, please see paragraph 4.7 above*] as owners were cautioned for overdevelopment by the Council 2 years ago yet building works have continued [*Officer comment: the unauthorised works are the subject of investigation by the Council's Corporate Enforcement team*];
  - misleading use of applicant name calling it Windlesham Garden Centre when it is known locally via their own marketing as Lavershot Barns [*Officer comment: the Council's GIS records identify the site as Windlesham Garden Centre. There has been no official application to the Council's Street Naming and Numbering Officer to officially change the site name to Lavershot Barns but the applicant may do so on application to the Council*];
  - misleading statement on drainage being adequate for the hardstanding as residents have advised that run off is going into their property [*Officer comment: Please see paragraph 7.7.1 below*];
  - overdevelopment of what is a Green Belt site, the claim that there is now less hardstanding is untrue as can be verified from satellite imagery of the site before and after the works have been undertaken [*Officer comment: The hardstanding the subject of this application relates to land which has had the benefit of previous permissions for car parking*]
- 5.3 SCC Lead Local Flood Authority No objection
- 5.4 County Archaeologist No objection
- 5.5 Environmental Health No objection

## 6.0 REPRESENTATION

6.1 A total of 13 individual letters were sent to properties on London Road. A site notice was displayed on site on 8 December 2021 with press notices being put in the Surrey Advertiser on 17 December 2021 and the Camberley News on 1 December 2021.

6.2 One letter of representation has been received which objects to the proposal on the following grounds:

- Late night/early morning noise from customers, staff and deliveries; *[Officer comment: see paragraph 7.6.5 below]*
- Now they have a licence to “sell alcohol, live and recorded music externally 09.00 to 23.00 Monday to Saturday and Sunday 09.00 to 17.00” there is a lot more late night noise; *[Officer comment: the licensing of the premises is subject to the provisions of the Licensing Act 2003 with regard had to the Council’s Statement of Licensing Policy and Guidance 2021-2026. There are four licensing objectives; prevention of crime and disorder, public safety, prevention of a public nuisance and protection of children from harm. Irrespective of any requirement under planning legislation, an entirely separate legislative regime, the applicant has to comply with the licence requirements applicable to this site. In this regard the Seasons Farm shop is licensed to the sale of alcohol Monday to Saturday 0900-1800 hours and Sunday 0900 to 1530 hours , the Seasons Restaurant is licenced for the sale of alcohol, live or recorded music until 2300 hours and the Seasons Garden is licensed for the sale of alcohol, live or recorded music on Monday to Saturday 0900- 2100 hours and Sunday 0900 to 1700 hours]*
- Concerned about the management of the car park and some suspect late night activities which have previously involved calling the police and the applicant; *[Officer comment: a car park management plan has been submitted in support of this application]*
- Cooking smells from roast meat, burgers/fried food, cake etc; *[Officer comment: see paragraph 7.6.5 below]*
- Proximity of location for recycling of bottles and noise associated with early morning and late night recycling; *[Officer comment: see paragraph 7.6.5 below];*
- Overdevelopment of the Green Belt, comparing occupation by Wyevale and the applicant *[Officer comment: the main area of encroachment referred to is at the rear of the site. This is unauthorised and the subject of investigation by the Corporate Enforcement team]*

## 7.0 PLANNING CONSIDERATION

7.1 The application site is located on previously developed land within the Green Belt. As such Policies CP1 (Spatial Strategy), CP2 (Sustainable Development and Design), CP8 (Employment) CP11 (Movement), DM1 (The Rural Economy), DM9 (Design Principles), DM10 (Development and Flood Risk), DM11 (Traffic Management and Highway Safety) and DM13 (Employment Development Outside of Core Employment Areas and Camberley Town Centre) of the Surrey Heath Core Strategy and Development Management Policies 2011-2018 (CSDMP) are relevant to the consideration of this proposal. The Vehicular and Cycle Parking Guidance November 2021 published by Surrey County Council (SCC) and the National Planning Policy Framework 2021 and associated Planning Practice Guidance are also relevant to the consideration of the submitted proposal.

7.2 The main issues to be considered are:

- Impact of the development on the Green Belt
- Impact on character
- Highways, parking and access
- Impact on residential amenity
- Other matters archaeology, contaminated land and flooding

### 7.3 Impact of the development on the Green Belt

7.3.1 Chapter 13 of the NPPF sets out the national planning policy in relation to the protection of Green Belt land. It describes the essential characteristics of Green Belts as being their 'openness and their permanence' (para 137). The Government attaches 'great importance' to the Green Belt, and when local planning authorities are considering planning applications they should ensure 'substantial weight' is given to any harm to the Green Belt. Paragraph 147 states that that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances' where the harm is clearly outweighed by other considerations (para 148).

7.3.2 Paragraph 149 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces and limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

7.3.3 Paragraph 150 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include engineering operations.

7.3.4 In the interests of clarity and for the purposes of this report, the Oxford English Dictionary defines a building as a structure with a roof and walls.

7.3.5 It is clear from the planning history that this site constitutes previously developed land (PDL) for the purposes of the NPPF. The table below shows the existing and proposed footprint and volume of building:

	<b>Existing</b>	<b>Proposed</b>	<b>% increase</b>
<b>Footprint</b>	130m <sup>2</sup>	150m <sup>2</sup>	15%
<b>Volume</b>	364m <sup>3</sup>	515m <sup>3</sup>	42%

7.3.7 The glass house extension and associated flue are not considered to be materially larger in terms of height, footprint or scale than the existing glass house it replaced. The additional volume to the roof is as a result of the triple ridges to the proposed glazed extension compared to the previous flat roof. Given its relationship to existing development, with the proposed ridge heights being lower than the adjoining building, the extension continues to be read as part of, and within the confines of, the existing built form and as such has a minimal visual impact. It is therefore not considered to cause any material harm or have a greater impact on the openness, which is both spatial and visual, of the Green Belt than the glass house it replaced. The proposed smoking shelter and veranda/ramped access/porch are small scale in relation to existing built form. Furthermore, the ramped access is a benefit as

improves accessibility into the Seasons Farm Shop. Given the site's status as PDL, these works are not considered to have a greater impact on the openness of the Green Belt and are acceptable.

- 7.3.6 The car parking area has been hardsurfaced for many years. The proposed resurfacing and changes to the car parking layout would normally fall within Schedule 2 Part 7 Class E of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended subject to conditions on contaminated land and surface water drainage. However, the layout of the car parking is controlled by conditions on planning permissions 83/0194 and 86/1372 to ensure appropriate levels of car parking provision are provided to serve the site. For the purposes of this application the hard surfacing replaces existing with a new car parking layout and the addition of landscaping and lighting. These works are not considered to conflict with the Green Belt objectives of preserving openness and or with the purposes of including land within it.

#### **7.4 Impact on character**

- 7.4.1 Paragraph 126 of the NPPF states that the Government attaches great importance to the design of the built environment and places. Paragraph 130 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 and effective landscaping. Paragraph 134 states that permission should be refused for development that is not well designed, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 7.4.2 Policy CP2 of the CSDMP 2012 states that new development should be 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 DM7 encourages energy efficient buildings. 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 glasshouse extension is screened from general view by the adjoining buildings. It is predominantly finished in glass and is similar to a conservatory in appearance. Although the flue will be visible it is not perceived as a significant addition to the roof line. As such the glasshouse extension and associated flue are considered to be compatible with adjoining buildings and be acceptable in visual amenity terms.
- 7.4.4 The proposed smoking shelter is located towards the rear of the site and is small scale in terms of footprint and height. It is screened from general views by existing buildings and is considered to have a minimal impact on the character of the area.
- 7.4.5 The veranda, ramped access and porch erected to the front of the Seasons Farm shop are seen within the context of the building they are attached to. The porch has a pitched roof is finished in timber to match the existing building. These works appear as subsidiary elements to the existing building and are acceptable in visual amenity terms.
- 7.4.6 The introduction of landscaping and low level lighting within the car parking area is considered to be an improvement to what was previously unrelieved areas of tarmac. As such there is no objection to the works undertaken within the car park in visual amenity terms.

#### **7.5 Highways, parking and access**

- 7.5.1 Paragraph 110 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 impact to acceptable levels can be implemented. Policy CP11 requires all new development to be appropriately located in relation to public transport and comply with the Council's car parking standards. The SCC Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2021 provides information on parking requirements for new development.

- 7.5.2 The CHA raised no objection to the amended parking layout with the aisle width of 6 metres being in accordance with the recommendations in the Manual for Streets guidance. The amended layout includes the provision of 10 cycle parking spaces and four electric vehicle charging points. Whilst these facilities are acceptable in principle further information is required which may be secured by way of condition.
- 7.5.3 In terms of traffic generation the CHA consider that the proposals would have a negligible impact on the highway. This is on the basis that the additional vehicular trips associated with the extended opening hours at the restaurant would be outside the opening hours of the other uses on the site and therefore not conflict with the associated vehicular trips that currently occur.
- 7.5.4 The introduction of lighting and defined pedestrian links through the car park are considered to be a benefit in safety terms.
- 7.5.5 With regard to the car parking management plan, the CHA are satisfied that the submitted details are together sufficient in explaining how the garden centre would control and enforce customer parking for the restaurant. The proposed system, with designated parking areas, would help promote operational safety and limit any potential vehicular conflict between customers visiting different on-site uses.

## **7.6 Impact on residential amenity**

- 7.6.1 Paragraph 130 of the NPPF states that planning decisions should ensure a high standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. The closest property to the glass house extension is Lavershot Cottage which is located some 20 metres to the west.
- 7.6.2 The glass house extension is sited some 20 metres from the common boundary with Lavershot Cottage to the west. Holm Place and the Bear House to the east and 1 and 2 Homestead Cottages to the south share a common boundary with the car park at the front of the site.
- 7.6.3 Planning conditions have to meet the 6 tests of being necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Government guidance on the use of planning conditions states that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning.
- 7.6.4 On this basis, the hours of operation for the restaurant are controlled under the terms of the Premises Licence as set out above at paragraph 6.2 above. Any breach of the licence would be a matter for enforcement by the Council's Licensing team.
- 7.6.5 However, there are no controls over the operation of the car park in the evening nor delivery hours. The application is accompanied by a car park management plan which identifies three areas for use as car parking after 6pm, as attached to this report. Furthermore, the agent has advised that:



*The key components of the car parking management plan would be:*

- (1) Evening use of the restaurant is via bookings only. All bookings will receive a request asking that they use the designated evening restaurant parking spaces.*
- (2) The designated spaces will have appropriate signage.*
- (3) A car parking attendant / security guard would be employed to direct vehicles and ask people to re-park if necessary.*
- (4) We think the number of customers booking to have an evening meal at the restaurant after 6pm but arriving before that time to use the garden centre or other retail units will be very small. These customers will of course still receive the booking confirmation requesting them to park in the designated spaces.*

Subject to an imposition of a condition to secure the implementation of this management plan, these measures are considered to be appropriate to minimise the impact on adjoining residents from customers evening use of the restaurant.

- 7.6.6 With regard to the issues surrounding late night/early morning noise from customers, staff and deliveries, Environmental Health has confirmed that should issues arise from lighting, noise or odours at this site, they would be investigated under statutory nuisance provisions.
- 7.6.7 Environmental Health has also confirmed that the technical specification for the extraction unit and concluded that its position, distance to residential and hours of use do not warrant an objection on noise grounds.

## **7.7 Other matters**

- 7.7.1 Policy DM10 expects development to reduce the volume and rate of surface water run off through the incorporation of appropriately designed Sustainable Drainage Systems at a level appropriate to the scale and type of development being proposed. The Lead Local Flood Authority has advised that as there is no increase in impermeable area that result from the proposal and no change to the drainage strategy/surface water drainage system, it has no comments to make on the application.
- 7.7.2 Policy DM17 advises that on site of 0.4 hectares or over an assessment of archaeological significance has to be undertaken. In this case the application is supported by an Archaeology Desk Based Assessment which did not identify any known significant heritage assets within or near the site. The County Archaeologist has been consulted on this application and advises that given the proposals detailed in the application are relatively small in scale and are unlikely to cause significant new ground disturbance there are not further archaeological concerns regarding this proposal.
- 7.7.3 Paragraph 184 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. The application is supported by a Ground Conditions Desk Top Study Report. Environmental Health have advised that given the nature of the work carried out on the site, it is not considered that it would pose significant risk to human health and the environment, when appropriate demolition and construction practices are adopted (This would be dealt with as part of building regulations). On this basis no objection is raised to the proposal on contaminated land grounds.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITIES DUTY**

- 8.1 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. This proposal is not considered to conflict with this duty.
- 8.2 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.

## **9.0 CONCLUSION**

- 9.1 The proposals are on previously developed land within the Green Belt. They are not considered to cause any material harm or have a greater impact on the openness of the Green Belt than the existing buildings or to conflict with the Green Belt objectives of preserving openness or with the purposes of including land within it. The development is acceptable in visual amenity and highway safety terms and in relation to surface water drainage, archaeology and contaminated land. Subject to a condition on the management of the car parking in the evening there would be sufficient legislative controls in place to safeguard the amenities of adjoining residents.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:

1. The proposed development shall be built in accordance with the following approved plans and details MDL-1333-PL24 issue C, PL25 issue C and PL26 issue A, 001b, Site location plan received 30 November 2021, 2106080,, 3089.LAVB.101, Materials note, received 30 November 2021 and Technical Specification for Extract MUB 042 450E4-A2 MULTIBOX +

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

2. Within two weeks of the date of this permission the car park management plan reference 001b and as set out in the e-mail dated from Paul Dickinson and Associates shall be implemented in full and shall remain in operation in full compliance with this plan for the duration of the evening use of the restaurant use on the site.

Reason: To safeguard the residential amenities of adjoining occupiers.

3. Within one month of the date of this permission the smoking shelter shall be provided in accordance with drawing numbers MDL-1333-PL24 issue C and PL25 issue C and thereafter retained for its designated purpose.

Reason: In the interests of the visual and residential amenities of the area

4. Notwithstanding the details shown on the approved plan, within one month of the date of this permission, details of covered, lit, secure, and adequately signed shall be submitted to the Local Planning Authority for approval. Once approved the cycle parking shall be provided within one month of the date of the approval of the details and thereafter retained and maintained for their designated purpose.

Reason: To promote sustainable modes of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2021

5. Within one month of the date of this permission, details of the fast charge Electric Vehicle charging points (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. Once approved the Electric Vehicle charging point shall be provided within one month of the date of the approval of the details and thereafter retained and maintained for their designated purpose.

Reason: To promote sustainable modes of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2021

6. The vehicle parking areas within the application site (as shown as proposed site layout on drawing number MDL-1333-PL24 issue C) shall be permanently retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

#### **Informative(s)**

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. In the interests of clarity the applicant is advised that this permission only relates to the development shown on the approved plans. Any other development within the red line not covered by this or other lawfully implemented permissions is/will be the subject of investigation by the Council's Corporate Enforcement team
3. In the interests of clarity drawing number MDL-1333-PL27 has not been submitted in support of this application

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<b>APPLICATION NUMBER</b>	<b>SU/21/0901</b>
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**DEVELOPMENT AFFECTING ROADS**  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:** Mr D Holmes

**Location:** Windlesham Garden Centre London Road Windlesham Surrey GU20 6LL

**Development:** Demolition of part of the existing building, erection of a single storey glass house extension (use class 'E') and designation of a smoking area with associated alterations), resurfacing of existing car park with associated lighting and creation of a raised veranda and porch to existing farm shop (retrospective)

<b>Contact Officer</b>	Chris Duncan	<b>Consultation Date</b>	1 December 2021	<b>Response Date</b>	24 January 2022
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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:

**Conditions**

1) Cycle parking

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 10 cycles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.

2) Electric vehicle charging points

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

**Reason**

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework (2021).

## **Policy**

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2021.

## **Informatives**

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

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

## **Site-specific comment**

The proposed development would involve extending the opening hours of the current restaurant use, and will lead to an increase in the number of employees, with an additional 10 full-time, and 6 part-time members of staff.

The proposed development will also lead to a slight increase in the floor space of the Class E commercial use in question, from 130sqm to 150sqm, whilst there will be a subsequent decrease in the number of parking spaces from 144 to 134 - a loss of 10 spaces.

The CHA consider that the impact the proposals would have on the highway would be negligible, in view of the fact that the additional vehicular trips associated with the extended opening hours at the restaurant would be outside the opening hours of the other uses on site and therefore not conflict with the associated vehicular trips that currently occur.

**From:** Chris Duncan <Chris.Duncan@surreycc.gov.uk>  
**Sent:** 01 April 2022 16:12  
**To:** Sarita Bishop <Sarita.Bishop@surreyheath.gov.uk>  
**Subject:** RE: 21/0901 - WINDLESHAM GARDEN CENTRE AKA LAVERSHOT BARNES

Afternoon Sarita,

Thank you very much for the below, and for forwarding me those attachments.

I've reviewed those updated plans, and note the (highways-related) changes include the additional 20 car parking spaces, the provision of EVCPs for 4 no. spaces and the details for the proposed cycle parking facility.

The additional car parking spaces are proposed towards the rear of the site, and the aisle width is maintained at 6.0 metres, as recommended within Manual for Streets guidance.

The inclusion of 4 no. fast-charge Electric Vehicle charging points will encourage sustainable modes of travel to/from the site, and we would consider this provision to be suitable. As per my official response, I assume this will be included within the final report as part of a condition to be discharged in future – at that point further information on the EV provider + a more detailed & annotated EVC plan would be required.

The cycle parking will further encourage sustainable modes of travel, and will take the form of 5 Sheffield stands, providing space for 10 cycles. However, the Surrey CC Vehicular & Cycle Parking document (Sept 2021) reinforces current guidance which suggests that such parking should be undercover, lit, secure, adequately signed and as close to the destination as possible (within 20m). I note the Cycle Stands Plan fails to indicate this, and would therefore request that the Agent submits a plan showing cycle parking which is at the very least undercover.

With regard to the car parking management plan, the details provided in the Planning Agent's email below & the plan are, together, sufficient in explaining how the garden centre would control and enforce customer parking for the restaurant. The proposed system, with designated parking areas, would help promote operational safety and limit any potential vehicular conflict between customers visiting different on-site uses.

The Highway Authority therefore considers that the proposal would not have a material impact on highway safety.

Hope this helps but let me know if you need anything else.

Kind regards,

Chris

**From:** Sarita Bishop <[Sarita.Bishop@surreyheath.gov.uk](mailto:Sarita.Bishop@surreyheath.gov.uk)>  
**Sent:** 01 April 2022 11:40  
**To:** Chris Duncan <[Chris.Duncan@surreycc.gov.uk](mailto:Chris.Duncan@surreycc.gov.uk)>  
**Subject:** FW: 21/0901 - WINDLESHAM GARDEN CENTRE AKA LAVERSHOT BARNES  
**Importance:** High

**Caution:** This email originated from outside Surrey County Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Morning Chris

I hope you are well.

I have received an amended parking layout plan which increases the number of spaces and introduces EV charging points. I would welcome your views on these revised details at your earliest convenience. (I am writing this up for the next committee so a quick response would be greatly appreciated)

I look forward to hearing from you

Kind regards

Sarita

**Sarita Bishop (Mrs)**  
**Principal Planning Officer (Major Projects)**

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Planning Services, Finance & Customer Services Directorate  
Surrey Heath Borough Council  
Surrey Heath House, Knoll Road, Camberley, Surrey, GU15 3HD  
Tel: 01276 707587/07500 064932  
Email: [sarita.bishop@surreyheath.gov.uk](mailto:sarita.bishop@surreyheath.gov.uk)  
Web: [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk)

**From:** Paul Dickinson and Associates <[pda@ic24.net](mailto:pda@ic24.net)>  
**Sent:** 28 March 2022 13:30  
**To:** Sarita Bishop <[Sarita.Bishop@surreyheath.gov.uk](mailto:Sarita.Bishop@surreyheath.gov.uk)>  
**Cc:** Emma Pearman <[Emma.Pearman@surreyheath.gov.uk](mailto:Emma.Pearman@surreyheath.gov.uk)>  
**Subject:** RE: 21/0901 - WINDLESHAM GARDEN CENTRE AKA LAVERSHOT BARNS

Dear Sarita

Thanks for your email and confirmation the application is to be reported to the Planning Applications Committee on 5 May.

I note you refer to parking layouts approved in 1983 and 1986 but historic photos (and my own knowledge of the site) show the northern parking area adjacent to the glasshouse was never laid out in accordance with those approved plans. Certainly for nearly 20 years (since at least September 2003) it has been a tarmac parking area albeit with a different layout to the approved plans. The



spaces in this area were repainted and rearranged last year which provided some additional spaces (there used to be an area in front of the glasshouses which was available for parking but not formally marked as such). The reality is, therefore, that the general extent of the tarmac parking area serving the A1 unit at the northern end hasn't, and will not, change other than a slight increase in the number of marked spaces and some dedicated disabled spaces as a result of the new white lining. In any event, I don't think any of this should have any real bearing on the outcome of the application.

I attach a revised drawing PL24C showing the parking spaces contained within the red line to the application. We have ensured the car wash and associated structures are not shown on this drawing. I am also attaching a similarly revised version of the car park management plan 001b.

The key components of the car parking management plan would be:

- (1) Evening use of the restaurant is via bookings only. All bookings will receive a request asking that they use the designated evening restaurant parking spaces.
- (2) The designated spaces will have appropriate signage.
- (3) A car parking attendant / security guard would be employed to direct vehicles and ask people to re-park if necessary.
- (4) We think the number of customers booking to have an evening meal at the restaurant after 6pm but arriving before that time to use the garden centre or other retail units will be very small. These customers will of course still receive the booking confirmation requesting them to park in the designated spaces.

Finally Charlie Wooldridge should be emailing you to confirm I am now acting as planning agent on the application.

Do let me know if there is anything else you need at this stage.

Kind regards

Paul



Paul Dickinson & Associates

Town Planning and Development  
Consultants  
Highway House  
Lower Froyle  
Hants GU34 4NB

Tel: 01420 520000

Fax: 01420 521111

Email: [pda@ic24.net](mailto:pda@ic24.net)

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**From:** Sarita Bishop [<mailto:Sarita.Bishop@surreyheath.gov.uk>]

**Sent:** 24 March 2022 18:48

**To:** [pda@ic24.net](mailto:pda@ic24.net)

**Cc:** Emma Pearman

**Subject:** RE: 21/0901 - WINDLESHAM GARDEN CENTRE AKA LAVERSHOT BARNES

Good afternoon Paul

Thank you for your e-mails as below.

As a general housekeeping point please could you ask Mr Wooldridge to confirm in writing that you are now the planning agent for this proposal.

I will deal with your queries in the order they are posed in relation to 21/0901 except where they overlap with 20/0494.

The reason that 20/0494 is to be determined with 21/0901 is that this application includes the parking areas that are to be considered as part of 21/0901.

With regard to your query concerning permission for the car parking areas, as previously advised to Mr Holmes, this is not considered to be permitted development as this is subject to conditions 3 and 6 on planning permission SU/83/0194 dated 24 June 1983 which state:

Condition 3

“The parking provision shown on the submitted plan shall be made available for use prior to the first opening of the building hereby approved for retail sales and thereafter maintained for that purpose to the reasonable satisfaction of the Planning Authority”

Condition 6

The premises the subject of the application shall not be occupied until space has been provided and properly laid out and paved, in accordance with the scheme indicated on the application drawings, to accommodate parking, loading, unloading and turning of vehicles clear of the highway and the space shall be maintained thereafter free of any impediment to its designated use

And conditions 2 and 4 on planning permission 86/1372 which state:

Condition 2

The parking spaces shown on the submitted plan shall be made available for use prior to the first occupation of the development and thereafter maintained for that purpose to the reasonable satisfaction of the Local Planning Authority

Condition 4

The premises the subject of the application shall not be occupied until space has been provided and properly laid out and paved, in accordance with the scheme indicated on the application drawings, to accommodate parking and turning of vehicles clear of the highway and the space shall be maintained thereafter free of any impediment to its designated use

The layout as seen on site and as shown on the application drawings are materially different to those approved in 1983 and 1986 and, as such, requires permission.

I am able to confirm that the Lead Local Flood Authority has no objection to the proposal.

With regard to the submitted plans they need to be amended as they show spaces which are outside the application site for 21/0901. You may be aware of the difficulties experienced in validating this application in terms of the receiving the relevant information so this may be an opportunity to provide a detailed and accurate layout within the red line application site. I would welcome these amended plans at your earliest convenience. As previously advised to Mr Holmes the car wash and associated structures do not have planning permission and regard should be had to this in relation to the layout.

With regard to the car park management plan itself please could you advise what measures would be put in place to prevent the restaurant customers using the spaces outside the areas outlined in red on the management plan including if customers are on site before 6pm and have parked outside the designated areas and then stay to go to the restaurant.

The EV provision is as requested by the County Highway Authority and is acceptable.

I am also able to confirm that it is our intention to present both applications to the Planning Applications committee in May, the agenda for which closes on 1 April.

This informal advice is given without prejudice to the formal consideration of the submitted application.

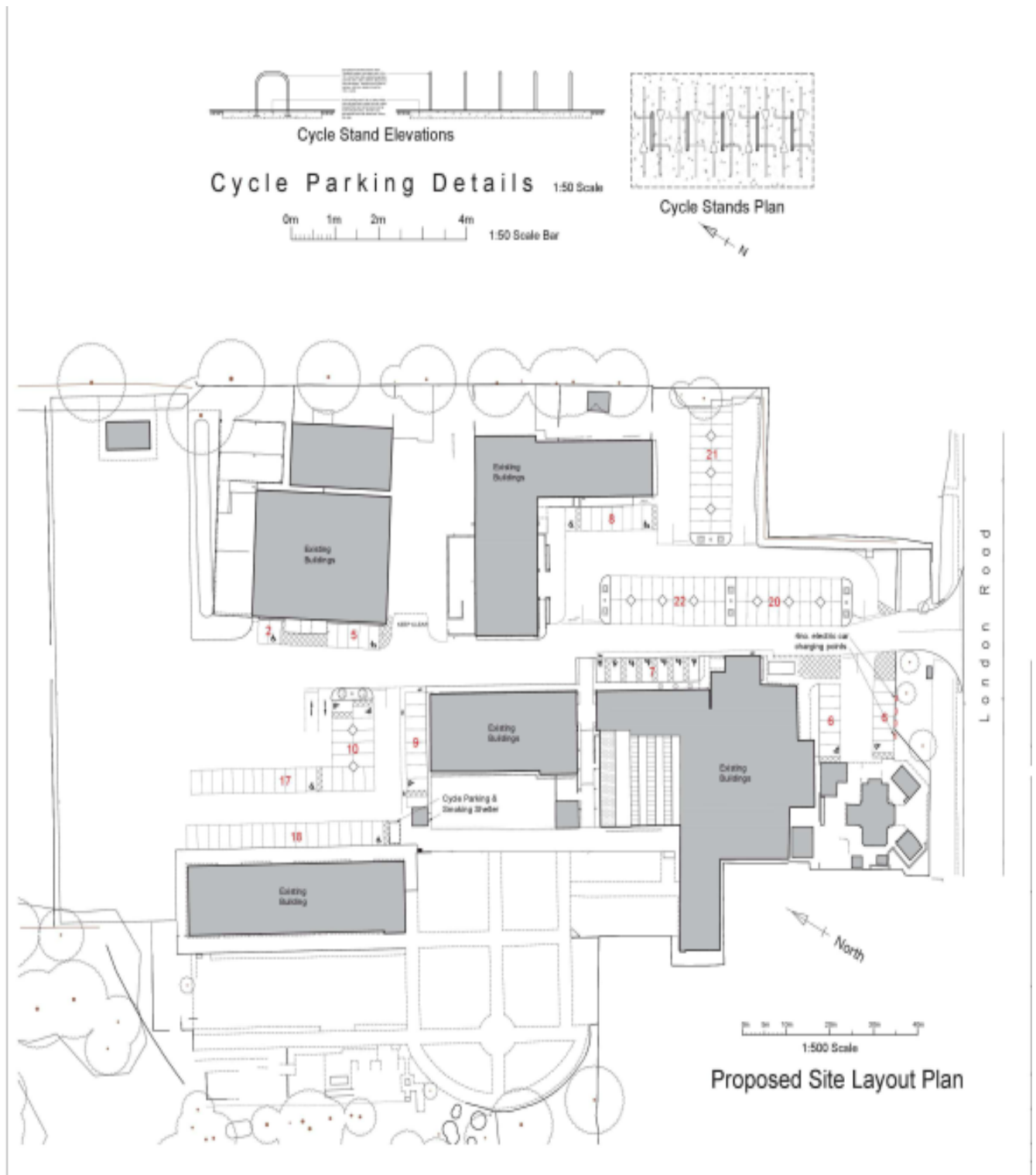
I hope this clarifies the current position and is of assistance.

Kind regards

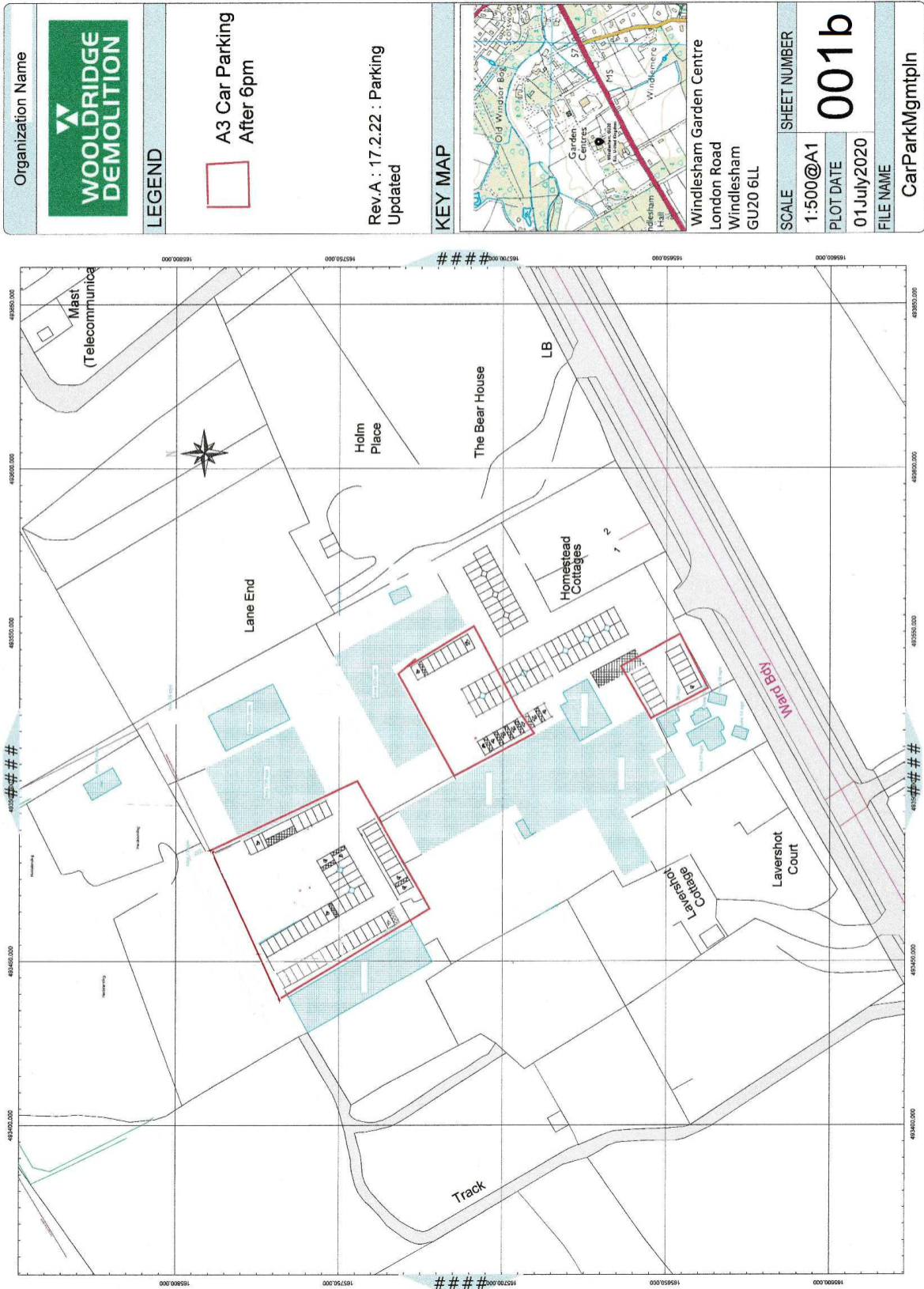
Sarita

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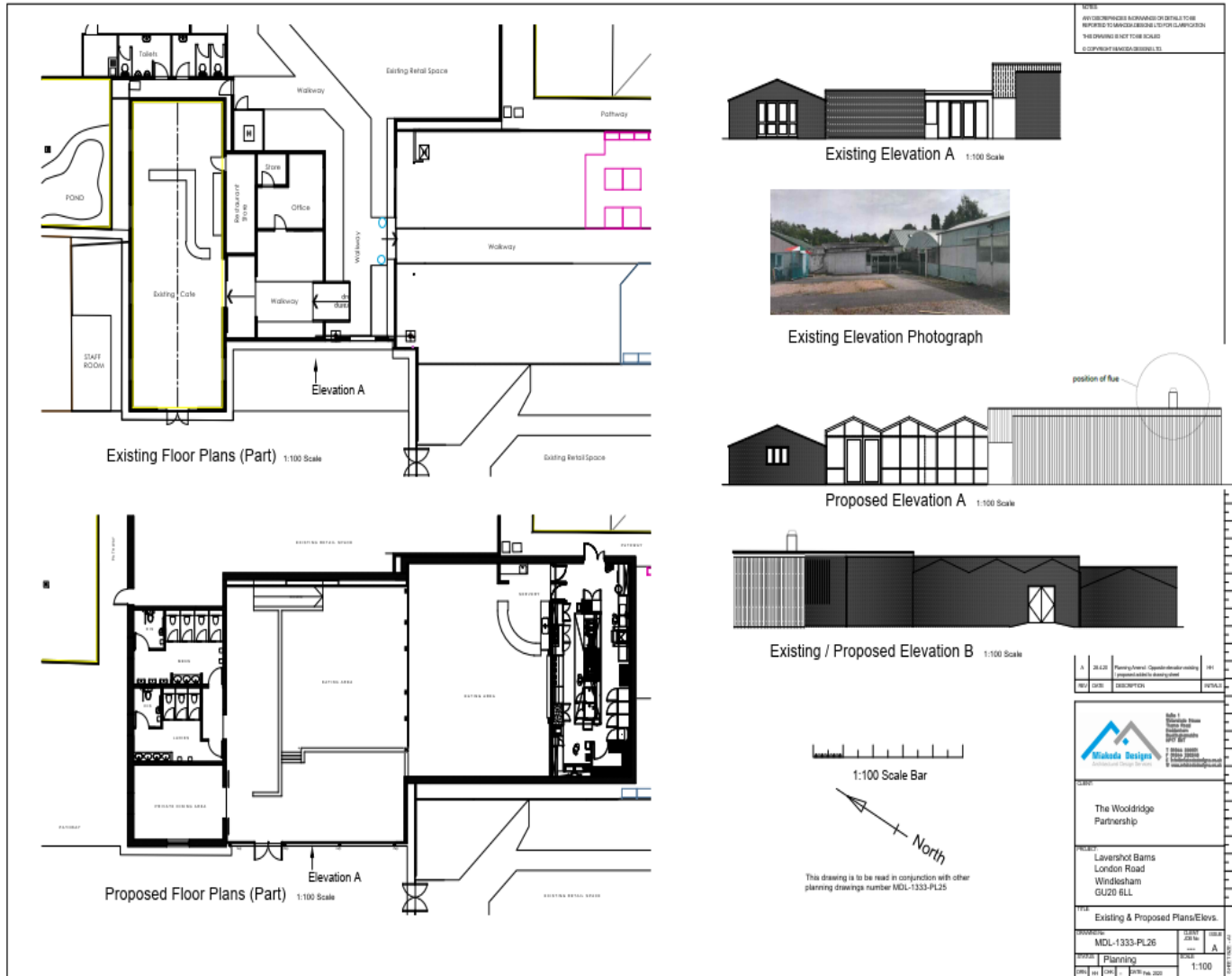
Proposed site layout



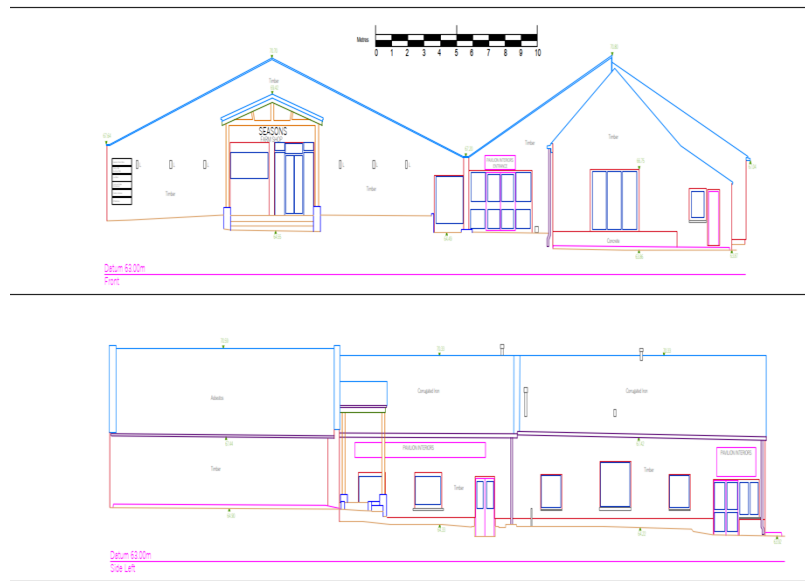
Proposed car park management plan



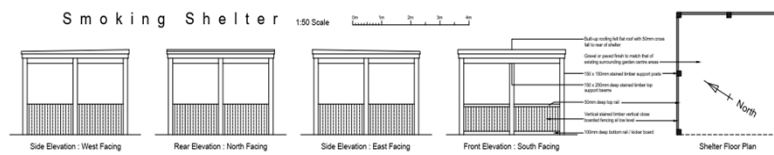
Proposed elevations (restaurant)



## Proposed elevations Seasons Farm Shop



## Proposed elevations (smoking shelter)





Elevation of glass house extension



Front elevation Seasons Farm Shop



Views of car park



Views of car park



Views of car park



<b>LOCATION:</b>	Windlesham Garden Centre, London Road, Windlesham, Surrey, GU20 6LL,
<b>PROPOSAL:</b>	Demolition of existing glass house and other buildings on site and the erection of a replacement building within A1 use. (Retrospective)
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr David Holmes
<b>OFFICER:</b>	Emma Pearman

This application would normally be determined under the Council's Scheme of Delegation. However, the application has been reported to the Planning Applications Committee at the request of Cllr. Victoria Wheeler due to concern that the proposal is inappropriate development within the Green Belt. Reference is made to the Castle Grove Nursery application and dismissed appeal (ref. 18/1118) having regard to the loss of glasshouses and the need for very special circumstances.

**RECOMMENDATION: GRANT, subject to conditions**

**1.0 SUMMARY**

- 1.1 The application site comprises part of Windlesham Garden Centre, which lies on the northern side of the A30, outside the settlement area of Windlesham and within the Green Belt. The application site which is the subject of this application comprises a building to the rear of the garden centre site, as well as the parking area immediately in front. The application seeks retrospective permission for the replacement of a retail glasshouse with another retail building.
- 1.2 The proposal is considered acceptable in Green Belt terms, as the new building is not considered to be materially larger than the previous building, and is in the same use. The new building is therefore an exception under paragraph 149 of the NPPF and not inappropriate. The new building is also an improvement in character terms from the previous dilapidated glasshouse building. There have been no objections to the proposal and the proposal is considered acceptable in terms of its impact on residential amenity and highways and parking.
- 1.3 Another application presented at this Committee (21/0901) considers other elements of recent development at the site, including the resurfacing and layout of the parking area within this application site. There is also further development at the wider garden centre site which is unauthorised and enforcement are currently investigating this. However, development outside this application site, and the fact that the application is retrospective are not relevant planning reasons to refuse this application. It is therefore proposed for permission, subject to conditions.

## 2.0 SITE DESCRIPTION

- 2.1 The application site comprises part of Windlesham Garden Centre, which is located on the northern side of the A30. The garden centre lies to the north-west of the settlement area of Windlesham and within the Green Belt. The application site incorporates an area to the back of the Garden Centre, where the replacement building which is the subject of this application has been constructed, as well as the car parking area in front of the building and the access from the site to the A30. The remainder of the garden centre site comprises various buildings in retail or café/restaurant use, outdoor displays of plants and glasshouses, and car parking areas.
- 2.2 The site adjoins Hilliers Nursery to the east, and there is open land to the rear (north), west and south, with some residential properties close to the boundaries, particularly to the front of the site. Development along this part of the A30 is sporadic, given its Green Belt designation.

## 3.0 RELEVANT PLANNING HISTORY

- 3.1 There are a large number of applications relating to the Garden Centre as a whole. The site was previously partly a plant nursery, although was granted a Certificate of Existing Use in 1971 as a garden centre and the planning history shows that in the 1980s it was operating as part nursery and part garden centre, with many of the former nursery buildings being converted to retail at that time. The most relevant applications are set out below.
- 3.2 11/0230                      Erection of a replacement walkway and bedding canopies to a maximum height of 3.5 metres and a timber entrance canopy following re-roofing of existing garden centre retail glasshouse, following demolition of timber structure  
*Granted 28.6.11 [not implemented]*
- 3.3 11/0943                      Erection of replacement retail glasshouse and entrance canopy and walkway following demolition of existing retail glasshouse and timber walkways  
  
*Granted 16.3.12 [not implemented]*
- 3.4 17/0110                      Outline application for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Access and layout only to be agreed.  
  
*Granted 30.6.17 [not implemented]*
- 3.5 20/1022/FFU                Erection of a detached building (Class E) for use as pools and spas office following demolition of existing with external display area  
  
*Application under consideration*
- 3.6 21/0901/FFU                Demolition of part of the existing building, erection of a single storey glass house extension (use Class E) and designation of a smoking area with associated alterations, resurfacing of existing car park with associated

lighting and creation of a raised veranda and porch to the existing farm shop (retrospective)

*Application under consideration and reported elsewhere on this agenda.*

#### **4.0 THE PROPOSAL**

- 4.1 The application seeks permission for the erection of a replacement building, following demolition of the existing retail glasshouse. The application is retrospective in that the building has already been constructed, however the interior was still undergoing construction and the building was not yet occupied when an officer site visit was undertaken.
- 4.2 The building is 49.5m in length and 13.6m in width approximately. It has a dual pitched roof with an eaves height of 3m and ridge height of 5m. The building is finished in timber cladding with a grey powder coated steel roof, windows and doors. There is a small services cupboard of 0.5m depth to the rear (south-western side) and panels on the roof which are to let light through. To the front there are three sets of large glass doors, one for each unit, and there are small doors on the back and sides.
- 4.3 Internally, the building is split into three approximately equal sized units, and there are a row of WCs on the southern end, accessed via external doors.
- 4.4 It is noted that the submitted application seeks retrospective permission for development already carried out. Whilst it is the Council's view that planning permission should be in place before development is undertaken, section 73A of the Town and Country Planning Act 1990 as amended enables applicants to submit an application for planning permission for development already carried out. Government guidance confirms that such applications must be considered in the normal way i.e. based on all the relevant material planning considerations. It would not be appropriate to refuse an application on the grounds that it is retrospective.

#### **5.0 CONSULTATION RESPONSES**

- |     |  |  |
|-----|--|--|
| 5.1 | County Highway Authority               | No objection, subject to conditions for a Construction Transport Management Plan and one of the available parking spaces to be fitted with a fast charge Electric Vehicle charging point (see Annex A)   |
| 5.2 | Council's Environmental Health Officer | No objection   |
| 5.3 | Thames Water                           | No objection as long as surface water is disposed of following the sequential approach; no objection with regard to waste water and sewage treatment capacity. Would like an informative attached regarding groundwater discharge into public sewers. <i>[Officer comment: The applicant has confirmed that there is no change to existing drainage]</i> |
| 5.4 | County Archaeological Officer          | No objection due to past ground disturbance at this site   |
| 5.5 | Windlesham Parish Council              | No objection   |

## 6.0 REPRESENTATION

6.1 A total of 13 letters of notification were sent out on the 23<sup>rd</sup> July 2020. At the time of preparation of this report no letters of representation have been received.

## 7.0 PLANNING CONSIDERATION

7.1 The application is considered against the relevant policies, which are Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP), the Windlesham Neighbourhood Plan 2018-2028, and the National Planning Policy Framework (NPPF). The main issues to be addressed in the consideration of this application are:

- Principle of the development and the impact on the Green Belt
- Impact on character
- Impact on residential amenity
- Highways and parking
- Impact on infrastructure

### 7.2 Principle of the development and the impact on the Green Belt

7.2.1 Paragraph 138 of the NPPF states that the Green Belt serves five purposes, which are to check the unrestricted sprawl of built up areas; to prevent neighbouring towns merging; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2.2 Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

7.2.3 The table below shows the existing and proposed footprint and volume of the building (existing includes covered attached walkway):

	<b>Existing</b>	<b>Proposed</b>	<b>% increase</b>
<b>Footprint</b>	615m <sup>2</sup>	674m <sup>2</sup>	10%
<b>Height</b>	3.2m	5m	-
<b>Volume</b>	1859m <sup>3</sup>	2736m <sup>3</sup>	47%

7.2.4 The government does not define what constitutes a material increase in size and this Council does not have an adopted local policy defining this. An assessment therefore has to be made on a case-by-case basis. The increased footprint of the proposal is relatively minor. This would equate to an increase in width of 2.5m and an increase in depth of 0.6m. The height and volume increase would be as a result of the change in roof form as previously there was a valley in the middle of the roof. Whilst this adds additional bulk, this is only readily apparent from the end elevations and visually overall the quantum of size increase is not significant. Therefore, in the officer's opinion, the building is not materially larger than the one replaced.



7.2.5 In terms of use, the previous use of the glasshouse now replaced was retail use, as the building housed plants and other items for sale and most recently was occupied by a single ancillary concession – Pools and Spas Windlesham. The public were able to enter the building and browse these items. The proposed use for the new building is also retail with some ancillary WC facilities, and as such it is considered that the building is in the same use as previously. This is further confirmed by the planning history, which includes the officer's report for 11/0943, which was a very similar application for a replacement glasshouse, in which the officer described the use of the existing building as retail and not horticulture. Planning application 11/0230 included re-roofing of this glasshouse, and it was described as a "retail glasshouse". Outline application 17/0110 also accepted that the existing buildings on the site constituted previously developed land and therefore were not agricultural. It is considered that a condition can be imposed to ensure the building's use is retail as proposed and as such the proposal remains appropriate in this location.

7.2.6 Whilst the previous building was comprised of glass, this does not prevent it being considered to be previously developed land (PDL), as it is the use and not the materials that determine whether a building can be considered to be previously developed or not. The definition of PDL in the NPPF is as follows:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

Thus, the loss of retail glasshouses on this PDL site and the Green Belt assessment is fundamentally different to the Castle Grove Nursery, Chobham decision (ref. 18/1118) which was not a PDL site but resulted in the loss of an appropriate Green Belt use i.e. agricultural glasshouses with an inappropriate residential use (see Annex B for a copy of the Inspector's Decision Letter). In this current submission the Council has already accepted the use of this building as retail in previous decisions, and the current use is retail and as such the replacement of the building for one in the same use is not considered inappropriate under NPPF 149d).

7.2.7 Given the size of the building, it is also below the threshold requiring a retail impact assessment as set out by paragraph 90 of the NPPF. It is noted also that the increased floor area is limited. It is not considered therefore that the proposal would impact on the vitality and viability of the nearest town centres.

7.2.8 It is therefore considered that the building is not inappropriate development in the Green Belt, and the principle of the retail development in this location is acceptable.

### **7.3 Character and design**

7.3.1 Paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning decisions should ensure that developments add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate landscaping. They must also be sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 states that 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. The National Design Guide puts an increased emphasis on the importance of development schemes to fully understand, respect and comply with local context.

- 7.3.2 Policy CP2 of the CSDMP states that the Borough Council will require development to 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.
- 7.3.3 Policy WNP3.1 of the WNP states that planning applications will be supported which embody quality design features including sustainable materials, high thermal and energy efficiency, and a low maintenance and carbon footprint.
- 7.3.4 The new building is at the back of the Windlesham Garden Centre site, behind other buildings and as such is not visible from any public viewpoints, only from within the Garden Centre complex. The building is clad in a light coloured wood, with a dark grey corrugated steel roof and dark grey PVC doors on the front elevation. The building complements the other existing garden centre buildings and is not considered to be out of character in its context. The previous building was in a dilapidated state and as such the new building is an improvement in this regard. While its height has increased slightly, the height and design is very similar to the other garden centre buildings and as such it does not appear out of place.
- 7.3.5 The building is therefore not considered harmful to character and is in line with the above policies.

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

- 7.4.1 Paragraph 130 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Policy DM9 of the CSDMP states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.4.2 Policy WNP2.2 of the WNP states that planning applications for new developments which respect the separation between buildings and the site boundaries, and the privacy of adjoining owners, will be supported unless it can be demonstrated that they will harm or detract from the local character. Principle 8.1 of the RDG states that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted
- 7.4.3 The building is located towards the back of the site, and the nearest residential properties are Lavershot Hall, approximately 132 metres to the west and Lavershot Cottage, approximately 58 metres to the south-west. Given the large separation distances, even with the proposed slight height increase it is not considered that there would be any harmful impacts on amenity for either of these neighbouring properties as a result. The building is also still to be used for retail and as such the proposed use is not likely to generate any additional noise compared to the use of the previous building. The use is proposed to be restricted to retail by condition, which will also assist in preventing harm to amenity that could otherwise arise from a change of use.
- 7.4.4 It is therefore considered that the proposal is acceptable in terms of its impact on residential amenity, and in line with the above policies.

## **7.5 Impact on highways and parking**

- 7.5.1 Paragraph 108 of the NPPF states that in assessing specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location; that safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.5.2 Policy CP11 of the CSDMP seeks to direct new development to sustainable locations, and states that development that will generate a high number of trips will be required to demonstrate that it can be made sustainable to promote travel by sustainable modes of transport. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.5.3 The site plan shows that the car park for the site as a whole now has approximately 151 spaces, compared to 111 spaces on the previous site plan. This appears to be as a result of re-marking the spaces rather than any gain in the overall area of the car park. Whilst it has been re-surfaced, this issue is covered by the application 21/0901/FFU and this application does not seek permission for the resurfacing element. It is not considered that the replacement of this building with a slightly larger building divided into three smaller units is likely to result in any significant additional numbers of cars to the site.
- 7.5.4 The County Highway Authority has been consulted and has not objected (see Annex A) subject to conditions which include a fast charging point for electric vehicles, and a Construction Management Plan for the construction period of the development. However, the development has unfortunately already been completed and as such the Construction Management Plan condition is now not relevant.
- 7.5.5 The proposal is therefore considered acceptable in terms of its impact on highways and parking, and in line with the above policies.

## **7.6 Impact on infrastructure**

- 7.6.1 Policy CP12 of the CSDMP 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. 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.
- 7.6.2 Details of infrastructure projects that are to be funded through CIL are outlined in the Regulation 123 list, which includes open space, transport projects, pedestrian safety improvements among others. These projects do not have to be related to the development itself.
- 7.6.3 Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development is CIL liable, with the charge paid on the increase in floorspace between the demolished building and new building. The final figure would need to be agreed following the submission of the necessary forms.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraph 38 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
- 8.2 Under the Equalities Act 2019, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. The planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

## **9.0 CONCLUSION**

- 9.1 The application seeks retrospective permission for a replacement building towards the rear of the Windlesham Garden Centre complex. The building is not considered to be materially larger than the original and it is in the same retail use. The proposal is therefore not inappropriate development in the Green Belt. The new building is also considered acceptable in terms of its impact on character, residential amenity, highways and parking, and infrastructure. It is therefore recommended that permission is granted, subject to conditions.

## **10.0 RECOMMENDATION**

GRANT, subject to the following conditions:

1. The proposed development shall remain in accordance with the following plans both received 9.3.22:
  - Proposed site layout plan MDL-1333-PL23 C
  - Proposed retail units MDL-1333-PL22 C (including materials as shown on this plan)

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

2. The use of the building hereby approved shall be retail (Class E(a) of the Use Classes Order 1987 (as amended)) ancillary to the garden centre outlined in blue on the Location Plan MDL-1333-PL20A received 20.7.20. The building shall be used for no other purpose without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of preventing harm to the Green Belt by reason of inappropriateness and harm to openness, and preventing impacts on residential amenity, in accordance with Policy DM9 of the Surrey Heath Core Strategy and

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

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

### **Informative(s)**

1. This decision was based on the following plans submitted with the application:
  - Existing Greenhouse MDL-1333-PL-21 C received 15.3.22
  - Proposed Retail Units MDL-1333-PL-22 C received 9.3.22
  - Existing and Proposed Site Layout Plans MDL-1333-PL-23C received 9.3.22
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk)
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrast ructure.html>  
for guidance and further information on charging modes and connector types

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<b>APPLICATION NUMBER</b>	<b>SU/20/0494</b>
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**DEVELOPMENT AFFECTING ROADS**  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:** Mr David Holmes

**Location:** Windlesham Garden Centre, London Road, Windlesham, Surrey, GU20 6LL

**Development:** Demolition of existing glass house and other buildings on site and the erection of a replacement building within A1 use.

<b>Contact Officer</b>	Matthew Strong	<b>Consultation Date</b>	23 July 2020	<b>Response Date</b>	3 August 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**

1. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway
- (e) on-site turning for construction vehicles

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

2. The development hereby approved shall not be occupied unless and until at least 1 of the available parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

**Reason**

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

**Policy**

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

**Informatives**

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

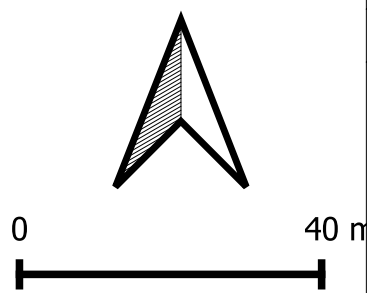

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance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

**Note to Planner**

The proposal will lead to a slight increase in floorspace at the site, increasing from 541 sqm to 588 sqm. Due to past works at the site, an overall reduction of built form will mean there will be an overall reduction of approximately 71sqm within the site. Condition 2 has been included above to encourage sustainable modes of travel to/from the site. The Highway Authority considers that the proposal will not have a material impact on highway safety.



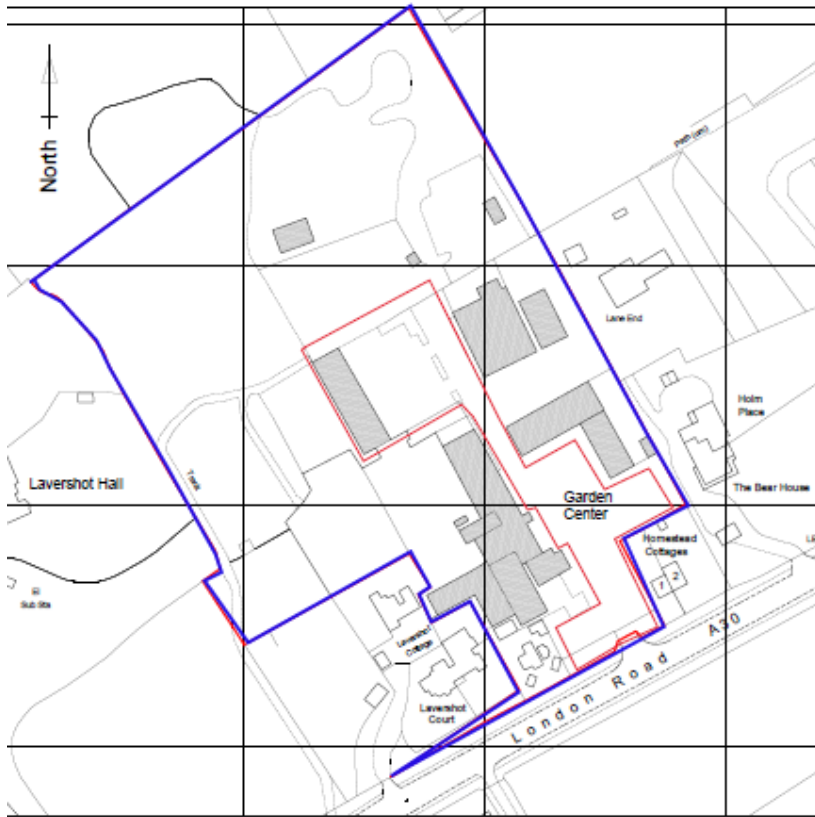


<b>Title</b>	Planning Applications		
<b>Application number</b>	20/0494/FFU		<b>Scale @ A4</b> 1:1,000
<b>Address</b>	Windlesham Garden Centre London Road Windlesham Surrey GU20 6LL		<b>Date</b> 06 Apr 2022
<b>Proposal</b>	Demolition of existing glass house and other buildings on site and the erection of a replacement building within A1 use. (Retrospective)		
<p>Version 5</p> <p>© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022</p> <p>Author: SM</p>			

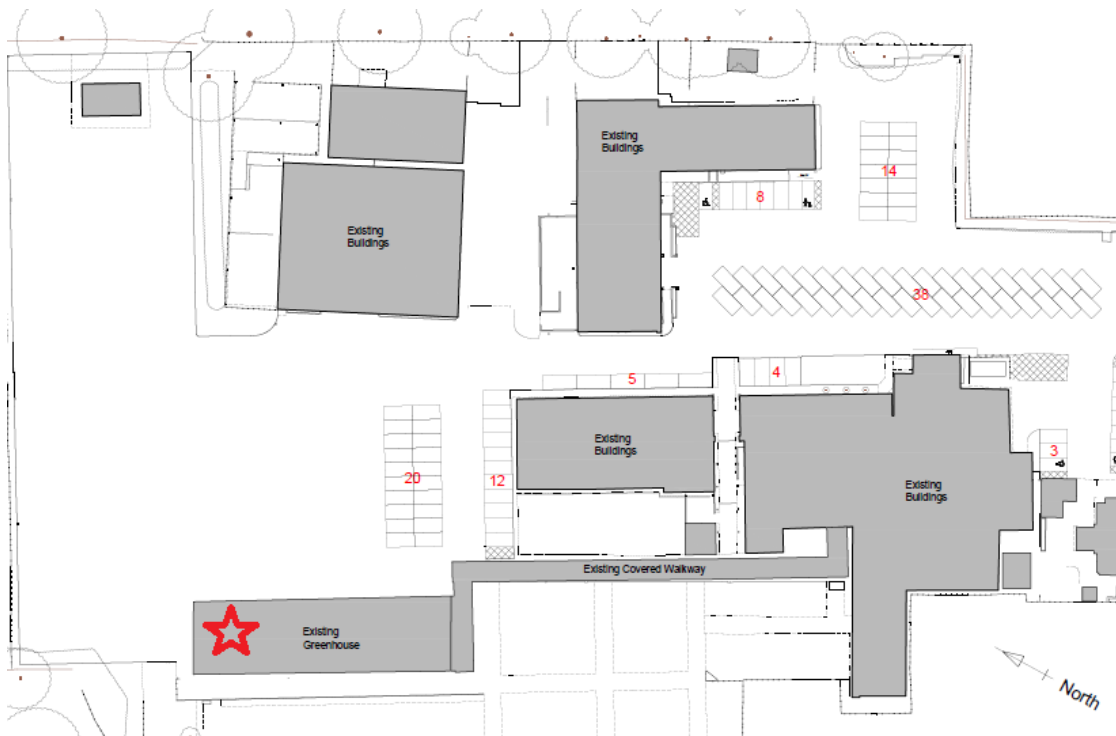
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# PAC Plans 20-0494 Windlesham Garden Centre

## Location Plan



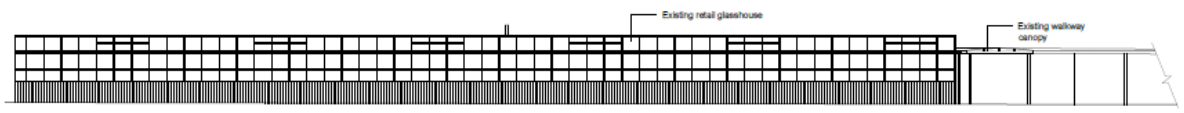
Existing (previous) site plan (showing previous layout prior to construction of the building – marked in red)



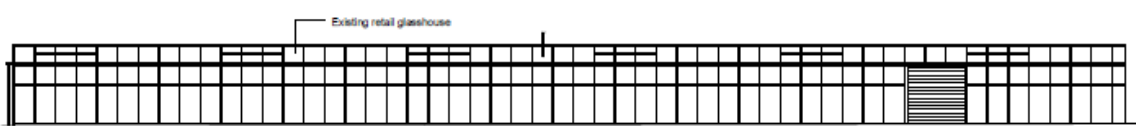
Proposed (now constructed) Site Layout Plan



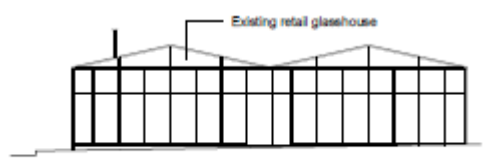
Existing (previous) building elevations



Rear Elevation : Greenhouse South West Facing



Front Elevation North East Facing

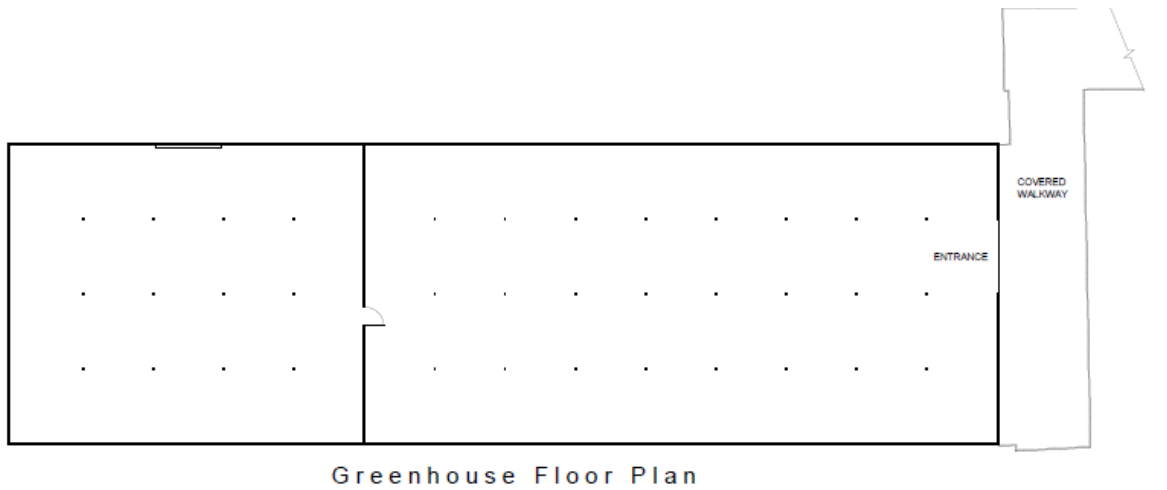


Side Elevation North West Facing

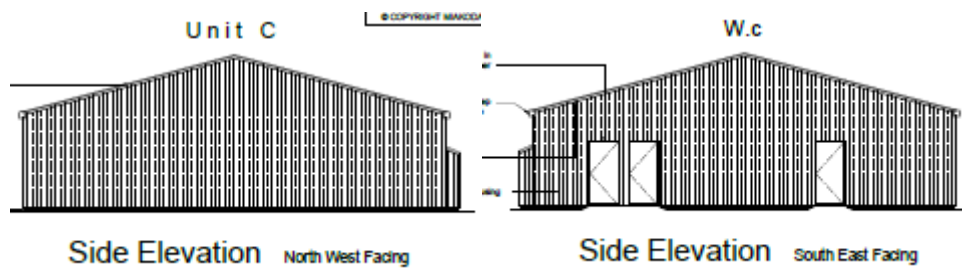
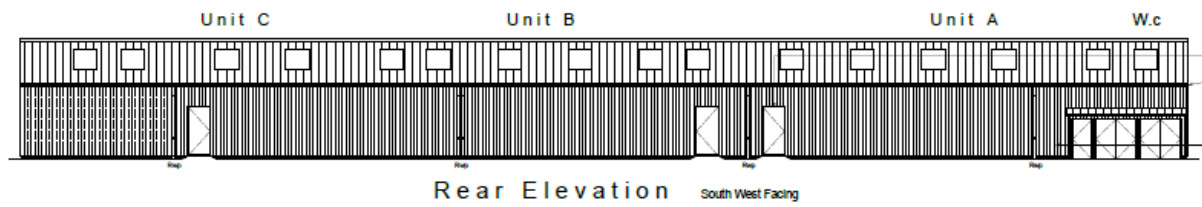
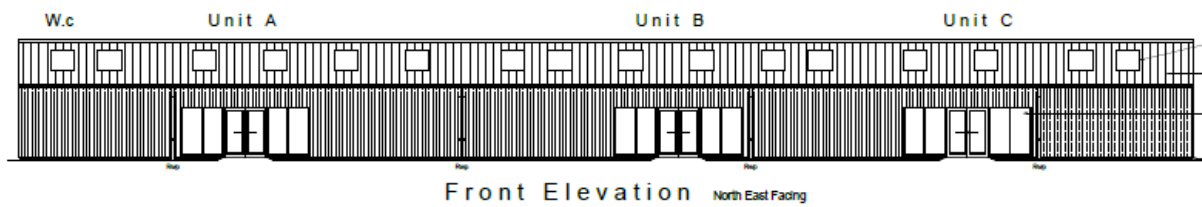


Side Elevation South East Facing

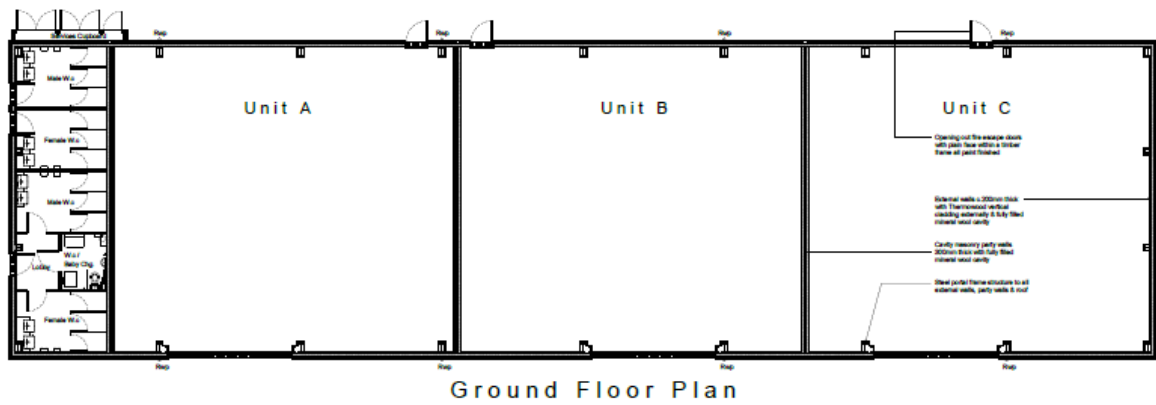
Existing (previous) building floorplan



Proposed (now constructed) building elevations



Proposed (now constructed) building floorplan



Photos of previous building from applicant





New building front elevation



Front elevation and car park



New building rear elevation





New building northern side elevation



New building southern side elevation



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<b>LOCATION:</b>	Orchard Cottage, Shepherds Lane, Windlesham, Surrey, GU20 6HL,
<b>PROPOSAL:</b>	Erection of a two-storey, 66 bedroom care home for older people with associated parking and landscaping.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	LNT Care Developments Ltd
<b>OFFICER:</b>	Emma Pearman

**This application is being reported to the Planning Applications Committee because it is a major development, i.e. the floor area exceeds 1000m<sup>2</sup>.**

**RECOMMENDATION: GRANT, subject to conditions**

## **1.0 SUMMARY**

- 1.1 The application site is located on the southern side of Chertsey Road and to the west of Shepherds Lane in Windlesham. It is approximately 2.2ha in size and is within the Green Belt, outside the settlement area of Windlesham. It currently comprises a residential dwelling Orchard Cottage and Highams Builders Yard, and a large area of open land to the west of Orchard Cottage. The site benefits from an extant outline planning permission 15/0272 and reserved matters permission 17/0647 for the erection of a care home, doctors' surgery and residential dwelling on the site. A separate application for a larger care home at the site was refused in 2016.
- 1.2 The current permission on the site has been implemented by way of drainage pipes being installed, as determined by a previous application for a Lawful Development Certificate (see para 3.4 below) and this is a material consideration in determining this application. The size of this proposal is smaller in footprint, volume and height than the implemented permission and this is considered to be a very special circumstance that outweighs the identified harm to the Green Belt. The proposal is therefore considered acceptable in principle. The development is also considered acceptable in terms of residential amenity, highways, ecology and flooding. The original proposal was considered unacceptable in terms of its design, however the applicant has worked with Officers throughout the course of the application to revise the design and it is now considered to be acceptable. The proposal is therefore recommended for permission, subject to conditions.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the south side of the B386 Chertsey Road, about 0.75km outside the settlement boundary of Windlesham, as identified on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012. The site lies within the Green Belt and within 100m of the Thames Basin Heaths Special Protection Area (SPA), Chobham Common SSSI and the Thursley, Ash, Pirbright and Chobham Special Area of Conservation. The application site is 2.2 ha in size and currently comprises the residential dwelling Orchard Cottage which is accessed from Shepherds Lane, Highams Builders yard, and a stretch of open, undeveloped land to the west of Orchard Cottage, which has a main access gate from the B386 Chertsey Road.

- 2.2 The area around the site is semi-rural in nature, with limited development along the Chertsey Road, which includes the Brickmakers Arms Public House opposite the site, and the former British Oxygen Corporation (BOC) headquarters adjacent to the east, with a high brick wall along the boundary between these sites. This site is currently being redeveloped by Gordon Murray Design and is now known as Highams Park. The northern boundary of the site adjoins the B386 Chertsey Road, and along this boundary is a red brick wall and mature trees which screen the site from the road. The nearest residential properties are Sundial in Shepherds Lane to the north-east, and Lynbrook Cottage on Chertsey Road to the north-west, and the rear gardens of two other properties also share a boundary with the site to the north-west. Along the western boundary there are mature trees which prevent views into the site. The site adjoins open land to its southern boundary, with some trees and hedges along this boundary.
- 2.3 The site lies within Flood Zone 1 which has the lowest probability of flooding. There are no archaeological or historical designations within the site, though there are some Locally Listed buildings nearby including the Brickmakers Arms, approximately 25m to the north, a building within the BOC site approx. 90m from the access road, and residential properties Gunners and Gunners Meadow, approximately 120m to the south-west. There is also a pipeline running north-south through the western half of the site.

### 3.0 RELEVANT HISTORY

- 3.1 15/0272 Outline application for the erection of a 65-bedroom care home, a doctors' surgery and a detached bungalow with landscaping and access following demolition of existing buildings (access to be considered)
- This application was reported to Committee on 17/09/2015 with an officer recommendation for refusal on Green Belt grounds and impact on local character and lack of a sustainable location. However, Members resolved to grant permission due to very special circumstances and so the case was referred to the Secretary of State (SoS) as a departure from the development plan. The SoS did not call it in, so it was approved on 14/12/2015.*
- As confirmed by the meeting's minutes, the very special circumstances which carried weight in favour of the proposal were: a) A pressing need for specialist residential accommodation in SHBC for older persons; b) No alternative non-Green Belt sites are available or suitable in Windlesham or Chobham parishes so if a scheme is to come forward it would have to be in a Green Belt location; c) The scheme would provide approximately 70 full time equivalent employment opportunities in a variety of low skilled and high skilled professions; d) local demand for a doctor's surgery.*
- 3.2 16/0947 Erection of an 88-bedroom care home with associated landscaping and planting, following demolition of existing dwelling and builders yard. Access from Chertsey Road.
- Refused 13/02/2017 for the following reason:*
- The proposal represents inappropriate development in the Green Belt which is, by definition, harmful; and, by reason of its size, scale and the spread of development would cause significant harm to the openness of the Green Belt and conflict with its purposes. By association, the quantum of built form and utilitarian design of the buildings would fail to respect and enhance the open and rural character of the area. The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that very special circumstances exist sufficient to outweigh the identified harm. The proposal is therefore contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

- 3.3 17/0647 Approval of the Reserved Matters (appearance, landscaping, layout, scale) pursuant to condition 1 of planning permission 15/0272 for the erection of a 65 bed care home, doctors surgery and detached bungalow following demolition of existing buildings.  
*Approved, 23/10/2017. This application was reported to Committee on 19/10/2017.*
- 3.4 21/0208/CEU Certificate of Lawful Development to confirm the commencement of the construction of the development, under outline planning permission SU/15/0272 (Outline application for the erection of a 65 bedroom care home, a doctors surgery and a detached bungalow with landscaping and access following demolition of existing buildings (access to be considered) and Reserved Matters Application SU/17/0647 (Approval of the Reserved Matters (appearance, landscaping, layout, scale) pursuant to condition 1 of planning permission SU/15/0272 for the erection of a 65 bed care home, doctors surgery and detached bungalow following demolition of existing buildings).  
*Agreed, 14/05/2021. This Certificate confirms that planning permissions 15/0272 and 17/0647 have been lawfully implemented.*

#### **4.0 THE PROPOSAL**

- 4.1 Full planning permission is sought for the erection of a two-storey, 66-bedroom care home for older people with associated parking and landscaping.
- 4.2 The 66-bedroom care home would be set back from the site's front boundary by approximately 37m and the building would have an H shape. The maximum dimensions of the building would be approximately 55m in width and 42m in depth. It would have a maximum height of approximately 9.8m with the eaves at 5.3m. The roof would be hipped with gabled and half hipped projections to the front and rear, and would contain solar panels. The area of the ground and first floors would be around 1685m<sup>2</sup> each. The proposed materials would be hung tiles, red brick, white render with timber elements and dark red concrete plain tiles to the roof. The windows and doors would be in dark grey aluminium/UPVC frames.
- 4.3 There would be 33 parking spaces provided to the front and eastern side of the building, which include two disabled bays and some electric charging points. Bicycle parking and a drop off/turning space would also be provided. There would be gates to the front of the car park, set back approximately 19m from the road, and a new access would be created to Orchard Cottage from within the car park.
- 4.4 The principal amenity space for residents would be the enclosed garden areas within the southern and western portions of the site, and there would be two courtyard gardens to the east and west of the building, enclosed by the building on three sides. Soft landscaping would comprise trees, shrubs, flowerbeds and lawn and hard landscaping and include surfaced pathways immediately around the building for residents' use. These spaces would have direct access from the main lounges and almost all ground floor bedrooms. The rear of the site would comprise an ecological enhancement area with less formal landscaping and paths, available for residents to walk in.
- 4.5 The applicant advises that some 50-60 jobs would be created working to a rotational shift pattern of employment. The majority of the jobs created at the care home would also be expected to be filled by suitable candidates from the local area.
- 4.6 In comparison to the extant planning permissions, the proposed care home has been reduced in height, floor space, footprint and volume. The extant permission comprised a doctor's surgery to replace the existing Orchard Cottage and a dwelling which was proposed

to be erected in place of the existing builders' yard. These have been deleted from the current submission and the bungalow and builders' yard would remain as existing, other than the new access to Orchard Cottage and landscaping on the edge of the cottage's curtilage.

- 4.7 The care home itself has been reduced in size, as the approved building measures 55m in width, 50m in depth, 11.9m in maximum height with the eaves height around 5-6m. This building also had roof accommodation (mechanical plant) and the area of the ground and first floors was around 1738m<sup>2</sup> each, with the basement car parking area 734m<sup>2</sup> approx. The basement car park has been deleted from this proposal. The size differences are set out below for comparison:

	<b>Extant permission (care home element only)</b>	<b>Current proposal</b>	<b>Difference</b>
<b>Footprint</b>	1738m <sup>2</sup>	1685m <sup>2</sup>	3% reduction
<b>Floorspace</b>	3476m <sup>2</sup> (above ground) 4210m <sup>2</sup> (including basement)	3370m <sup>2</sup>	3% reduction or 20% reduction if basement included
<b>Volume</b>	16,000m <sup>3</sup> approximately	13,000m <sup>3</sup>	19% reduction
<b>Width</b>	55m	55m	0m
<b>Height</b>	11.9m	9.8m	2.1m reduction
<b>Depth</b>	50m	42m	8m reduction

- 4.8 Where applicable, reference will be made to the following documents submitted in support of the proposed development:

- Archaeological Assessment;
- Arboricultural Report;
- Geoenvironmental Report;
- Air Quality Assessment Technical Note;
- Ecology Report (and further information following Surrey Wildlife Trust's comments);
- Design And Access Statement;
- Planning Statement (and further information following Natural England's comments);
- Sustainability Statement;
- Transport Statement And Travel Plan (and further information following County Highways' comments);
- Drainage Report.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objections, subject to planning conditions for visibility splays, space laid out for parking and turning, a Construction Transport Management Plan, cycle parking, a Travel Plan and fast charge sockets for electric vehicle charging. *[See Annex A for a copy of the consultation response].*
- 5.2 Windlesham Parish Council Objects to the proposal as follows:
- The proposal would not comprise the doctor's surgery, sustainable travel plan and a building of high quality architectural design, and would therefore not meet the VSC which allowed the previous application;
  - Local travel and public transport provision is not adequate enough to support this development;

- Inadequate parking facilities for the site.

*[Officer comment: These issues are discussed below in sections 7.4 and 7.7]*

5.3 Chobham Parish Council

No objection, subject to a set of conditions being applied commensurate with the previously approved scheme (15/0272 and 17/0647) and the very special circumstances nature upon which planning permission for a care home was granted. The Parish Council recommends that the following is taken into account:

- Increased parking provision, given the unsustainable location of the site
- Suggest a condition limiting floor area *[Officer comment: The condition requiring the development to be in accordance with the plans is considered sufficient. A condition limiting floor area was proposed last time at outline stage for the purposes only of guiding the plans at reserved matters stage, however this is a full application with detailed plans.]*
- The scheme should not have a greater impact on the Green Belt compared to the unimplemented scheme *[Officer comment: This has been implemented, see Section 2 above and section 7.4 below for a comparison]*
- Permitted development rights and change of use rights should be removed *[Officer comment: A condition preventing a change of use is proposed. There are no permitted development rights which would allow extensions to care homes without planning permission.]*
- Provided the very special circumstances remain pertinent and another company could take over the site if the applicant were to vacate *[Officer comment: The permission would run with the land so there is no reason an alternative company could not run the care home]*
- Regard should be given to the HGV weight limit in Chobham High Street and routes put in place for construction *[Officer comment: Routes for construction vehicles are included in the Construction Transport Management Plan condition].*
- HGVs and other vehicles servicing the site should not be allowed to park or wait on the public highway *[Officer comment: The Local Planning Authority cannot prevent this however the Construction Management Plan will include details of parking during construction]*
- Surrounding highways should be kept clear and safe during construction works and safety surrounding Valley End School given consideration in the Construction Management Plan *[Officer comment: Noted, this can be considered in the Construction Management Plan]*
- An appropriate limit set on staffing levels *[Officer comment: It is not for the Local Planning Authority to determine/restrict staffing levels for the care home as this would not be a reasonable request. If this comment is related to parking then Members should be satisfied parking is sufficient prior to any grant of permission.]*
- Should not increase flooding, and no importing of soil or raising ground levels *[Officer comment: These are covered by the proposed conditions. Raising ground levels would require permission in any case.]*
- No residential use other than care home residents, no pets and plans should accord with Policies CP14A and B

- 5 year or greater maintenance condition should be included for landscaping scheme, trees and hedging should be retained
- Separate application for advertisement consent should be submitted for any proposed advertisements, hoarding should reflect the character of the area *[Officer comment: Noted, this would require a separate application in any case so it is not necessary to include a condition]*
- Limits should be set regarding visitor times *[Officer comment: No limits are proposed to be set by condition, as this could result in a large number of visitors arriving at the same time and result in parking issues.]*
- Noise assessment should be submitted prior to occupation
- Lighting levels and spill should be kept to a minimum
- Construction working hours should be limited *[Officer comment: Covered by the Construction Transport Management Plan condition]*
- Hours of operation for the site should be limited *[Officer comment: The care home would be the home of the residents and as such restricting access at any time by staff, residents or other essential workers would not be feasible. If it is restriction of visitor hours that is meant, please see comment above. If a restriction during construction is meant, this is covered by the Construction Transport Management Plan condition.]*
- Should be no adverse impact on the public house and restaurant opposite *[Officer comment: It is not considered that there would be any adverse impact – a Construction Transport Management Plan is proposed which would detail parking during construction]*
- Extant applications should be treated as cancelled/superseded *[Officer comment: It is not considered that the previous applications could be built in conjunction with this one and an informative is proposed in this regard]*

*[Officer comment: These issues above are discussed in the remainder of the report other than where comments are provided above]*

- |     |                       |  |
|-----|-----------------------|--|
| 5.4 | Natural England       | No objection, subject to appropriate mitigation being secured by condition or planning obligation, as follows: no harm to the SPA during construction, no pets other than assisted living dogs at the site, no self-contained staff/resident accommodation, the use is limited to C2 care home, and the home shall not be occupied other than by persons of limited mobility, and car parking will be restricted to staff and visitors only. |
| 5.5 | Tree Officer          | No objection, subject to conditions for an updated Tree Protection Plan and Method Statement, details of hard surfacing within root protection areas, details of site storage during construction and a Landscaping Scheme.  |
| 5.6 | Surrey Wildlife Trust | No objection, subject to conditions for a further badger survey prior to commencement of development, a reptile mitigation strategy, no net increase in external artificial lighting and for the applicant to demonstrate that a 10% increase in biodiversity has been achieved and how this will be secured for 30 years.   |



5.7	Environmental Health	No objection
5.8	Local Lead Flood Authority	No objection, subject to conditions for the approval of a surface water drainage scheme and verification report
5.9	Surrey County Council Archaeology	No objection – the site has previously been subject to archaeological investigation in relation to planning application 15/0272 and nothing of significance was found.
5.10	Thames Water	No objection with regard to foul water sewerage network infrastructure capacity.  Advises that the surface water will not be discharged into the public network and therefore raises no objection, however advises that approval should be sought from the LLFA.
5.11	Windlesham Society	Objects to the application <i>[original design not revised]</i> as follows: <ul style="list-style-type: none"> <li>• The proposal would represent a material change to the approved 2015 application and the VSC would no longer apply;</li> <li>• The current proposal is absent of priority rights to the care home accommodation for Windlesham and Chobham residents, doctor's surgery and sustainable Travel Plan which includes a minibus;</li> <li>• The proposal would have a contemporary design with an urban appearance at odds with this rural Green Belt;</li> <li>• Volume of traffic, road safety issues, inadequate public transport provision, inadequate parking provision;</li> <li>• This proposal did not attract such a strong support from the community as the previous scheme;</li> <li>• The application has failed to confirm whether the existing local GP services in Chobham and Lightwater could accommodate an additional 66 older patients;</li> <li>• The current applicant does not appear to have local links and have not made any attempt to consult with local residents, societies or organisations</li> </ul> <p><i>[Officer note: Please see VSCs, character and highways sections below for discussion of the above planning considerations. The applicant's local links are not a material planning consideration. Whereas it is encouraged that developers engage with communities, there is no mandatory requirement to do so].</i></p>
5.12	Urban Design Consultant	No objection, following revisions to the scheme during the course of the application
5.13	NHS Frimley CCG	No response received
5.14	Exolum Pipelines	No objection, subject to a condition for a strategy to be agreed with Exolum Pipelines to protect the pipeline and ensure access can be retained.

## 6.0 REPRESENTATION

6.1 Notification letters were sent to eleven neighbouring properties on 26 August 2021. The application was advertised in the press on 8 September 2021 and 10 September 2021. A site notice was displayed on 22<sup>nd</sup> March 2022. At the time of preparation of this report five representations have been received, four of which object to the development and one is in

support. The support letter does not raise any issues.

The objection letters raise the following issues:

Principle of development / VSC [Officer comment: see section 7.3 and section 7.4]

- The principle of development cannot be justified in the Green Belt without the doctor's surgery;
- The proposal is a commercial enterprise;
- There is no demand for the proposed care home;
- There is no evidence of people being recruited to work for the care home;
- This new application appears to be for an unrestricted C2 residential use;
- There is no evidence to suggest that the Windlesham and Chobham residents would be given priority rights to occupy the care home;

Impact on the character of the area [Officer comment: see section 7.5]

- The design is out of keeping with the surrounding, mainly Victorian/Edwardian buildings, and semi-rural location.

Highways [Officer comment: see section 7.7)

- The application site is not sited in a sustainable location;
- Inadequate parking provision

## **7.0 PLANNING CONSIDERATION**

7.1 The proposal is considered against the National Planning Policy Framework (NPPF), the National Design Guide, relevant policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP) including Policies CP1, CP2, CP11, CP14A, CP14B, DM7, DM9, DM10 and DM11, saved policy NRM6 of the South East Plan 2009, the Thames Basin Heaths SPA Avoidance Strategy SPD 2009 and the Surrey Heath Residential Design Guide 2017 (RDG). It is noted that the site lies outside the Windlesham Neighbourhood Plan (WNP) boundary and as such policies within the WNP cannot be applied here. The Department of Health "Care Homes for Older People" (2003) also offers relevant advice in terms of the design of care homes. The extant permission is also a material planning consideration.

7.2 The main issues to be considered within this application are:

- Principle of the development in the Green Belt;
- Consideration of very special circumstances
- Impact on the character and appearance of the area;
- Impact on residential amenity;
- Highways, parking and access;
- Flooding and drainage;
- Ecology
- Impact on Thames Basin Heaths Special Protection Area.
- Other matters – CIL, energy efficiency

### **7.3 Principle of the development in the Green Belt**

7.3.1 Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts, and that their fundamental purpose is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt being their openness and their permanence. Paragraph 138 states that the Green Belt serves five purposes, which are to check the unrestricted sprawl of built up areas, to prevent neighbouring towns

merging, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns, and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Policy CP1 of the CSDMP directs development to the western side of the borough, within the urban area.

- 7.3.2 Paragraph 147 of the NPPF states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to say that when considering any planning application, substantial weight should be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.3.3 Paragraph 149 states that the construction of new buildings is inappropriate development within the Green Belt, save for the exceptions listed under that paragraph. None of these exceptions would apply here, considering that the proposal is for a new building to be used as a care home, on a greenfield site. The proposal is therefore inappropriate development in the Green Belt. It also does not accord with Policy CP1 in terms of where new development in the borough should be directed.
- 7.3.4 The proposal would also cause harm to openness in both spatial and visual terms, considering that a large building would be constructed on an area where there is currently no development. The hardstanding to form the car park and associated development would also contribute to the harm to openness. As such, very special circumstances would be required to justify a grant of permission, that clearly outweigh the harm by reason of inappropriateness and harm to openness, as well as any other harm. Whether there is any other harm arising will be considered in the remainder of this report. Very special circumstances are discussed in section 7.11 below.

#### 7.4 Consideration of very special circumstances

- 7.4.1 The proposal comprises inappropriate development in the Green Belt, causing harm by reason of inappropriateness, and harm to openness. Very special circumstances are therefore required to clearly outweigh this harm, and any other harm identified. Whether there is any other harm will be considered in the conclusion below.
- 7.4.2 In terms of very special circumstances, the extant permission is a material consideration, as this permission has been lawfully implemented and as such could be fully built at any time. The table below compares the size of the extant permission and current proposal in Green Belt terms.

	<b>Extant permission (care home element only)</b>	<b>Current proposal</b>	<b>Difference</b>
<b>Footprint</b>	1738m <sup>2</sup>	1685m <sup>2</sup>	3% reduction
<b>Floorspace</b>	3476m <sup>2</sup> (above ground) 4210m <sup>2</sup> (including basement)	3370m <sup>2</sup>	3% reduction or 20% reduction if basement included
<b>Volume</b>	16,000m <sup>3</sup> approximately	13,000m <sup>3</sup>	19% reduction

- 7.4.3 It should also be noted that the current permission does not include the doctor's surgery instead of Orchard Cottage, and a bungalow instead of the builders' yard, both of which also resulted in a small uplift in floor area compared to the original. There is therefore a slight benefit in reduction in footprint and floorspace here too, in the region of 24m<sup>2</sup>, comparing the extant permission to the current scheme. It is not considered that the doctor's surgery and bungalow elements of the scheme could lawfully be implemented if permission is granted and implemented for this application, as the development would not be fully in accordance with the approved plans.

- 7.4.4 In visual terms, the height of the care home has also been reduced from 11.9m as approved to 9.8m, and the maximum depth reduced to 42m from 50m, with the width remaining the same. This reduction of approximately 2.1m in ridge height, together with the reduction in depth of 8m and overall smaller footprint, would reduce the quantum of built form on site. Visually, the scale and size of the building would appear lesser than the extant scheme and this in turn would reduce the proposal's visual impact on the openness of the Green Belt. As such, in spatial terms, it is considered that the current proposal would have less impact on the openness of the Green Belt than the extant scheme, and this carries significant weight in favour of the proposal.
- 7.4.5 Planning permission 15/0272 was allowed under very special circumstances, and Members granted approval against the Officer's recommendation for refusal and a County Highway Authority objection. As explained in full at paragraph 3.1 of this report this application was presented before planning committee on 15 September 2015 and the minutes of this meeting show that the relevant VSC put forward by Members were a) a pressing need for a care home for the community, b) no alternative site, c) provision of employment and d) need for a doctor's surgery.
- 7.4.6 In regards to items b) and c) it is not considered that the current proposal would materially change these arguments and therefore these would continue to carry weight in favour of the proposal. Turning to item a) the applicant has advised that the need for a new purpose built care facility for older people from the local area is considered to be more acute now than it was 4-6 years ago. Furthermore, the applicant advises that the proposal would be likely to be occupied by older people in need of care currently residing within the local community or with connections of a secondary nature, for example persons that are relatives of a person currently resident within the local community. However, there was no specific requirement on the extant permission for any local people to be given priority, and as such it is not considered reasonable to impose such a condition on this permission either and it is not considered that such a condition would be reasonably enforceable by the Local Planning Authority.
- 7.4.7 In regards to item d), it is noted that this scheme would no longer comprise a doctor's surgery, which would reduce the weight given to the VSC which allowed the previous development. However, there was no obligation on the applicant when the previous permission was granted to deliver the doctor's surgery and as such, the care home could be built in any case without a doctor's surgery. It is not considered reasonable therefore to refuse the application due to the lack of a surgery, when the care home could still be completed without this element in any case. The local Clinical Commissioning Group has been consulted for comment on the need for a surgery, however no response has been received at the time of writing. The removal of the doctor's surgery from the proposal will result in considerably fewer vehicle movements to and from the site and a reduction in hardstanding proposed for car parking, and as such does have beneficial impacts in this regard.
- 7.4.8 Overall therefore, the current proposal would result in less built form on site, which would be less harmful to the openness and visual amenity of the Green Belt than the extant scheme.
- 7.4.9 It is therefore considered that very special circumstances exist in this case, that clearly outweigh the harm by reason of inappropriateness, and harm to openness of the Green Belt. Whether there is any other harm is discussed further in the conclusion.

## **7.5 Impact on character and trees**

- 7.5.1 Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning decisions should ensure that developments add to the overall quality of the area

and are visually attractive as a result of good architecture, layout and appropriate landscaping. They must also be sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that new developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, while being sympathetic to local character and history, including the surrounding built environment and landscape setting. Principle 12 of the National Design Guide aims to achieve well-designed, high quality and attractive places and buildings.

- 7.5.2 Policy DM9 of the CSDMP promotes high quality design. It states that development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Policy DM9 further states that development should be designed to protect trees and other vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. The RDG provides further guidance regarding residential developments. In particular, Principle 7.8 supports the use of architectural detailing to create attractive buildings.
- 7.5.3 This site is best described as a semi-rural area being located outside of the settlement of Windlesham, with the immediate vicinity of Chertsey Road having a limited amount of development on either side of the road. Surrounding development mostly comprises large, detached dwellings on large plots, which are located sporadically along the road, and some terraced cottages. There is no prevailing architectural style and dwellings are set back from the road by varying degrees. The application site is also located next to the former BOC site which is a large office complex and across the road from the Brickmakers' Public House, and further along there is Coworth-Flexlands School, so there are a mix of uses in the immediate vicinity of the site. The streetscene is dominated by significant mature vegetation all along the road, including that along the front boundary of the application site.
- 7.5.4 While surrounding development in Chertsey Road is very varied, most buildings are older and contain traditional elements such as hipped roofs with gabled elements. The home would be sited some 36m back from the front of the site with vegetation retained to the front and it is noted that views from public views would be limited, albeit the proposal would be seen through the access to some degree.
- 7.5.5 The proposed care home would have a smaller footprint, less floorspace and volume, and be lower in height than the previously approved scheme. It would be located on approximately the same part of the site, with the same width frontage and lesser depth. Whilst the proposed building may be smaller in scale and size than the extant scheme, the spatial qualities, how the space works, and how the new building is perceived in the landscape are important aspects to consider. The Urban Design Consultant has been consulted on the proposal and originally raised an objection, however the applicant has made amendments to the design of the scheme and the Urban Design Consultant is now satisfied that the design of the building is acceptable.
- 7.5.6 The Consultant states that the proposed scheme has undergone a series of revisions to address previous concerns with regard to building character, elevational design, massing, roofscape, detailing, building materials, detailed layout and lack of landscaping. The elevational design has been revised and now demonstrates a balanced composition with classical fenestration, traditional gable features, a strong main entrance element and considerably more variation with the help of traditional materials, including two types of brickwork with rich details such as banding and soldier course in combination with tile hanging and render. The massing has been reduced with the help of new gables and some half-hipped roof elements. Classic elements such as traditional porches and roof canopies with wooden columns add depth and interest to the elevation, helps to reduce the scale and also provide useful sheltered sitting areas in close proximity to the main entrance. In

summary the proposed building design responds well to the local distinctiveness, is considered well balanced and contributes to a strong sense of place as the recently submitted 3D illustrations demonstrate. A condition for submission of materials prior to construction is proposed.

- 7.5.7 The layout has also been revised and now includes more generous landscaping which frames the development, especially in the eastern side of the development in relation to the car parking, which is important to retain a verdant character in this green belt location. The layout has also been revised to provide a clear separation between courtyard amenity areas and the adjacent car park/access road, to the benefit of both safety and character. No objections from a character point of view are raised to the proposed solar panels on the side and rear roof slopes.
- 7.5.8 The application proposes removing one tree and four hedgerows to facilitate the development, with some further trees removed due to their condition. The Tree Officer has been consulted on the proposal and raises no objection to the proposal, subject to a number of planning conditions including a comprehensive landscaping scheme and protection of retained trees during construction. Further detail of excavations close to trees is also required, however the Tree Officer is satisfied that a revised Arboricultural Method Statement can be approved by condition. The landscaping scheme condition requires that plants that die or are removed within 5 years of planting are replaced as soon as possible.
- 7.5.9 It is therefore considered that the proposal is acceptable in terms of its impact on character and trees, and in line with the relevant policies, subject to the proposed conditions.

## **7.6 Impact on residential amenity**

- 7.6.1 Paragraph 17 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 of the CSDMP states that development should respect the amenities of the adjoining properties and uses. Principle 8.7 of the RDG states that usable, high quality private outdoor amenity space will be required for all new Residential Care Home developments. Principles 8.1 and 8.3 state, respectively, that developments should not result in the occupants of neighbouring dwellings suffering from overlooking or from a material loss of daylight and sun access.
- 7.6.2 At its closest point, the proposal would be sited at approximately 13m from the retained dwelling at Orchard Cottage. There would be one upper floor window facing the garden of Orchard Cottage which serves the end of a corridor. Given the close proximity of this window to this residential dwelling, it is considered that it needs to be obscure glazed and non-opening below 1.7m to prevent overlooking of this dwelling. The other windows on the eastern side elevation are far enough away so as not to cause any overlooking issues. The proximity of the building (approximately 8m from the garden boundary) may cause some loss of light and overshadowing to the garden and part of the rear elevation of Orchard Cottage in the afternoon/evenings. However given the limited height of the proposal and the separation distance, it is not considered that the loss of light would be significant.
- 7.6.3 The proposal would be sited at approximately 20m away from the common boundary with Sundial to the north, a similar distance as the extant building. It would be approximately 37m from the building itself. At this distance, it is considered that the built form of the proposed care home would be respectful of the residential amenities currently enjoyed these neighbours and the windows facing the garden would not cause any significant overlooking given the separation distance. Both Sundial and Orchard Cottage are likely to experience increased noise and disturbance from the care home, however it is not

considered that this increase would be significantly detrimental to amenity, and no objection has been received from the Environmental Health Officer. The impact on Sundial is likely to be reduced compared to the extant permission which included the doctor's surgery.

- 7.6.4 Lynbrook Cottage and Lynbrook are located to the west of the development, with the western side elevation of the proposed building being sited at a minimum distance of approximately 27m at its nearest point from the boundary with Lynbrook Cottage and Lynbrook. There are a number of large, mature trees along the western boundary of the site which would also help to screen the building from these houses. Similar to the conclusions of the extant permission, it is considered that due to the two-storey height of the building, the separation distance and the boundary screening, there would not be any significant adverse impacts upon the occupiers of these dwellings.
- 7.6.5 In terms of noise, the proposed development would generate additional noise over and above the existing levels, mostly in terms of traffic generation and use of the car park. The assessment undertaken on the extant permission concluded that the additional noise would be mainly for the doctor's surgery and this has now been removed from the proposal. Although the current care home would have one additional bedroom when compared to the extant scheme, overall the proposal would be considered an improvement when compared with the extant scheme in noise terms. The Council's Environmental Health Officer has been consulted and raises no objection.
- 7.6.6 In terms of the living conditions for the future occupiers of the care home, the Department of Health "Care Homes for Older People" (2003) sets out the minimum bedroom size and recreational (living/dining rooms, etc.) area space for all care homes. Each bedroom should provide at least 12m<sup>2</sup> of usable space (not including en-suite accommodation), in accordance with standard 23 of the "Care Homes for Older People". The floor plans show that, as a minimum, each bedroom would provide 14.4 m<sup>2</sup> of floor space excluding en-suite and therefore the proposal would comply with this. Rooms for sharing should provide a minimum of 16 m<sup>2</sup> of usable space (excluding the en-suite) and the proposal would also comply with this. In addition, there should be no less than 4.1m<sup>2</sup> of recreational space per resident, in accordance with standard 20 of the "Care Homes for Older People". The current proposal would provide 9.3m<sup>2</sup> per resident (as detailed in the Design and Access Statement), therefore meeting this minimum standard.
- 7.6.7 The proposal would also deliver outdoor amenity space in a garden area that would wrap around the building's southern, western and northern elevations. In addition, there would be two distinct courtyard gardens, which would contain sheltered space. Given the response of the Environmental Health Officer, it is not considered that the M3 to the south of the site would cause an unacceptable level of noise or pollution for future residents.
- 7.6.8 The Environmental Health Officer has also been consulted on the proposal in regards to contaminated land and lighting assessments and raises no objections. The noise from the motorway and from the proposed test track activities adjacent upon the proposed care home have also been taken into account and are considered acceptable.
- 7.6.9 As such, the proposal is not considered harmful to the amenities of the neighbouring properties and is considered acceptable in terms of the provision of accommodation for future residents. The proposal is therefore considered to be in line with the relevant policies in this regard.

## **7.7 Parking and access**

- 7.7.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.

- 7.7.2 The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds raises no objections to the proposal and recommends that a number of planning conditions are attached to any granted consent. The conditions proposed are for visibility splays, space laid out for parking and turning, a Construction Transport Management Plan, cycle parking, a Travel Plan and fast charge sockets for electric vehicle charging. It is noted that County Highways objected to the previous outline application due to its unsustainable location, however this time the doctor's surgery has been removed from the proposal and as such less traffic will be generated, and there is already an extant permission on the site.
- 7.7.3 In terms of access, the County Highway Authority is satisfied that suitable and safe access would be provided for vehicles and pedestrians, and the access is proposed in the same location as the extant permission. Chertsey Road is a semi-rural, tree-lined single carriageway road. Although the access is located where the national speed limit of 60mph applies, it is approximately 15m from the start of the 40mph limit approaching Windlesham. Vehicle speeds would be expected therefore to be predominantly significantly less than 60mph. A visibility splay of 2.4 x 137m is available in the westerly direction, which is considered suitable for an 85th percentile speed of 48mph. This accords with speed survey data for Chertsey Road. The access will allow for simultaneous entry and exit of vehicles from the site, ensuring that vehicles would not need to wait to enter from Chertsey Road. A gate is proposed, given the requirement by Natural England to not allow the public into the site for parking, which will be located approximately 19m into the site, further back from the road than the previous gate was proposed. Details of the gate can be secured by condition. The plans also provide for a dedicated footway into the site.
- 7.7.4 In terms of parking and traffic generation, the applicant states that no more than 24 staff would be on site at any one time, and due to staggered shift times for staff, entry and exit times would vary throughout the day. The proposed traffic generation by visitors is also considered by the applicant to be limited, although no specific numbers have been provided, and visiting times would be unrestricted to avoid a large number of visitors at one time. The proposed development would provide 33 parking spaces for a 66-bed facility, including two disabled spaces, as well as a drop off and turning area. This accords with Surrey County Council's adopted parking guidelines of one space per two residents, and the applicant states that it also accords with parking levels at other care homes run by the applicants of a similar size and in similar locations.
- 7.7.5 The extant scheme included a total of 52 spaces including a basement parking area for 20 spaces, which has been removed from this scheme, however more traffic was proposed to be generated by the previous scheme, due to the inclusion of the doctor's surgery. The Transport Assessment from the extant scheme estimated that the care home would generate around 170 vehicle movements (85 trips) per day, and the doctor's surgery around 334 movements (167 trips) per day. Whilst the trip generation is based on estimated figures, it appears from this data that the current scheme would provide more parking in relation to the trips generated than the extant scheme.
- 7.7.6 The CHA further recommends that a Travel Plan is implemented in order to promote and facilitate trips to the site by means other than single occupancy vehicles. This can be secured by planning condition, although a version has been supplied with the application which includes measures such as presenting visitors with a travel pack including information on alternative measures of transport to the site, and a travel planning session for staff as part of their induction. A Travel Plan Co-ordinator will also be appointed. It is noted that a previous Travel Plan was approved by condition, and this proposed similar measures such as encouraging walking and cycling to the site, raising awareness of public transport options, promoting car sharing and sustainable private vehicles (such as electric/hybrid). It did not include provision of a minibus.



7.7.6 The proposal also includes 20% of available spaces to be provided with electric vehicle fast charge sockets in accordance with the standards and ten cycle parking spaces. A new access is also proposed to Orchard Cottage from the car park of the care home, however this is not considered to cause any highways issues. It is therefore considered that the proposal is in line with Policies CP11 and DM11 of the CSDMP, subject to the proposed conditions.

## **7.8 Impact on flooding**

7.8.1 Policy DM10 states that development proposals should at least be risk neutral. Flood resilient and resistant design, as well as appropriate mitigation and adaptation can be implemented where appropriate, so that the level of flood risk is reduced to acceptable levels.

7.8.2 The application site lies within Flood Zone 1, which is an area with the lowest probability of flooding. The LLFA has been consulted on the Drainage Strategy submitted in support of this application and is satisfied with the proposed drainage scheme. Should planning permission be granted for the proposal, the LLFA recommends that planning conditions are attached to any granted consent to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

7.8.3 In light of the above, it is considered that the proposed development is acceptable in terms of its impact on flooding and drainage, and in line with Policy DM10 of the CSDMP.

## **7.9 Ecology**

7.9.1 Paragraph 180 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. It also states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity. Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath, and that where appropriate, new development will be required to contribute to the protection, management and enhancement of biodiversity.

7.9.2 The Surrey Wildlife Trust has been consulted on the proposal and advises that the Ecological Reports submitted in support of this application confirm that the grassland is not lowland grassland, therefore is not a habitat of principal importance. One tree is assessed as being of low bat roosting suitability, therefore will require removal under supervision using soft-felling techniques. The site supports common invertebrate populations, and badgers are considered likely to be absent. As such, the Trust raises no objection to the proposal, subject to a number of planning conditions including a further badger survey prior to commencement, and if badgers are identified then mitigation measures must be secured. SWT also require a Reptile Mitigation Strategy, and no additional external lighting, however it is not considered that this is a reasonable request for health and safety reasons during winter months and it is noted that the previous application included a condition for external lighting to be approved prior to installation, taking into account the impact on wildlife. As such a similar condition is proposed this time.

7.9.3 The Trust further advises that the application should demonstrate 10% biodiversity net gain at the site secured for 30 years, however the biodiversity net gain provisions of the Environment Act 2021 have not yet come into force, as secondary legislation has not yet been made. Given therefore that the 10% is not yet planning policy, it is not considered reasonable to enforce this nor the 30-year management requirement. Policy CP14A requires enhancement of biodiversity however, and the applicant has stated that they will be enhancing biodiversity overall. As such it is considered that the landscaping scheme submitted should demonstrate a measured enhancement, which will be required by

condition. It is noted also that on the extant scheme, a Landscape and Ecology Management Plan was required which set out details of management of the gardens area and proposed ecological objectives, and as such a similar condition can be re-imposed.

- 7.9.4 As such, it is considered that the proposal complies with Policy CP14A of the CSDMP, subject to the recommended conditions.

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

- 7.10.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Saved Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA, however care homes can be acceptable within the 400m buffer, subject to some conditions.
- 7.10.2 The Thames Basin Heaths Avoidance Strategy SPD states that developments within Use Class C2 can be considered to give rise to likely significant effect on the SPA, and will be considered on a case by case basis. It states that the likely activity levels of the residents will be taken into account in assessing whether the development is likely to give rise to a significant effect.
- 7.10.3 Natural England has been consulted on the proposal and originally objected, requesting further information in order to determine the significance of the proposal's impacts on the SPA and the scope for mitigation. The applicant provided additional information addressing Natural England's comments and Natural England have removed their objection, subject to measures being secured to prevent harm to the SPA during construction and that the home allows no pets other than assisted living dogs at the site, no self-contained staff/resident accommodation, that the use is limited to C2 care home, the home shall not be occupied other than by persons of limited mobility, and car parking will be restricted to staff and visitors only.
- 7.10.4 With regard to parking, during the construction period the site would be gated with access controlled by site management, and during the operational phase, a gate will also be used to control access to the site, to prevent anyone other than staff or visitors using the car park. The previous application required a Parking Management Plan to be submitted to set out how the car park will work in terms of preventing unauthorised use, and it is considered that a similar condition can be applied again. The above measures regarding construction and noise can be secured via a condition for a Construction Environmental Management Plan.
- 7.10.5 The applicant states that the residents of the proposed facility will be formally assessed as being in need of personal care on a 24 hour/7 days a week basis, and they will not under any circumstances be permitted to formally recreate independently on the SPA. The applicant has therefore raised concern with the requirement suggested by Natural England for a GP to refer each resident to the home and their condition be assessed that way, as they have stated that residents do not always come via GP referral. It is noted that the condition on the extant permission does not require such a referral and it is considered that the existing condition sufficiently limits the type of residents that can live at the home so as not to add pressure on the recreational use of the SPA. As such it is not considered necessary to include the GP referral requirement of Natural England's suggested conditions, however the existing restriction can be re-applied again. Conditions will also be imposed regarding pets and staff accommodation on site.

- 7.10.6 Given the above restrictions, as well as the provision of the proposed open space on the site, it is not considered therefore that the proposal would give rise to any significant effect on the SPA. Therefore, it is not considered that any contribution towards SANG or SAMM would be required, in line with the conclusions of the extant scheme and taking into account that Natural England have not requested a contribution.
- 7.10.7 The proposal is therefore considered acceptable in terms of its impact on the Thames Basin Heaths SPA, subject to the proposed conditions.

## **7.11 Other matters**

- 7.11.1 The proposed development would provide C2 accommodation and, as such, it would not be CIL liable.
- 7.11.2 Policy DM7 encourages low carbon development. The Energy Statement, submitted in support of this application, advises that the proposal has been designed in such a way to ensure that the development would be energy efficient and maximising the use of sun and shade, to offset the demand for heating and cooling. This would include low energy luminaires and occupancy sensors to be used throughout within the communal areas, corridors, bathrooms, toilets and ensembles to control and minimise the energy used; high levels of insulation in the walls, roofs, floors, doors and windows and the installation of heat recovery systems within the roof space of the proposed home. The proposal would benefit from Ground Source Heat Pumps and Solar Photovoltaic panels, which would contribute to the overall energy requirements of the care home. A variety of measures are proposed in relation to water conservation and water efficiency. The applicant states that overall, the scheme is designed to be as close to carbon neutral as possible. These energy efficient measures would be an improvement from the previous scheme.

## **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 paragraph 38 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
- 8.2 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

## **9.0 CONCLUSION**

- 9.1 The application is considered to be acceptable in terms of its impact on character, residential amenity, trees, highways and parking, ecology, impact on the Thames Basin Heaths SPA and flooding. Whilst it is inappropriate development in the Green Belt, the proposal would be smaller in size than the extant permissions 15/0272 and reserved matters 17/0647, which are a material consideration in determining this application. The

proposal would therefore result in less harm to the openness of the Green Belt than the extant proposal. The proposal also has economic and social benefits, similar to the extant scheme, and it is not considered that any other harm arises from the proposal or that the extant scheme is better than the current proposal in any other regards. The energy efficiency benefits, whilst difficult to quantify, are also likely to be an improvement on the extant scheme due to the provision of solar panels particularly on the current scheme. Whilst the doctor's surgery is not proposed by the current scheme, there was no obligation on the applicant to build this element of the scheme in any case. It is therefore considered that very special circumstances exist that clearly outweigh the harm to the Green Belt, and no other harm has been identified. The application is therefore recommended for approval, subject to conditions.

## 10.0 RECOMMENDATION

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 plans and documents:

- Proposed Elevations Drawing no GU20 6HL-A-05C received 25.3.22
- Proposed Site Layout Plan Drawing no GU20 6HL-A-03B received 24.3.22
- Proposed Floorplans Drawing no GU20 6HL-A-04 received 18.8.21

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration and render. Once approved, the development shall be carried out using only the approved materials.

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

4. Access to the care home shall be directly from Chertsey Road only using the access as shown on the Proposed Full Site Layout Plan Drawing no GU20 6HL-A-03B received 24.3.22.

Reason: To ensure the permission is implemented in accordance with the terms of the application and so that it does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

5. No part of the development shall be first occupied unless and until the modified vehicular and pedestrian access onto Chertsey Road has been constructed and provided with visibility splays of 2.4 x 200m in an easterly direction and 2.4 x 137m in a westerly direction in accordance with the approved plans (Drawing no GU20 6HL-A-09) and thereafter the visibility splays shall be kept permanently clear of any obstruction above 1.05m high.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of

the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (GU20 6HL-A-03B) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.  
Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
7. No development shall commence until a Construction Transport Management Plan, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
  - b) loading and unloading of plant and materials
  - c) storage of plant and materials
  - d) programme of works (including measures for traffic management)
  - e) provision of boundary hoarding behind any visibility zones
  - f) HGV deliveries and construction hours of operation
  - g) vehicle routing (taking into account nearby schools)
  - h) measures to prevent the deposit of materials on the highway
  - i) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented in full during the construction of the development. The proposed storage, parking areas and any temporary buildings during the construction period shall be located outside the canopy of any retained tree on site.

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

8. The development hereby approved shall not be occupied unless and until facilities have been provided within the site for the secure parking of 10 bicycles in a secure, covered facility, in the location as shown on Proposed Full Site Layout Plan Drawing no GU20 6HL-A-03B received 24.3.22  
Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to encourage the use of sustainable transport modes, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.
9. Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's 'Travel Plans Good Practice Guide', and in general accordance with the 'Heads of Travel Plan' document. The approved Travel Plan shall be implemented on first occupation and for each and every subsequent occupation of the development, and the Travel Plan shall thereafter be maintained and developed to the satisfaction of the Local Planning Authority.

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

10. The development hereby approved shall not be occupied unless and until 20% of the proposed parking spaces (6 no. spaces) are provided with a fast charge socket (current minimum requirements – 7kw Mode 3 with Type 2 connector – 230v AC 32 Amp single phase dedicated supply) and a further 20% of available spaces are provided with the power supply to provide additional fast charge sockets, in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The above spaces shall be thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

11. The proposed gates at the access from Chertsey Road shall only open inwards towards the site.

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

12. No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the approved AMS.

The AMS shall include full details of the following:

a) Timing and phasing of Arboricultural works in relation to the approved development.

b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.

c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan and trees which are the subject of any Tree Preservation Order.

d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme

e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees.

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order, 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015), no services shall be dug or laid into the ground other than in accordance with the approved details.

f) Details of any proposed changes in ground levels across the site from the baseline (shown on drawing nos GU20 6HL-A-02.1 and GU20 6HL-A-02.2) prior to commencement of development, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.

g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

Reason: To ensure the continued health of the trees in the interests of amenity and the environmental quality and character of the locality, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. No operations shall commence on site in connection with the development hereby approved (including demolition works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection areas (as defined by BS5837:2012) of any trees has been submitted in writing and approved by the Local Planning Authority. The design and construction must:
- Be in accordance with the recommendations of BS5837:2012.
  - Include details of existing ground levels, proposed levels and depth of excavation.
  - Include details of the arrangements for the implementation, supervision and monitoring of works

Reason: To ensure the continued health of the trees in the interests of amenity and the environmental quality and character of the locality, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved in full following the completion of the development and retained thereafter in accordance with the approved details.

A) Hard landscaping – These details shall include:

a detailed hard landscape specification and supporting plan(s) to a recognised scale illustrating the proposed positions, dimensions, materials and finished levels of: means of enclosures (embankments, fences, walls and gate piers, etc.); vehicular and pedestrian access, driveways, car parking and footpaths layouts; areas of hard standing; minor structures (sheds, refuse and storage areas etc.); existing and proposed overhead and underground utility services including associated structures (manhole covers, meters, access points, vertical supports etc); ditches, drains and other earthworks (land profiling, excavations/soil mounding etc).

Where proposed hard surfaces/structures/ground levels etc. are to be altered within or introduced into the root protection areas of retained on/off site trees, technical profile drawings will be required to support the hard landscape plan/specifications. Where close-boarded fencing is proposed, holes should be included in the base of 20cm x 20cm to allow badgers to freely move through the site.

B) Soft landscaping – These details shall include:

- a detailed soft landscaping plan to a recognised scale clearly illustrating the location of all plants, shrubs, trees to be planted and areas of turf to be laid.

- a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or program of planting of all trees, shrubs, plants, hedges and grasses etc.

- demonstration that the proposed landscaping results in an increase to biodiversity over and above the pre-development baseline of the site.

This specification shall include details of ground preparation/cultivation within and adjacent to root protection areas of retained on/off site trees, and other operations associated with plant, tree, shrub, hedge and grass establishment.

If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that

originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure a form of development that maintains and contributes positively to the character and appearance of the area, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Parking within the care home car park shall be restricted exclusively to staff and visitors only, and shall not be able to be accessed by members of the public. Prior to commencement of development, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details and elevations of the proposed access gates, intercom or other restrictive entry system, how the car park will be safeguarded during construction of the development, and how the public shall be prevented from using the car park other than in connection with the care home or Orchard Cottage. The use of the car park shall be operated in accordance with the approved Parking Management Plan at all times.

Reason: To ensure the integrity of the SPA is not harmed by the proposal and to ensure the development does not prejudice highway safety nor cause a nuisance to highway users, in accordance with Policies CP11, DM11 and CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

16. Prior to commencement of development, a Construction Environmental Management Plan shall be submitted that includes:

- Measures of dust suppression during construction in accordance with best practice
- A comprehensive noise assessment which demonstrates that there will be no impact of construction works on the nearby SPA/SSSI during the breeding season (March – August inclusive) period and setting out any required noise mitigation
- Details of how those involved with the construction will be informed of the status and legal obligations attached to the SPA/SSSI designations and where the boundary of the protected areas are
- Details of how construction activities on site will have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes.
- Details of timings of vegetation and site clearance so as to avoid the bird nesting season of early March to August inclusive, or if not possible details of inspection by an ecologist within 24 hours of any clearance works. If any nests are found they will need to be left undisturbed with a buffer zone around them until an ecologist confirms they are no longer in use.

Reason: To ensure no harm to protected species as a result of the development, in accordance with Policies CP14A and CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

17. The development hereby approved shall only be used as a Class C2 care home and be occupied solely by persons who are mentally and/or physically frail; have mobility problems; suffer from paralysis or partial paralysis; or are in need of assistance with the normal activities of life. The building shall not be used for any other purpose within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any other statutory instrument and notwithstanding any provisions either in force or enacted at a later date there shall be no permitted change of use. In addition there shall be no self-contained or staff accommodation within the approved development and there shall be keeping of dogs or cats at the premises at any time (other than assisted living dogs).



Reason: To ensure the integrity of the SPA is not harmed by the proposal in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

18. A survey of the site, and a 30m buffer around the outside of the site, for signs of badgers and badger setts shall be undertaken as close as possible to the start of the development works. If any badger activity is detected, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby approved.  
Reason: To ensure no harm to protected species, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies and the National Planning Policy Framework.
19. No construction works shall commence within 50 metres of the underground pipelines on the site (as shown in their approximate position by Proposed Site Layout Plan Drawing no GU20 6HL-A-03B received 24.3.22) , until an agreed strategy with Exolum Pipeline Systems has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the measures to be undertaken to protect and enable future access to the pipeline within the site, which will be in the form of a construction and operation plan (COMP) together with an agreement for works (known as a Works Consent Agreement). The development shall only proceed in full accordance with these approved details.  
Reason: In order that the pipeline is not adversely affected by the proposed development and access can be retained for pipeline maintenance in the interests of health and safety, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
20. No external lighting shall be erected on the site until details of all external lighting proposed are submitted to and approved in writing by the Local Planning Authority. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification and shall take into account recommendations set out in the Bat Conservation Trust and Institute of Lighting Professionals (2018) Guidance Note 8/18 Bats and Artificial Lighting in the UK. No external lighting shall be erected on the site other than in full accordance with the approved details.  
Reason: In the interests of residential and visual amenities, and so as not to cause harm to local wildlife, in accordance with Policies DM9, CP14A and CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
21. Prior to the commencement of the soft landscaping works on the site, a Landscape and Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include:  
a) Details of the broad habitat types to be retained/created (including species) and how the site will be managed with a view to increasing biodiversity;  
b) Details of the locations of ecological enhancement measures including hibernacula, log piles, bird boxes and bat roosting opportunities;  
c) Long term landscape and ecological objectives;  
d) Details of the ongoing management and maintenance of the gardens and including management responsibilities and timescales, and maintenance schedules.  
Reason: In the interests of visual amenity and preserving and enhancing biodiversity in accordance with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

22. Prior to the commencement of any vegetation clearance works on the site, a Reptile Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Following approval of the strategy, the vegetation clearance and construction of the development shall be undertaken fully in accordance with the approved strategy.

Reason: To ensure no harm to existing wildlife in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

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

a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2.4 l/s.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m Network Asset Management Highways Laboratory and Information Centre Merrow Lane Guildford Surrey GU4 7BQ 2 unsaturated zone from the base of any proposed infiltration device to the seasonal high groundwater level and confirmation of half-drain times.

c) Confirmation that the downstream receiving watercourse is in a suitable condition to receive flows from the site.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

25. The upper floor window on northern end of the eastern side elevation hereby approved, overlooking the garden to Orchard Cottage, shall be constructed in obscure glazing with any opening being no less than 1.7m from the internal finished floor level.

Reason: To prevent overlooking of the garden of Orchard Cottage, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principle 8.1 of the Surrey Heath Residential Design Guide 2017, and the National Planning Policy Framework.

### **Informative(s)**

1. This decision notice is a legal document and therefore should be kept in a safe place as it may be required at a later date. A replacement copy can be obtained however there is a charge for this service.
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
6. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrast-structure.html> for guidance and further information on charging modes and connector types.
9. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment:  
<https://www.theiet.org/resources/standards/cop-electric.cfm>
10. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see  
<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>
11. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see  
[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)
12. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
13. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
14. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.  
The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. please see  
[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)

15. For the avoidance of doubt, the applicant is advised that it would not be possible to implement the remaining parts of permission 15/0272 and 17/0647 (i.e. the bungalow and doctor's surgery proposed under those permissions) as well as this permission, as the development implemented would not then be fully in accordance with the approved plans.
16. The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.

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<b>APPLICATION NUMBER</b>	<b>SU/21/0936/FFU</b>
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**DEVELOPMENT AFFECTING ROADS**  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** LNT Care Developments Ltd

**Location:** Orchard Cottage Shepherds Lane Windlesham Surrey GU20 6HL

**Development:** Erection of a two-storey, 66 bedroom care home for older people with associated parking and landscaping.

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	26 August 2021	<b>Response Date</b>	19 November 2021
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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:

**Conditions**

- 1) No part of the development shall be first occupied unless and until the modified vehicular and pedestrian access onto Chertsey Road has been constructed and provided with visibility splays of 2.4 x 200m in an easterly direction and 2.4 x 137m in a westerly direction in accordance with the approved plans (Drawing No. GU20 6HL A-09) and thereafter the visibility splays shall be kept permanently clear of any obstruction above 1.05m high.
- 2) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. GU20 6HL-A-03 A) for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.
- 3) No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones

- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

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

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

4) The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans (Drawing No. GU20 6HL-A-03 A) for the secure parking of 10 bicycles within the development site in a secure, covered facility

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

5) Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Heads of Travel Plan' document.

And then the approved Travel Plan shall be implemented upon first occupation of the site and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

6) The development hereby approved shall not be occupied unless and until 20% of the proposed parking spaces (6 no. spaces) are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and a further 20% of available spaces are provided with the power supply to provide additional fast charge sockets, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

## **Reason**

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2019.

## **Policy**



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

## Highway Informatives

- 1) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

[www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-drop-ped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-drop-ped-kerbs)

- 2) The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 3) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 4) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 5) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 6) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- 7) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html>

for guidance and further information on charging modes and connector types.

8) Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment:

<https://www.theiet.org/resources/standards/cop-electric.cfm>

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

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>

10) The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

11) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

## **Note to Planning Officer**

### **Access**

The County Highway Authority is satisfied that suitable and safe access would be provided for vehicles and pedestrians. Chertsey Road is a semi rural, tree-lined single carriageway road. Although the access is located where the national speed limit of 60mph applies, it is approximately 15m from the start of the 40mph limit approaching Windlesham. Vehicle speeds would be expected therefore to be predominantly significantly less than 60mph. A visibility splay of 2.4 x 137m is available in the westerly direction, which would be deemed suitable for an 85th percentile speed of 48mph. This accords with speed survey data for Chertsey Road. The access will allow for simultaneous entry and exit of vehicles from the site, ensuring that vehicles would not need to wait to enter from Chertsey Road. The plans would provide for a dedicated footway into the site.

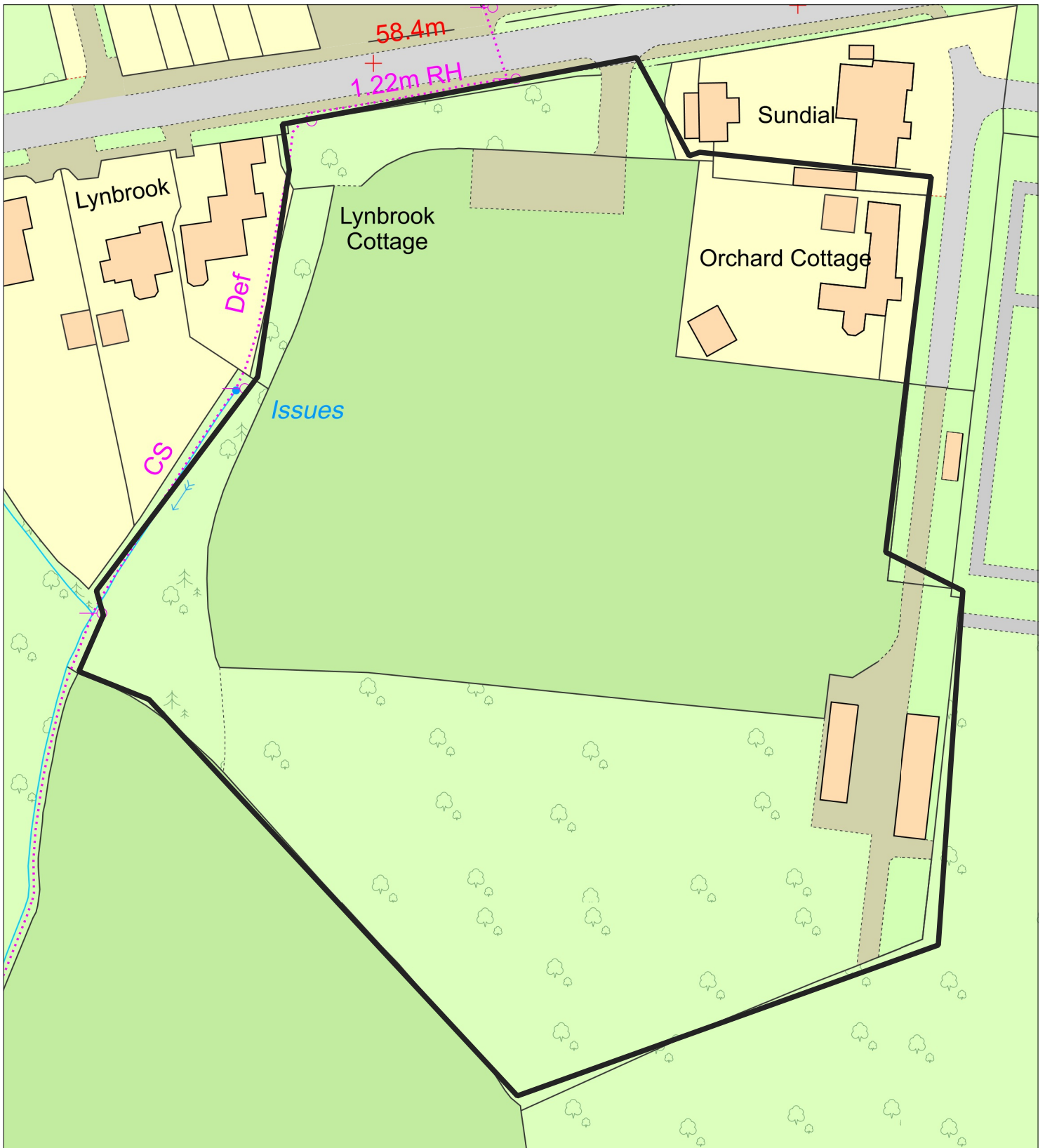
### **Parking**

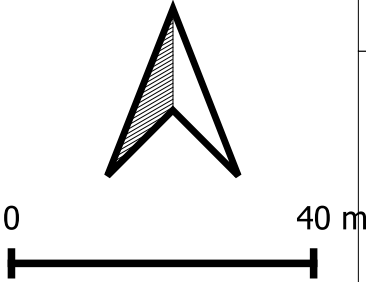

The proposed development would provide for 33 parking spaces for a 66 bed facility. This accords with Surrey Heath Borough Council's adopted Parking Standards of one space per two residents. 20% of available spaces would be provided with electric vehicle fast charge sockets in accordance with the standards.

## **Sustainability**

The CHA has recommended that a Travel Plan be implemented in order to promote and facilitate trips to the site by means other than single occupancy vehicles.

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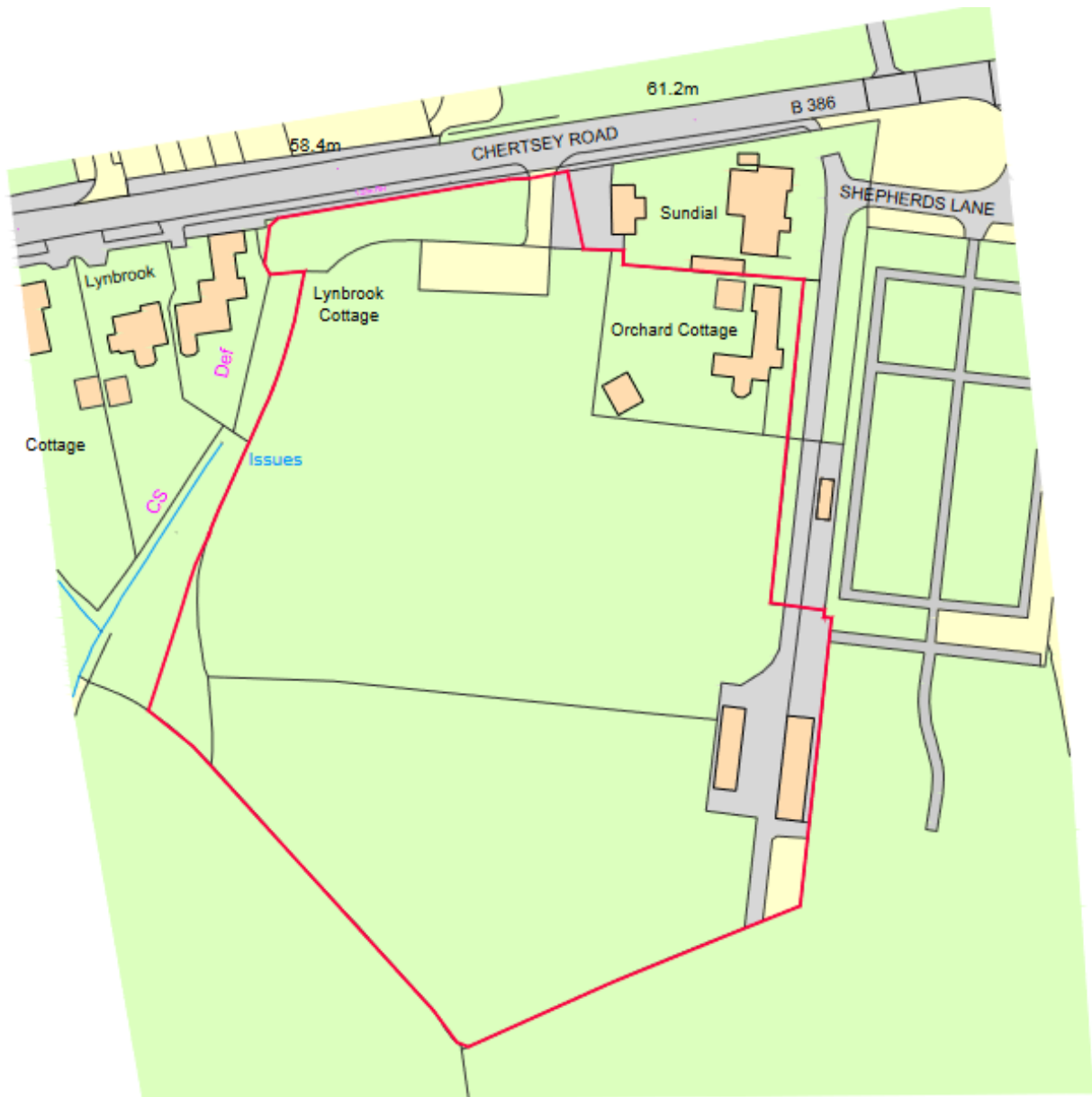


<b>Title</b>	Planning Applications		
<b>Application number</b>	21/0936/FFU		<b>Scale @ A4</b> 1:1,000
<b>Address</b>	Orchard Cottage Shepherds Lane Windlesham Surrey GU20 6HL		<b>Date</b> 06 Apr 2022
<b>Proposal</b>	Erection of a two-storey, 66 bedroom care home for older people with associated parking and landscaping.		
			
<p>Version 5      © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022      Author: SM</p>			

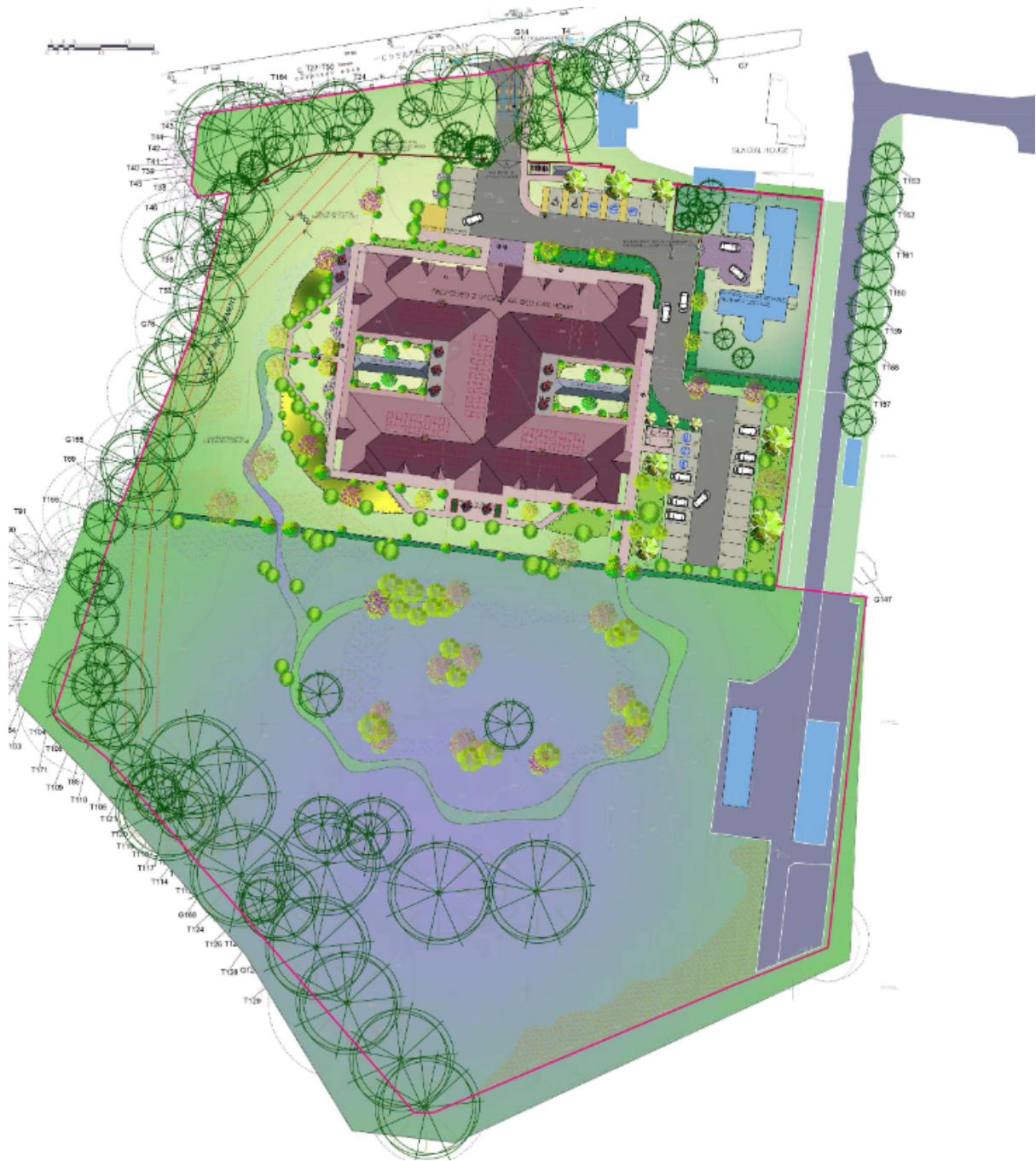
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**PAC Plans 21-0936 Orchard Cottage**

Location Plan/Existing Site Plan



Proposed Site Layout Plan





Proposed Site Layout – built form area only



Proposed Front Elevation



Proposed Rear Elevation



Proposed Eastern Side Elevation



Proposed Western Side Elevation



Image of proposed front elevation from Chertsey Road



Image of proposed front elevation



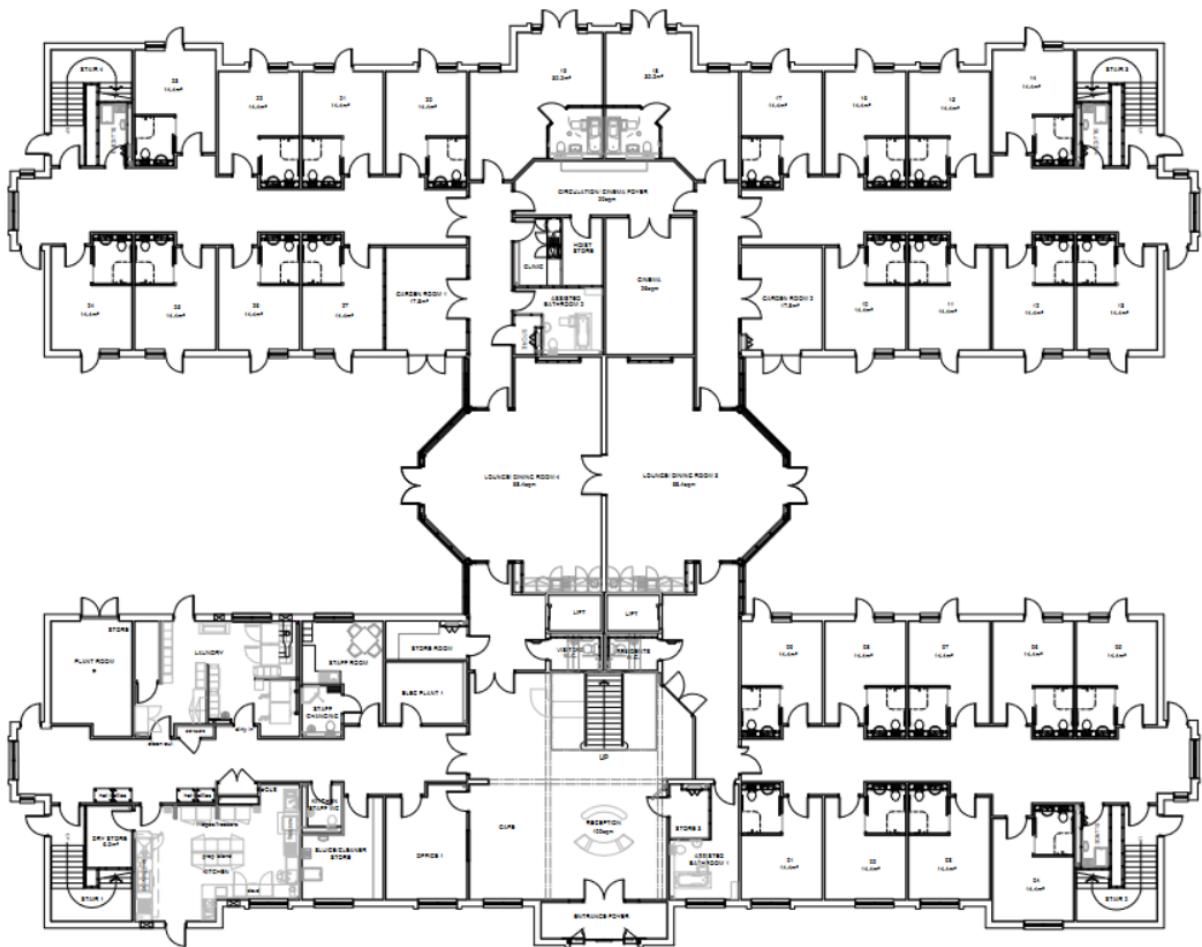
Image of proposed rear elevation



Image of proposed east and west courtyards



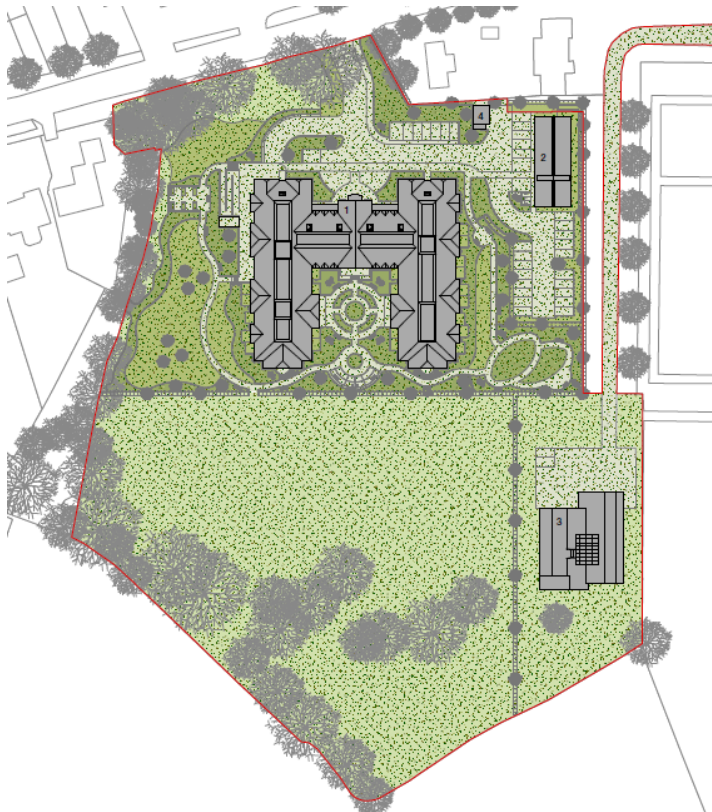
Proposed Ground Floor Plan



Proposed First Floor Plan



Approved Site Plan (under extant permissions 15/0272 & 17/0647)



Approved Front Elevation



Approved Rear Elevation



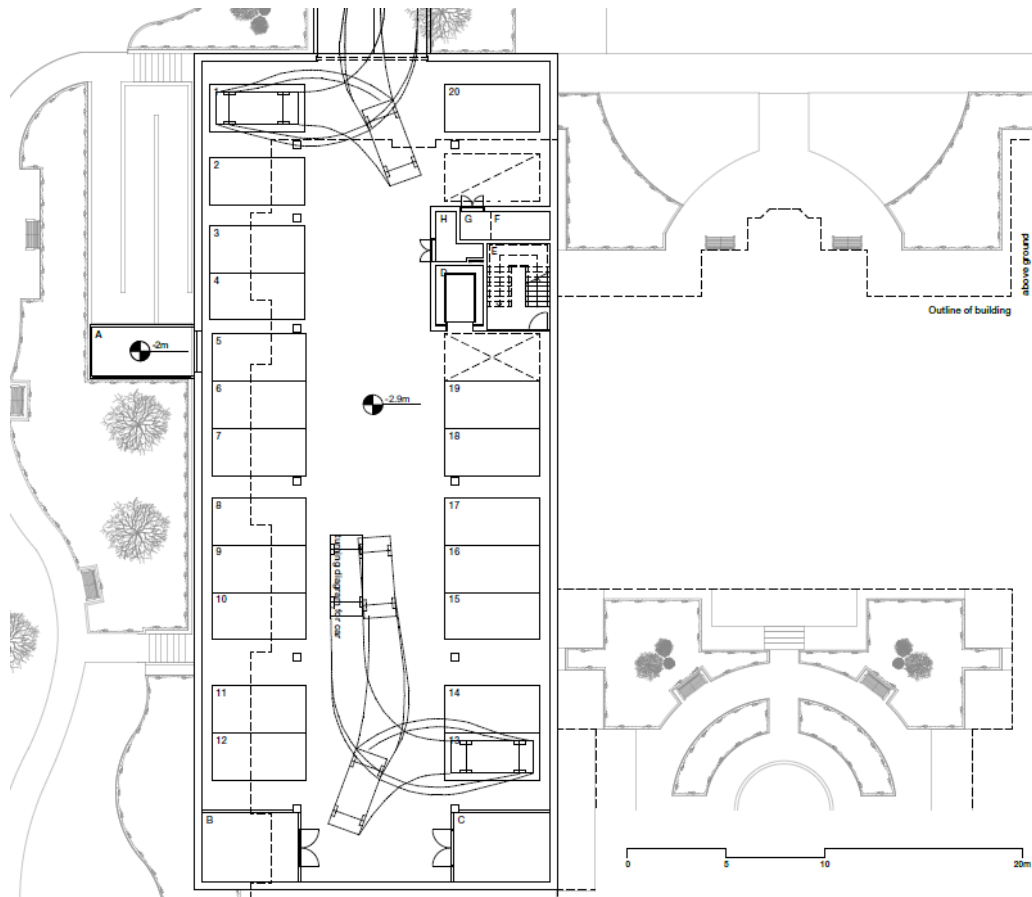
Approved Eastern Side Elevation



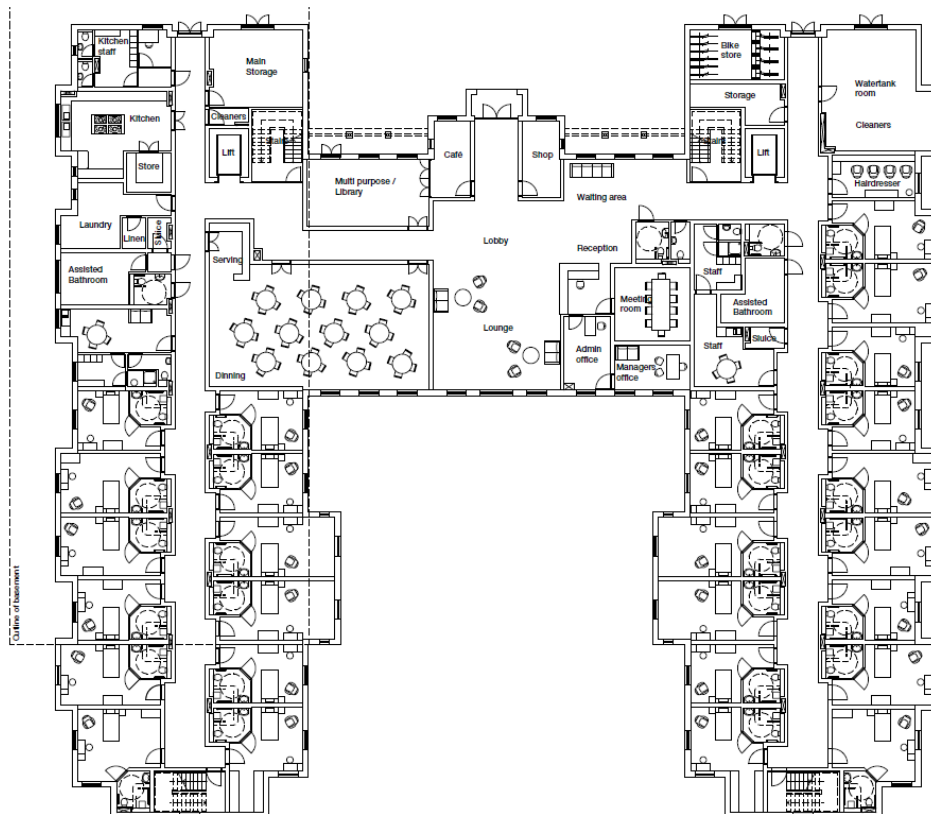
Approved Western Side Elevation



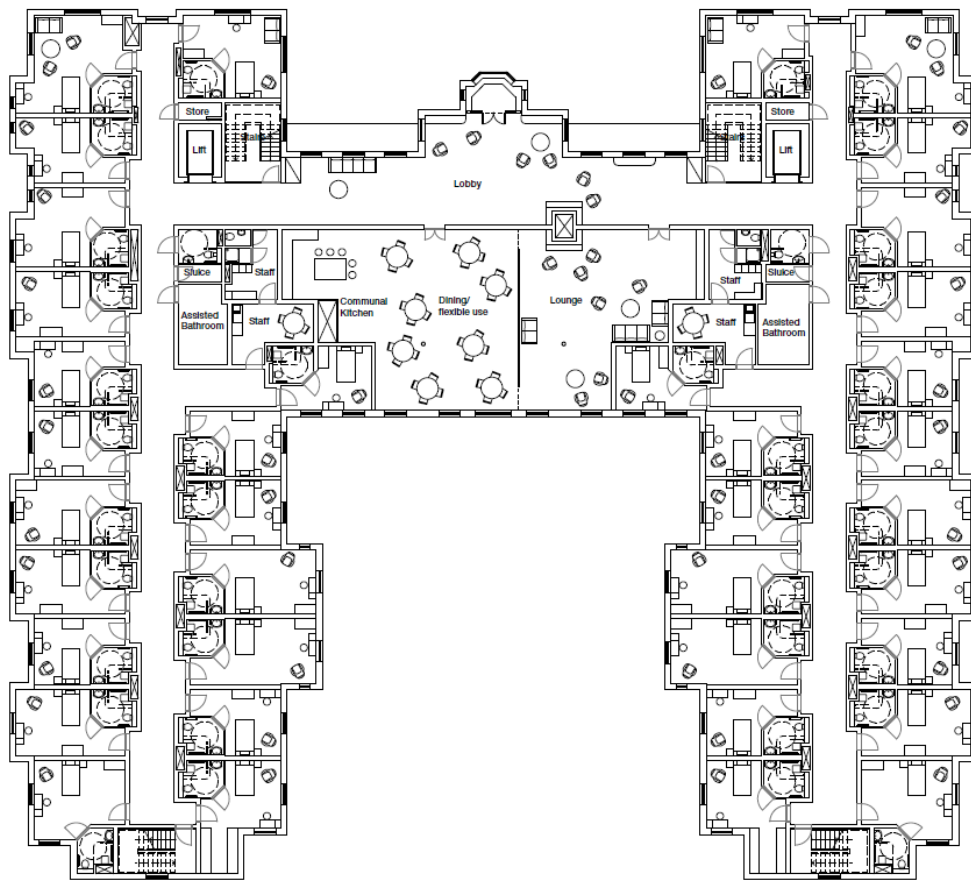
### Approved Floorplans – basement



### Approved Ground Floor Plan



## Approved First Floor Plan



## View of front gates from Chertsey Road





View of Orchard Cottage and front gates, looking north-east



Looking east within the site



Builders yard in south-east corner of site



Orchard Cottage, looking east



Looking south-west



Looking west



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# Changes to the Use Classes Order: Guide

Use	Use Class up to 31 <sup>st</sup> August 2020	Use Class from 1 <sup>st</sup> September 2020
Shop no more than 280 sq m mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A4	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 <sup>st</sup> August 2020	Use Class from 1 <sup>st</sup> September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwelling house by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, crèches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls, and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1st September 2020 will remain relevant for certain change of use permitted development rights, until 31st July 2021.

New classes consist of: ■ Class E (Commercial, business and service uses) ■ Class F.1 (Learning and non-residential institutions) ■ Class F.2 (Local community uses) ■ Sui generis (In a use class of its own)

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