



**Surrey Heath Borough Council**  
Surrey Heath House  
Knoll Road  
Camberley  
Surrey GU15 3HD  
Telephone: (01276) 707100  
Facsimile: (01276) 707177  
DX: 32722 Camberley  
Web Site: [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk)

**Department:** Democratic Services  
**Division:** Legal & Democratic Services  
**Please ask for:** Katharine Simpson  
**Direct Tel:** 01276 707157  
**E-Mail:** [democratic.services@surreyheath.gov.uk](mailto:democratic.services@surreyheath.gov.uk)

Monday, 18 July 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,  
Rebecca Jennings-Evans, Emma-Jane McGrath, Morgan Rise, John Skipper,  
Pat Tedder and Vacancy

#### Site Visits

**Members of the Planning Applications Committee and Local Ward Members may  
make a request for a site visit. Requests in writing, explaining the reason for the  
request, must be made to the Development Manager and copied to the Executive  
Head - Regulatory and the Democratic Services Officer by 4pm on the Thursday  
preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber,  
Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Thursday, 4 August 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

---

#### AGENDA

	Pages
<b>1 Apologies for Absence</b>	
<b>2 Minutes of Previous Meeting</b>	<b>3 - 16</b>

To approve as a correct record the minutes of the meeting of the Planning

Applications Committee held on 9<sup>th</sup> June 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.

**4 Planning Enforcement Performance Report 17 - 28**

**Planning Applications**

**5 Application Number 21/1176: Solstrand, Station Road, Bagshot, Surrey, GU19 5AS\* 29 - 64**

**6 Application Number 21/1370: Princess Royal Barracks Loop Road, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN, 65 - 94**

**7 Application Number 21/1288: Princess Royal Barracks ANGST, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN 95 - 124**

**8 Application Number 21/1333: 134 & 136 London Road, Bagshot, Surrey, GU19 5BZ 125 - 176**

**9 Application Number 21/0344: 99 - 109 Guildford Road, Lightwater, Surrey, GU18 5SB 177 - 204**

**10 Exclusion of Public and Press**

That the press and public be excluded from the meeting during consideration of the Item 11: Planning Enforcement Priority Cases as it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 the Schedule 12A the Local Government Act 1972.

(1) Information relating to any individual.

(3) Information relating to the financial or business affairs of any particular person (including the authority holding that information),

**11 Planning Enforcement Priority Cases 205 - 208**

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

**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.

**Glossary**



**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 9 June 2022**

---

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

+ Cllr Graham Alleway	- Cllr Liz Noble
+ 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
- Cllr Charlotte Morley	

+ Present

- Apologies for absence presented

Substitutes: Cllr Morgan Rise (In place of Cllr Liz Noble)

Members in Attendance: Cllr Paul Deach and Cllr Josephine Hawkins

Officers Present: Alistair Barnes, Duncan Carty, Gavin Chinniah  
Jonathan Partington, Eddie Scott, Sarah Shepherd and  
Luke Simpson

**8/P Minutes of Previous Meeting**

The notes of the meeting held on 5 May 2022 were confirmed and signed by the Chairman.

**9/P Tree Preservation Order (TPO) 02-22**

The Committee received a report which sought authority to confirm Tree Preservation Order (TPO) 02-22. As an objection to the order had been received, the decision whether to confirm the order was reserved to the Planning Applications Committee.

Tree Preservation Order (TPO) 08/21 was served on the 1st of September 2021 to protect 1 x Beech Tree at the property of 19 Highclere Drive, Camberley. The TPO was made in response to a residents concern that the tree was about to be imminently felled, which was indeed the case and so the need for a Tree Preservation Order was considered expedient. Following the expiration of TPO 08/21, a new order, 02/22/TPO was subsequently served.

**RESOLVED that Tree Preservation Order 02/22 be confirmed.**

**10/P Application Number: 21/0769 - Frimhurst Farm, Deepcut Bridge Road,**

## **Deepcut, Camberley, Surrey, GU16 6RF**

The application was for the erection of a residential development of 65 dwellings along with associated estate roads and accesses onto Deepcut Bridge Road, car parking, bin stores and external landscaping following the demolition of all existing buildings.

Members were advised of the following updates on the application:

### **“Further clarification**

#### **Foul and surface water outlets:**

In 2014, shared private sewers were adopted by the water utilities companies – in this case Thames Water. There is no policy for or against raised foul sewers and it would be a matter for Thames Water to provide an alternative sewer provision in this location, if it were required. It is understood that the landowner (and therefore applicant) has the right to use this foul sewer.

The Local Lead Flood Authority (Surrey County Council) [LLFA] has advised regarding the drainage and flood risk matters (see below). Thames Water do not normally comment on planning applications and have not done so in this case. They are, however, informed of all applications and will comment where they consider it is required. Any connections to the Thames Water drainage system would be a matter for that organisation.

In terms of the surface water outlet into the Basingstoke Canal, the applicant has advised that an outflow to the canal currently exists and has been used for over 20 years and, as such, a drainage easement exists and has been acquired by prescription.

#### **Other matters:**

It is not considered that enhancements to the canal towpath for the length of the towpath, or in part, would meet the tests for imposing conditions or other limitations on a development of this scale. It is understood that enhancements to the canal network are to be provided by the much larger Deepcut (Mindenhurst) development.

The applicant has indicated that the development will be phased, constructing from east to west across the site. As such, amendments to Conditions 5 and 26 have been requested.

### **Further Consultee Comments**

- The Local Lead Flood Authority has raised no objections to the proposal subject to conditions and the following advice:

*“Discussions are ongoing with the applicant and the Canal Trust [the Basingstoke Canal Authority] in relation to the existing historic unconsented*

*outflow into the canal. At this time, the applicant has demonstrated that on-site management of surface water is proposed in accordance with national guidance. Approval to connect to the canal has not yet been given and legal issues will need to be resolved should planning permission be granted and prior to the agreement of details pursuant to condition.”*  
[See Amended proposed Conditions 30 and 31, below].

- The Basingstoke Canal Authority has advised that further evidence regarding the proscriptive rights to discharge surface water into the Canal is needed. They note that this is a land property matter.
- The County Archaeological Officer has confirmed that following the receipt of further details, including the recording of a Nissan hut on the site, the previously requested condition [proposed Condition 32] is now not required.
- Highways England has withdrawn their request for a construction and environment management plan condition. The condition, as requested separately by the County Highway Authority, [proposed Condition 14] remains as per the officer report.
- The Housing Services Manager raises no objection to the proposal.

### **Changes to RECOMMENDATION**

#### **DELETE Condition 32**

#### **AMENDED conditions (amendments in bold):**

##### **Condition 2**

The proposed development shall be built in accordance with the following approved plans: 1417/100 Rev C and 1417/100-1 Rev C received on 29 April 2022; HT-Hi-Ep-x3-01, HT-Hi-Ep-x3-02, HT-Hi-01 Rev A, HT-Hi-02 Rev A, HT-Hi-Ep-01, HT-Hi-Ep-02, HT-Ep-Hi-x2-01, HT-Ep-Hi-x2-02, HT-Cr-01 Rev A, HT-Cr-02 Rev A, HT-Ok-01 Rev B, HT-Ok-02 Rev A, HT-Ok-03, HT-Ok-04, HT-Ok-05, HT-Go-01 Rev A, HT-Go-01, HT-Go-02 Rev A, HT-Lo-01 Rev A, HT-Lo-02 Rev A, HT-Lo-03, HT-Lo-04, HT-Cb-01 Rev A, HT-Cb-02 Rev A, HT-Cb-03 Rev A, HT-Ma-01 Rev A, HT-Ma-02 Rev A, HT-Ma-03 Rev A, HT-Ma-04 Rev A, HT-As-01, HT-As-02, HT-La-01 Rev A, HT-La-02 Rev A, HT-Wi-Pe-x2-Wi-01 Rev A, HT-Wi-Pe-x2-Wi-02, HT-We-Pe-x2-Wi-03, HT-Wi-Pe-x2-**Wi**-04 Rev A, HT-Wi-Pe-x3-Ra-01 Rev B, HT-Wi-Pe-x3-Ra-02 Rev A, HT-Wi-Pe-x3-Ra-03 Rev A, HT-Wi-Pe-x3-Ra-04 Rev B, HT-Pe-x2-01 Rev B, HT-Pe-x2-02 Rev B, HT-Pe-x3-01 Rev B, HT-Pe-x3-02 Rev B, HT-Pe-x3-03 Rev A, HT-Pe-x3-04 Rev A, HT-Ra-01 Rev A and HT-Ra-02 Rev A received on 6 May 2022, 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.

##### **Condition 5**

The **visitor** parking spaces shown on the approved plan 1417/100 Rev C shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles. **The on-plot parking spaces shown on the approved plan 1417/100 Rev C shall be made available for use prior to the occupation of the dwelling to which it relates 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.

### **Condition 26**

Details of the play space and trim trail, as identified on approved Drawing Number 1417/100 Rev C shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the occupation **of the 20<sup>th</sup> dwelling within the approved** development and retained in perpetuity.

Reason: In the interests of the amenities of future occupiers and to comply with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

### **Condition 30**

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

**a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of development. High-level overflows from the proposed infiltration basin(s) should be provided using a discharge rate of 5 litres/sec (total combined), including evidence of a viable surface water outfall.**

**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 1 metre unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times and ground stability in proximity to the canal.**

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

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

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

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

### **Condition 31**

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 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 drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

### **ADDITIONAL conditions**

#### **(New) Condition 32**

No gates shall be provided across the main access road, as shown on approved Drawing Number 1417/100 Rev C, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: To integrate this development within the wider local area and to comply with the National Planning Policy Framework.

#### **Condition 33**

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a woodland management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The management plan should be prepared by a qualified and experienced forestry or arboricultural consultant, the Woodland Management Plan will aim to enhance the ecological value of the woodland within the control of the applicant. Details to be included must cover a period of at least 15-20 years and should include the following elements:

- a) A statement of the overall design vision for the woodland and for individual trees retained as part of the development.
- b) Type and frequency of management operations to achieve and sustain canopy, understorey, and ground cover, to remove invasive

- species and to provide reinstatement including planting where tree loss or vandalism occurs.
- c) Frequency of safety inspections, which should be at least three yearly in areas of high risk, less often in lower risk areas
  - d) Confirmation that the tree work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010).
  - e) Special measures relating to Protected Species or habitats, e.g. intensive operations to avoid March-June nesting season or flowering periods as well as Description and evaluation of ecological features to be managed and created for protected species.
  - f) Inspection for pests, vermin and diseases and proposed remedial measures.
  - g) Recommendations relating to how trees within the immediate vicinity of properties or within private areas are to be protected, such that these are retained without the loss of their canopy or value as habitat.
  - h) Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions, including Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity;
  - i) Financial provision to ensure long term security for the woodland, including secure tenure and secure financial management.
  - j) A 5 yearly review and report, provided to the Local Authority for the duration of the plan demonstrating the ecological improvements within the site.

The Woodland Management Plan shall be implemented as approved and within a timescale agreed with the Local Planning Authority.

Reason: Required to ensure that woodland areas are satisfactorily safeguarded, managed and maintained in the long term /in perpetuity in the interest of nature conservation and the visual amenity of the area and to mitigate the impact of the proposed development in accord with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.”

As the application triggered the Council's Public Speaking scheme, Mr Geoff France spoke on behalf of the applicant on the application.

Members noted a consultation response submitted by Natural England in respect of the application. Members acknowledged Natural England's request for a Construction Environment Management Plan in reference to the Basingstoke Canal Site of Special Scientific Interest and agreed to amend Condition 14 of the Officer Report in order to allow for consultation with Natural England on the submission of the Construction Management Plan.

The officer recommendation to grant the application was proposed by Councillor Helen Whitcroft, seconded by Councillor Robin Perry and put to the vote and carried.

**RESOLVED that**

- I. **application 21/0769 be granted subject to the conditions in the officer report and planning updates, as amended; and**
- II. **the wording of the amended condition be agreed by the Head of Planning in consultation with the Chairman, Vice-Chairman and Ward Councillors.**

**Note 1**

It was noted for the record that Councillors Helen Whitcroft and Morgan Rise declared that they had met with the applicant but came to the meeting with an open mind.

**Note 2**

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

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

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

**11/P Application Number: 21/1268 - 29, 30 & 30A Brackendale Close, Camberley**

The application was for the redevelopment of site to provide 30 no. Affordable Apartments with associated access, hardstanding, carparking, landscaping, Bin and Cycle stores following the demolition of No. 29 and No. 30 Brackendale Close and associated outbuildings.

As the application triggered the Council's Public Speaking Scheme, Ms Lizzie Beresford spoke on behalf of the Brackendale Close Resident's Association in objection to the application.

Citing the nearby Scarlet Oaks development, Members felt that the level of proposed parking was inadequate for the proposed quantum of development which would have a knock-on effect on nearby residential amenity. It was agreed that an additional reason for refusal would be added to the officer's recommendation on the premise that the potential number of occupants along with visitor and disabled parking was insufficient for the location and environment and would result in an unacceptable level of cumulative impact.

The officer recommendation to refuse the application was proposed by Councillor Edward Hawkins, seconded by Councillor Victoria Wheeler and put to the vote and carried.

**RESOLVED that**

- I. **application 21/1268 be refused for the reasons in the officer report, and the additional reason for refusal; and**
- II. **the wording of the additional reason for refusal be delegated to the Head of Planning in consultation with the Chairman, Vice-Chairman and Ward Councillors.**

### **Note 1**

It was noted for the record that

- i. Councillor Edward Hawkins declared that he had been contacted by residents in respect of the application, but did not engage and came into the meeting with an open mind;
- ii. Councillor Cliff Betton declared that his daughter use to own and live at 28 Brackendale Close, but had since sold and moved out of the property;
- iii. Councillors Robin Perry and Edward Hawkins declared that all Committee members had received various pieces of correspondence relating to the application.

### **Note 2**

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

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

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

## **12/P Application Number: 21/0895 - Novartis, 200 Frimley Business Park, Frimley, Camberley, Surrey, GU16 7SR**

The application was for the demolition of existing buildings and redevelopment of the site to provide 4no. industrial/warehouse buildings (5no. units) (Flexible Use Class B2/B8/E(g)(i)-(iii)) together with associated landscaping works and car parking/servicing.

Members were advised of the following updates on the application:

“Amended drawing for Units 3 and 4 have been provided which amend the cladding panel finish on the east elevation (facing the access road) for Unit 3. A corresponding amendment to Condition 2 is proposed.

The applicant has requested amendments to conditions. These include the inclusion of research and development within the range of uses. The parking demand, as indicated in the SCC parking guidance, for such a use is the same as light industrial and it falls within the business uses which are allowed in the core employment area. As such, this addition to the acceptable uses in Condition 4 is accepted.

Other suggested changes, where applicable, have been referred to the consultee who requested them and the amendments can only be agreed with their agreement. The landscape drawings provided would not provide a satisfactory level of detail and as such the proposed condition [Condition 14] will remain as shown on the agenda report. However, amendments to tree conditions [proposed



Conditions 9 and 13] have been amended and amalgamated into one condition see below.

### **Additional Consultee Comments**

The Council's Urban Design Consultant has confirmed that no objections are raised to the proposal but has raised concerns about more recent amendments to the proposed east elevation of Units 3 & 4, which face the main access road. These changes were amended to address tree concerns, and included the deletion of a row of ground floor windows and replacement with patterned cladding. The Council's Consultant would prefer the original arrangement. [Officer comment: *It is considered that these changes are not considered so harmful to warrant the refusal of this application on character grounds*].

### **Additional Representation**

One representation has been received raising an objection on the impact of light spillage on wildlife (hedgehogs, foxes, deer) and residential amenity.

### **Changes to RECOMMENDATION**

#### **AMENDED conditions (amendments in bold):**

##### **Condition 3**

The proposed development shall be built in accordance with the following approved plans: 11294/PL/003, 11294/PL/004 (Units 2 and 5), 11294/PL/008, 11294/PL/011 and 11294/PL/013 received on 6 August 2021; 11294/PL/007 Rev A and 11294/PL/010 Rev A received on 10 December 2021; 11294/PL/015 Rev B received on 4 May 2022; and 11294/PL/002 Rev E and 11294/PL/005 Rev A received on 9 May 2022; **and 11294/PL/009 Rev B received on 1 June 2022;** and 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.

##### **Condition 4**

The premises shall be used for **research and development**, light industrial, general industrial or warehousing (storage and distribution) uses only; and for no other purpose (including any other purposes in Classes B2, B8 and 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). **The office accommodation shown on the approved floor plans shall only be used as ancillary offices to support the use of the unit to which it is provided.**

Reason: To support the business use of the site and that sufficient on-site parking accommodation is provided and to accord with Policies CP1, CP8, CP11 and

DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

### **Condition 6**

No storage of goods, plant, equipment or materials shall take place within the curtilage of the site otherwise than within the buildings hereby approved; as shown on the approved site layout plan 11294/PL/002 Rev E.

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

### **Condition 8**

**No** development hereby permitted **except demolition** shall commence until **further** details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 and 1 in 100 (+ 40% allowance for climate change (CC)) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 8.8 l/s for the 1 in 1 year rainfall event and 25.8 l/s for the 1 in 100 (+CC) rainfall event.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc)
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- f) Details of how the drainage system will be protected during construction and how the 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 and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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 drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

### **Condition 9**

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 **an updated** detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) 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 AMS/TPP.

The AMS and TPP shall include full details of the following:

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

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

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. A specification for protective fencing during both demolition and construction phases and a plan indicating the alignment of the protective fencing. Details to include a specification for ground protection within Root Protection Areas (RPA's).

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

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. No

services shall be dug or laid into the ground other than in accordance with the approved details.

Detailed levels and cross-sectional diagrams to show the construction of any roads, parking areas and driveways within Root Protection Areas as proposed, where the installation is to be constructed using a no-dig specification, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses and adjacent surfaces.

Details of any changes in ground level, 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.

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

Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

No development or other operations shall take place except in complete accordance with the approved tree protection scheme and Arboricultural Method Statement.

**Where any excavation is proposed to take place either within root protection areas or within tree protection fencing for the removal and or reinstatement of utility services, no activity will commence within these areas until a full Arboricultural Method and Monitoring Statement is provided which demonstrates how these activities will be carried out has been submitted too and approved in writing by the Local Planning Authority.**

**Thereafter the works shall be carried out in full accordance with the approved details until completion of the development.**

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

### **Condition 18**

The development hereby approved will be undertaken in accordance with the Flood Risk Assessment & Outline Drainage Strategy Report dated February 2022 by Baynham Meikle Partnership Limited [Ref: 13060/R100 Revision 1.2] and Drawing Nos 13060/111 Rev P3 and Drawing Nos 13060/112 Rev P3 received on 28 February 2022; with the recommendations in that document implemented in full.

**Reason: In the interests of nature conservation and to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.“**

The officer recommendation to grant the application was proposed by Councillor Graham Tapper, seconded by Councillor Robin Perry and put to the vote and carried.

**RESOLVED that application 21/0895 be granted subject to the conditions in the officer report and updates.**

**Note 1**

It was noted for the record that Councillor Edward Hawkins declared that Committee members had received a letter from the applicant's planning adviser.

**Note 2**

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

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

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

**13/P Application Number: 21/1176 - Solstrand, Station Road, Bagshot, Surrey, GU19 5AS**

The Committee were advised that the application was to be deferred for further investigation on drainage matters.

The deferral was proposed by Councillor Edward Hawkins, seconded by Councillor Victoria Wheeler and put to the vote and carried.

**RESOLVED that application 21/1176 be deferred.**

Chairman

This page is intentionally left blank

**Surrey Heath Borough Council**  
**Planning Applications Committee**  
**4 August 2022**

---

## Planning Enforcement Performance Monitoring

**Strategic Director:** Nick Steevens, Strategic Director: Environment & Planning  
**Report Author:** Julia Greenfield, Corporate Enforcement Manager  
**Key Decision:** Not Applicable  
**Wards Affected:** Not Applicable

---

### Summary and purpose

The report provides an overview of the function and performance of the Corporate Enforcement Service for the period 25 March 2022 to 30 June 2022.

### Recommendation

The Committee/Council is advised to RESOLVE that the contents of the report be noted.

#### 1. Background and Supporting Information

1.1 This report provides details on the performance of the Planning Enforcement Team for the first quarter (25 March 2022 to 30 June 2022). The previous monitoring update to the Planning Applications Committee was in March 2022 reporting on performance from 1st January 2022 – 24th March 2022.

1.2 The following matters will be discussed within the report:

- Enforcement Performance
- Enforcement Notices Issued
- Resource update
- Uniform / Enterprise

#### Enforcement Performance

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

<b>Number of referrals received during period</b>	<b>51</b>
No breach established	13
Breach resolved	2
Not expedient to pursue	0
Planning applications received dealing with matters under investigation	2
Pending consideration (open investigations)	34

<b>Requisition of Information Notices (PCN/S16/S330) issued</b>	<b>0</b>
<b>Enforcement Notices issued</b>	<b>4</b>

- 1.4 Graphs are provided as Exhibit 1 at the end of this report, the first showing number of investigations per Ward and the second showing type of investigations per Ward

### **Enforcement Notices Issued**

Enforcement Notices have been issued on the following premises:

- 1.5 **1 Middle Close, Camberley, Surrey, GU15 1NZ – ref: 21/0095/ENF**

Enforcement Notice issued on 22 April 2022.

Breach of Planning Control alleged: On 07 November 2019 planning permission was granted for 19/0701/FFU. Condition 1 requires that the works had to be undertaken in accordance with the approved plans. It appears to the Council that the condition has not been complied with, because the works are materially different to the approved plans, noting in particular the enlargement of the front gables and installation of four heating and cooling units

Reasons for issuing the Enforcement Notice: Due to the increased height, mass and bulk of the front gables, it is considered that the existing structures are not subservient or subordinate to the host dwelling, resulting in the gables being prominent in the streetscene, and when combined with the existing extensions, result in a dwelling which is incongruous, harming the visual amenity to the local area. Together with the installation of four heating and cooling units would further harm the visual amenity of the surrounding area, in particular 3 Middle Close, due to the number of units causing the existing elevation to be cluttered and visually intrusive when viewed from neighbouring properties. As such, the development does not comply with the National Planning Policy Framework, Policy DM9 of the Core Strategy and Development Management Policies document 2012 and Guiding Principles 10.1, 10.3 and 10.5 of the Residential Design Guide Supplementary Planning Document 2017.

The effective date for the Enforcement Notice is on 27 May 2022 subject to an appeal being made. A 4-month compliance period has been given from the date of effectiveness. **This Enforcement Notice has been appealed.**

- 1.6 **Chobham Car Spares, Clearmount, Chobham, Woking, Surrey, GU24 8TP – ref: 21/0207/ENF**

Enforcement Notice issued on 16 May 2022.

Breach of Planning Control alleged: Without planning permission, the material change of use of land from the activities described under Lawful Development Certificate for Existing Use (reference 94/0432) to the storage and distribution of scaffolding materials, including the unauthorised erection of metal sheet storage buildings in connection with this use (Site Area 'B'). The material change of use of the land to a commercial used car storage and sales business for visiting members of the public (Site Area A) and the material change of use of the land (Site area C) to open air storage of heavy industrial plant and machinery.

Reasons for issuing the Enforcement Notice:



- I. The site area shown as 'Area C' lies within wooded rural surroundings within the designated Surrey Heath Green Belt. The unauthorised development carried out comprises an undesirable extension of commercial use, including the parking of heavy plant machinery and other storage and distribution activities, due to their cumulative proliferation and dispersed spread across the land. The development fails to preserve the openness of the Green Belt and conflicts with the purposes of the Green Belt by virtue of countryside encroachment. The development is therefore inappropriate and harmful development in the Green Belt and is contrary to Policies CP1 of the Surrey Heath's Core Strategy and development management Policies document DM1 and DM9 as well as Chapter 13, paragraphs 137-151 of the National Planning Policy Framework (2021 Revision) and the associated Planning Practice Guidance National Planning Policy Framework'. The Planning Authority does not consider that there are very special circumstances to outweigh the harm caused to the Green Belt.
- II. The site area shown as 'Area B' is located within the designated Surrey Heath Green Belt, the unauthorised use being carried out being the commercial storage and distribution of scaffolding materials, along with the operational development including the erection of structures associated with the storage and distribution of scaffolding is inappropriate development within the Green Belt that detracts from the openness of the Green Belt and is contrary to Policies CP1 of the Surrey Heath's Core Strategy and development management Policies document DM1 and DM9 as well as Chapter 13, paragraphs 137-151 of the National Planning Policy Framework (2021 Revision) and the associated Planning Practice Guidance National Planning Policy Framework'. The Planning Authority does not consider that there are any very special circumstances to outweigh the harm caused to the Green Belt.
- III. The site area shown as 'Area A' being an unauthorised, material change of use to, used-car vehicle sales and storage is an unacceptable intensification of commercial use within the Green Belt. The unauthorised use has resulted in an intensification of use of the existing un-made access onto Staple Hill Road by large commercial vehicles and those arriving by private car(s) to view and purchase the vehicles advertised. The increase in trip generation to an unsustainable location, including outside of normal working hours has resulted in a detrimental impact on the amenity of neighbouring residential occupiers contrary to DM9 (Design Principles), DM11 (Movement) and CP11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
- IV. It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The effective date for the Enforcement Notice is on 23 June 2022 subject to an appeal being made. A 4-month compliance period has been given from the date of effectiveness. **This Enforcement Notice has been appealed.**

1.7 **Land To The East Of Four Oaks Nursery, Highams Lane, Chobham, Woking, Surrey, GU24 8TD – ref: 21/0046/ENF**

Enforcement Notice issued on 31 May 2022.

Breach of Planning Control alleged: Without planning permission, the material change of use of the land to a mixed-use of equestrian and residential; the construction of a ménage; the construction of stables with associated concreted hardstanding; the importation of materials and subsequent regrading of land for the construction of a large hardstanding to facilitate the unauthorised stationing of caravans for residential purposes; construction of fencing; the stationing of 3 caravans for residential purposes; the stationing of a caravan for storage purposes associated with the residential use of the land; the stationing of portable loos and a washroom facility; the construction of a raised swimming pool.

Reasons for issuing the Enforcement Notice:

- I. It appears to the Council that the above mentioned material change of use has occurred within the last 10 years, and that the physical development in the form of the stables, ménage, construction of hardstanding and swimming pool, within the last 4 years.
- II. The Development in the form of the material change of use of the land, including the stationing on the land of mobile homes (with awnings) and associated residential paraphernalia, portable loos and washing facilities, the construction of the ménage, the construction of the large hardstanding (by means of importation of materials and subsequent regrading of land) facilitating the unauthorised residential use of the land and the construction of a raised swimming pool, fails to preserve Green Belt openness and conflicts with the purposes of including land within the Green Belt. The Development also causes significant detrimental harm to the Thames Basin Heath Special Protection Area as the residential development is located within the 400m buffer zone.

Therefore, the Development causes harm by reason of inappropriateness, harm to openness, and harm to the visual amenities of the Green Belt. There are no very special circumstances which have been presented to the Local Authority which would be sufficient to outweigh this harm and is therefore contrary to Policies CP1, DM6, DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012; the Planning Policy for Traveller Sites 2015 and the National Planning Policy Framework and National Planning Practice Guidance.

- III. The mobile homes are located within the designated 400m buffer zone of the Thames Basin Heath Special Protection Area whereby no residential development shall be permitted and where there are no compensatory measures. There are no identified imperative reasons of overriding public interest to override this negative assessment. As such, the development is contrary to Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) and Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019 and the National Planning Policy Framework.

The effective date for the Enforcement Notice is on 7 July 2022 subject to an appeal being made. A 12-month compliance period has been given from the date of effectiveness. **This Enforcement Notice has been appealed.**

1.8 **Land Lying To The East Of Highams Lane, (Four Oaks Nursery) Highams Lane, Chobham, Woking, Surrey – ref: 21/0235/ENF**

Enforcement Notice issued on 24 May 2022.

Breach of Planning Control alleged: Without planning permission; the material change of use of the land from an agriculture (Horticultural nursery) use, to a mixed use of; Storage and Distribution of building materials (B8) and the use of the land as a Bus/Coach parking depot (Sui-Generis). In addition the carrying out of unauthorised operational development including the installation of a hard surface for the creation of an ancillary car parking compound in connection with the unauthorised use(s). As well as the unauthorised placement of containers on the land for commercial storage and the unauthorised erection of wooden structures on the land without planning permission within the last 10 years.

Reasons for issuing the Enforcement Notice:

The unauthorised change of the land to a coach park/bus depot, and to commercial storage and distribution of materials including reclaimed building supplies and other materials, (together with the ancillary unauthorised operational development, including the installation of a hard surface for associated car parking, additional containers for storage and wooden buildings), spatially and visually fails to preserve the openness of the Green Belt. The development also conflicts with the purposes of including land within the Green Belt, by countryside encroachment, and is harmful to the character and appearance of the surrounding area. As such the breach is inappropriate development in the Green Belt and there are no very special circumstances to outweigh the identified harm. The development is therefore contrary to Policies CP1, CP2, DM1 and DM9 of the Surrey Heath's Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and the associated Planning Practice Guidance. The Planning Authority does not consider that there are very special circumstances to outweigh the harm caused.

II. It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The effective date for the Enforcement Notice is on 28 June 2022 subject to an appeal being made. A 4-month compliance period has been given from the date of effectiveness. **This Enforcement Notice has been appealed.**

### **Enforcement Appeals**

Under Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:

- (a) That, in respect of any breach of planning control which may be constituted by the matters stated in the Enforcement Notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) That those matters have not occurred;
- (c) That those matters (if they occurred) do not constitute a breach of planning control;
- (d) That, at the date when the Enforcement Notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) That copies of the Enforcement Notice were not served as required by Section 172;

- (f) That the steps required by the Enforcement Notice to be taken, or the activities required by the Enforcement Notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) That any period specified in the Enforcement Notice in accordance with Section 173(9) falls short of what should reasonably be allowed.

**The following Enforcement Notices have been appealed and are with the Planning Inspectorate for determination**

- 1.9 Fenns Lane Nursey, West End. Reference number 3281220. Start date 1/11/21. Appeal grounds C, D.
- 1.10 Hall Grove Farm Industrial site, Bagshot. Reference numbers 3292131 & 3292141 Start date 15/2/22. Appeal grounds. A, E, F, G
- 1.11 Hillside House, 23 Highview Road, Lightwater. Reference number 3291502. Start date 10/2/22. Appeal grounds A, F
- 1.12 Land at Miles Green Farm, Bisley. Reference number 3294991. Start date 30/3/22. Appeal grounds. A, C, D, F
- 1.13 Land on South East side of 79 Guildford Road, Bagshot. Reference number 3295907. Start date 12/4/22. Appeal grounds A, C, D, F, G
- 1.14 1 Middle Close, Camberley. Reference number 3299756. Start date 13/6/22 Appeal grounds A,F,G
- 1.15 Chobham Car Spares, Clearmount, Chobham Reference number 3301643. Start date 5/7/22. Appeal grounds. A, C, D, E, F. Reference number 3301644. Start date 5/7/22. Appeal grounds. C, D, F, G
- 1.16 Land to the East of Highams Lane, Chobham. Reference number 3301015. Start date 20/6/22. Appeal grounds. A, C, D, F, G. Reference 3301016. Start date 20/6/22. Appeal grounds. C, D, F, G
- 1.17 Four Oaks Nursey, Highams Lane, Chobham. Reference number 3301935. Start date 12/7/22. Appeal grounds. A, D

**With the exception of Land East of Highams Lane which have opted for a Public Enquiry, the cases are being dealt with by way of Written Representations. enquiry**

**Resource Update**

- 1.18 From the beginning of the new financial year, the service has struggled with staffing resource, which has had an impact on service delivery and specifically on taking formal action against planning breaches where appropriate. Over recent months the service has been subject to three contractors resigning from their role and the Senior Planning Enforcement Officer having been seconded to Development Management. To ensure some continuity of service the Compliance Officer and wider Corporate Enforcement Team have directly supported the Planning Enforcement function during this period. The knock-on effect has been a reduction in the planned monitoring of

planning conditions, which has not been as effective as intended during this period. The balancing of workloads in this manner was a necessity to ensure appropriate prioritisation of cases.

- 1.19 At the time of writing two Enforcement Contractors have been offered and accepted 6-month contracts, which will provide resilience to the service, until a permanent structure can be put in place.

### **Uniform / Enterprise**

- 1.20 The Uniform / Enterprise project remains priority. Due to resource issues, the Corporate Enforcement team have not been able to continue progressing this matter. Discussions remain ongoing with ICT as to the most effective way to resource and complete this project. A further update will be provided at the next Corporate Enforcement update.

### **Summary**

- 1.21 Despite the challenges the team have faced this quarter, the team have exceeded the 80% target (88%) set out in their Key Performance Indicator (KPI) of planning enforcement referrals where the initial action (e.g. a site visit) takes place within the target timescales as set out in the Local Enforcement Plan. The target is dependent on the prioritisation given to the complaint the target timescales are:

High Priority – 2 working days  
Medium Priority – 10 working days  
Low priority – 21 working days

## **2. Reasons for Recommendation**

- 2.1 To keep councillors apprised of planning enforcement matters.

## **3. Proposal and Alternative Options**

- 3.1 No alternative options.

## **4. Contribution to the Council's Five Year Strategy**

- 4.1 Not applicable.

## **5. Resource Implications**

- 5.1 As detailed in the body of the report

## **6. Section 151 Officer Comments:**

- 6.1 Nothing further to add.

## **7. Legal and Governance Issues**

- 7.1 As set out in the body of the report.

## **8. Monitoring Officer Comments:**

- 8.1 Nothing further to add

**Annexes**

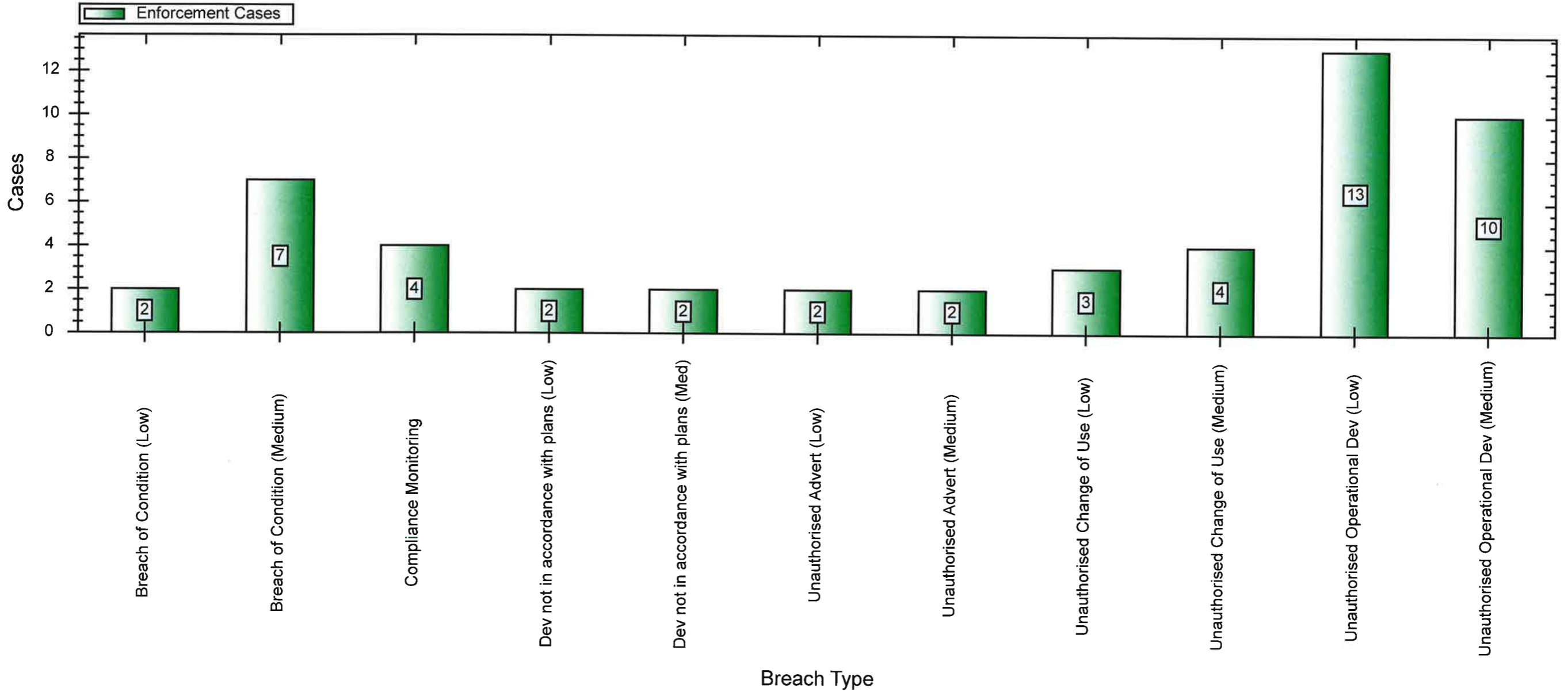
Cases Received by Breach Type (25 March 2022 – 30 June 2022)

Cases Received by Ward (25 March 2022 - 30 June 2022)

**Background Papers**

None

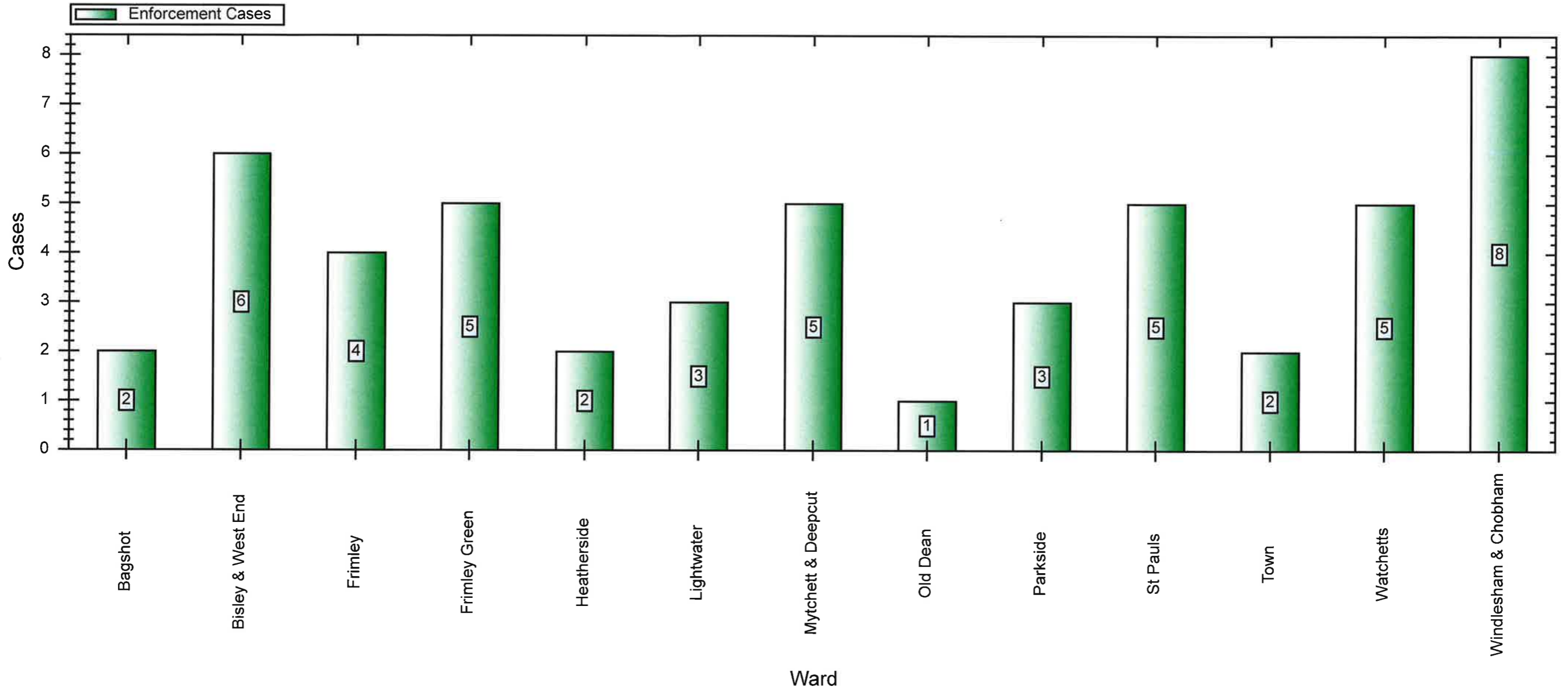
Committee Report - Cases Received 25/3/22 - 30/6/22  
Graph data extracted at 07:00 on 22 July 2022







Committee Report - Cases Received 25/3/22 - 30/6/22  
Graph data extracted at 07:00 on 22 July 2022





21/1176/FFU

**Reg. Date** 27 October 2021

Bagshot

<b>LOCATION:</b>	Solstrand, Station Road, Bagshot, Surrey, GU19 5AS
<b>PROPOSAL:</b>	Demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr Arran Atkinson
<b>OFFICER:</b>	Melissa Turney

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr Valerie White due to concerns of over development of the site, height, bulk and mass, overbearing, impact on privacy of neighbours and highway issues.

### **UPDATE**

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

- (i) This application was deferred from Planning Applications Committee on 9<sup>th</sup> June before it was presented to Committee Members. It was deferred because officers deemed that insufficient information had been provided in relation to the drainage of the site. Whilst the site is located outside of flood zones 2 (medium risk) and 3 (high risk) it is in close proximity to these flood zones to the south and west. Furthermore, given that the land levels significantly alter on the site, and given the increase in hardstanding, it was considered vital to obtain drainage details upfront, in the interests of neighbouring properties.
- (ii) The applicant has provided the following additional drainage information:
  - Surface water design calculations
  - Surface water drainage strategy and maintenance
  - Drainage Strategy (Drawing 9000 P02)
  - External works layout plan (Drawing 9001 P02)
  - Topographical Survey (SD20569-01A)
- (iii) The drainage submission includes technical details of the proposed surface and foul water drainage strategy. The surface water drainage strategy is to discharge water from all areas into the existing Thames Water surface water sewer. This will be via an attenuated discharge with the use of an attenuation tank to the north east corner of the site adjacent to the highway, subject to agreement by Thames Water. Surface water at the lower end of the site for plots 2 and 3 will be pumped up to higher part of the site. Storage for the excess surface water at the lower end of the site will be provided by a permeable sub-base within the turning head.
- (iv) Maintenance of the systems would require inspection chambers, silt traps, and or rodding eyes to allow surface water drains to be jetted and cleared. The attenuation tank will contain a row of Wavin Aquacell Core units, along the base, which will allow

the tank to be cleaned from end to end. The network will be maintained by the management company for the development.

- (v) The external works layout plan (9001 P02) shows the different materials of the hard standing including the following:
- Access road – light duty tarmac
  - Driveways – block paving
  - Footpaths around the dwellings - Paving
- (vi) The additional information has been reviewed by the Council's Drainage Engineer. Overall, the Drainage Engineer concludes that the drainage proposal does appear to be workable but this would require full details and assessment. On this basis, a pre-commencement condition has been imposed (see Condition 18 and 19 below).
- (vii) In particular, the Drainage Engineer raises the following points (where applicable, further updates on these points will be provided at the meeting):
- The site will require two private pumping stations due to the elevation differences across the site;
  - Finished Floor Level (FFL) of Plot 3 requires clarification (59.9m appears to be incorrect, indicating over 1m above surrounding ground and adjacent to Plot 2 FFL (58.8));
  - Details of highway access will be required to demonstrate that the surface water from the highway is unable to enter the site;
  - Further clarification of hard surfaces will be required;
  - If the pump system should fail the design of the hard surfaces will be required to compensate the risk.
- (viii) A revised consultation period has been carried out with neighbour notification letters sent out 7<sup>th</sup> July 2022
- (ix) One additional objection has been received in addition to those reported at section 6 of the original report:
- Further concerns over the removal of trees, drainage and sewage – [*Officer comments: Additional information has been submitted and is considered sufficient that a condition can be attached if planning permission is granted*]
  - Section 5.3 Officers Committee Report "Surrey Heath Wildlife Trust required demonstration of biodiversity net gain". This has not been demonstrated. [*Officer comments: Section 7.6 of Committee report address this*]
  - Section 7.3 Officers Committee Report "Impact on the character and appearance of the areas" Over development and appropriateness [*Officer comments: Section 7.3 of Committee report address impact on the character of the area*]
  - Parking concerns lack of visitors parking spaces [*Officer comments: Section 7.5.2 of the Committee report address the proposal meets the required parking standards and therefore in officer view no objection can be raised*].
  - Light – [*Officer comments Section 7.4.6 address the impact of Plot 3 on neighbour at Sandwood*]
  - Fails Surrey Heath Residential Design Guide (RDG) – [*Officer comments: The report outlines why the proposal complies with the RDG particularly section 7.3 and 7.4*]

- Shred spaces: Principle 6.3 of the RDG - Long stretches of surface with no refuge areas for vulnerable road users should be avoided. *[Officer comments supporting text in the RDG paragraph 6.9 Shared spaces are streets and areas of public realm in which all uses have equal status. They involve the introduction of features which influence driver behaviour to reduce vehicle speeds and create places that encourage a high level of social interaction between residents. They work best in short residential streets such as mews, cul de sacs and rural lanes. As such the proposal is an access road to service 2 additional dwellings and therefore consider acceptable.]*
- Objection that plot 1's permitted development have not been removed. *[Officer comments: Due to plot 1 being replacement dwelling and is of similar size of the existing it is not consider reasonable to removed permitted development from this plot.]*

(x) In conclusion, subject to the additional conditions 18 and 19 below and amendments to condition 2 (i.e. to update the drawings to include the drainage information), the application is recommended for approval as per the original recommendation.

#### Amended condition 2

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

21.002.E(PA) 021 Rev PA2 Received 06.04.2022  
 21.002.E(PA) 022 Rev PA1 Received 27.10.2021  
 21.002.E(PA) 023 Rev PA2 Received 06.04.2022  
 21.002.E(PA) 024 Rev PA2 Received 06.04.2022  
 21.002.L(PA) 001 Rev PA1 Received 27.10.2021  
 21.002.L(PA) 010 Rev PA3 Received 06.04.2022  
 21.002.L(PA) 011 Rev PA3 Received 06.04.2022  
 21.002.L(PA) 015 Rev PA1 Received 27.10.2021  
 21.002.L(PA) 016 Rev PA2 Received 06.04.2022  
 21.002.L(PA) 017 Rev PA2 Received 06.04.2022  
 21.002.S(PA) 030 Rev PA2 Received 06.04.2022  
 9000 P02 Received: 20.07.2022  
 9100 P01 Received: 20.07.2022  
 SD20569-01-A Received: 20.07.2022

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.

#### New condition 18

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

a) Detailed design drawings indicating the location of all new or affected drainage systems. Drawings to include annotations for all drainage assets, pipe diameters, surface and invert levels. Representative cross-sections required to show profile along access road and across porous construction areas.

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

c) Details of the drainage management responsibilities and maintenance regimes for all drainage systems. Details to outline responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). Location details of pump controls required. Pump system to maintain an external visual indicator of pump or power failure. All future responsibilities to be clearly detailed for any associated surface water assets and drainage systems, including the retention of any porous surfaces or sub-base construction.

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

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

#### New condition 19

The development hereby permitted shall not commence until full details of a foul water drainage scheme have been submitted to and approved in writing by the planning authority. This shall include:

- Details of the foul drainage management responsibilities and maintenance regimes for all shared drainage systems required;
- Details to outline the responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing).
- All future responsibilities to be clearly detailed with a process to follow in the event of pump failure. The location details of pump controls shall be provided and a pump system to maintain an external visual indicator of pump or power failure.

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

#### **ORIGINAL COMMITTEE REPORT PROVIDED TO THE PLANNING APPLICATIONS COMMITTEE AGENDA ON 9TH AUGUST - DEFERRED**

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr Valerie White due to concerns of over development of the site, height, bulk and mass, overbearing, impact on privacy of neighbours and highway issues.

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

##### **1.0 SUMMARY**

- 1.1 This application seeks planning permission for demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
- 1.2 The principle of the development would be considered acceptable. For the reasoning explained in this report, the proposal is considered to relate to the surrounding area, acceptable in terms of residential impact, highway safety, impact on the Thames Basin

Heath SPA and ecology. The proposal is recommended for approval, subject to planning conditions.

## **2.0 SITE DESCRIPTION**

- 2.1 The site consists of a fire damaged detached two storey dwelling located within the settlement area of Bagshot. The application plot is “L” shaped. The land levels change on the site and the land slopes downwards towards the south, or to the rear of the site.
- 2.2 The surrounding development is residential, mainly detached dwellings of varying plot sizes. To the east and west are residential gardens, with the rear grounds of Queen Anne House (a Grade II Listed Building) backing onto the western boundary and with the rear gardens of four detached dwellings, perpendicular to the western boundary. To the south of the site is a block of flats (Hartdene Court).

## **3.0 RELEVANT HISTORY**

- 3.1 20/0807/FFU Erection of part first floor part two storey side and front extension, part single part two storey rear extension and raising the roof to provide loft accommodation. Withdrawn

## **4.0 THE PROPOSAL**

- 4.1 Full planning permission is sought for the demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
- 4.2 Plot 1 (the dwelling facing Station Road) would be of a traditional design with hipped roof over and front gable projection. The detached dwelling would be set back from the highway by approximately 21m, set off the boundary 1.3m with neighbour at Sandlewood and 5m to the western boundary. The dwelling would have a height of 7.5m and eaves height approx. 5m, a total depth of approximately 13.2m including the single storey rear and front gable projections and have a width of approximately 8.3 m. The dwelling would have an internal floor space of approximately 133sqm and rear garden of approximately 195sqm.
- 4.3 Plot 2 and 3 would be located to the rear of the site. Plot 2 would be located 2.9m, from the western boundary and there would be separation distance of 3.8m to the plot 3. Plot 3 would be located 4.3m from the eastern boundary.
- 4.4 Plot 2 would have an attached garage. The dwelling would be of a traditional design with hipped roof over and front half dormer detailing. The dwelling would have a maximum height of 8.2m and eaves height of 5m. The attached garage would have a height of 5.3m. The dwelling would have a width of approximately 9.8m and depth of approximately 11.9m. The dwelling would have an internal floor space of approximately 141sqm including the attached garage and rear garden of approximately 141sqm.
- 4.5 Plot 3 would be of a traditional design with hipped roof over and front half dormer detailing. The dwelling would have a maximum height of 8.2m and eaves height of 5m. The dwelling would have a width of approximately 9.8m and depth of approximately 11.9m. The dwelling would have an internal floor space of approximately 111sqm and rear garden of approximately 182sqm.
- 4.6 During the course of the application amended plans were received to reduce the number of units to the rear from 3 to 2.
- 4.7 The proposal would include an access road to the western boundary which serve the three

plots. There is an area of hardstanding in front of plot 2 which provides the turning head of vehicles.

Plot 1 – would be provided with two off street parking spaces

Plot 2 – would be provided with 2 off street parking spaces one of these would be included within the garage

Plot 3 – would be provided with 2 off street parking spaces

4.8 The proposal includes a waste collection point adjacent to the western boundary.

4.9 In support of the planning application the following documents were submitted a Design and Access Statement, Transport statement, Arboricultural Report and a Ecology Report.

## 5.0 CONSULTATION RESPONSES

5.1 County Highways Authority Raises no objection subject to conditions. See Annex A for a copy of their comments.

5.2 Joint Waste Solutions As per the agreed terms, fees and charges of the Council, developers are advise to purchase the bins on behalf of the residents prior to occupancy. Maximum pulling distance (distance from presentation collection point) of 25m for the two wheeled bins. Confirmed that collection point is within maximum pulling distance.

5.3 Surrey Wildlife Trust Recommends a badger survey to check for new setts prior to commencement, a precautionary reptile method of working and clarification on the bat mitigation prior to determination. Further details were submitted and no objection was raised. SWT also requires demonstration of biodiversity net gain.

5.4 Windlesham Parish Council Objected to the original and revised proposal due to concerns of over development of the site due to the height, bulk and mass and impact on residents' privacy levels. Also concerns with highways and flooding issues.

5.5 Arboricultural Officer No objection subject to condition.

## 6.0 REPRESENTATION

6.1 A total of 85 individual letters were sent to surrounding properties on 2nd November 2021 and re-consultation was carried out 8<sup>th</sup> April 2022. At the time of preparation of this report 21 letters of representation have been received with 10 objections and 1 support summarised below. Overall in the main the objection letters don't object to the redevelopment of existing dwelling (Replacement dwelling of Solstrand):

- Neighbours will be surrounded by buildings due to the development taking place at Queen Anne house [*Officer comment: Not a material planning consideration*]
- Demolishing the current property will dangerous as the building sits higher than neighbours to the west concerns property will be damaged during the construction [*Officer comment: There are concerns that neighbouring properties would be damaged during the demolition of the existing dwelling. However, this is not a material planning consideration and is a civil matter between relevant parties with the Council unable to legally intervene*]
- Additional traffic noise at the back of the neighbours to the west [*Officer comment:*



*Please refer to section 7.4]*

- The dwelling to the rear would be overbearing to neighbours [*Officer comment: Please refer to section 7.3]*
- Impact of the character of the area and over development of the site [*Officer comment: Please refer to to section 7.3]*
- Impact on privacy and loss of light to Sandeewood [*Officer comment: Please refer to section 7.4]*
- Lack of appropriate screening or details of planting tree heights or types [*Officer comment: Please refer to paragraph 7.3.10]*
- Highway safety issues parking, width of the access road and width restriction [*Officer comment: Please refer to section 7.5]*
- Backland development fails 6.2, 6.4, 7.3.1 and 7.3.2 of the Surrey Design Guide [*Officer comment: Regard has been had to the Council's Residential Design Guide]*
- Construction phase details are required [*Officer comment: Please refer to section 7.5]*
- Highway and access including the amount of parking and hard standing that would have to be accommodated as well as access to the site being inadequate as it sites next to the traffic calming measure. [*Officer comment: Please refer to section 7.5]*
- Possibility that 12 bins would be on the pavement on Station Road [*Officer comment: Please refer to section 7.8]*
- Increase in flooding and concerns over drainage [*Officer comment: Please refer to section 7.8]*
- Does not appear there is safe access for emergency vehicles [*Officer comment: The local authority building control department or approved inspector is the lead authority and responsible for ensuring compliance with the building regulations.*]
- Removal of number trees prior to the application being submitted [*Officer comment: Not a material planning consideration, the trees are not protected]*

6.2 There has been 1 letter of support summarised below:

- Application appears to make good use of the oversized garden land, within the settlement and with consideration of standing to surrounding properties
- Also provision of new semi-detached houses is much needed in an area abundant with retirement flats

## **7.0 PLANNING CONSIDERATION**

7.1 The application site is located within the defined settlement boundary, as set out in the Proposals Map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to Policy DM9 and DM11 of the CSDMP, guidance within The Residential Design Guide (RDG) Supplementary Planning Document 2017 and the National Planning Policy Framework (NPPF).

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

- Principle of development

- Impact on the character and appearance of the surrounding area and host dwelling (including trees)
- Impact on the residential amenity of neighbouring properties.
- Impact on highway safety
- Impact on ecology
- Impact on the Thames Basin Heaths Special Protection Area
- Other matters (including flooding)

## **7.2 Principle of development**

- 7.2.1 In line with paragraph 11 of the NPPF there is a presumption in favour of sustainable development. The site lies in a relatively sustainable location, within the urban settlement and within walking distance of Bagshot Train Station and the village centre. The Council's spatial strategy, under Policy CP1 of the CSDMP, explains that there is limited capacity to accommodate new development in Bagshot, to be mainly achieved through redevelopment of existing sites, and this proposal is consistent with that aim.
- 7.2.2 The Council is able to demonstrate a Five-Year Housing Land Supply (i.e. 7.2 years), with the appropriate buffer included. This is based on the most recent evidence published in the Surrey Heath Strategic Land Availability Assessment (2021) and the Council's Five-Year Housing Land Supply Statement (2021). In addition to this, Surrey Heath's result from the most recent Housing Delivery Test measurement (2021) is 132%, which is greater than the threshold of 75% as set out in footnote 8 of the NPPF. Therefore, the development plan and its policies may be considered up-to-date with regard to paragraph 11 of the NPPF.
- 7.2.3 Subject, therefore, to other material planning considerations, such as the impact on the character of the area and neighboring residential amenities, it is considered that the proposal would be acceptable in principle and would be in line with the NPPF, and Policy CP1 of the CSDMP.

## **7.3 Impact on the character and appearance of the area**

- 7.3.1 Consistent with section 12 of the NPPF and the National Design Guide, Policy DM9 of the CSDMP promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density.
- 7.3.2 The RDG provides further guidance relating to the design of residential developments. Principle 6.6 sets out that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Proposals with plot layouts that are out of context with the surrounding character will be resisted. The supporting paragraphs advise that plots are important elements in the character of an area. Their sizes, especially the widths along a street frontage are key determinants of the rhythm of buildings and spaces along a street, how active it will be and the grain of development in an area. Principle 7.4 advises that new residential development should reflect the spacing, heights and building footprints of existing buildings.
- 7.3.3 Station Road is characterised by mainly detached dwellings with varying plot shapes and sizes. There is also a small row of terraces located to the east of the application site. In addition to this, there is a varied mix of dwellings in terms of their size, style and appearance. The dwellings to the north of the highway have a similar building line. The dwellings immediate to the east of the application site have a staggered building line, then there is a small row of terraces.
- 7.3.4 The proposal comprises of a detached dwelling to the front of the site, which would replace the existing dwelling, and two additional dwellings located to the rear of the site. Whilst back-land development can be inappropriate, this is dependent upon the existing pattern of development within the vicinity and the immediate context. Although there are no examples

of a secondary tier of development elsewhere along Station Road, it is noted that to the rear (south) of the application site is a block of flats, to the east of the application site the plot sizes reduce in width and depth, and to the west is a mixture with rear gardens along Bridge Road perpendicular to the site. Given this context, two plots to the rear would not form poor relationships with the rhythm of surrounding properties and would not appear as an isolated form of development. The topography of the land, with the dwellings at the rear being notably lower than Station Road frontage, would further assist with this integration. Whilst the introduction of the plots to the rear would be some of the smallest in depth within the surrounding area, there is a mixture of the plot sizes in terms of the width and depth within the surrounding area.

- 7.3.5 Paragraph 6.16 of the RDG sets out that plot widths along the street frontage are key determinants of the rhythm of buildings and spaces along the street. The proposed access road would serve the three plots. While the existing vehicular access would be altered, it would not introduce an additional vehicular access. There would be an increase in hard standing to the front, however, visually due to the existing situation the plot width along the street scene is not considered to be significantly visually different to the current situation as to disrupt plot rhythms and would not be out of context within the surrounding area.
- 7.3.6 During the course of the application amended plans were received to reduce the number of units to the rear. This reduction in units and level of the built form has increased the spacing around the buildings. The level of spaciousness retained on the site is considered acceptable. The gaps retained to the sites boundaries are considered sufficient, and would not appear out of place for the general vicinity. The quantum of built form on the site would therefore not appear cramped or be over development.
- 7.3.7 The frontage plot would reflect the heights of other dwellings along Station Road. As the land levels decrease from north to south, the heights of the dwellings to the rear can be accommodated on site without being overly visible from Station Road. The proposed dwellings to the rear would be visible from the Hart Dene Court, however, they would be viewed within the context of the flats and neighbour at Windlecot and they would not over dominate these neighbours. As such the scale and massing of the proposal would not be obtrusive in the locality or the existing street scene.
- 7.3.8 The proposed access track would run down the western boundary adjacent to the rear gardens of Bridge Road. The access track would provide an increase separation distance from the rear boundaries and flank elevation of plot 1 compared to the existing situation. While it is noted that vehicles could be visible when driving down the access track it not considered there would be high level of vehicle movements to the resulting 2 plots to the rear of the site that would result in significantly visually harm to the character of the area when viewed from these neighbours rear gardens.
- 7.3.9 The three dwellings would be of different sizes with similar shapes and it is considered that these would respond well to their varied surrounding context. Internally, there would be an area laid to hardstanding, however this covers the space needed for turning and access only. The proposed site plan shows that planting would be provided within the site and on its boundaries to soften the built form and it is therefore recommended that a landscape scheme is secured by planning condition. The architectural design of the proposed dwellings is considered to reflect the character of surrounding properties and the finished in brick and render would be acceptable and no concerns are raised. A planning condition has been added to this recommendation requiring these details to be submitted prior to any works above slab level.
- 7.3.10 The Planning Statement outlines that the site has been cleared. As part of the application an arboricultural report has been submitted which has been reviewed by the Council's Arboricultural Officer. It is considered that while no objection is raised there appears to be limited scope for replanting within the site, but the plans indicate replanting on the road frontage. It is considered reasonable and necessary to attach a condition to require a landscaping scheme to be submitted for approval to the Council and the protection of any

retained trees on site.

- 7.3.11 Noting the size of the rear plots, size of the residential gardens and the surrounding character of the area, it is considered reasonable and necessary to remove permitted development rights for householder developments (house extensions and outbuildings etc) to plots 2 and 3 only to allow the Council control over such developments at the site in the future.
- 7.3.12 In summary, it is considered that the proposal would harmonise satisfactorily into its context, in accordance with Policy DM9 of the CSDMP, and principles 6.6 and 7.4 of the RDG.

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

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

##### *Neighbouring properties*

- 7.4.3 The application site is surrounded by residential properties. In terms of plot 1 (replacement dwelling to the front of the site) would be located in a similar location to the existing dwelling. The neighbour to the east Sandlewood is located on slightly higher land level. The two storey front gabled projection is located to the western elevation and therefore is a sufficient distance from the common boundary. The two storey rear elevation would be similar to this neighbour and the single storey element would not extend beyond this neighbour's rear elevation. The resulting ridge height would increase and the proposed dwelling would be of similar height to the neighbour at Sandlewood. The dwelling would be located 1.3m from the common boundary with the neighbour Sandlewood and 5m from the boundary with neighbours at Plot one and Casa Mia (Fronting Bridge Road). Compared to the existing dwelling the proposed dwelling has a reduced width to allow space for the access track to the plots to the rear. As such the proposed dwelling flank elevation is a greater distance from neighbours at Plot 1 and Casa Mia which increases the separation distance. The neighbours to the north are separated by the highway. It is considered that the proposed dwelling would not adversely impact on the amenities of the neighbouring properties in terms of appearing overbearing, nor result in an unacceptable loss of light.
- 7.4.4 Concerns have been raised over the potential noise impact that the proposed vehicular access would have on the rear gardens of the neighbours. There are two units located to the rear as such the vehicular movements on the access track would be limited. The neighbour at Plot One has green houses to the rear boundary and the neighbour at Casa Mia has a large outbuilding located on the rear boundary. Therefore, due to the existing built form on the common boundary, the limited vehicle movements, and the depth of the rear gardens, on balance the proposal would not generate a significant increase in noise levels from vehicle movements that would be detrimental to neighbouring properties.
- 7.4.5 The introduction of vehicular access and new dwellings could result in increased light pollution to neighbouring properties. As mentioned above there are two units located to the rear of the site which result in net increase of 2 on the site. This would result in limited number of comings and goings as a result it is not considered to generate unacceptable level of light pollution. However, it is considered reasonable and necessary to attach a condition requiring details of any external lighting to be installed to protected the amenities of the neighbouring properties.
- 7.4.6 In terms of the plots located to the rear of the site, Plot 3 is located to the rear of

Sandlewood. The RDG sets out that back-to-back distances should be a minimum of 20m. The proposed front elevation of the dwelling is located approximately 32.3m from the rear elevation of this neighbour. The land levels also decrease such that the proposed dwellings would be located on lower land level than the neighbouring properties to the north. As such this distance would be sufficient to mitigate against overbearing and over shadowing impacts to this neighbour. While that this dwelling would be on higher than level than this neighbour, due to the distance it is not considered there would be unacceptable levels of overlooking.

- 7.4.7 Plot 2's flank two storey elevation would be located 24.9m from the neighbour at Windlecot, Bridge Road's rear elevation. As mentioned above the RDG sets out that back-to-back distances should be a minimum of 20m. For two storey rear to side relationships it may be possible to reduce the separation distance to 15m. The applicant has submitted a cross section which shows that the proposed dwelling would be at a slighter higher land level and the neighbour at Windlecot. Further they have drawn on the 25 degree vertical angle from a point 2m above the floor at this neighbour which shows this angled would not be breached. As such the distance between the two properties would be above the guidance and would be sufficient to mitigate against overbearing and over shadowing impacts to this neighbour.
- 7.4.8 Plot's 2 and 3 rear elevation would face towards the flats. Within the block of flats northern elevation facing the application site there are not any habitable windows. The proposed arrangement would not be considered to give rise to overlooking impacts.
- 7.4.9 In terms of overlooking as mentioned above the land levels slope downwards in the site. Plot 1 to the front of the site would result in similar situation to the existing. However, within the proposal are first floor windows within the flank elevation. It is considered appropriate to attach a condition to any consent requiring these windows to be obscure glazed and top level opening only to protect the privacy of these neighbours. The amenity area would be similar to the existing. It is therefore considered that plot 1 would not result in unacceptable levels of overlooking to neighbouring properties.
- 7.4.10 Plots 2 and 3 are located at the rear of the site which is on a lower land level. The neighbours to the west adjacent to the plot boundaries are on a more similar land level which is shown in the cross section. Plot 2 has the proposed attached garage located adjacent to the boundary with neighbour at Windlecot which provides additional screening. There are no windows proposed in the western flank elevation of plot 2 which would face towards this neighbour. A condition would be attached to any planning permission granted to secure details of boundary fencing. This would be considered sufficient to mitigate any unacceptable levels of overlooking to neighbouring properties.

#### *Future occupiers of the proposed development*

- 7.4.11 In considering the proposed residential amenities of the future occupiers of the new dwellings, the internal floor space would comply with the recommendation contained in the Nationally Described Space Standards. Plot 1 would have a rear garden size of approximately 195sqm, Plot 2 approximately 141sqm and Plot 3 approximately 182sqm. The proposed garden spaces would comply with the Principle 8.4 of the RDG which sets out the predominantly south facing gardens should have an area of 55sqm. All habitable rooms would be provided with adequate outlook.
- 7.4.12 Plots 2 and 3 would have similar relationship with Plot 1, as Plot 3's relationship with Sandlewood. As such this distance would be sufficient to mitigate against overbearing and overshadowing impacts to the future occupiers.
- 7.4.13 Plot 2 and 3 rear elevation would face towards the flats. As mentioned above the RDG sets out that back-to-back distances should be a minimum of 20m. For two storey rear to side relationships it may be possible to reduce the separation distance to 15m. The two storey distance would range from approximately 12.5m to 18.6m. The applicant has submitted a cross section which shows block of flats are on a lower land level than the proposed

dwelling. Further they have drawn on the 25 degrees vertical angle from point 2m above the floor at this neighbour which shows this angled would not be breached. As such while at the closest point the distance is below 15m due to the land levels differences and light angles are not breached this distance would be sufficient to mitigate against overbearing and overshadowing impacts to the future occupiers.

- 7.4.14 It is therefore considered that the proposal will not adversely affect the residential amenities of adjacent properties or future occupiers in terms of overdominance, obtrusiveness, loss of light or overlooking. As such, the proposal would be in accordance with Policy DM9 of the CSDMP and the RDG.

## **7.5 Highway impacts**

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

- 7.5.2 The proposed development would require 6 spaces to be provided in line with 'Vehicular and Cycle Parking Guidance (2018)', the proposal would comply with the requirements.

- 7.5.3 The proposal previously moved the vehicular access off Station Road. The County Highway Authority (CHA) has been consulted and initially expressed concerns for the proposed development regarding the existing give-way markings associated with the road narrowing on Station Road which under existing proposed conditions would continue to overlap a short section of the access. These concerns stemmed from highway safety risks which could occur in the likely event that a westbound vehicle was waiting at the give-way markings and blocking access to the development. In view of the proposed uplift in vehicular trip movements at this point, it was the CHA's view that this issue would be exacerbated by the development. However, the applicant has since submitted amended plans in order to show the site access in its original position, albeit slightly narrowed, thereby avoiding the existing conflict with the give-way markings. Therefore, CHA removed their objection.

- 7.5.4 Sufficient space will be provided within the site for vehicles to turn so they are able to enter and leave in forward gear, and this will be especially important in view of the site access proximity to the adjacent road narrowing and associated give-way markings. It is therefore considered that vehicles including deliveries would be able to access site and turn safely. Due to the location of the waste collection point within 25m of the highway the refuse vehicle would not need to access the site.

- 7.5.5 Therefore, there are no objections to the proposal on highway safety, policy or capacity grounds. The CHA has recommended planning conditions requiring modified access, construction transport management plan along with provision of electric vehicle charge sockets. The proposed off-street parking is considered sufficient for the three bedroom dwelling proposed. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

## **7.6 Ecology impacts**

- 7.6.1 Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath. Where appropriate, new development will be required to contribute to the protection, management and enhancement of biodiversity.

- 7.6.2 Surrey Wildlife Trust (SWT) have reviewed the AAe Environmental Consultants report dated 28<sup>th</sup> May 2021. While there are no active badger setts within the site there are likely some nearby. It is recommended that immediately prior to the start of development works a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any

new badger setts. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species. A planning condition has been added to this recommendation requiring these details. A precautionary condition will also be imposed with respect of the presence of reptiles.

- 7.6.3 It was considered by SWT that insufficient information has been provided to conclude the likely absence of roosting bats. Further information was submitted and on review SWT are satisfied with the justification provided with regard to the bats. It is therefore considered that the protected species have been given due regard and no objection is raised. The Trust also goes on to say that the applicant should ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site.
- 7.6.4 The SWT has requested that biodiversity net gain is achieved on the site. 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. Policy CP14A requires enhancement of biodiversity, The proposed development would offer opportunities to restore or enhance biodiversity and such measures will assist the LPA in meeting the above obligation and will also help offset any localised harm to biodiversity caused by the development process. Consistent with SWT advice, a condition can therefore be imposed to secure this. Details of biodiversity enhancements are set out in 'Conclusions and Recommendations' section of the above mentioned report including landscape planting of known benefit to wildlife, fencing with gaps to allow animals to pass underneath and provision of bat and bird boxes. A scheme of ecological enhancements can be secured via a condition which would be reasonable and necessary in the event that permission is granted.

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

- 7.7.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.
- 7.7.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy (TBHSPAAS) SPD (2019) identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.
- 7.7.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.7.4 Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).
- 7.7.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of

£1,261.85 which has been paid by the applicant.

## 7.8 Other matters

- 7.8.1 As the proposed development would involve the provision of an additional residential unit the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m<sup>2</sup>, for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal. It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.
- 7.8.2 Policy DM10 states that development proposal should at least be risk neutral. Flood resilient and resistant design, as well appropriate mitigation and adaption can be implemented so that the level of flood risk is reduced to acceptable levels. The application site is situated within Flood Zone 1 where residential use is considered to be appropriate. The Planning Statement advise that the neighbour to the west is partly within the flood zone 2 and the neighbours to the south are within flood zone 2 and 3, the application site is elevated above this. It is considered necessary that detailed drainage strategy should be developed following the grant of planning permission and this can be achieved to ensure the requirements of Policy DM10 of the CSDMP are met. A planning condition has been added to this recommendation requiring the provision of this strategy prior to commencing works on site.
- 7.8.3 Policy CP2 of the CSDMP indicates that development will be required to provide measurements to improve energy efficiencies and sustainability. The Design and Access Statement sets out the energy conservation to support the application. The measures include thermal requirements, at least 75% internal light fitting will be energy efficient, water efficiency measurements, water butts will be installed and pre-installed appliances will be A or A+ rated for energy efficiency. It is considered necessary to secure these details through a condition.
- 7.8.4 The Council's Joint Waste Solutions have confirmed that there is maximum pulling distance from the presentation of collection point of 25m for two wheeled bins. The proposed waste collection point is located 25m from the highway and therefore meets this requirement and no objection is raised.

## 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) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
  - b) Have negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development
- 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 not considered that the proposed development would result in an adverse impact on the character and appearance of the host dwelling or local area, on the amenities of the adjoining residents, or on highway safety, subject to the recommended conditions. Therefore, the proposal complies with the CSDMP, the RDG and the NPPF.



## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

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

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

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

21.002.E(PA) 021 Rev PA2 Received 06.04.2022  
21.002.E(PA) 022 Rev PA1 Received 27.10.2021  
21.002.E(PA) 023 Rev PA2 Received 06.04.2022  
21.002.E(PA) 024 Rev PA2 Received 06.04.2022  
21.002.L(PA) 001 Rev PA1 Received 27.10.2021  
21.002.L(PA) 010 Rev PA3 Received 06.04.2022  
21.002.L(PA) 011 Rev PA3 Received 06.04.2022  
21.002.L(PA) 015 Rev PA1 Received 27.10.2021  
21.002.L(PA) 016 Rev PA2 Received 06.04.2022  
21.002.L(PA) 017 Rev PA2 Received 06.04.2022  
21.002.S(PA) 030 Rev PA2 Received 06.04.2022  
9000 P02 Received: 20.07.2022  
9100 P01 Received: 20.07.2022  
SD20569-01-A Received: 20.07.2022

unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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

4. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.

All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years following the completion of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

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

5. No foundations or ground floor slabs shall be constructed on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) have been submitted to and approved by the Local Planning Authority in writing. Once approved, the development shall be built in accordance with the approved details.

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

6. The protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site.

Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, the protective fencing as proposed and shall be retained intact, for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

Prior to first occupation, details of the satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction (where working within RPA is shown) shall be submitted to and approved in writing by the Local Planning Authority.

No development or other operations shall take place except in complete accordance with the approved tree protection scheme and Arboricultural Method Statement (Ref:

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. Before the first occupation of the development hereby approved all first floor windows in the side elevation of plot 1, as well as first floor windows in the eastern elevation of plot 2 facing plot 3, as well as first floor windows in the western elevation of plot 3 facing plot 2, shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations without the prior approval in writing of the Local Planning Authority.

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

8. No part of the development shall be first occupied unless and until the proposed modified vehicular access to Station Road has been constructed and provided with visibility zones in accordance with Drawing Number 21.002.L(PA)011 REV PA2 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 600mm high.

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

9. Prior to the occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include all the details set out in the conclusions and recommendations AA Environmental Limited (AAe). The development shall be implemented in accordance with the approved details.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

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

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

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

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

12. Relating to Plots 2 and 3 only - Notwithstanding the provisions of Schedule 2 Part 1 Class A, Class B and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re enacting that Order) no further extensions or outbuildings shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby

approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved coming into first use.

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

13. No development shall take until immediately prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

14. Prior to commencement of the development no external lighting shall be installed on the site without the Sensitive Lighting Management Plan having first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained on site.

Reason: In the interests of the amenities of neighbours. To preserve and enhance biodiversity in accordance with Policy DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

15. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for the parking of vehicles and cycles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

16. Any closed boarded fencing erected on the site shall include holes in the case of with a minimum of 20cm x 20cm to allow badger and other mammals to move freely through the site. These shall be retained and maintained for their designated purpose in perpetuity or if necessary replaced with similar boxes/tubes.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

17. Prior to commencement of the development a reptile precautionary method of working shall be developed and submitted to and approved in writing by the LPA. Precautionary working methods should follow best ecological practice. Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice provided.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

18. The development hereby permitted shall not commence until full details of a surface water drainage scheme have been submitted to and approved in writing by the

planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Detailed design drawings indicating the location of all new or affected drainage systems. Drawings to include annotations for all drainage assets, pipe diameters, surface and invert levels. Representative cross-sections required to show profile along access road and across porous construction areas.

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

c) Details of the drainage management responsibilities and maintenance regimes for all drainage systems. Details to outline responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). Location details of pump controls required. Pump system to maintain an external visual indicator of pump or power failure. All future responsibilities to be clearly detailed for any associated surface water assets and drainage systems, including the retention of any porous surfaces or sub-base construction.

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

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

19. The development hereby permitted shall not commence until full details of a foul water drainage scheme have been submitted to and approved in writing by the planning authority.

Details of the foul drainage management responsibilities and maintenance regimes for all shared drainage systems required. Details to outline the responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). All future responsibilities to be clearly detailed with a process to follow in the event of pump failure. Location details of pump controls to be provided. Pump system to maintain an external visual indicator of pump or power failure.

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

### **Informative(s)**

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.

3. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
4. 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)
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. 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.
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-infrastructure.html> for guidance and further information on charging modes and connector types.
9. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.
10. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
11. Construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in. If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.



Tel:

E-mail: [Chris.Duncan@surreycc.gov.uk](mailto:Chris.Duncan@surreycc.gov.uk)

Melissa Turney  
SURREY HEATH BOROUGH COUNCIL  
SURREY HEATH HOUSE  
KNOLL ROAD  
CAMBERLEY  
GU15 3HD

26 November 2021

Dear Melissa Turney

**APPLICATION NO.** SU/21/1176

**SITE:** Solstrand, Station Road, Bagshot, Surrey, GU19 5AS

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:

Following a site visit and subsequent review of the planning application, it is noted that the proposed modified access would be in close proximity to an existing road narrowing / priority working, and which could therefore result in a conflict with the give-way markings on the westbound lane.

Whilst it is recognised that this is an existing arrangement (with the currently positioned access being similarly close to the road narrowing), the proposals to increase the number of dwellings served off Station Road at this point, intensifying the vehicular movements at the access, would therefore require justification as to how this access is proposed to be operated.

Please provide a plan illustrating the existing give-way lines on Station Road, in relation to the proposed modified access. Secondly, please provide justification as to how the proposed access arrangements will work, and how the potential conflict between vehicles waiting at the give-way line and cars accessing/egressing the site will be dealt with.

Thirdly, it is anticipated that there may be a need to re-position the give-way lines in order to create space and reduce the conflict for vehicles.

It would be useful to see swept-path analysis showing any relevant manoeuvres in order to justify the safety of the proposed access arrangements.

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,

Chris Duncan  
Assistant Transport Development Planning Officer



<b>APPLICATION NUMBER</b>	<b>SU/21/1176</b>
---------------------------	-------------------

**DEVELOPMENT AFFECTING ROADS**  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:** Mr Arran Atkinson

**Location:** Solstrand, Station Road, Bagshot, Surrey, GU19 5AS

**Development:** Demolition of existing dwelling and all associated buildings and structures and erection of 2 no. detached three bedroom dwellings and one pair of three bedroom semi-detached dwellings with associated car parking, refuse storage and collection point and landscaping.

<b>Contact Officer</b>	Chris Duncan	<b>Consultation Date</b>	2 November 2021	<b>Response Date</b>	20 December 2021
------------------------	--------------	--------------------------	-----------------	----------------------	------------------

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) Modified access

No part of the development shall be first occupied unless and until the proposed modified vehicular access to Station Road has been constructed and provided with visibility zones in accordance with Drawing Number 2021/5918/003 RevP3 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 600mm high.

2) Parking & turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for the parking of vehicles and cycles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

3) Construction Transport Management Plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials

(d) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

#### 4) Electric vehicle charging points

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

#### **Reason**

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

#### **Policy**

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

#### **Informatives**

##### 1) Accommodation works

The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

##### 2) New/Modified Access

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).

##### 3) Obstructing the Highway

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

##### 4) Mud on the Highway

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).

## 5) Damage to the highway

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) Electric vehicle charging

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 for Planning Officer**

Please contact the officer shown in the above table if you require additional justification for the County Highway Authority's recommendation on this planning application.

Surrey County Council's '[Transportation Development Control Good Practice Guide](#)' provides information on how the County Council considers highways and transportation matters for development proposals in Surrey.

### **Site specific comment**

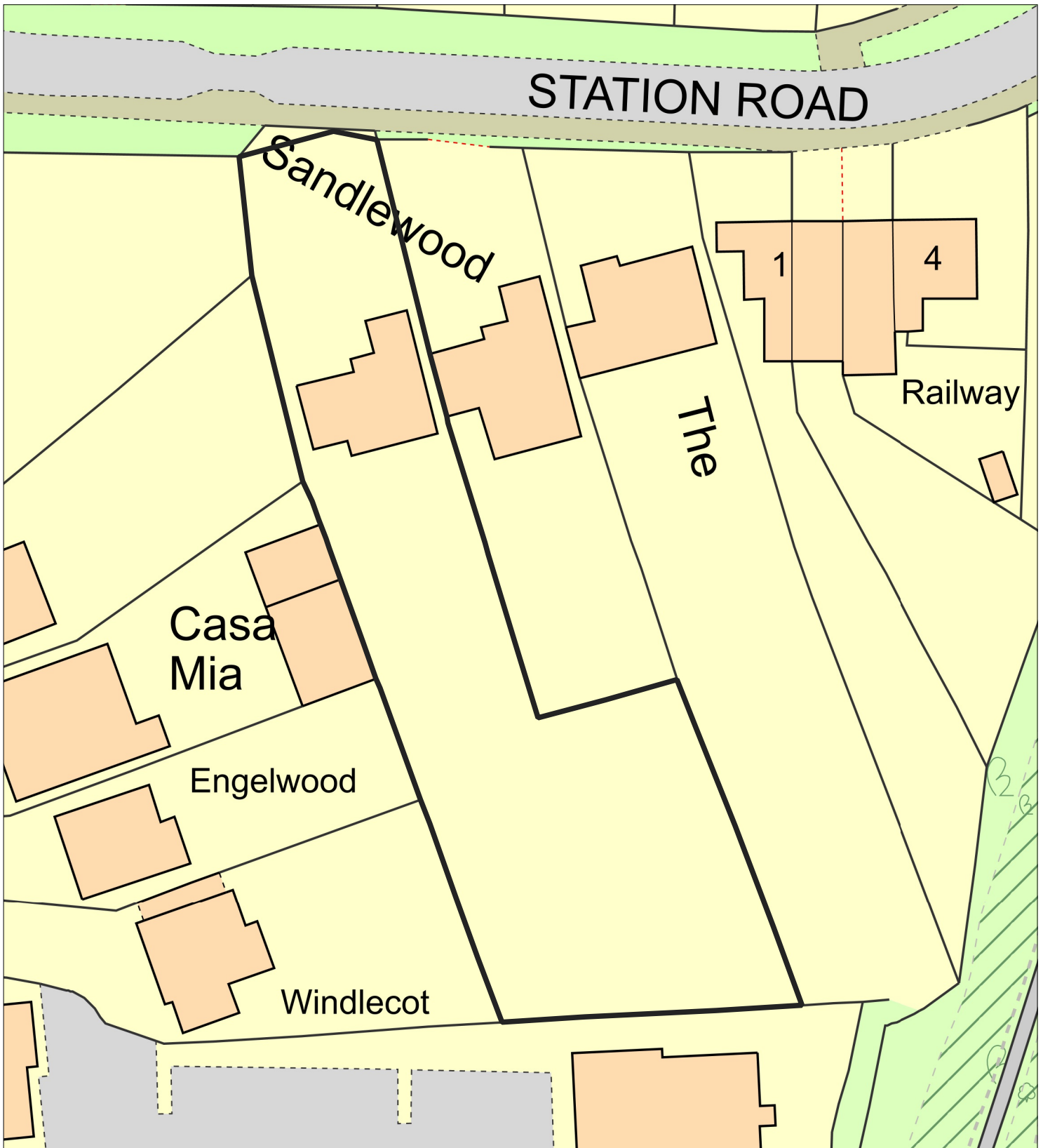
The CHA initially expressed concerns for the proposed development regarding the existing give-way markings - associated with the road narrowing - on Station Road which, under proposed conditions, would continue to overlap a short section of the access. These concerns stemmed from highway safety risks which could occur in the likely event that a westbound vehicle was waiting at the give-way markings and blocking access to the development. In view of the proposed uplift in vehicular trip movements at this point, it was the CHA's view that this issue would be exacerbated by the development.

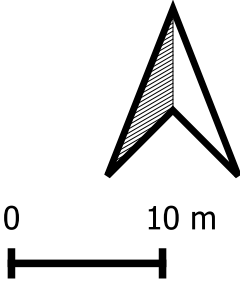

However, the Applicant has since amended their plans in order to show the site access in its original position, albeit slightly narrowed, thereby avoiding the existing conflict with the give-way markings.

Sufficient space will be provided within the site for vehicles to turn so they are able to enter and leave in forward gear, and this will be especially important in view of the site access' proximity to the adjacent road narrowing and associated give-way markings.

The CHA note that there are double yellow lines on both sides of Station Road including either side of the access, with a single yellow line commencing to the east of the site boundary, and so these will help to prevent on-street parking from taking place in dangerous locations and protect users from any highway safety hazards.

This page is intentionally left blank



<b>Title</b>	Planning Applications		
<b>Application number</b>	21/1176/FFU		<b>Scale @ A4</b> 1:500
<b>Address</b>	Solstrand Station Road Bagshot Surrey GU19 5AS		<b>Date</b> 12 May 2022
<b>Proposal</b>	Demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.		
	Page 55		
Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022 Author: SM			

This page is intentionally left blank

**PAC 21/1176/FFU Solstrand Station Road Bagshot GU19 5AS**

Site Location Plan



Proposed site plan





Plot 1 – Front of the site



1 Front Elevation - north west



2 Side Elevation - south west



3 Rear Elevation - south east



4 Side Elevation - north east

Plot 2 – Rear of the site



1 Front Elevation - north west



2 Side Elevation - south west



3 Rear Elevation - south east



4 Side Elevation - north east



Plot 3 – Rear of the site



1 Front Elevation - north west



2 Side Elevation - south west



3 Rear Elevation - south east



4 Side Elevation - north east

Plots 2 and 3



Proposed elevation to rear houses



Photos

Front of the site





View towards the rear of the site - flats in the back ground





View of the existing dwelling to the rear



Views towards the neighbours to the west



This page is intentionally left blank

21/1370/RRM

**Reg. Date**

24 January 2022

Mytchett & Deepcut

**LOCATION:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

**PROPOSAL:** Application for approval of reserved matters for the loop road phase 5k pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 29 (tree retention and protection plans), 32 (hard and soft landscaping) and 33 (landscape management plan) of planning permission ref: 12/0546 dated 04 April 2014 (as amended) and Schedule 5 Part 8 (Provision of the Other Open Space) of the Section 106 agreement dated 17 April 2014 as varied.

**TYPE:** Reserved Matters

**APPLICANT:** Secretary Of State For Defence

**OFFICER:** Sarita Bishop

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

1.1 Subject to the clarification of the landscape and highway matters discussed below, the proposed development is considered to provide an appropriate Loop Road which is a strategic part of the provision of green and highway infrastructure to support and serve the residential phases comprising 4f, 6a, 6b, 6c and 6d (some 581 dwellings) within Mindenhurst and is compatible with the objectives of the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied.

**2.0 SITE DESCRIPTION**

- 2.1 The Princess Royal Barracks site has an overall site area of some 114 hectares. This former military site has permission for a major residential development totalling 1,200 new dwellings, with associated public open space, community facilities, a primary school, retail and commercial uses and access and highway works.
- 2.2 The redevelopment is divided into 6 phases, three non residential (1, 3 and 5) and three delivering housing (2, 4 and 6).
- 2.3 Phase 1 which includes the provision of the spine road (now Mindenhurst Road), the Village Green, pond and play areas, the Green Swathe, the Green Swale and the Central SANG are generally complete except for some outstanding remediation and landscaping works.
- 2.4 Phase 2 comprising Phases 2a and 2b and Phase 4a comprising a total of 363 dwellings are under construction and nearing completion.
- 2.5 Phase 3a (the primary school) is complete and has been handed over to Surrey County Council. Phase 3c (the public house) opened in May 2022.
- 2.6 This application relates to Phase 5k. This site is located on the east side of Mindenhurst Road and has a linear shape in the general form of a backward "C". It includes former

military roads and buildings, some of which are in the process of being demolished, grassed landscaped areas and part of the Central SANG. The site is largely behind the wire which separates the active development sites from the former military site. The area beyond the wire comprises a section of road that has been constructed between Mindenhurst Primary School and Phase 4f and part of the Central SANG which are located to the north west and east of the site respectively. This part of the open space is included to ensure the site levels between the Loop Road and the Central SANG provide a satisfactory transition between these areas in landscape, amenity and highway terms. There is a significant difference in levels within the site with the western site boundaries with Mindenhurst Road being over 17 metres lower than the eastern site boundary with the Minden Plateau, Phases 6b/6d.

2.7 In addition to the residential phases, the primary school and Central SANG referred to above, there are also a number of former military buildings which adjoin the site. These buildings will be demolished as part of the redevelopment of the residential phases in due course.

2.8 The remainder of Phases 3 and 4, Phases 5d, 5e, 5f and 4j and all of Phase 6 have not yet been the subject of reserved matters applications.

### 3.0 RELEVANT HISTORY

3.1 12/0546 Hybrid planning application for a major residential led development totalling 1200 new dwellings with associated public open space, community facilities, a primary school, retail and commercial uses, access and highways works. Approved 6 April 2014. The Section 106 agreement for this application was signed on 17 April 2014.

As this was a hybrid application full planning permission was granted for the residential conversion of the Officers Mess building (now Phase 6e), the Sergeants Mess building (now Phase 4g) and the Headquarters of the Director or Logistics building (now Phase 4e) to provide a total of 81 flats. There is no requirement to provide affordable housing for these phases.

The outline element of the application included the approval of means of access and the following matters to be the subject of later reserved matters applications:

- 1,119 new build dwellings of which 35% would be affordable; (Officer note this would equate to an overall provision of 420 dwellings as it would also address the non provision on the converted buildings);
- A 2 form entry Primary School, together with a nursery facility;
- A foodstore;
- Local shops;
- Space for medical facilities to accommodate GPs/dentists;
- A library building with co-located police desk and village visitor centre;
- A public house
- Retention of the Garrison Church of St Barbara as a religious facility with a replacement church hall;
- Provision of 69.12 hectares of public open space comprising;
- 35 hectares of SANGs and 1.07 hectares of link between the Southern and Central SANGs;
- 19.85 hectares of semi natural open space (ANGST);
- A 2 hectare Village Green;
- 1.16 hectare Allotments;
- 2.54 hectares of formal Parkland;
- Areas of amenity green space within the residential areas;



- Dedicated play spaces within the residential areas.
- A care home;
- Improved footpaths, cycleways, public transport linkages and highway improvements; and
- A Sustainable Urban Drainage system.

This permission also approved an indicative street hierarchy which indicated that the Loop Road would be a residential street.

- 3.2 12/0546/1/NMA An application for a non material application to allow for the approved roundabout access at Deepcut Bridge Road; Blackdown Road and Newfoundland Road and the spine road to be re-aligned. Approved. This permission introduced the use of raised tables into the highway layout.
- 3.3 15/1062 Application for the Approval of Reserved Matters for Infrastructure (Spine Road), Central SANGS, and Village Green submitted pursuant to Condition 4 (Reserved Matters: internal access arrangements, layout, scale, appearance, landscaping), and the partial submission of details pursuant to Conditions 16 (Detailed Ecological Management Strategy & Management Plan), 29 (Tree Retention and Protection Plans), 32 (Hard and Soft Landscaping) and 33 (Landscape Management Plan) of planning permission ref: 12/0546 dated 04 April 2014 (as amended). Approved
- 3.4 17/0774 Section 73 application for a Minor Material Amendment to reserved matters permission 15/1062 (pertaining to the Spine Road, Central SANGS and Village Green), pursuant to condition 4 of hybrid permission 12/0546 (as amended - hybrid application for a major residential led development totalling 1,200 dwellings) to permit changes to conditions 10 and 17 of permission 15/1062 to, in respect of: Condition 10 - Confirm the principle of SUDS to the southern SUDS area; and Condition 17 - Amend, withdraw, substitute, provide new plans to:, Amend the shape and size of the Village Green and pond, Update the SANGS management and maintenance schedule, and update the SANGS management plan , Update highways drawings to allow changes to alignment of the Spine Road, cycleways, footpaths and provide connection to future retail area, Provide details of, and seek agreement on, the provision of a substation along the Spine Road and, provide SUDS infrastructure plan and minor changes/corrections to the wording of conditions 2,7, 11 and 19. Approved
- 3.5 18/1002 Section 73 application to vary condition 50 (church hall) Phase 3d of the hybrid permission to allow for a larger church hall with an increase in floor area from 125 square metres to 250 square metres. Approved 14 November 2019. The section 106 legal agreement was amended to link this permission to the original obligations (the fourth variation)
- 3.6 19/0735/RRM Phase 1 reserved matters application to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANGS, Village Green, Spine Road, landscaping, Green Swathe, Southern SUDS and for the partial discharge of Conditions 16 (ecological management strategy), 21 (LAPS and LEAPS), 23 (visibility zones), 28 (cycle parking), 29 (tree retention and protection), 32 (hard and soft landscaping), 33 (landscape management), 40 (surface water drainage), 41 (wetland features) and 43 (foul

- sewerage). This is awaiting the completion of a section 106 legal agreement in relation to surface water drainage.
- 3.7 20/0327/DTC Submission of details, in part, to comply with condition 55 (contaminated land) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b (formal park), 4d (Parcel F ) and Phase 5 (Bellew ANGST, Sports Hub, North Alma ANGST, Care home, Allotments, North Dettingen ANGST, Loop Road and Brunswick Road and Roadsides). Approved.
- 3.8 21/0353/DTC Submission of details, in part, to comply with condition 52 (programme of archaeological evaluation) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b, 5a, 5b, 5c, 5d, 5e, 5f, 5h, 5j and 5k.
- 3.9 21/1003/MPO Application to vary the section 106 agreement, as varied, in respect of hybrid permission 12/0546, as amended by 18/0619 and 18/1002 to amend the delivery or occupation or payment triggers for the completion of the Village Green and combined NEAP/LEAP, the provision of the Sports Hub, the Formal Park, the Allotments, the Basingstoke Canal Towpath contribution, shared pedestrian/cycle infrastructure, various highway works, bus infrastructure; to amend the clauses to Junction 3 M3 to allow for a payment of a contribution in lieu of works; to amend the highway layout at the junction of Frimley Green Road with Wharf Road and Guildford Road to provide a roundabout scheme, the phased provision of the Southern SANG, update clauses on Central SANGs, amend the mortgagee clauses, option to extend the management company for the SANGs to all non residential land areas, amend the Bellew Road Closure Contribution clause and consequential amendments to the definitions, clauses and plans. Approved.
- 3.10 21/1163/RRM Reserved Matters application pursuant to Condition 4 for the Formal Park (Phase 3b) with access, layout, scale, appearance and landscaping being considered and the partial submission of details pursuant to conditions 16 (Ecological Mitigation and Management), 21 (LAP's and LEAPs), 29 (Tree Retention and Protection), 32 (Hard and Soft Landscaping) and 33 (Landscape Management Plan) attached to 12/0546 as amended by 18/0619 and 18/1002 and Schedules 5 Part 10 (formal park) and 9 Part 9 (LEAPS and LAPS) of the Section 106 agreement dated 17 April 2014 as varied. This is awaiting the submission of the application for the proposed church hall
- 3.11 21/1227/DEM Application to determine if prior approval is required under Class B, Part 11, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the demolition of Buildings 11F, 11D, 9A-109, 12, 13, 14, 17, 22 and E. Prior approval required and given. This relates to the buildings that are to be demolished to facilitate the Loop Road, the subject of this application. This is in the process of being implemented.
- 3.12 21/1288/RRM Reserved Matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 21 (LAPS and LEAPS) 29 (tree retention and protection plans), 32 (hard and soft landscaping), 33 (landscape management plan) and 43 (foul sewage) attached to

12/0546 dated 04 April 2014 (as amended) 12/0546 as amended by 18/0619 and 18/1002 and Schedules 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement dated 17 April 2014 as varied pursuant to the T&CP (Modification and Discharge of Planning Obligations) 1992. This application is elsewhere on this agenda.

- 3.13 22/0038/DTC Submission of details to comply with condition 61 (construction environmental management plan) attached to planning permission 12/0546 dated 4 April 2014 as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019 in respect of the Loop Road (phase 5k). This is under consideration.
- 3.14 22/0233/RRM Application for approval of reserved matters for the Southern SANG and SANGS link (phases 5a, 5b and 5c) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the submission of details pursuant to condition 13 (SANG management) and partial details pursuant to conditions 16 (detailed ecological management strategy & management plan), 29 (tree retention and protection plans), 32 (hard and soft landscaping) and 33 (landscape management plan) of planning permission ref: 12/0546 dated 04 April 2014 (as amended) and Schedule 5 Part 2 (Provision of SANG land) of the Section 106 agreement dated 17 April 2014 as varied. This is under consideration.

#### **4.0 THE PROPOSAL**

- 4.1 The proposal is a reserved matters application pursuant to Condition 4 for the provision of the Loop Road (Phase 5k) with access, layout, scale, appearance and landscaping being considered. The proposed Loop Road is to be provided to the east of Mindenhurst Road. As originally submitted the proposal was to include a retaining wall between the site and the Central SANG. However, amended plans have been received which grade the site levels and as such a retaining wall is not now required. Two access points are proposed leading to Mindenhurst Road, one to the north of the Mindenhurst Primary School to connect into the section of road which has already been constructed with the other provided to the south to form a crossroads with Mindenhurst Road and Forest Drive. The Loop Road will provide vehicular, pedestrian and cycle access to the adjoining residential parcels and be an integral part of the overall movement strategy for Mindenhurst. A landscaped drainage swale is also proposed adjacent to the southern access onto Mindenhurst Road.
- 4.2 A total of 46 trees are proposed to be removed as a result of this proposal, of which 3 are Category A, 14 are Category B, 24 are Category C and 5 are Category U. The application is supported by a landscape strategy which includes the planting of 43 replacement trees, the provision of amenity and meadow grass areas, grass verges and wetland/pond areas.
- 4.3 The road has been designed with a general width of 5.5 metres and accommodates a 2 metre footpath generally the western side/inside of the bend in the Loop Road and a 3 metre shared footpath/cycleway generally to the east/outside of the bend. The width of the road increases to 7 metres in the vicinity of the primary school with shared footpath/cycleways (3 metres wide) being proposed on both sides of the road in this area. Nine vehicular access points are proposed to serve the future residential phases. It is proposed that no more than 150 homes would be served by a single access point. The road would be subject to a 20 mph speed limit. Raised tables in block paving are proposed in eight locations along the road to provide traffic calming. The roads and footpaths would be surfaced in bituminous surfacing materials.
- 4.4 The Loop Road will be used as the main conduit to distribute utilities to the adjoining residential parcels. New statutory gas, water, BT Openreach and electricity infrastructure will

be provided. This will include two square brick built substations (4.04 metres by 4.04 metres) with pitched roofs finished in slate imitation roof tiles. Both substations will be located at the southern end of the Loop Road. A new foul sewer pipe will also be provided within the Loop Road but this will be considered pursuant to condition 43, please see paragraph 4.7 below.

- 4.5 The application also includes a partial submission of details pursuant to conditions 16 (Ecological Mitigation and Management), 29 (Tree Retention and Protection), 32 (Hard and Soft Landscaping) and 33 (Landscape Management Plan) and Schedule 5 Part 8 (Provision of the Other Open Space) of the Section 106 agreement as varied
- 4.6 The application is supported by Design and Access statement, a supporting statement, an Arboricultural Assessment, an Ecology Mitigation Strategy and Management Plan, an Ecological Desk Study, an Ecology Report, an Ecological Appraisal, a Biodiversity Net Gain Strategy for the Loop Road and a Landscape Management Plan.
- 4.7 As originally submitted the application also included details to comply with conditions 40 (surface water drainage), 41 (wetlands) and 43 (foul sewage). This included the submission of a drainage strategy. Whilst the drainage consultees were satisfied with the principle of what was being proposed, there was insufficient detail submitted for the conditions to be approved in relation to site levels, capacity and assets to be used within the drainage system. The applicant withdrew these conditions from this application to enable the determination of this application and also to prepare the detailed information required for a further submission pursuant to these three conditions. It is noted that these conditions are pre commencement of any works starting on this phase of development.

## 5.0 CONSULTATION RESPONSES

- |      |                                |   |
|------|--------------------------------|---|
| 5.1  | County Highway Authority (CHA) | No objection subject to conditions. <i>A copy of their response is attached as Annex A.</i>   |
| 5.2  | Greenspaces Team               | No objection.   |
| 5.3  | Arboricultural Officer         | Further information required on the landscaping scheme, the tree assessment and mitigation measures and the landscape management plan   |
| 5.4  | Environmental Health           | No views received.  |
| 5.5  | Lead Local Flood Authority     | Further information required on drainage. <i>[Officer comment: The drainage conditions have been withdrawn and will be the subject of a future conditions submission]</i>   |
| 5.6  | Drainage Officer               | Further information required on drainage. <i>[Officer comment: The drainage conditions have been withdrawn and will be the subject of a future conditions submission]</i>   |
| 5.7  | Surrey Wildlife Trust (SWT)    | No objection  |
| 5.9  | Thames Water                   | No comments to make. <i>[Officer comment: As this is part of overall drainage scheme which will be the subject of a future conditions submission, it is premature to agree these details at this time. The applicant agrees with this approach]</i> |
| 5.10 | Contaminated Land Officer      | Further submissions pursuant to condition 55 will be required.  |

## 6.0 REPRESENTATION

6.1 A total of 4 individual letters were sent to Trivselhus, (the developer of Phase 4a), the Mytchett, Deepcut and Frimley Green Society, the Deepcut Neighbourhood Forum and the Mindenhurst Primary School. Two site notices were displayed on site on 4 February 2022 with press notices being put in the Surrey Advertiser on 18 February 2022 and the Camberley News on 16 February 2022.

6.2 At the time of the preparation of this report no representations have been received.

## **7.0 PLANNING CONSIDERATION**

7.1 The planning policy considerations, including the suite of documents forming the Council's Development Plan, have not materially changed since the granting of the hybrid approval in 2014. The National Planning Policy Framework (NPPF) 2021 and the County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development November 2021 are also relevant. The Council has adopted a Residential Design Guide 2017 (RDG) which establishes the principles for residential development in the Borough. The principal considerations in the determination of this application are conformity with the hybrid permission, Policies CP4 (Deepcut), CP11 (Movement), CP14A (Biodiversity and Nature Conservation), DM9 () and DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Deepcut SPD with regards to the following matters:

- The principle of the development;
- Proposed layout and design;
- Tree retention and landscaping;
- Amenity considerations;
- Highway considerations; and,
- Ecological considerations

### **7.2 The principle of the development**

7.2.1 The Deepcut SPD, the hybrid permission and Section 106 legal agreement require appropriate infrastructure to support the redevelopment of the Princess Royal Barracks. The proposal is for highway infrastructure to support four residential parcels. As such the principle of development is acceptable.

### **7.3 Proposed layout and design**

7.3.1 The NPPF 2021 advises that proposals for development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas. It also states that planning decisions should ensure that streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, appropriate measures are in place to secure the long term maintenance of newly planted trees and that existing trees are retained wherever possible.

7.3.2 The Deepcut SPD recognises that much of the character of the village will be set by the design and layout of the streets and their importance in placemaking. They serve many functions not only the circulation of cars, pedestrians and cyclists but also as visual corridors which help define the overall character of the development. As such streets will need to reflect the overarching vision for Deepcut and be sustainable, rural based, high quality and inclusive spaces.

7.3.3 Appendix 3 in the Deepcut SPD provides street design guidelines. This identified a residential street as being 4.8 metres wide with a footway on one side and no cycleway. Whilst the approved indicative street hierarchy indicated that the Loop Road should be a residential street, there was concern expressed by both the Local Planning Authority and the

County Highway Authority that given the number of dwellings (581) to be served by the Loop Road, a residential street as defined by the SPD would not be adequate to address the highway movements associated with this number of dwellings nor would it meet the SPD's objectives on pedestrian and cycle accessibility through this part of the site and the wider Mindenhurst site beyond. The submitted proposal more closely reflects the design guidelines for a secondary road which has a carriageway width of 5.5-6 metres with footways and cycleways.

- 7.3.4 The site is located within the Minden Ridge and Slopes Character Area as defined by the Deepcut SPD. Two separate road access points are required, and are proposed, to cross the ridgeline and serve the housing on the plateau behind (the Minden Plateau Character Area). The location of the proposed Loop Road is largely fixed by the hybrid permission which approved two access points on the east side of Mindenhurst Road to serve the residential development to the east. As a consequence, this also largely determined the alignment the Loop Road would follow. However, given the site topography and having regard to the queries raised by both the Council's Arboricultural Officer and the drainage consultees on site levels, it is considered appropriate to impose a condition to secure details of site levels to ensure that the Council retains appropriate controls over this issue. Subject to this, the Loop Road is considered to have an appropriate layout for a distributor road within the wider Mindenhurst site and is acceptable.

#### **7.4 Tree retention and landscaping**

- 7.4.1 The application is accompanied by a hard and soft landscaping scheme pursuant to condition 32. A number of mature trees and hedges exist within the site. The proposal will necessitate the removal of 46 trees of which 3 are Category A, 14 are Category B, 24 are Category C and 5 are Category U. The proposed landscaping scheme includes the planting of 43 replacement trees. The Council's Arboricultural Officer has sought amendments to the proposed landscaping scheme which the applicant is currently considering. An update will be given to the meeting.
- 7.4.2 The terms of condition 29 require the submission of tree information with the first reserved matters application for each phase. The applicant has done this. However, the Arboricultural Officer has raised further queries about the amended Arboricultural Method Statement which was submitted to address previous queries raised in relation to the trees to be retained including ensuring that the retained trees would be appropriately safeguarded during construction. The applicant is amending this report and an update will be given to the meeting. However it is noted that having regard to the proposed levels condition as set out at paragraph 7.3.4 above some of the matters addressed by this condition are not able to be clarified until the levels issue is resolved. To avoid further delays in considering this application and to ensure any potential delays in dealing with site levels along the proposed Loop Road are minimised, it is therefore proposed to impose a tree condition on the reserved matters approval based on condition 29 to ensure that all tree matters are appropriately controlled. Notwithstanding this no detailed information has been provided in relation to utility/service runs in relation to trees. This information is important to ensure that in providing statutory undertaker infrastructure the impact on trees is appropriately considered and controlled. This may be secured by way of condition.
- 7.4.3 The application is also accompanied by a Landscape Management Plan for the purposes of condition 33. The Arboricultural Officer has requested various changes relating to this document which the applicant is currently considering. An update will be given to the meeting.

#### **7.5 Amenity considerations**

- 7.5.1 It is recognised that whilst the development is being implemented there is the potential for noise, disturbance, inconvenience and disruption to local residents and businesses. The hybrid permission is subject to a number of conditions which seek to mitigate these impacts e.g. hours of working, the submission of construction management plan etc. Subject to compliance with these conditions it is not considered that the proposal would give rise to further impacts not previously considered at the hybrid permission stage.

## **7.6 Highway considerations**

- 7.6.1 As set out at paragraph 7.3.3 the proposed Loop Road is at variance with the approved indicative street hierarchy and the Deepcut SPD. The CHA have assessed the submitted plans and are satisfied with the design of the Loop Road to meet the vehicle, pedestrian and cyclist movements associated with future development. They have assessed the footways, cycleways, carriageway and visibility splays and are of the view that they are all sufficient to meet the future need for the purposes of this reserved matters application.
- 7.6.2 Notwithstanding this, the CHA have confirmed that a Stage 1 Road Safety Audit is being prepared by the County Council's Road Safety Team. In the event that this Audit raises further issues, the CHA may, if such issues are substantive, need to propose additional planning conditions to support those already recommended. An update on this will be given to the meeting.
- 7.6.4 Two substations are proposed on the southern part of the Loop Road. The applicant has confirmed that this provision is sufficient to meet the CHA's 2021 EV Parking Standards for the adjoining residential phases. No details of streetlighting have been submitted. It is therefore appropriate to impose a condition to secure these details, having regard to the consultation responses received from the CHA and Surrey Wildlife Trust below. Subject to the above the proposal is considered to be acceptable in highway terms..

## **7.7 Ecological considerations**

- 7.7.1 Given the existing site characteristics, badger setts are likely to be absent from the application site. However, they are present within the local area. To this end appropriate measures to safeguard the local badger population from construction activities are proposed with the submitted Ecology reports for this proposal. The issue of bats within the buildings was previously considered and appropriately address as part of the application reference 21/1227/DEM for the demolition of buildings to facilitate the Loop Road as set out at paragraph 3.11 above.
- 7.7.2 The application under consideration is for reserved matters. As it is not an application for planning permission the provisions of the Environment Act 2021, in relation to Biodiversity Net Gain do not apply. For information these provisions do not become mandatory for applications for planning permission until 2023. Notwithstanding this, the applicant has submitted a Biodiversity Net Gain Strategy in support of this application. This sets out that the majority of the habitat impacted by the proposal is hardstanding and buildings. However, there is an impact to amenity grassland and trees along the route of the proposed road. The submitted strategy is based upon offsetting the impact of the road upon amenity grassland and provides a net gain of 1%.
- 7.7.3 Surrey Wildlife Trust are satisfied that the submitted documents and plans for the Loop Road are acceptable to address the biodiversity and ecological impacts on this site. As such the submitted details are considered to be acceptable for the purposes of condition 16.
- 7.7.4 Notwithstanding the above, Surrey Wildlife Trust has also commented that the implementation of this development will need to be undertaken in strict accordance with the CEMP proposed under application reference 22/0038/DTC as set out at paragraph 3.13 above. Notwithstanding any conditions imposed in respect of the application the subject of this report, this condition would need to be complied with in full in any event.

## **7.8 Other matters**

- 7.8.1 The Section 106 agreement as varied for the Mindenhurst development envisages public open space will be adopted by Surrey Heath Borough Council. The Council's Greenspaces Team are satisfied, in principle, with the provision of other open space for the purposes of Schedule 5 Part 8 of the Section 106 agreement as varied and raise no objection to the proposal in this regard. However, this response remains subject to the views of the Council's Arboricultural Officer as set out at paragraph 7.4.3 above.

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

## **9.0 CONCLUSION**

- 9.1 Subject to the clarification of the matters raised above, the proposed development is considered to provide an appropriate Loop Road which is a strategic part of the provision of green and highway infrastructure to serve the residential phases comprising 4f, 6a, 6b, 6c and 6d (some 581 dwellings) within Mindenhurst and is compatible with the objectives of the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions

1. The approved Loop road shall be constructed to at least a base course level of construction, prior to the commencement of any development on any land parcel from which such parcel takes construction access, or as otherwise might be agreed with the County Highway Authority.
2. The approved Loop road shall be constructed to at least a binder course level of construction prior to the first occupation of any development of any land parcel from which such parcel takes access, or as otherwise might be agreed with the County Highway Authority.
3. The approved Loop road shall be constructed to at least a sacrificial surface course level of construction prior to the occupation of no more than 100 dwellings to which the Loop Road provides access, or as otherwise might be agreed with the County Highway Authority.
4. The approved Loop road shall be constructed to provide a final surface course level of construction prior to the occupation of no more than 80% of the dwellings to which the Loop Road provides access, or as otherwise might be agreed with the County Highway Authority.
5. The proposed road junctions serving the Loop Road shall be constructed as conventional bellmouth junctions until no later than the laying of the final surface course, or as otherwise might be agreed with the County Highway Authority.
6. The proposed road junctions serving the Loop Road shall be constructed as 'Copenhagen' style blended crossing junctions prior to the laying of the final surface course or as otherwise might be agreed with the County Highway Authority.



7. The approved Loop Road shall be fully constructed in accordance with the technical approval and road safety audit requirements of the County Highway Authority and to the satisfaction of the Local Planning Authority to include:
  - (a) Pedestrian, cycle and vehicular exit and forward visibility at all intersections and along the Loop Road
  - (b) Gradients and cross falls to all highway areas and areas of land adjacent to the highway areas
  - (c) Street signage, lining and street lighting
  - (d) High quality street furniture, including bollards, posts, benches, litter bins, cycle stands and other street furniture
  - (e) Landscaping
  - (f) A system of highway drainage compliant with the approved Mindenhurst SUDS Strategy
  - (g) Construction details and specifications for all elements of the proposed highway design and features
8. Once the Loop Road has been constructed, all visibility zones shall be kept permanently clear of any obstruction in accordance with the approved drawings and the technical requirements of the County Highway Authority.
9. Once the Loop Road has been constructed and with the exception of any construction, maintenance or repair works as may be agreed with the County Highway Authority, all footways, cycleways and carriageway areas shall provide permanent uninterrupted access to:
  - (a) All adjacent land parcels,
  - (b) Mindenhurst Road,
  - (c) Royal Way, and
  - (d) All adjacent and interconnecting pedestrian and cycle routes

such connections shall provide free access and passage all times for all intended users to the satisfaction of the Local Planning Authority
10. Wheel washing facilities and measures to keep Mindenhurst Road clear and clean of any mud or debris to ensure the safety of all highway users shall be provided to the satisfaction of the Local Planning Authority and County Highway Authority upon commencement of development. Once implemented such measures and facilities shall be retained and used whenever necessary or when the said operations are undertaken.

Reason: Conditions 1-10 above are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, having regard to Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012. Conditions 6, 7 and 9 are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

11. Notwithstanding the requirements of other conditions and prior to the installation of any services, details of all service runs including an assessment on the impact on trees and habitats with any requisite mitigation shall be submitted to the Local Planning Authority

for approval. Once agreed the development will be undertaken in accordance with the approved details including any approved mitigation measures.

Reason: To ensure that an accurate assessment of the impact of the proposed service runs on trees and habitats may be fully considered having regard to Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012

12. Notwithstanding any information submitted with the application and before the commencement of any construction, details of the existing and finished surface levels for the development shall be submitted to the Local Planning Authority for approval. Once approved the development shall be undertaken in accordance with the approved details and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the finished surface levels of the development are appropriate for the development in visual amenity, to safeguard trees to be retained and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. The landscaping of the site as approved by condition 15 below shall be maintained and managed in accordance with DC2-WTM-LX-214-XX-RP-04-0001-PS02 Landscape Management Plan Loop Road

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

14. Notwithstanding the requirements of the County Highway Authority as set out in condition 7 above no street or other external lighting shall be installed on the site unless and until a Sensitive Lighting Management Plan and details of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of that part of the development to which they relate.

Reason: To ensure that the impact on protected species is minimised in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

15. Notwithstanding any information submitted with the application, an updated tree retention and protection plan shall be submitted following the works agreed pursuant to condition 12 which shall include:

a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree;

details of any proposed remedial or management surgery works of any retained tree;

details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread or root protection area [RPA], (whichever is the greater), of any retained tree;

details of the specification and position of fencing, ground protection and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policies CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

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

Site location plans

DC2-WTM-CX-214-XX-DR-03-0101 PS09 - As existing showing RMA boundary Loop Road

DC2-WTM-CX-214-XX-DR-03-0104 PS02 - Hybrid planning application boundary

DC2-WTM-CX-214-XX-DR-03-0110 PS07 - Location plan Loop road

Loop Road General Arrangement Plan Sheet 1

DC2-WTM-CH-214-XX-DR-03-0113 PS07

Loop Road General Arrangement Plan Sheet 2

DC2-WTM-CH-214-XX-DR-03-0114 PS07

Loop Road Indicative Landscape General Arrangement Plan

DC2-WTM-LX-214-XX-DR-04-1100 PS08

Documents

DC2-FPCR-AB-214-XX-RP-00-0003 rev R08 Arboricultural Assessment Loop Road

DC2-SWT-EC-000-XX-PL-04-0006-PS12 Ecology Mitigation Strategy and Management Plan (Phase 5k only)

DC2-SWT-EC-214-00-RP-04-3861-PS07 Ecology Report Loop Road

DC2-WTM-LX-214-XX-RP-04-0001-PS02 Landscape Management Plan Loop Road

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

### **Informative(s)**

1. In order to comply with Condition No. 3 above and the Road Safety Audit requirements, it is possible that land outside the application site but shown as under the applicant's control might be affected.
2. Detailed design standards for the layout and construction of the Loop Road, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority. Permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Team at Surrey County Council.





<b>APPLICATION NUMBER</b>	<b>SU/21/1370</b>
-------------------------------	-------------------

## **DEVELOPMENT AFFECTING ROADS**

### **TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992**

**Applicant:**

**Location:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

**Development:** Application for approval of reserved matters for the loop road phase 5k pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 29 (tree retention and protection plans), 32 (hard and soft landscaping), 33 (landscape management plan), 40 (surface water), 41 (wetlands) and 43 (foul sewage) of planning permission ref: 12/0546 dated 04 April 2014 (as amended) and Schedule 5 Part 8 (Provision of the Other Open Space) of the Section 106 agreement dated 17 April 2014 as varied.

<b>Contact Officer</b>	Ralph Harvey-Kelly	<b>Consultation Date</b>	4 February 2022	<b>Response Date</b>	8 July 2022
----------------------------	--------------------	------------------------------	-----------------	----------------------	-------------

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

1. The approved Loop road shall be constructed to at least a base course level of construction, prior to the commencement of any development on any land parcel from which such parcel takes construction access, or as otherwise might be agreed with the County Highway Authority.
2. The approved Loop road shall be constructed to at least a binder course level of construction prior to the first occupation of any development of any land parcel from which such parcel takes access, or as otherwise might be agreed with the County Highway Authority.
3. The approved Loop road shall be constructed to at least a sacrificial surface course level of construction prior to the occupation of no more than 100 dwellings to which the Loop Road provides access, or as otherwise might be agreed with the County Highway Authority.
4. The approved Loop road shall be constructed to provide a final surface course level of construction prior to the occupation of no more than 80% of the dwellings to which the Loop Road provides access, or as otherwise might be agreed with the County Highway Authority.
5. The proposed road junctions serving the Loop Road shall be constructed as conventional bellmouth junctions until no later than the laying of the final surface course, or as otherwise might be agreed with the County Highway Authority.

6. The proposed road junctions serving the Loop Road shall be constructed as 'Copenhagen' style blended crossing junctions prior to the laying of the final surface course or as otherwise might be agreed with the County Highway Authority.
7. The approved Loop Road shall be fully constructed in accordance with the technical approval and road safety audit requirements of the County Highway Authority and to the satisfaction of the Local Planning Authority to include:
  - (a) Pedestrian, cycle and vehicular exit and forward visibility at all intersections and along the Loop Road
  - (b) Gradients and cross falls to all highway areas and areas of land adjacent to the highway areas
  - (c) Street signage, lining and street lighting
  - (d) High quality street furniture, including bollards, posts, benches, litter bins, cycle stands and other street furniture
  - (e) Landscaping
  - (f) A system of highway drainage compliant with the approved Mindenhurst SUDS Strategy
  - (g) Construction details and specifications for all elements of the proposed highway design and features
8. Once the Loop Road has been constructed, all visibility zones shall be kept permanently clear of any obstruction in accordance with the approved drawings and the technical requirements of the County Highway Authority.
9. Once the Loop Road has been constructed and with the exception of any construction, maintenance or repair works as may be agreed with the County Highway Authority, all footways, cycleways and carriageway areas shall provide permanent uninterrupted access to:
  - (a) All adjacent land parcels,
  - (b) Mindenhurst Road,
  - (c) Royal Way, and
  - (d) All adjacent and interconnecting pedestrian and cycle routes
 such connections shall provide free access and passage all times for all intended users to the satisfaction of the Local Planning Authority
10. Wheel washing facilities and measures to keep Mindenhurst Road clear and clean of any mud or debris to ensure the safety of all highway users shall be provided to the satisfaction of the Local Planning Authority and County Highway Authority upon commencement of development. Once implemented such measures and facilities shall be retained and used whenever necessary or when the said operations are undertaken.

### **Reasons**

HR1: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

HR2: The above conditions are required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

### **Informatives**

1. In order to comply with Condition No. 3 above and the Road Safety Audit requirements, it is possible that land outside the application site but shown as under the applicant's control might be affected.
2. Detailed design standards for the layout and construction of the Loop Road, including the provision of visibility zones, shall be in accordance with the requirements of the County

Highway Authority. Permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Team at Surrey County Council.

**Note:**

The County Highway Authority have assessed the application and are content with the design of the Loop Road to serve the anticipated development that it will serve. We have assessed various aspects of the design and are satisfied that the footways, cycleways, carriageway, visibility splays are all sufficient to meet the future need.

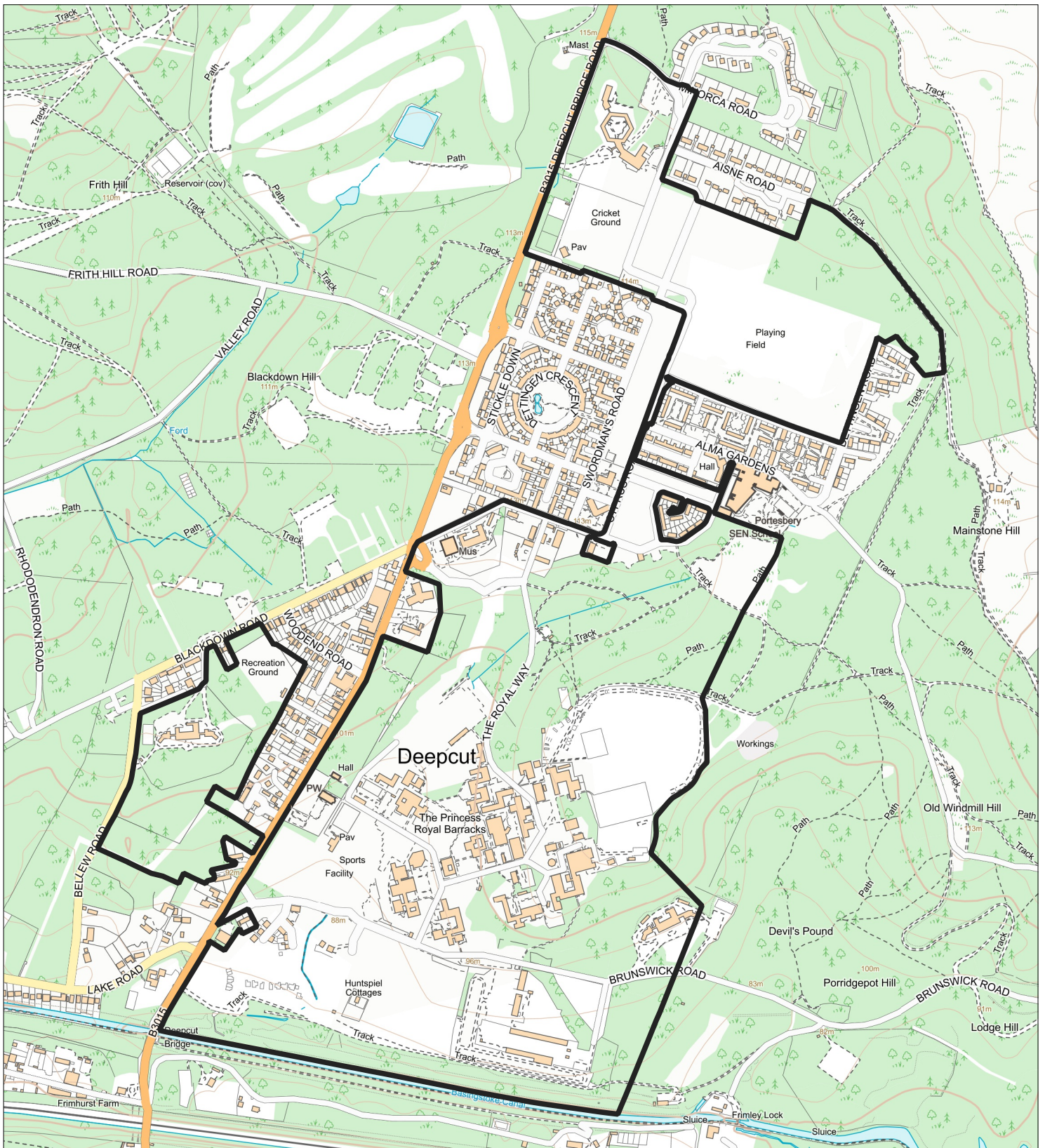
Our Assessment of the Loop Road design has been undertaken in consultation with internal colleagues. Notwithstanding this, a Stage 1 Road Safety Audit is currently being prepared by our Road Safety Team. In the event that this Audit raises further issues, we may, if such issues are substantive, need to offer further planning conditions to support those already recommended. We will confirm if these are required as soon as possible and no later than your Planning Committee.

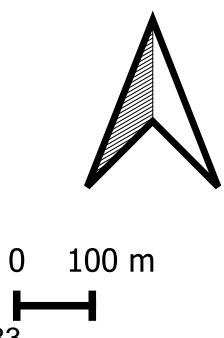

Transport Development Planning  
Infrastructure, Planning and Major Projects.

[Surrey County Council, Third Floor, Quadrant Court, 35 Guildford Road, Woking, Surrey, GU22 7QQ](#)

This page is intentionally left blank



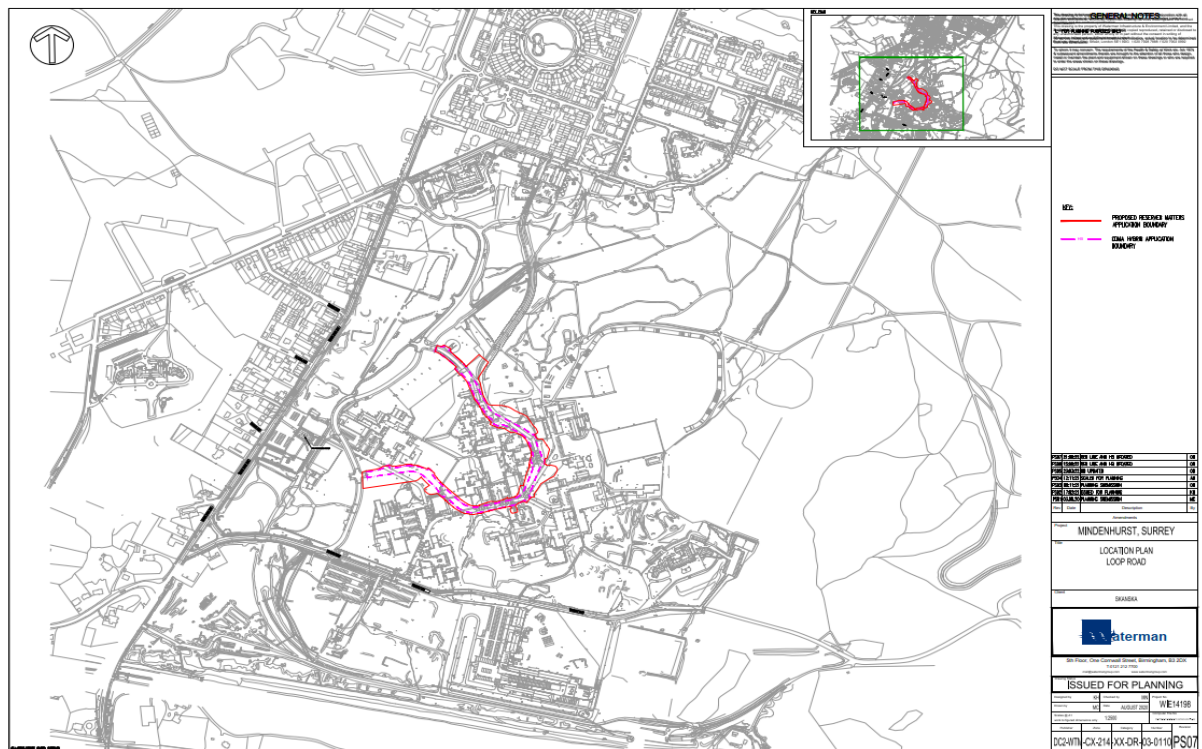


<b>Title</b>	Planning Applications		
<b>Application number</b>	21/1370/RRM		<b>Scale @ A4</b> 1:10,000
<b>Address</b>	Princess Royal Barracks Brunswick Road Deepcut Camberley Surrey GU16 6RN		<b>Date</b> 12 Jul 2022
<b>Proposal</b>	Application for approval of reserved matters for the loop road phase 5k pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan). 29 (tree retention and		
Version 5	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022		

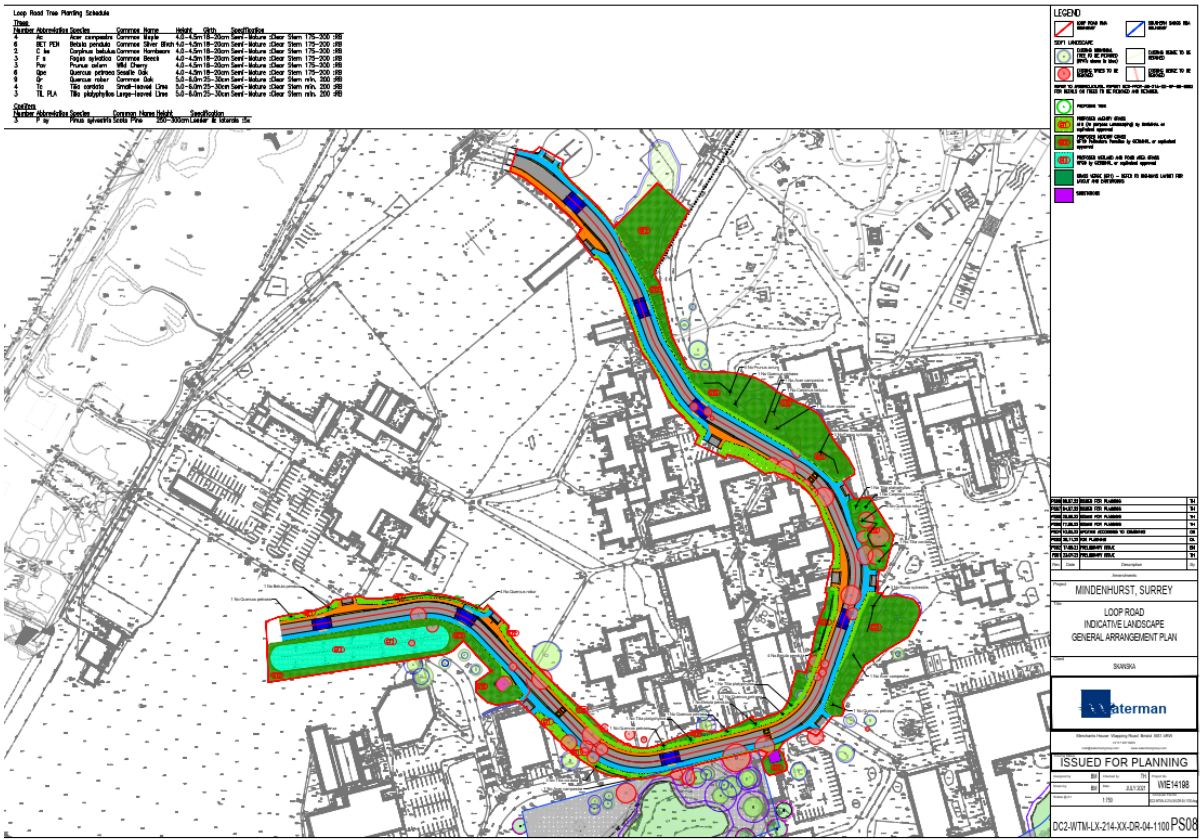
This page is intentionally left blank



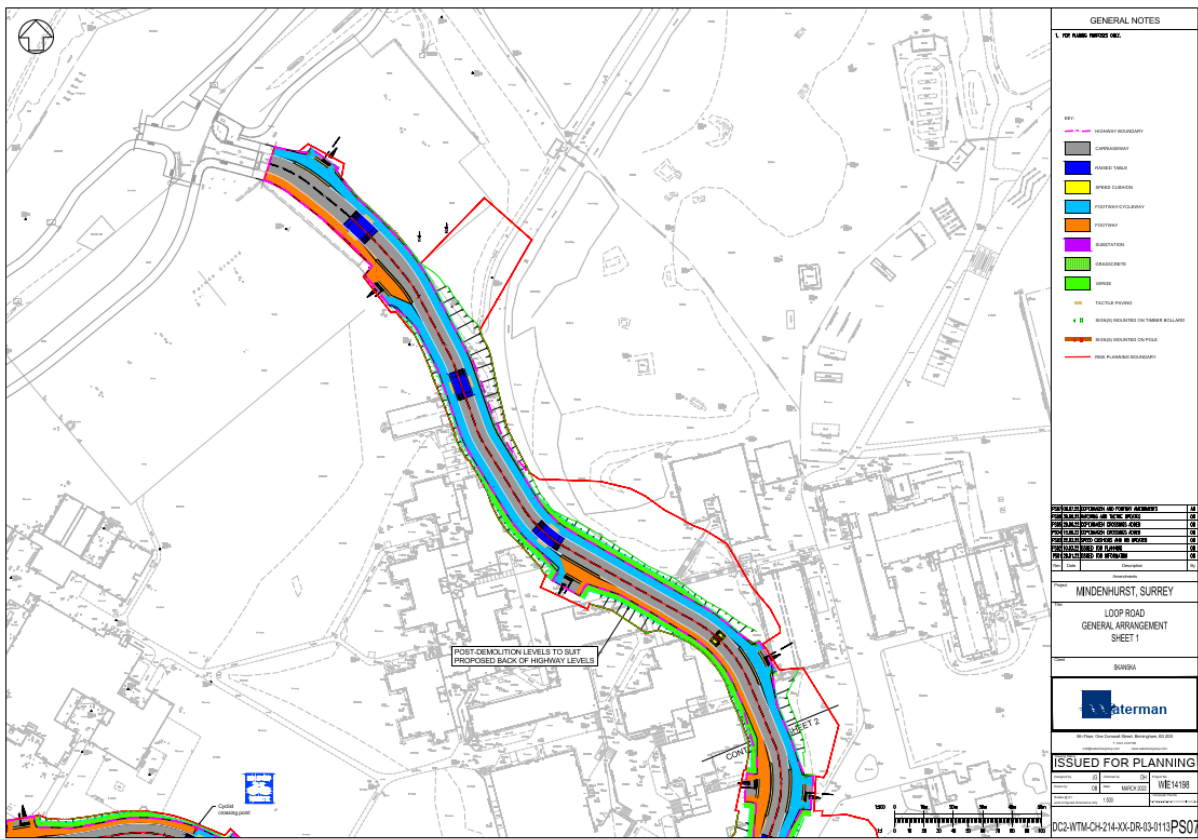
# PROPOSED SITE LOCATION PLAN



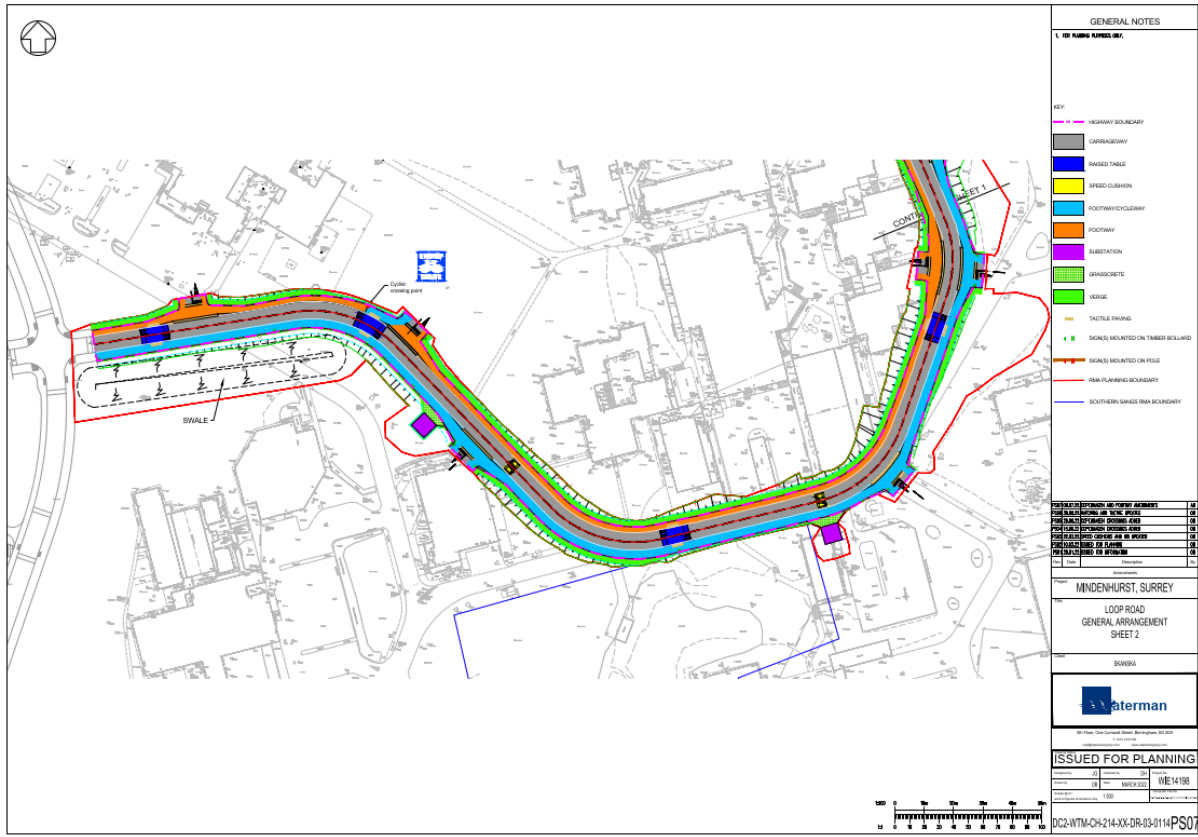
# LOOP ROAD INDICATIVE LANDSCAPE GENERAL ARRANGEMENT PLAN



# LOOP ROAD GENERAL ARRANGEMENT SHEET 1



# LOOP ROAD GENERAL ARRANGEMENT SHEET 2





VIEW FROM MINDENHURST ROAD BY MINDENHURST PRIMARY SCHOOL



VIEW FROM ROYAL WAY TOWARDS MINDENHURST ROAD





VIEW FROM ROYAL WAY LOOKING NORTH



FROM ROYAL WAY LOOKING SOUTH





VIEW FROM ROYAL WAY LOOKING SOUTH



VIEW FROM ROYAL WAY LOOKING NORTH





VIEW FROM ROYAL WAY LOOKING SOUTH



VIEW FROM ROYAL WAY LOOKING NORTH





VIEW FROM ROYAL WAY LOOKING WEST



VIEW FROM ROYAL WAY LOOKING EAST





VIEW FROM ROYAL WAY LOOKING WEST



VIEW FROM ROYAL WAY LOOKING NORTH WEST





VIEWS FROM ROYAL WAY LOOKING NORTH WEST

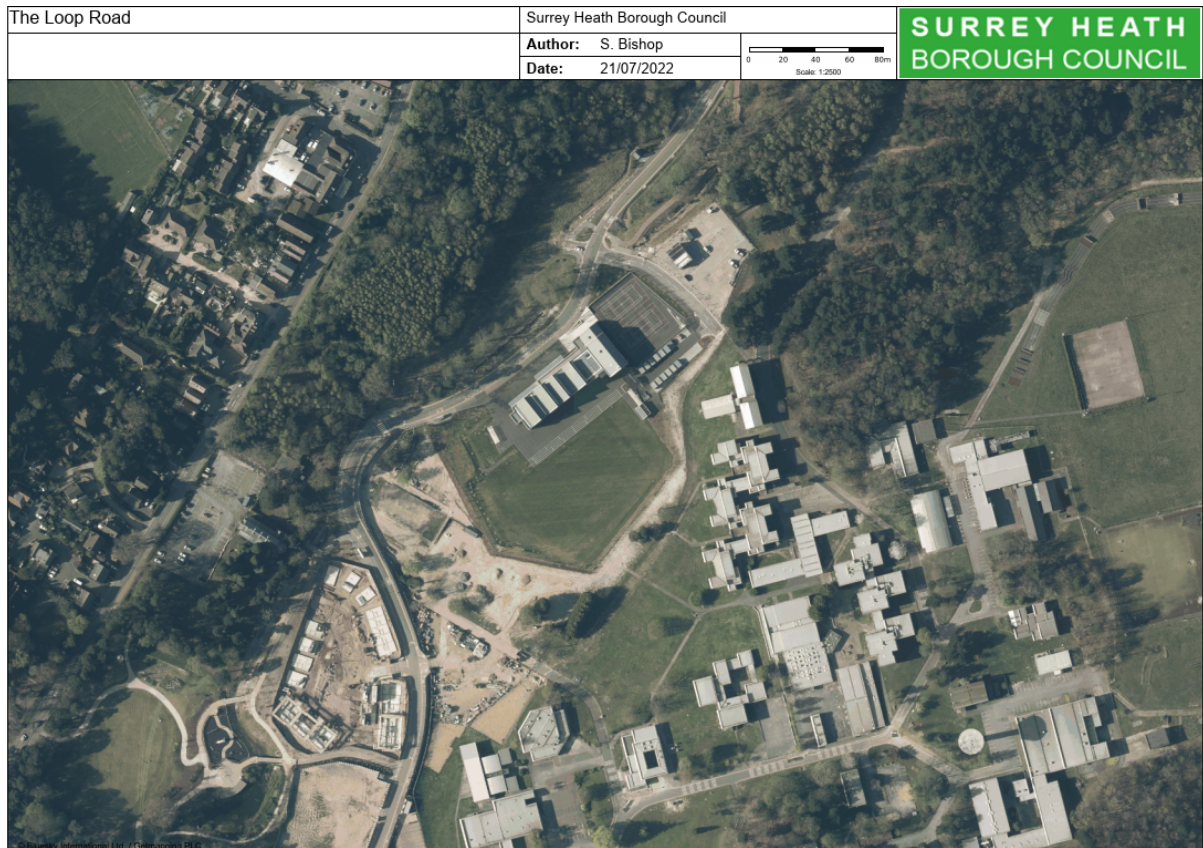




VIEW FROM MINDENHURST ROAD OPPOSITE FOREST DRIVE



AERIAL VIEW OF LOOP ROAD SITE



21/1288/RRM

**Reg. Date**

20 December 2021

Mytchett & Deepcut

**LOCATION:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN,

**PROPOSAL:** Reserved Matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 21 (LAPS and LEAPS) 29 (tree retention and protection plans), 32 (hard and soft landscaping), 33 (landscape management plan) and 43 (foul drainage) attached to 12/0546 dated 04 April 2014 (as amended) 12/0546 as amended by 18/0619 and 18/1002 and Schedules 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement dated 17 April 2014 as varied pursuant to the T\_CP (Modification and Discharge of Planning Obligations) 1992

**TYPE:** Reserved Matters

**APPLICANT:** Secretary Of State For Defence

**OFFICER:** Sarita Bishop

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

1.1 The proposed provision of formal and informal recreation areas and play areas, surrounding tree cover and improved connectivity are important component parts of the requisite public open and recreational space provision required to serve the Mindenhurst development. The proposals are also considered to be in accordance with the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied and are recommended for approval.

**2.0 SITE DESCRIPTION**

- 2.1 The Princess Royal Barracks site has an overall site area of some 114 hectares. This former military site has permission for a major residential development totalling 1,200 new dwellings, with associated public open space, community facilities, a primary school, retail and commercial uses and access and highway works.
- 2.2 The redevelopment is divided into 6 phases, three non residential (1, 3 and 5) and three delivering housing (2, 4 and 6).
- 2.3 Phase 1 which includes the provision of the spine road (now Mindenhurst Road), the Village Green, pond and play areas, the Green Swathe, the Green Swale and the Central SANG are generally complete except for some outstanding remediation and landscaping works.
- 2.4 Phase 2 comprising Phases 2a and 2b and Phase 4a comprising a total of 363 dwellings are under construction and nearing completion.
- 2.5 Phase 3a (the primary school) is complete and has been handed over to Surrey County Council. Phase 3c (the public house) opened in May 2022.

- 2.6 This application relates to Phases 5g and 5h. The site of just under 7 hectares is located to the south east of Blackdown Road, to the north east of Bellew Road and the Sergeants Mess, a Building of Merit, to the south west of Deepcut Bridge Road and to the north/north east of dwellings which front onto Lake Road to the south or Deepcut Bridge Road to the east. It is irregular in shape and is predominantly a mixed woodland which is owned by the Ministry of Defence. The site also includes a grassed playing pitch with sports pavilion, used by Mytchett Athletic FC, and a children's play area which has access from Blackdown Road, collectively known as either the Blackdown Road play space and playing fields or Blackdown Road Playing Field and Play Area. Whilst this land is also owned by the Ministry of Defence, this part of the site has been operated by Surrey Heath Borough Council as public open space since the 1970s. There is also a separate pedestrian access between 19 and 23 Woodend Road to the north east. Whilst the woodland is not public, with established fencing along the common boundary with the playing pitch, there is evidence that there is a well established pedestrian cut through from Bellew Road from the entrance to the Sergeants Mess down to Deepcut Bridge Road. There is also a concrete air raid shelter located off Deepcut Bridge Road. This is a bunker embedded within the woodland with two access points. There is a significant difference in levels with the woodland adjoining the boundary with the Sergeants Mess being some 10-11 metres higher than the site boundary with Deepcut Bridge Road.
- 2.7 As mentioned above the Sergeants Mess bounds the application site to the north, south and west. This building takes access from Bellew Road and has full planning permission for conversion into 33 flats (Phase 4g). Parcel X (Phase 4h) encircles the Sergeants Mess to the north, south and east and is proposed as a residential phase for 37 new build dwellings. Residential dwellings of various ages/designs adjoin all site boundaries.
- 2.8 The remainder of Phases 3 and 4, Phases 5d, 5e, 5f and 4j and all of Phase 6 have not yet been the subject of reserved matters applications.

### 3.0 RELEVANT HISTORY

- 3.1 12/0546 Hybrid planning application for a major residential led development totalling 1200 new dwellings with associated public open space, community facilities, a primary school, retail and commercial uses, access and highways works. Approved 6 April 2014. The Section 106 agreement for this application was signed on 17 April 2014.

As this was a hybrid application full planning permission was granted for the residential conversion of the Officers Mess building (now Phase 6e), the Sergeants Mess building (now Phase 4g) and the Headquarters of the Director or Logistics building (now Phase 4e) to provide a total of 81 flats. There is no requirement to provide affordable housing for these phases.

The outline element of the application included the approval of means of access and the following matters to be the subject of later reserved matters applications:

- 1,119 new build dwellings of which 35% would be affordable; (Officer note this would equate to an overall provision of 420 dwellings as it would also address the non provision on the converted buildings);
- A 2 form entry Primary School, together with a nursery facility;
- A foodstore;
- Local shops;
- Space for medical facilities to accommodate GPs/dentists;
- A library building with co-located police desk and village visitor centre;

- A public house
- Retention of the Garrison Church of St Barbara as a religious facility with a replacement church hall;
- Provision of 69.12 hectares of public open space comprising;
- 35 hectares of Suitable Alternative Natural Greenspace (SANGs) and 1.07 hectares of link between the Southern and Central SANGs;
- 19.85 hectares of semi natural open space (ANGST);
  - A 2 hectare Village Green;
  - 1.16 hectare Allotments;
  - 2.54 hectares of formal Parkland;
  - Areas of amenity green space within the residential areas;
  - Dedicated play spaces within the residential areas.
- A care home;
- Improved footpaths, cycleways, public transport linkages and highway improvements; and
- A Sustainable Urban Drainage system.

Condition 22 on this permission, as varied, secured the retention of the Blackdown Road equipped play space and playing fields in their existing use. Schedule 5 Part 12 of the Section 106 agreement, secured a contribution of £40,000 (index linked) payable to the Council for the Blackdown Road Play Area and the transfer of the Blackdown Road Play Area and Playing Field all prior to first occupation of the 500<sup>th</sup> dwelling.

- |     |             |   |
|-----|-------------|---|
| 3.2 | 17/0908     | Construction of a vehicular crossover/creation of an access off Deepcut Bridge Road. Approved. This permission was implemented to facilitate the provision of substations which benefitted from permission development rights. The substations have been installed and are located within the application site adjacent to its boundary with Deepcut Bridge Road.   |
| 3.3 | 20/0327/DTC | Submission of details, in part, to comply with condition 55 (contaminated land) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b (formal park), 4d (Parcel F ) and Phase 5 (Bellew ANGST, Sports Hub, North Alma ANGST, Care home, Allotments, North Dettingen ANGST, Loop Road and Brunswick Road and Roadsides). Approved.  |
| 3.4 | 21/0353/DTC | Submission of details, in part, to comply with condition 52 (programme of archaeological evaluation) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b, 5a, 5b, 5c, 5d, 5e, 5f, 5h, 5j and 5k. Approved. It is noted that that this report detailed the discovery of the air raid shelter.   |
| 3.5 | 21/1003/MPO | Application to vary the section 106 agreement, as varied, in respect of hybrid permission 12/0546, as amended by 18/0619 and 18/1002 to amend the delivery or occupation or payment triggers for the completion of the Village Green and combined NEAP/LEAP, the provision of the Sports Hub, the Formal Park, the Allotments, the Basingstoke Canal Towpath contribution, shared pedestrian/cycle infrastructure, various highway works, bus infrastructure; to amend the clauses to Junction 3 M3 to allow for a payment of a contribution in lieu of works; to amend the highway layout at the junction of Frimley Green Road with Wharf Road and Guildford Road to provide a roundabout scheme, the phased provision of the Southern SANG, update clauses on Central SANGs, amend the mortgagee clauses, option to extend the management company for the SANGs to all non residential land areas, |

amend the Bellew Road Closure Contribution clause and consequential amendments to the definitions, clauses and plans. Approved. This agreement amended the area of ANGST, excluding SANGS Land) to be provided from a total area of 19.85 hectares across the Mindenhurst site to a minimum of 19 hectares across the site.

- 3.6 21/0968/NMA Application for non material amendment to permission 12/0546 as amended by 18/0619 and 18/1002 (hybrid application for a major residential led development totalling 1200 dwellings) to vary conditions 10 (care home), 17 (village green), 18 (allotments) and 19 (formal parks or gardens to address an inconsistency in site area for the care home between the condition and the section 106 agreement, introduction of minimum site area for the village green, introduction of minimum site area for allotments and reduction in site area for formal park(s) or gardens. Approved. This revised condition 19 on the hybrid permission to secure the provision of a minimum of one hectare of formal park and not more than 1.24 hectares of the existing Blackdown Road playing fields.
- 3.7 22/0511/FFU Erection of a bat barn on land between the former Sergeants Mess and the Blackdown Road playing field associated with Phases 4g and 5g of hybrid planning permission 12/0546 as amended by 18/0619 and 18/1002 for the redevelopment of Princess Royal Barracks. Under consideration. This is proposed to be located within the woodland part of the current application site. This facility is required to enable the relocation of the maternity bat roost currently within the Sergeants Mess. This building may not be converted into dwellings until a replacement roost is in place and the bats have relocated.

#### **4.0 THE PROPOSAL**

4.1 This is a reserved matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to the following conditions:

- Condition 16 (detailed ecological management strategy & management plan);
- Condition 21 (LAPS and LEAPS);
- Condition 29 (tree retention and protection plans);
- Condition 32 (hard and soft landscaping);
- Condition 33 (landscape management plan); and
- Condition 43 (foul drainage)

attached to 12/0546 dated 04 April 2014, as amended by 18/0619 and 18/1002. .

4.2 A submission is also made under the Town and Country Planning (Modification and Discharge of Planning Obligations) 1992 in respect of in the following parts of Schedule 5 of the Section 106 agreement as varied:

- Part 5 (ANGST);
- Part 9 (LEAPS and LAPS);
- Part 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field)

4.3 The existing woodland, of some 5.7 hectares, is proposed to retained as woodland and to be used as Accessible Natural Greenspace Standard (ANGST), being defined in the section 106 agreement, as varied, as natural and semi natural open space. The playing field and childrens play area, of just under 1.3 hectares are also to be retained in their existing use. A new substation will also be provided on the east side of the pedestrian access which leads into the Sergeants Mess from Blackdown Road.



- 4.4 A new 3 metre wide resin bound footpath/cycle link is to be provided from the Sergeants Mess/Parcel X (Phases 4g and 4h) to link these residential areas with Deepcut Bridge Road and to the Village Green and the wider Mindenhurst development beyond. The existing pedestrian accesses serving the Sergeants Mess and the Blackdown Road playing fields and play area from Blackdown Road are to be retained as is the pedestrian access into the Blackdown Road playing fields and play area from Blackdown Road from Woodend Road. A new 2 metre wide gravel pedestrian route is proposed from the Blackdown Road playing field to link into Parcel X (Phase 4h). All new routes would also have a 5 metre wide Safety and Surveillance Zone. No trees would be removed to facilitate this zone but vegetation would be cleared.
- 4.5 The application also includes a partial submission of details pursuant to conditions 16 (Ecological Mitigation and Management), 21 (LAPS and LEAPS), 29 (Tree Retention and Protection), 32 (Hard and Soft Landscaping), 33 (Landscape Management Plan) and 43 (foul sewage). A submission is also made in respect of Schedule 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement, as varied.
- 4.6 The application is supported by Design and Access statement, a supporting statement, an Arboricultural Assessment, an Ecology Mitigation Strategy and Management Plan, an Ecology Report, a Bat Masterplan, an Ecology Technical Note – Impact of Lighting on Bats, a Biodiversity Metric Calculation, Contamination and Condition Surveys of the Air Raid Shelter, a Landscape Management Plan, an existing drainage layout and a Wildfire Management Plan.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority (CHA) No objection subject to conditions. *This response is attached as Annex A*
- 5.2 Greenspaces Team No objection in principle subject to clarification of lighting and details of the works/maintenance for the retention of the air raid shelter should it remain on site *[Officer comment: The proposal includes the retention of the air raid shelter]*
- 5.3 Arboricultural Officer Further information required on tree loss, method of construction and use of materials
- 5.4 Environmental Health No views received
- 5.5 Sport England No objection
- 5.6 County Archaeologist No objection but notes that the provisions of condition 52 (archaeological evaluation) remain extant.
- 5.7 Surrey Wildlife Trust (SWT) Views awaited
- 5.8 Natural England No comments to make on this application and refers to seeking specialist ecological advice. *[Officer comment: the views of Surrey Wildlife Trust have been sought on this application]*
- 5.9 Thames Water No comments to make as no changes are proposed to the foul/surface drainage for the site.
- 5.10 Contaminated Land Officer Further submissions pursuant to condition 55 will be required.
- 5.11 Surrey Bat Group No views received.

- |      |                          |                          |
|------|--------------------------|--------------------------|
| 5.12 | West Surrey Badger Group | No views received.       |
| 5.13 | Surrey Police            | No views received.       |
| 5.14 | Surrey Fire and Rescue   | No views received.       |
| 5.15 | Urban Design Consultant  | Supports the proposals.. |

## **6.0 REPRESENTATION**

- 6.1 A total of 170 individual letters were sent to addresses on Alfriston Road, Bellew Road, Blackdown Road, Deepcut Bridge Road, Fernleigh Rise, Lake Road, Mainstone Close, Minden Court, and Woodend Road. The Mytchett, Deepcut and Frimley Green Society and the Deepcut Neighbourhood Forum were also notified of this application. Four site notices were displayed on site on 24 January 2022 with a press notice being put in the Camberley News on 2 February 2022.
- 6.2 At the time of the preparation of this report no representations have been received.

## **7.0 PLANNING CONSIDERATION**

- 7.1 The planning policy considerations including the suite of documents forming the Council's Development Plan have not materially changed since the granting of the hybrid approval in 2014. The National Planning Policy Framework (NPPF) 2021 and the County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development November 2021 are also relevant. The Council has adopted a Residential Design Guide 2017 (RDG) which establishes the principles for residential development in the Borough. The principal considerations in the determination of this application are conformity with the hybrid permission and the specific requirements of Policies CP4 (Deepcut), CP11 (Movement), CP14A (Biodiversity and Nature Conservation), DM11 (Traffic Management and Highway Safety) and DM16 (Provision of Open Space and Recreation Facilities) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Deepcut SPD with regards to the following matters:

- The principle of the development;
- Proposed Layout and design
- Tree retention and landscaping;
- Amenity considerations;
- Highway considerations;
- Ecological considerations; and
- Other matters

### **7.2 The principle of the development**

- 7.2.1 The Deepcut SPD, the hybrid permission and section 106 legal agreement require appropriate infrastructure to support the redevelopment of the Princess Royal Barracks. Policy DM16 states the Council will encourage new and enhanced opportunities for formal and informal recreation including promotion of dual use facilities or through the provision of new green infrastructure. New residential development will be expected to provide or contribute towards open space, equipped play spaces including teen facilities and outdoor sports facilities. The proposal is for the provision and retention of public open and recreational space to support the Mindenhurst development. As such the principle of development is acceptable.

### 7.3 Proposed layout and design

7.3.1 The NPPF 2021 advises that proposals for development should promote social interaction through, amongst other matters, layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods. They should create places that are safe and accessible so that crime and disorder and the fear of crime do not undermine the quality of life or community cohesion for example through the use of attractive, well designed, clear and legible pedestrian and cycle routes and high quality public open space which encourage the active and continual use of public areas. The provision of safe and accessible green infrastructure and layouts that encourage walking and cycling will also enable and support healthy lifestyles.

7.3.2 The Deepcut SPD recognises that the provision of open space is a vital component of the Deepcut vision. It will create a plentiful and diverse public open space network throughout the village that contributes to the green, spacious character of the settlement which links into the surrounding heathland areas without harming nature conservation interests. The new village will deliver a mix of public open space incorporating:

- Formal space in the form of sports fields, parks, playgrounds and allotments
- Informal space in the form of natural and semi natural areas, village green and other amenity green space

The extended village will be served by an extensive network of linked green spaces and a circular walk around the village will be promoted. The SPD also sets an ANGST provision of 3.53 hectares per 1000 population.

7.3.3 The site is located within the Bellew and Blackdown Character Areas as defined by the Deepcut SPD. The overarching design principle for these areas is to retain their woodland and landscaped character. There are opportunities for the Blackdown Road Playing Field and Play Area to be enhanced as a neighbourhood space for a number of formal and recreation roles including improved play facilities and also to improve access to this area and integrate with the existing surrounding development.

7.3.4 The proposal aims to retain and enhance the characteristics of existing green spaces and make them more accessible to existing and future residents, whilst retaining the significant tree cover which surrounds the perimeter of the site. The main layout changes relate to the provision of the pedestrian and cycle routes through the site. They would link the open and recreational space to both existing residential development within the village but also to the new housing, open space, recreation and community facilities within Mindenhurst. They will be well integrated and of natural character. As such they would support the accessibility and community objectives of the SPD and be acceptable in principle.

7.3.5 However, as originally submitted, the footpath/cycleway linking Deepcut Bridge Road to the southern boundary of Parcel X was proposed to be unlit to mitigate the impact of the proposals on the local bat population. As this route is proposed to be the main pedestrian/cycle route to Deepcut Bridge Road from the new housing proposed at the Sergeants Mess/Parcel X, concern was raised by the Council and the County Highway Authority about the safety, usability and attractiveness of this route in the autumn and winter months. In its original consultation response Surrey Wildlife Trust did not object to lighting. The applicant has provided an indicative lighting scheme which details the provision of low level bollards adjoining the footpath/cycleway but has advised that the design of this lighting scheme will require further detailed consideration with their Ecologist and Arboricultural Consultants. To this end they have asked whether this matter could be dealt with by way of condition. This is considered to be reasonable and a condition is recommended as set out below.

7.3.6 Notwithstanding this, following a site visit by officers from the Council and the County Highway Authority it became clear that given the tree cover within the woodland, the challenges with site level and the technical requirements in providing lighting for the footpath/cycleway, a tree by tree assessment would be appropriate to minimise the level of

tree loss within the woodland. Given this it is considered appropriate to impose a condition which requires the detailed layout, broadly in accordance with the layout shown on the submitted plan, to be submitted following a site visit to agree the detailed route through the woodland.

- 7.3.7 The Blackdown Road Playing Field and Play Area are to be retained as existing. However, the County Highway Authority has requested that the site entrance onto Blackdown Road, which is currently unmade is provided with hardstanding. Given the small area this relates to, no objection is raised to this alteration. Whilst no changes are currently proposed to the play area, it is noted that proposals will come forward once the Blackdown Road Play Area Contribution has been paid to the Council.
- 7.3.8 In principle the proposed layout is considered to be acceptable in that public open and recreational space will be provided to meet the recreational needs of existing and future residents. The proposal will improve accessibility and connectivity within the village which is supported. Subject to the imposition of the conditions referred to at paragraphs 7.3.5 and 7.3.6 above, no objection is raised to the proposal on layout and design terms.

#### **7.4 Tree retention and landscaping**

- 7.4.1 The terms of condition 29 require the submission of tree information with the first reserved matters application for each phase. The applicant has done this. However, the Arboricultural Officer has raised further queries about the amended Arboricultural Method Statement which was submitted to address previous queries raised in relation to the trees to be retained including ensuring that the retained trees would be appropriately safeguarded during construction. The applicant is amending this report and an update will be given to the meeting. Having regard to the comments made and conditions proposed in paragraphs 7.3.5 and 7.3.6 above some of the matters addressed by this condition are not able to be clarified until the levels, lighting and tree removal issues are resolved. To avoid further delays in considering this application and to ensure any potential delays in dealing with the outstanding issues for the footway/cycleway are minimised, it is therefore proposed to impose a tree condition on the reserved matters approval based on condition 29 to ensure that all tree matters are appropriately controlled. Notwithstanding this no detailed information has been provided in relation to utility/service runs in relation to trees. This information is important to ensure that in providing statutory undertaker infrastructure the impact on trees is appropriately considered and controlled. This may be secured by way of condition.
- 7.4.2 The application is accompanied by a hard and soft landscaping plan pursuant to condition 32 This is acceptable in principle but it is noted that in complying with condition it is likely that \*\* a further submission under condition 32 will be required.
- 7.4.3 The application is also accompanied by a Landscape Management Plan for the purposes of condition 33. The Arboricultural Officer has requested various changes relating to this document which the applicant is considering. An update will be given to the meeting.

#### **7.5 Amenity considerations**

- 7.5.1 It is recognised that whilst the development is being implemented there is the potential for noise, disturbance, inconvenience and disruption to local residents and businesses. The hybrid permission is subject to a number of conditions which seek to mitigate these impacts e.g. hours of working, the submission of construction management plan etc. Subject to compliance with these conditions it is not considered that the proposal would give rise to further impacts not previously considered at the hybrid permission stage.
- 7.5.2 As no changes are proposed to the play area or playing field, the impact on adjoining residents from the proposals is not considered to be materially different from the current situation. There will be increased levels of activity and disturbance arising from the new footpaths and cycleway. However, given that the new footpaths and cycleway are located away from existing residential boundaries the resultant impacts are not considered to be materially harmful to these residents. In the unlikely event that any potential anti-social behaviour issues arise they will be dealt with under the relevant legislation.

## **7.6 Highway considerations**

- 7.6.1 The Deepcut SPD advises that existing footpaths will be expected to be made more visible and accessible through improved signage, accessibility improvements and the management of vegetation. All cycle routes will be expected to be safe and suitable and easy to use. The CHA has considered this proposal and raised no objection subject to conditions.
- 7.6.2 The proposed conditions address the provision of footpaths/cycleways, the illumination of the footpath/cycleway, the provision of cycle parking at convenient locations near to key access points, the provision of wooden bollards instead of a cycle barrier by the access onto Deepcut Bridge Road and the provision of a hardsurface at the entrance to the playing field from Blackdown Road.
- 7.6.3 The illumination of the footpath/cycleway would encourage regular use of the route and provide a safer environment for pedestrians and cyclists. The provision of cycle parking would ensure that bike users are able to ride to the ANGST and then secure their bikes safely whilst continuing on foot. The section of the route by Deepcut Bridge Road is relatively flat and, as such, wooden bollards are thought to provide a visual differentiation in this area, rather than a barrier. Furthermore, the CHA will ensure that the junction where the ANGST access meets Deepcut Bridge Road is suitability addressed and provided with a pedestrian/cyclist tie-in point as part of the forthcoming Environmental Improvement works. The existing access from the playing field onto Blackdown Road is prone to muddy condition in wet weather therefore the laying of a hardsurface will be a benefit to users during the autumn/winter months.
- 7.6.4 Subject to the imposition of conditions as set out above, no objection is raised to the proposal on highway grounds

## **7.7 Ecological considerations**

- 7.7.1 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.7.2 The application is supported by an Ecology Mitigation Strategy and Management Plan, an Ecology Report, a Bat Masterplan, an Ecology Technical Note – Impact of Lighting on Bats, a Biodiversity Metric Calculation. The ecology surveys confirm the presence of bats and badgers in the area and also that the woodland could provide a suitable habitat for reptiles. The submitted reports details appropriate mitigation measures to safeguard protected species and habitats which, subject to the views of Surrey Wildlife Trust are considered to be acceptable for the purposes of 16.
- 7.7.3 Whilst no illumination was originally proposed for the footpath/cycleway and this remains the applicant's preferred option, it is recognised that the introduction of illumination into the woodland would have an impact on the local bat population, given that the woodland is currently dark. However, this impact has to be considered in the planning balance. It is considered that a low level lighting scheme could be proposed which could provide a safe environment for future users of the footpath/cycleway whilst mitigating the impact on the local bat population. It is also recognised that there will be an increase in illumination in the area as a result of the development of Parcel X. Furthermore, the proposed bat barn to accommodate the maternity bat roost within the Sergeants Mess is shown to located to the north east part of the woodland away from the new housing. Notwithstanding this, it is considered appropriate to remove the right to install external lighting within the development without permission and to switch the streetlighting off between the hours of 1am to 5am in line with the hours that the County Council streetlights are switched off to facilitate a dark environment. Subject to the views of Surrey Wildlife Trust, the imposition of these conditions and a condition which secures the detailed design of the lighting scheme for the footpath/cycleway no objection is raised to the proposal in this regard.
- 7.7.4 Natural England have no comments to make on the application subject to the views of

specialist ecologist advice being sought.

## **7.8 Other matters**

- 7.8.1 The proposal includes the retention of the air raid shelter within the woodland. In due course it is envisaged that the woodland will be transferred to the Council. The transfer of the air raid shelter to the Council was not considered at the time of the hybrid permission in terms of retention or future maintenance and management. The application is supported by Contamination and Condition Surveys of the Air Raid Shelter which advises that given its age and embedment into the woodland setting, the bunker is in remarkably sound condition. The applicant has indicated that locked gates would be installed at the entrances to prevent public access but permit access for wildlife. These works would need to be done with care to ensure that the structure of the bunker is not undermined. It is therefore considered appropriate to impose conditions which requires the submission of a detailed programme of works for the installation of the gates and also for the future maintenance and management of the shelter. This is also proposed to address the concerns of the Greenspaces Team in terms of future management.
- 7.8.2 The application includes submissions pursuant to condition 21 (LAPS and LEAPS) and Schedule 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement, as varied. It is also noted condition 22 on the hybrid permission secured the retention of the Blackdown Road equipped play space and playing fields in their existing uses. The application confirms the retention of these spaces for open space and recreational uses. The Greenspaces team raise no objection to the proposal in this regard. The existing play area (LEAP) has an area of some 0.7 metres which exceeds the area specified in Policy DM16. The proposal is therefore considered to be acceptable for the purposes of conditions 21 and 22 and Parts 9 and 12. It is noted that further improvement works will take place following the payment of the Blackdown Road Play Contribution to the Council. The proposed level of ANGST as proposed by this application is a significant contribution to the minimum requisite provision of 19 hectares and is acceptable for the purposes of Part 5.
- 7.8.3 The application includes a submission pursuant to condition 43 (foul drainage). There are no changes proposed to the existing foul drainage network as part of this proposal. Given this and having regard to the views of Thames Water, the submitted details are considered to be acceptable for the purposes of condition 43 on this site.

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

## **9.0 CONCLUSION**

- 9.1 The proposed provision of formal and informal recreation areas and play areas, surrounding tree cover and improved connectivity are important component parts of the requisite public open and recreational space to serve the Mindenhurst development. The proposals are also

considered to be in accordance with the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied and are recommended for approval. .

## 10.0 RECOMMENDATION

GRANT subject to the following conditions

1. All proposed footways/cycleways within the site shall be provided at a minimum width of 3m, with localised narrowing permitted to take account of trees, with the exception of the footway between the playing field and the Sergeant's Mess which can be 2m in width. The footways/cycleways shall be lit and remain open and accessible to pedestrians and cyclists for permanent use, free of any impediment at all times. Once constructed such routes shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.
2. Secure cycle parking shall be provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
3. Notwithstanding any details submitted in the application wooden bollards shall be provided west of the existing sub-station in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said bollards shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
4. The existing access to the Sports Field on Blackdown Road shall be provided with hardstanding in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: Conditions 1-4 above are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users having regard to Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

5. Prior to any works on the construction of the footpaths/cycleway which traverse the woodland, a site meeting shall be arranged with the Council's Arboricultural Officer, the County Highway Authority and the applicant team to confirm the precise line of the footpath to the north of the woodland and the footpath/cycleway leading from Parcel X to Deepcut Bridge Road broadly in accordance with the layout shown on drawing numbers DC2-WTM-LX-011-XX-DR-04-1000 revision PS03 and DC2-WTM-LX-011-XX-DR-04-1001 revision PS03. Once agreed in principle updated drawings shall be submitted to the Local Planning Authority for formal approval. The footpath/cycleway which traverse the woodland shall be provided in accordance with the approved scheme and thereafter retained and maintained for their designated purposes.

Reason: To minimise tree loss in the interests of the visual amenities of the woodland, to ensure appropriate pedestrian and cycle links are provided between the Sergeants Mess, Parcel X, the Blackdown Road Playing Field and Play Area, Blackdown Road and Deepcut Bridge Road and to promote sustainable forms of transport having regard to Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2021

6. Notwithstanding the requirements of any other conditions prior to the installation of any services, details of all service runs through the woodland including an assessment on

the impact on trees and habitats with any requisite mitigation shall be submitted to the Local Planning Authority for approval. Once agreed the development will be undertaken in accordance with the approved details including any approved mitigation measures.

Reason: To ensure that an accurate assessment of the impact of the proposed service runs on trees and habitats may be fully considered having regard to Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. Notwithstanding the provisions of condition 1 above no external lighting shall be installed to illuminate the footway/cycleway linking Parcel X to Deepcut Bridge Road unless and until a Sensitive Lighting Maintenance and Management Plan and details of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the footway/cycleway being made available for public use.

Reason: To ensure that the impact on the local bat population is minimised in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

8. Unless specifically approved by this permission no further external lighting shall be installed within the development unless and until details have been submitted to the Local Planning Authority for approval. The external lighting details shall be implemented in accordance with the approved scheme and thereafter retained and maintained.

Reason: To control the impact of external lighting on the local bat population having regard to policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012

9. Any lighting approved pursuant to condition 7 above shall be switched off between the hours of 1am to 5am.

Reason: To control the impact of external lighting on the local bat population and to save energy having regard to Policies CP2 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2021.

10. Prior to the transfer of any of the woodland, updated contamination and condition surveys and a maintenance and management plan for the air raid shelter shown to be retained on site shall be submitted to the Local Planning Authority for approval. The plan shall also include details of security measures to safeguard the air raid shelter from unauthorised access, a methodology for the implementation of these measures and a longterm maintenance and management strategy. The air raid shelter shall thereafter be retained in situ in accordance with the approved details.

Reason: To safeguard a structure of historic interest and to ensure that appropriate plans are in place to ensure its future maintenance and management.

11. Notwithstanding any information submitted with the application, an updated tree retention and protection plan shall be submitted following the works agreed pursuant to condition 5 which shall include:

a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;



details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree;

details of any proposed remedial or management surgery works of any retained tree;

details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread or root protection area [RPA], (whichever is the greater), of any retained tree;

details of the specification and position of fencing, ground protection and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policies CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

12. The proposed development shall be built in accordance with the following approved plan and documents:

Plans

Location and Site Plans

DC2-WTM-CX-011-XX-DR-03-0101 revision PS02

DC2-WTM-CX-011-XX-DR-03-0110 revision PS02

DC2-WTM-LX-011-XX-DR-04-1004 revision PS04

Landscape General Arrangement Plans

DC2-WTM-LX-011-XX-DR-04-1000 revision PS03 subject to the provisions of condition 5 above

DC2-WTM-LX-011-XX-DR-04-1001 revision PS03 subject to the provisions of condition 5 above

Combined Footway/Cycleway Section

DC2-WTM-LX-011-XX-DR-04-4000 revision PS02 subject to condition 5

Path Material Specification

DC2-WTM-LX-011-XX-DR-04-5000 revision PS03

Existing LEAP General Arrangement Plan

DC2-WTM-LX-011-XX-DR-04-1003 revision PS02

Existing Drainage Plan Blackdown ANGST

DC2-WTM-CD-011-XX-DR-03-0101 PS02 - in respect of condition 43 only

Wooden post and cycle barrier details

DC2-WTM-LX-011-XX-DR-04-5001 revision PS01 subject to condition 3 above.

#### Documents

DC2-SWT-EC-000-XX-PL-04-0006-PS14 Ecology Mitigation Strategy and Management Plan dated 6 July 2022

DC2-SWT-EC-011-00-RP-04-3861-R06 Ecology Report dated 6 July 2022

DC2-SWT-EC-000-00-RP-04-3861-D03 Bat Masterplan dated 30 May 2022

DC2-WTM-LX-011-XX-RP-04-0001 PS02 Landscape Management Plan dated November 2021 subject to condition 10 above.

DC2-WTM-LX-011-XX-SH-04-0001-PS01 Materials Schedule subject to condition 3 above.

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

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

1. The applicant is advised that in discharging condition 5 above, further submissions in respect of conditions 29, and 32 attached to hybrid permission 12/0546, as amended by 18/0619 and 18/1002 will be required.
2. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
3. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
4. 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.
5. Birds: All wild birds, their nests and eggs are protected under Schedule 1-4 of the Wildlife and Countryside Act 1981. It is an offence to damage or destroy a nest of any wild bird. Birds are generally nesting between March and July.
6. A pedestrian/cyclist tie-in point shall be provided at the junction where the ANGST route meets Deepcut Bridge Road. This shall be provided as part of the forthcoming Deepcut Bridge Environmental Improvement works at the developer's expense.

7. The applicant is advised that in complying with condition 10, and on the basis that the ownership of the air raid shelter is to be transferred to the Council, a financial contribution will be required for maintenance in perpetuity.

This page is intentionally left blank



<b>APPLICATION NUMBER</b>	<b>SU/21/1288</b>
---------------------------	-------------------

## DEVELOPMENT AFFECTING ROADS

### TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Secretary Of State For Defence

**Location:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey GU16 6RN

**Development:** Reserved Matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 21 (LAPS and LEAPS) 29 (tree retention and protection plans), 32 (hard and soft landscaping), 33 (landscape management plan) and 43 (foul sewage) attached to 12/0546 dated 04 April 2014 (as amended) 12/0546 as amended by 18/0619 and 18/1002 and Schedules 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement dated 17 April 2014 as varied pursuant to the T&CP (Modification and Discharge of Planning Obligations) 1992 |

<b>Contact Officer</b>	Matthew Strong	<b>Consultation Date</b>	21 January 2022	<b>Response Date</b>	21 July 2022
------------------------	----------------	--------------------------	-----------------	----------------------	--------------

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. All proposed footways/cycleways within the site shall be provided at a minimum width of 3m, with localised narrowing permitted to take account of trees, with the exception of the footway between the playing fields and the Sergeant's Mess which can be 2m in width. The footways/cycleways shall be lit and remain open and accessible to pedestrians and cyclists for permanent use, free of any impediment at all times. Once constructed such routes shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.
2. Secure cycle parking shall be provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
3. Wooden bollards shall be provided west of the existing sub-station in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said bollards shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

4. The existing access to the Sports Field on Blackdown Road shall be provided with hardstanding in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter shall be 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**

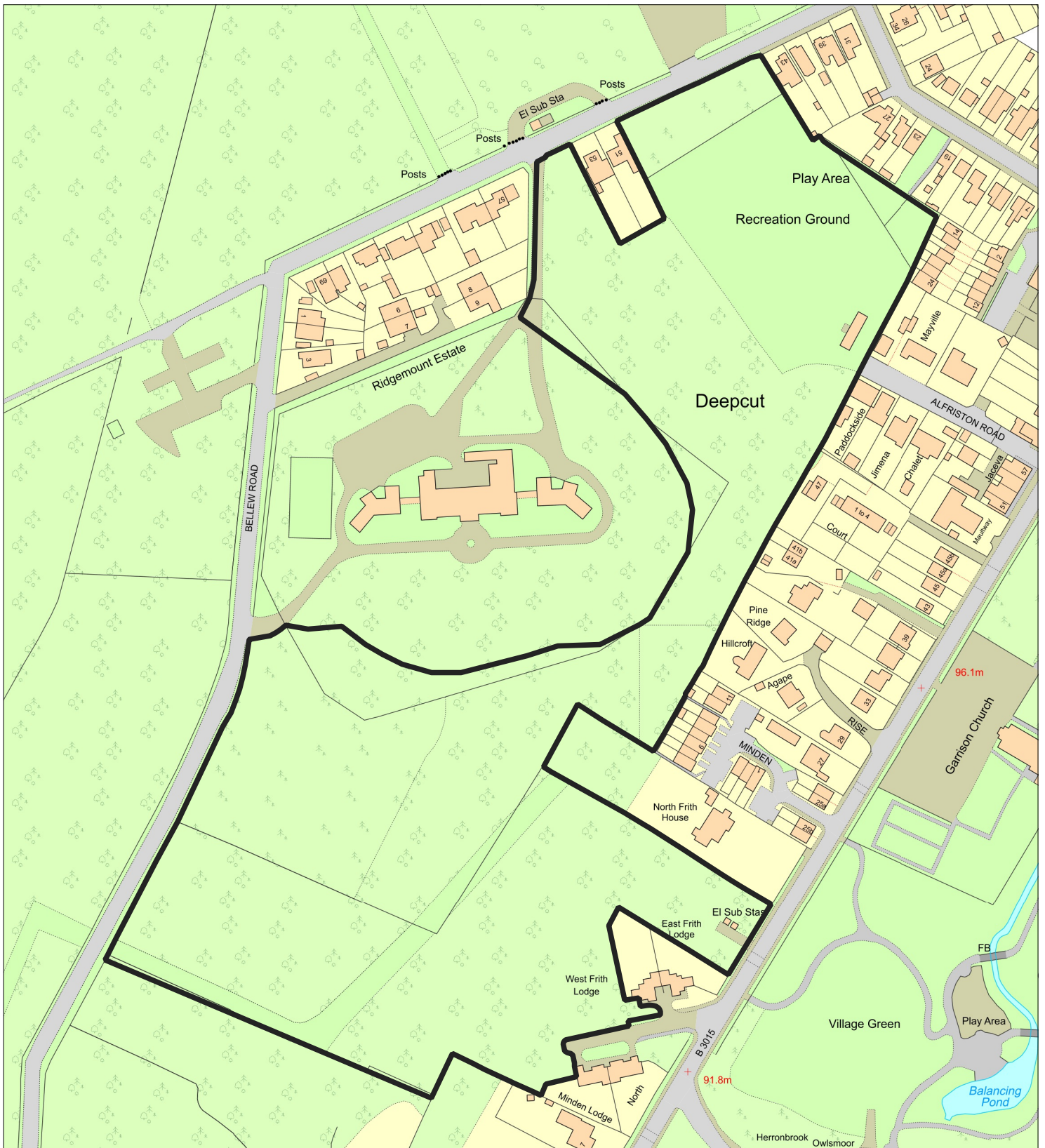
Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2021.

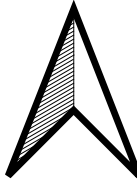
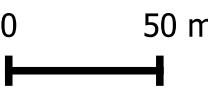
**Informative**

A pedestrian/cyclist tie-in point shall be provided at the junction where the ANGST route meets Deepcut Bridge Road. This shall be provided as part of the forthcoming Environmental Improvement works at the developer's expense.

**Note to Planner**

The proposed footway/cycleway will be lit which will encourage regular use of the route and provide a safer environment for pedestrians and cyclists. Condition 2 will ensure that bike users can ride to the ANGST and then secure their bikes safely whilst continuing on foot. The cycle parking should be located in convenient locations near to key access points to the site. A cycle barrier has been proposed close to the junction with Deepcut Bridge Road. This section of the route is relatively flat and, as such, wooden bollards are thought to provide a visual differentiation in this area, rather than a barrier. The CHA will ensure that the junction where the ANGST access meets Deepcut Bridge Road is suitability addressed and provided with a pedestrian/cyclist tie-in point as part of the forthcoming Environmental Improvement works. Condition 4 will provide a suitable surface for the access to the existing sports field which is currently prone to muddy conditions in wet weather and, as such, users will benefit from the improved surfacing in the autumn/winter months

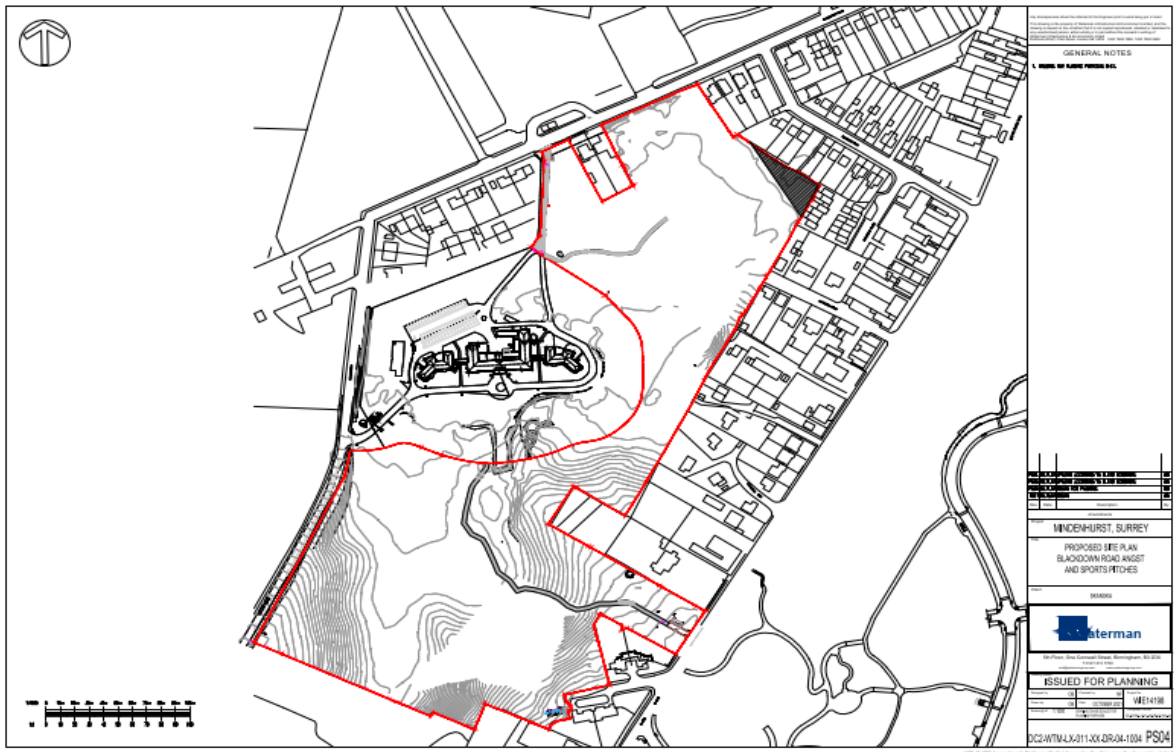


<b>Title</b>	Planning Applications		
<b>Application number</b>	21/1288/RRM	 	<b>Scale @ A4</b> 1:2,500
<b>Address</b>	Princess Royal Barracks Brunswick Road Deepcut Camberley Surrey GU16 6RN		<b>Date</b> 12 Jul 2022
<b>Proposal</b>	Reserved Matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan).		
Version 5	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022		Author: DE

This page is intentionally left blank



# SITE LOCATION PLAN



# LANDSCAPE GENERAL ARRANGEMENT SHEET 1



# LANDSCAPE GENERAL ARRANGEMENT SHEET 2



# EXISTING LEAP





VIEW FROM DEEPCUT BRIDGE ROAD



VIEW OF SUBSTATIONS – DEEPCUT BRIDGE ROAD





VIEWS OF SUBSTATIONS – DEEPCUT BRIDGE ROAD FROM WOODLAND



AIR RAID SHELTER





VIEWS WITHIN WOODLAND SOUTH OF SERGEANTS MESS/PARCEL X







EXISTING BOUNDARY WITH SERGEANTS MESS/PARCEL X





SUBSTATION SITE AND PEDESTRIAN ACCESS TO SERGEANTS MESS/PARCEL X FROM BLACKDOWN ROAD





VEHICULAR ACCESS FOR BLACKDOWN ROAD PLAYING FIELD AND RECREATION GROUND



VIEW OF BLACKDOWN ROAD PLAYING FIELD AND RECREATION GROUND FROM ACCESS





EXISTING BOUNDARY BETWEEN BLACKDOWN ROAD PLAYING FIELD AND WOODLAND

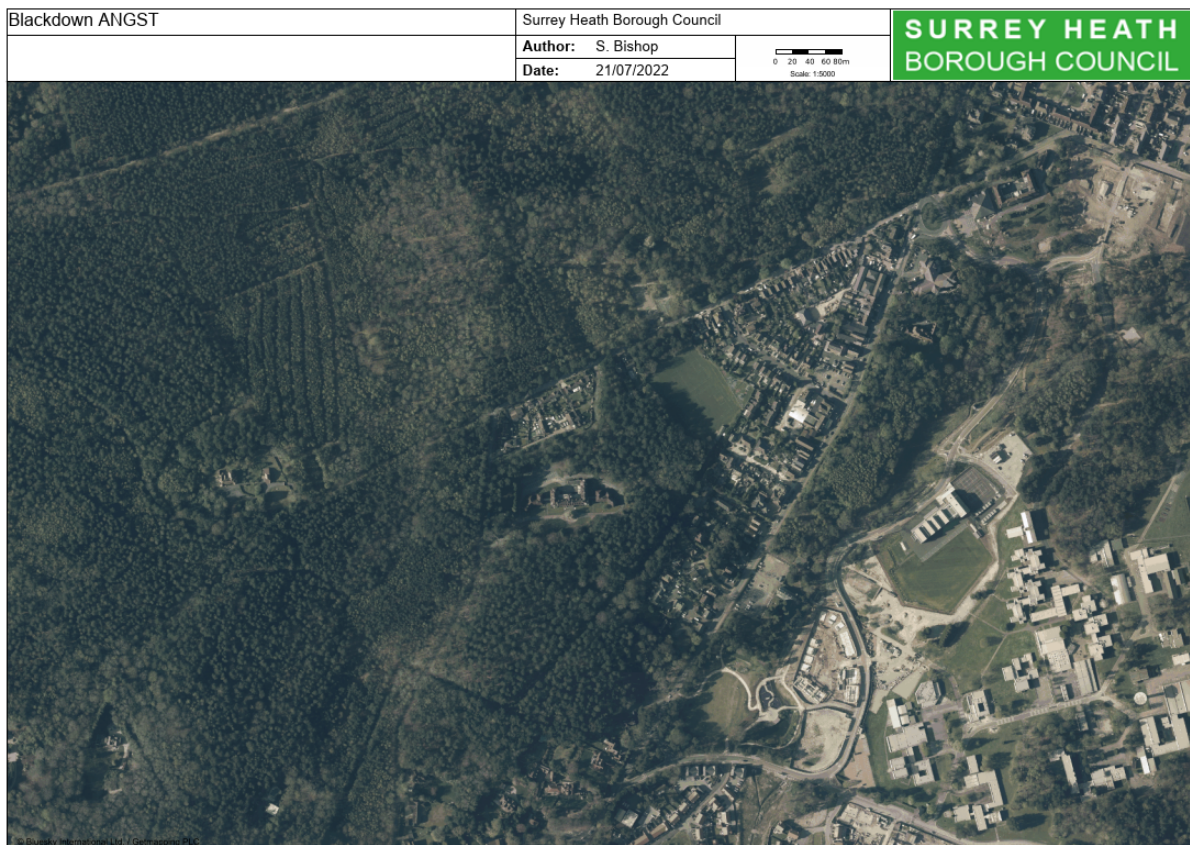


VIEW FROM WOODLAND LOOKING TOWARDS BLACKDOWN ROAD PLAYING FIELD





# AERIAL VIEW BLACKDOWN ANGST, BLACKDOWN RECREATION GROUND AND PLAYING FIELD



21/1333/RRM

**Reg. Date**

14 December 2021

Bagshot

<b>LOCATION:</b>	134 And 136, London Road, Bagshot, Surrey, GU19 5BZ,
<b>PROPOSAL:</b>	Application for the approval of all reserved matters (landscaping) pursuant to outline planning permission 20/0090/OOU (erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved).
<b>TYPE:</b>	Reserved Matters
<b>APPLICANT:</b>	Solve Planning
<b>OFFICER:</b>	Melissa Turney

This application is being referred to the Planning Committee because it is a major development (i.e. more than 10 dwellings).

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

#### **1.0 SUMMARY**

- 1.1 This application seeks the approval of reserved matters (landscape) pursuant to outline planning permission 20/0090/OOU - erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road.
- 1.2 The principle of development and new vehicular access was considered acceptable under 20/0090/OOU. This outline consent approved full details for the access, layout and scale and appearance of the development. Only landscaping was reserved. For completeness a copy of the committee report for this approval is annexed to this agenda (See Annex A).
- 1.3 The details submitted relate to the landscaping scheme only. The site would benefit from new landscaping to the front of the site. A holly hedge to the north eastern corner of the site will be retained and reinforced. To the side boundaries there would be fencing and hedging in front. During the course of the application amended details were submitted to provide a higher level of detail over the cellular confinement system near the protected tree which can be secured via a condition. In the officer's opinion the proposed landscaping would not be harmful to the character of the area nor residential amenities.
- 1.4 The application is therefore recommended for approval.

#### **2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the eastern side of London Road, within the settlement area of Bagshot. The site includes two detached two-storey dwellings. No. 134 to the north appears to be of late-Victorian/Edwardian origin but is not Listed at statutory or local level. No. 136 is of 1950s origin but has been substantially updated.
- 2.2 Existing properties in the immediate area consist of two storey detached, semi-detached and terraced properties facing London Road, many of which are of Victorian/Edwardian origin and design. The adjacent site to the east and south has been recently redeveloped to comprise a housing estate (former Notcutts Nursery) containing a mixture of dwelling types up to three storey in height, along with a large supermarket building that also contains

several smaller retail units.

- 2.3 On the boundary with the neighbour at no. 132 London Road is an Oak Tree which is covered by TPO/6/00 Tree Preservation Order. Two trees within the southern eastern corner are also covered by the same Tree Preservation Order.

### **3.0 RELEVANT HISTORY**

- 3.1 20/0090/00U Erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved

*Granted 30/11/20 subject to conditions and a legal agreement. The legal agreement secured on-site affordable housing provision for 50% of the development and a SAMM payment. This application was reported to committee on the 16/7/20 with an officer recommendation for approval (See Annex A for this committee report and Minutes. This report contains a full site planning history)*

### **4.0 THE PROPOSAL**

- 4.1 The application seeks approval of reserved matters following the grant of outline planning permission for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Approval of reserved matters is sought for landscaping. All other matters including access, appearance, layout and scale have been agreed.
- 4.2 The site would benefit from new landscaping to the front of the site. There is a variety of trees, shrubs grasses and grassland proposed. A holly hedge to the north eastern corner of the site will be retained and reinforced in the interests of biodiversity. The whole site would be enclosed with closed board fencing. Hedging and soft landscaping would be located in front of the fencing. Perimeter planting areas are proposed adjacent to the building footprints, ornamental planting areas are proposed for approach areas and to the frontages of the three buildings. A wildflower area is also proposed under the Oak Tree to the northern boundary. Lastly an lawn area is provided for amenity areas.
- 4.3 Long term soft landscape management includes details of how the existing vegetation will be removed and protected. Details of the proposed tree planting include staking, watering which includes fortnightly watering through the spring/autumn period and two times per week in summer. Proposed management of new trees including tree guards, tree pruning, proposed hedging details and long term management of hedging which includes trimmed to a 'A' shape form and native mixed species hedges should be maintained at a height of 1.2m. Further details of the wildflowers management and grassed areas are provided.
- 4.4 During the course of the application amended details were submitted to provide a higher level of detail, as outlined above. Further information was also submitted in relation to the cellular confinement system (i.e. a series of honeycomb geocells that spread loads to avoid compaction of underlying soil) around protected trees.
- 4.5 In support of the planning application the following documents have been submitted: a soft landscape specification; a long term soft landscape management plan; and, a planting schedule and specification.

### **5.0 CONSULTATION RESPONSES**

- 5.2 Joint Waste Solutions As per the agreed terms, fees and charges of the Council, developers are advise to purchase the bins on behalf of the residents prior to

occupancy. Maximum pulling distance (distance from presentation collection point) of 25m for the two wheeled bins.

Confirmed that collection point is within maximum pulling distance.

- 5.4 Windlesham Parish Council No objection
- 5.5 Arboricultural Officer No objection raised subject to a pre-start condition for the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection areas in accordance with BS5837:2012.

## 6.0 REPRESENTATION

6.1 A total of 26 individual letters were sent to the surrounding properties on 22 December 2021 and was advertised in the local press on the 12 and 14 January 2022. At the time of preparation of this report 1 letter of representation have been received summarised below:

- ☐ Road safety – London Road already experiencing constant accidents. The site is close to traffic lights will cause delays and increase the danger to road safety. *[Officer comment: Outline planning permission has already been granted for the principle of development ref: 20/0090/OOU and therefore this objection is not a material planning consideration for the reserved matters application.*
- ☐ Increase the risk to school children *[Officer comment: As above]*
- ☐ Increase in traffic *[Officer comment: As above]*
- ☐ Building will remove privacy and therefore reduce the cost of houses. *[Officer comment: As above]*

## 7.0 PLANNING CONSIDERATION

7.1 The application site is located within the defined settlement boundary, as set out in the Proposals Map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to Policy DM9 and DM11 of the CSDMP, guidance within The Residential Design Guide (RDG) Supplementary Planning Document 2017 and the National Planning Policy Framework (NPPF).

7.1.2 The principle of the development was agreed under 20/0090/OOU. Since this outline approval in November 2020, it is not considered that there has been any material change in circumstances. Section 7 of the committee report for this approval (see Annex A) sets out the material planning considerations and explains why the development was acceptable having regard to the access, layout, scale and appearance.

7.1.3 Section 7.4 of the committee report for the outline permission, is most relevant to this application, regard was had to the impact of the development upon the protected TPO oak trees located within the southeast corner and northern boundary. The Council's Tree Officer supported the development that included the loss of 17 trees and 5 tree groups along with an additional 6 trees categorised as unsuitable for retention and needed removal for management reasons irrespective of any development proposals. Tree and ground protection measures and replacement planting were proposed as part of this submission and an indicative landscaping plan provided to include locations of replacement planting was supported. This application now contains a full landscaping details and so the main issues to consider relate to the impact of the landscaping plan on the character and appearance of the area including protected trees and upon existing and future residential amenities.

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

- 7.2.1 Consistent with section 12 of the NPPF and the National Design Guide, Policy DM9 of the CSDMP promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density.
- 7.2.2 Paragraphs 30 and 134 of the NPPF also state that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character, including the surrounding built environment and landscape setting. Development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design taking into account any local design, guidance and supplementary planning documents such as design guides and codes. Policies CP2 (iv) and DM9 (ii) of the CSDMP also reflect these requirements.
- 7.2.4 The outline application secured the layout. Block A was reconfigured and is set back further in the plot which was to assist in the retention of some of the existing vegetation and allowed space for new planting. The soft landscape layout to the front of the site would include hedgerow and new trees and lawn area with a planting area to the northern eastern corner. To the side boundaries of the site would be mixture of the fencing and hedging. During the course of the application amended details were submitted to provide a higher level of detail. This was to include tree species and size; pruning notes; mulch depths; schedules for watering; directions regarding 24 month minimum for tree stake removal have been added to notes in the Infrastructure Planting Plan; Soft Landscape Specification; and, Management Plan. The hard surfacing areas have been kept to a minimum for parking and turning areas only. In the officer's opinion the proposed landscape scheme would soften the development and respect and enhance the character of the area.
- 7.2.5 During the course of the application the Council's Arboricultural Officer reviewed the proposal. Overall he supports the landscaping including the planting specifications. However, he raised concerns that the thickness of the geocell confinement system around the protection tree to the northern boundary would be insufficient to support construction vehicles that have a greater tonnage than typical delivery vehicles i.e. the 150mm thick geocell surface is suitable for heavy good vehicles up to 30 tonnes but delivery vehicles during the construction stage are generally between 30 – 60 tonnes. It was considered that the 150mm geocell would not be suitable to stop the soil below compacting and would not satisfactory mitigate any harm to the protected tree on site. It is considered that the geocell would need to be laid to a depth of 200mm plus wearing during the construction and rolled back to 150mm after the main part of construction is complete. It is considered this can be secured via a condition.
- 7.2.6 The proposal is therefore considered to be acceptable in character terms and would comply with Policies CP2 and DM9 of the CSDMP and the RDG.

## **7.3 Impact on residential amenity**

- 7.3.1 Policy DM9 of the CSDMP indicates that development should respect the amenities of the occupiers of neighbouring property and uses. Noting the layout, design and scale of the proposal has been accepted. The landscaping would not have an material impact on the amenity of adjoining and nearby existing residential properties. The whole site would be enclosed within closed board fencing to a height of 2m which would provide sufficient screening to the neighbouring properties particularly the neighbours located to the north east. The proposal is considered to be acceptable on residential amenity terms complying with Policy DM9 of the CSDMP and the RDG.



## Amenities of future occupiers

- 7.3.2 Section 7.5 of the committee report for the outline permission considered that the amenity areas provided would be sufficient, subject to a condition for noise. The amenity areas for Block B required a 2m high acoustic fence on the southern boundary, which is shown on the hard and soft landscape arrangement submitted as part of this application. The planning condition relating to specification of the proposed 2m high fence would remain.
- 7.3.3 The communal private amenity area is located adjacent to Block C. The landscape plans shows the area to be lawn, 2m high fence to the eastern and south boundaries with hedging in front. To the west (adjacent to the parking spaces) and north (adjacent to the block of flats) would be a metal garden railing of a height of 1.25m and hedging behind. There would also be private amenity areas around Block C. Overall the boundary treatments are considered to be suitable to provide screening and soften the development for the future occupiers.
- 7.3.4 Planting areas are proposed to the northern corner adjacent to the highway, around the buildings and access road. Wild flowering grassland area is proposed around the oak tree to the northern boundary. The landscape management plan provides the details of how these will be managed including cutting, watering and weeding. These additions would provide a positive environment for the future occupiers of the development. The proposal is considered to be acceptable on residential amenity terms complying with Policy DM9 of the CSDMP and the RDG.

## **7.5 Other matters**

- 7.5.1 This application is reserved matters application which is pursuant to 20/0090/OOU. This permission would need to be read alongside the requirements of the conditions for the earlier permission. The conditions attached to the planning permission have been provided on this basis.
- 7.5.2 Matters relating to the CIL, Affordable house, SAMM and SANG have been dealt with under 20/0090/OOU and therefore do not need to be readdressed.

## **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) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
  - b) Have negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development
- 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 proposed landscaping would result in no adverse impact on the character and appearance of the site or the local area, nor on the amenities of the adjoining residents subject to the recommended conditions. Therefore, the proposal complies with the CSDMP, the RDG and the NPPF.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of two years from this approval.

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

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

18-J2566-LP - Received 14.12.2021  
LLD2469-LAN-DWG-100 REV 5 Received 17.03.2022  
LLD2469-LAN-SPE-200 REV 4 Received 17.03.2022  
LLD2469-LAN-SPE-001 REV 1 Received 17.03.2022  
LLD2469-LAN-REP-001 Received 17.03.2022  
LLD2469-LANSCH-002 REV 2 Received 17.03.2022

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. All hard and soft landscaping works shall be carried out in accordance with the approved details.

Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority.

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

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

4. 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 area (as defined by BS5837:2012) 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
- To include the phasing of construction for any and all hardstanding.
- To include detailed design drawings for any and all construction of any hard standing, including a phased approach for the installation of the proposed cellular confinement road system to be used during both construction and post development stages.
- Details for the maintenance of any hard standing through all aspects of development
- No development or other operations shall take place except in complete accordance with the approved Construction method statement, tree protection scheme and Arboricultural Method Statement.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

This page is intentionally left blank



20/0090/OOU

**Reg. Date**

19 February 2020

Bagshot

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

**PROPOSAL:** Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.

**TYPE:** Outline

**APPLICANT:** N/A

**OFFICER:** Mr Ross Cahalane

**RECOMMENDATION: GRANT, subject to conditions and S106 legal agreement.**

## 1.0 SUMMARY

- 1.1 This application seeks outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road. Access, appearance, layout and scale are to be considered, with landscaping reserved. The proposal seeks to overcome all reasons for refusal reported to the October 2019 Committee.
- 1.2 The principle of residential development in a sustainable location is supported and the redevelopment of the site in itself did not form a reason for refusal in 2019. It is now considered that the overall quantum of development proposed in this revised application is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is now also considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.
- 1.3 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions and the completion of a suitable legal agreement.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located on the eastern side of London Road, within the settlement area of Bagshot. The site includes two detached two-storey dwellings. No. 134 to the north appears to be of late-Victorian/Edwardian origin but is not Listed at statutory or local level. No. 136 is of 1950s origin but has been substantially updated.
- 2.2 Existing properties in the immediate area consist of two storey detached, semi-detached and terraced properties facing London Road, many of which are of Victorian/Edwardian origin and design. The adjacent site to the east and south has been recently redeveloped to comprise a

housing estate (former Notcutts Nursery) containing a mixture of dwelling types up to three storey in height, along with a large supermarket building that also contains several smaller retail units.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 05/0806 Erection of a 2 storey building with accommodation within the roof to contain 12 two bedroomed apartments. Erection of 2 detached 4 bedroomed and 3 terraced 3 bedroomed dwelling houses and associated parking, access to be considered, following the demolition of 134 and 136 London Road

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

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

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

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

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

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

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

- 3.4 19/0304 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.

*Decision: Refused on 17 October 2019 for the following summarised reasons:*

1. *Overdominant and incongruous form of development*
2. *Inadequate standard of communal amenity space for future occupiers and unacceptable pressure to remove/lop three TPO trees*
3. *Unacceptable loss of light and overbearing impact on rear gardens and elevations of Nos 9 and 11 Allbrook Close*
4. *Unacceptable perceived overlooking towards Nos 11 and 13 Allbrook Close*
5. *No further bat emergence and re-entry surveys to demonstrate that the proposed development would not result in harm to or loss of these legally protected species.*
6. *Adverse effect on the integrity of the Thames Basin Heaths SPA.*

3.5 The October 2019 Committee Report for the above application, outlining the full reasons for refusal, is provided in Annex A.

#### 4.0 THE PROPOSAL

- 4.1 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road is sought. Access, appearance, layout and scale are to be considered, with landscaping being the only matter reserved. The proposed floor plans show that the accommodation would comprise one three-bed flat, 18 two-bed flats and seven one-bed flats. The application is submitted to seek to overcome all reasons for refusal of 19/0304 as reported to the October 2019 Committee.
- 4.2 The proposed development would now be provided in the form of three buildings, as opposed to two buildings previously proposed under 19/0304. Each building would be 2.5 storey in eaves height, comprising crown roof forms of varying span with lower pitched roof forms and front gables, pitched and flat roof dormers, and rooflights on Block C. Internal bin and cycle storage would be provided within each building.
- 4.3 The proposed Block A to the front facing London Road would contain 11 flats across three floors and would have a maximum width of approx. 16.7m, maximum depth of approx. 23.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 12.2m.
- 4.4 The proposed Block B behind would contain seven flats across three floors and would have a maximum width of approx. 20.6m, maximum depth of approx. 12.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 11m.
- 4.5 The proposed Block C to the rear would contain eight flats across three floors and would have a maximum width of approx. 17.5m, maximum depth of approx. 18m, maximum eaves height of approx. 7.2m and maximum roof height of approx. 11m.
- 4.6 The proposed flats would be served by 26 car parking spaces located throughout the site, including ten undercroft spaces within Block A and B.
- 4.7 The proposed amendments from the refused 19/0304 scheme are as follows:
1. Splitting of Block A in to two separate buildings (Block A and Block B);
  2. Block A set 1m further back from London Road at the southwest end;
  3. Provision of additional usable communal amenity areas through proposed TPO crown span reductions of approx. 3-4m, as outlined in a revised arboricultural report;
  4. Two additional ground floor flats served by directly-accessed private amenity areas;
  5. Increased separation distances between proposed Block C elevations and the Albury Close dwellings to the north, and;
  6. Provision of bat emergence surveys.
- 4.8 Amended plans have been received to correct an error on the side elevation of Block A, but also to make the following further changes to Block C:
- Change a ground floor living area window to a French door, to provide a private amenity space for a two bed flat (Plot 19), with additional hedge boundary alongside the communal cycle storage area
  - Make the upper floor landing area windows facing Allbrook Close high-level as well as obscure-glazed.
- 4.9 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
  - Design and Access Statement
  - Arboricultural Report

- Transport Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment
- Development Viability Appraisal Executive Summary
- Letter from an Affordable Housing Registered Provider (Paragon Asra Housing) to confirm that they can deliver 13 of the proposed 26 units for shared ownership, subject to a Section 106 legal agreement.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority: No objection, subject to conditions *[See Section 7.6 and for a copy of the comments please see Annex B]*
- 5.2 Surrey County Council Lead Local Flood Authority: No objection, subject to conditions *[See Section 7.7]*
- 5.3 Surrey Wildlife Trust: No objection, subject to condition *[See Section 7.8]*
- 5.4 Council Urban Design Consultant: No objection *[See Section 7.3]*
- 5.5 Council Arboricultural Officer: Comments *[See Section 7.4]*
- 5.6 Council Environmental Health Officer: No objection, subject to conditions *[See Section 7.5]*
- 5.7 Council Housing Services Manager: Comments *[See Section 7.11]*
- 5.8 Council Scientific Officer: No objection, subject to condition *[See Section 7.12]*
- 5.9 Windlesham Parish Council: Objection - The Committee objected to the application due to overdevelopment of the site and raised serious concerns regarding highways issues and access onto the A30.

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, one objection has been received on behalf of the Bagshot Society, raising the following concerns:

Design/character *[Officer comment: See Section 7.3 below]*

- Overdevelopment of the site
- Three storey height out of character with other properties at gateway to village

Highway matters *[Officer comment: See Section 7.6 below]*

- Insufficient parking on site
- Access on to busy A30 already experiencing traffic congestion at peak times. Would be safer to make access to/from the site from the roundabout on the south side
- Number of on-site electric vehicle charging points should be adequate to meet future needs



## **7.0 PLANNING CONSIDERATION**

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

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

The reasons for refusal of 19/0304 are also material considerations, which identified harm in respect of: design and associated quantum of development; neighbouring amenity; insufficient amenity space leading to pressure to remove TPO trees; ecology, and; SPA impacts. The 19/0304 decision established, however, that the principle of development was acceptable and no objection was raised on highway matters.

### **7.2 Principle of the development**

7.2.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. Within the settlement area such as this site is located, the principle of residential development is acceptable. Following the publication of its Interim 5 Year Housing Land Supply 2019-2024 and recent appeal decisions, Surrey Heath can currently demonstrate a 5.15 year housing land supply. It is nonetheless accepted that the proposal would be a sustainable form of development, being within a settlement area and close to Bagshot Centre and its rail station.

7.2.2 The proposed redevelopment would involve the loss of one dwelling (No. 134) of late-Victorian/Edwardian origin. However, this dwelling is not Listed at statutory or local level. The other dwelling No. 136 is of 1950s origin. There are no local or national policies that resist the principle of the loss of these dwellings for additional residential use.

7.2.3 It is considered that the proposal would be an efficient use of land and a sustainable form of development. The principle of redevelopment of this site is therefore acceptable.

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

7.3.1 Policy DM9 (Design Principles) states that development will be acceptable where it achieves high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework also seeks to secure high quality design, as well as taking account of the character of different areas.

7.3.2 It is accepted that Paragraph 122 of the NPPF continues to require planning policies and decisions to ensure that new development makes efficient use of land. It is also accepted that since the latest appeal decision at this site in 2008, the immediate context of the site has since become more urbanised, with the redevelopment of the Nottcutts Nursery for a

number of residential units, supermarket, smaller retail units and car park areas. However, Paragraph 122 of the NPPF also states that decisions must also take into account the desirability of maintaining an area's prevailing character and setting.

- 7.3.3 Although the proposed density exceeds the average density in the immediate area, some increase in density would be supported given the sustainable location and the requirement for efficient use of land, provided that the existing local character of the area can be retained and enhanced. Principle 6.4 of the RDG aims to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area.
- 7.3.4 Paragraphs 127 and 130 of the NPPF also state that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Policies CP2 (iv) and DM9 (ii) of the CSDMP also reflect these requirements.
- 7.3.5 Principle 7.4 of the RDG advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area. Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.
- 7.3.6 The surrounding Victorian/Edwardian buildings along London Road are all fully two storey in form, containing pitched roofs and with a mixture of hipped ends and gabled frontages. Block A, as proposed under 19/0304, measured approx. 50m along the south-western boundary of the site with the Waitrose car park. This building has now been set further back from London Road and split into two separate built elements (Block A and B). Although the proposed building heights remain the same as 19/0304, they form reductions from an initial pre-application scheme and the 2.5/2.75 storey eaves levels proposed are considered to be of appropriate scale and appearance between London Road and Waterers Way. Whilst the number of proposed units also still remains as 26, this has been achieved through utilising the open south elevation frontage as the outlook for many of the flats. Furthermore, although many of the flats are of smaller floor area than the initial proposal, they still all fully comply with the DCLG minimum space standards.
- 7.3.7 The Council's Urban Design Consultant (UDC) has commented that the resultant scale, massing, bulk and footprint is now considered to conform with, and respect, the existing residential built context. The reconfiguration of Block A in to two buildings has resulted in a considerable reduction in scale, footprint and massing, to provide a more evenly balanced development which gives the impression of three separate built elements set in relatively spacious grounds. Block A is now also set slightly further back, to further assist retention of some of the existing vegetation boundary along London Road, and replacement of the existing hedge for the new vehicular access. The indicative landscape plan outlines the above, and full landscaping is to be agreed at Reserved Matters stage.
- 7.3.8 The UDC has further commented that the detailed building design has also been sufficiently revised to address the previously overly bulky crown roof and any potential detrimental impact on the local character. The amended roof designs, with the lower height of Block B as a separate building, are considered to overcome previous concerns and respond positively to the existing built context. The proposed architectural design cue with traditional details (stringcourses, quoins etc.) and building materials comprising brickwork, tile hanging and tiled roofs, remains supported and is an important quality of the scheme.

- 7.3.9 It is accepted that each of the proposed flat buildings would still include crown roof form. The applicant also argues that there are other crown roof examples further to the north along the A30 (the two flat buildings of Jenkins Court and Rowan Court). It is considered that the current proposed crown roof forms are acceptable, as they are of modest span and are considered to function more to reduce the building heights in this important location rather than to provide overly deep buildings.
- 7.3.10 The Planning Statement advises that the two proposed communal amenity areas have now been improved through the current proposed works to the TPO trees adjacent these areas. As outlined in the arboricultural report, these works would involve a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m. An increased number of ground floor private amenity areas are now also proposed. As set out in Sections 7.4 and 7.5 below, it is now considered that the current proposed communal and private amenity spaces are usable and sufficient for the development it would serve, whilst avoiding future pressure to remove TPO trees.
- 7.3.11 In light of all the above, the revised proposal, is considered to retain and enhance the local character of the area and also provides a development of a distinctive identity and a suitable focal point in this prominent corner position - where the traditional, small scale residential surroundings to the north and east meets the mixed-use, more varied built context to the west and south. The first reason for refusal of 19/0304 is now therefore considered to have been overcome. Conditions are recommended to require agreement for all external material details.
- 7.3.12 The proposed Block C building to the rear would still have a slightly lower 2.5 storey eaves level and roof height of approx. 11m. It would utilise the lower ground level as it declines from the A30 towards the Notcutts redevelopment, as shown on the streetscene drawing. Although this building also contains crown roofs, it would remain significantly inset from the northwest and southeast site boundaries facing the A30. Additionally, the two TPO trees to the south would restrict some views and on the other side of this shrubbery, the additional height of approx. 1.5m above the 2.5 storey entrance dwelling to the redeveloped Notcutts Estate is considered to form an acceptable height transition at higher ground level. The proposed cross-section plan shows that the height increase above and behind the two storey Allbrook Close dwellings to the north would be limited to approx. 0.4m. In light of the above built form and boundary relationships, it is considered that Block C would not lead to an overdominant or incongruous addition to the surrounding area.
- 7.3.13 Principle 6.7 of the RDG SPD advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough, ensure developments are not functionally and visually dominated by cars, and be spaces that are visually and functionally attractive in the street scene. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. In respect of on-street parking, Principle 6.10 advises that it should not dominate the street scene or accommodate more than a cluster of 3 cars.
- 7.3.14 A continuous line of six car parking spaces is proposed along the north eastern boundary, near to the entrance. However, additional planting is proposed to the front and it is considered that the substantial decline in ground level from the highway would be sufficient to avoid a prominence of hard standing in the streetscene. There would also be two other continuous rows to the rear, comprising six and four parking spaces. However, landscaping is proposed around these spaces which would restrict wider views. The other proposed ten spaces would be within the undercoft of the proposed Building A, and would therefore also be secluded. It is therefore considered that the proposed parking layout as a whole would comply with the overall aims of the abovementioned SPD advice governing parking layouts.

## **7.4 Impact on trees**

- 7.4.1 There are two Holm Oak and Red Oak TPO trees (ref: 6/00) within the site towards the southeast corner, and one further Oak TPO tree (same ref) dissecting the northern boundary. A revised arboricultural assessment, method statement and tree protection plan has been provided. This still advises that 17 trees and 5 tree groups are to be removed, along with an additional 6 trees categorised as unsuitable for retention and need removal for management reasons irrespective of any development proposals. Tree and ground protection measures and replacement planting is proposed, and an indicative landscaping plan is now provided to include locations of replacement planting.
- 7.4.2 The Council's Arboricultural Officer has raised no objection in respect of impact on root protection areas. The proposed tree and ground protection measures are considered appropriate for the location and could be secured by a planning condition to include a pre-commencement site meeting. It is still proposed to crown lift the TPO trees to provide a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m.
- 7.4.3 The Council's Arboricultural Officer has maintained that although the proposed tree works are acceptable in respect of good management to increase light penetration beneath the canopies, there will be long term pressure to remove at least two of these trees (Holm Oak and Red Oak adjacent the proposed southeast Block C amenity space) due to potential long term pressures to excessively reduce or remove the dominant TPO trees to abate light restriction, leaf litter and debris, perception of threat, physical nuisance etc
- 7.4.4 However, the proposed reduced canopy spreads, as shown in the current proposed tree protection plan and indicative landscaping plan, demonstrates that the majority of both proposed communal amenity areas would now be outside of the retained TPO canopies. The proposed communal amenity areas are therefore now considered to be usable for future occupiers. Any further works to the TPO trees would be subject to future separate applications under TPO legislation, whereby the Arboricultural Officer can exercise full control. In light of all the above, it is considered that the second reason for refusal of 19/0304 has been overcome in this regard. Full landscaping details relating to replacement landscape location and species, are to be agreed at Reserved Matters stage.

## **7.5 Impact on residential amenities**

- 7.5.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties and uses should be respected by proposed development. Principle 8.1 of the RDG advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Paragraph 8.4 further advises that a minimum distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship).
- 7.5.2 Principle 8.3 advises that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Paragraphs 8.5-8.6 of the RDG state that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Topographical changes can also create overbearing relationships and poor outlooks.

- 7.5.3 The proposed Block A building at the front would remain sited approx. 20m from the side elevation of the detached dwelling of No. 132 London Road to the northeast. The inset elevation of Block B behind would be sited between approx. 20m from the rear garden side boundary of No. 132, with a TPO tree on the boundary restricting some views. Given these separation distances along with the site orientation and existing relationship with No. 134 to be demolished at closer proximity, it is considered that the proposed buildings would not lead to adverse harm upon the amenity of this neighbour in terms of loss of light, privacy or overbearing impact.
- 7.5.4 The separation distances to the front elevations of the dwellings on the opposite side of London Road would range between approx. 23m-30m, which is also considered sufficient to avoid adverse harm. The proposed Block B building would be sited between approx. 34-37m from the rear elevations of the two storey terraced dwellings of Nos 13-21 Allbrook Close, and the proposed southern elevations of Blocks A and B would face the Waitrose overflow carpark.
- 7.5.5 The proposed Block C building at the rear would, at first and second floor level, be sited at proximity of up to approx. 17.9m from the two storey semi-detached pair of Nos 9 and 11 Allbrook Close to the northeast. Although this proposed elevation would contain no upper floor openings facing these neighbours, it would be sited at higher ground level as outlined in the proposed cross-section drawing. However, this cross-section demonstrates that the resultant relationship would now not breach the 25 degree vertical line of sight test. As such, it is considered that the current proposed Block C would not lead to adverse harm to the amenity of the rear gardens and elevations of Nos 9 and 11 Allbrook Close in terms of loss of light and overbearing impact. It is therefore considered that the reduced bulk of Block C and increased separation distances would overcome the third reason for refusal of 19/0304.
- 7.5.6 The proposed Block C building would also contain an inset first and second floor elevation sited approx. 18.5m from the rear elevation of No. 11 Allbrook Close. The separation distance would increase to approx. 19m to the rear of the end-terraced dwelling of No. 13 further to the north, and between approx. 19.5m-24m further along this terrace containing Nos 15, 17, 19 and 21, through the provision of an inset elevation. This inset elevation contains two window openings on the first floor, and on the second floor, facing directly towards No. 11 and 13. However, these windows serve communal hallways and amended plans have been received to make these windows obscure-glazed and high-level (minimum 1.7m above finished internal floor level). It is considered that the size of these windows are now modest and would clearly high-level – therefore sufficient to avoid adverse perceived overlooking upon the rear gardens and elevations of Nos 11 and 13. It is therefore considered that the amended layout and windows of Block C would overcome the fourth reason for refusal of 19/0304.
- 7.5.7 The upper floor northeast elevation of Block C would be sited between approx. 18m-22m from the terraced rear elevations of Nos 1, 3, 5 and 7 Allbrook Close to the northeast. The nearest proximity from the proposed single storey element would be approx. 15m at an angle away from No. 3. The proposed southern corner of this building would be sited approx. 17m toward the rear elevation and rear garden side boundary of the detached dwelling of No. 1 Waterers Way. It is considered that these separation distances and juxtaposition between the buildings would be sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact. No windows would face directly towards these Allbrook Close neighbours. The proposed side elevation would contain first and second floor windows serving habitable rooms, the nearest of which would be sited approx. 20m at an angle away from the rear elevation of No. 1 Waterers Way. Given the angle of these windows away from the rear elevation of No. 1, in this instance it is considered that no adverse impact would arise in terms of overlooking.



7.5.8 The window separation distances to the other neighbouring elevations beyond (Nos 3, 5, 7, 9 and 11 Waterers Way) would range from approx. 24m – 37m, with a communal parking courtyard sited in between. The northernmost side windows would also be sited approx. 25m at an angle away from the rear elevation of No. 1 Allbrook Close to the east. These separation distances and built form relationships are all considered sufficient to avoid adverse harm to neighbouring amenity.

Amenities of future occupiers

- 7.5.9 An Acoustic Evaluation Assessment has been provided, which comments that the proposed communal amenity area furthest from the A30 (adjacent to Block B) would fall within an acceptable noise environment. In order for the other proposed amenity areas nearer to the A30 to also be acceptable, the report recommends a 2m high acoustic fence around the boundary perimeter. Minimum attenuation levels provided by windows and acoustic trickle vents are also recommended, to mitigate against traffic noise. The Council's Environmental Health Officer (EHO) has raised no objection, subject to planning conditions to secure the minimum sound insulation and ventilation performance of all flat windows, along with the specification of the proposed 2m high fence. This could be provided behind the proposed landscaping along the A30.
- 7.5.10 The proposed Block A to the front (nearest the A30) would contain 11 flats and Block B behind it would contain 7 flats. Four of the five ground floor flats would be provided with directly-accessible private amenity space that would meet the guidance of Principle 8.6 of the RDG concerning provision of private amenity space for flats. Eight of the upper floor flats would contain south-facing external balconies to also meet Principle 8.6. This would however leave six flats across Block A and B without any private amenity space. Two of the other proposed eight flats within Block C to the rear would also not be provided with any private amenity space.
- 7.5.11 Principle 8.5 of the RDG advises that for flatted developments, communal open space will also be expected. This should be: connected to the building, easily accessible to all residents, screened from public view, free of vehicles, located to receive sunlight for a substantial part of the day, and actively overlooked to provide surveillance and security. Blocks A and B would be provided with a separate communal private amenity space of approx. 270 sq m, located across the access road to the north. Block C to the rear would be provided with a more immediate south-facing communal private amenity space of approx. 267 sq m. These amenity space areas are the same as proposed under 19/0304. However, as already outlined in Section 7.4 above, both these areas would now be mostly clear from the mature TPO tree canopies. It is therefore now considered that these proposed amenity areas would be served by sunlight for a substantial part of the day, as advised by Principle 8.5 of the RDG.
- 7.5.12 As such, although eight of the total 26 proposed flats would not have dedicated private amenity space, they would now have access to appropriate and usable communal amenity space nearby. It is therefore now considered that all future occupiers of the current proposal would be provided with sufficient and accessible amenity space, thus meeting the aims of the RDG. It is therefore considered that the second reason for refusal of 19/0304 has been overcome in this regard.
- 7.5.13 Principle 7.6 of the RDG advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floorspace provision for each flat would meet the requirements as set out in the national minimum space standards and it is also considered that future occupiers would be afforded with sufficient outlook. The additional side elevations created by splitting Block A and Block B are utilised as second bedroom windows. As these windows face a communal parking area and not directly towards each other, it is considered that no adverse overlooking between future occupiers would arise.

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

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 Paragraph 108 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.3 The proposal would involve the provision of one off-street parking space for each flat (1 3-bed, 18 two-beds and 7 one-beds) and a revised vehicular off A30 London Road. Cycle parking spaces and bin storage would be accommodated within the proposed flat buildings. The Transport Statement advises that pre-application advice from the County Highway Authority (CHA) was received in respect of the above access arrangement and parking provision were acceptable in principle.
- 7.6.4 The proposed development would be accessed via a very well-used route linking Camberley and Bagshot, and towards the A322 and M3. However, the CHA has been consulted and has not objected on safety, capacity or policy grounds, subject to conditions, commenting that it is not considered that the proposal will give rise to any significant highway issues.
- 7.6.5 The CHA has commented further that the proposed access is sufficient to accommodate two-way vehicular movements. Vehicles leaving the site will benefit from the position of the access in close proximity to the nearby traffic light junction. Drivers will be able to leave at appropriate and safe times when vehicle flows are controlled by the traffic signals. A vehicle egressing right will be able to utilise the nearest lane to cross two lanes and not three. In terms of access into the site, whilst no dedicated right-turn lane is provided for the site, the relatively low number of proposed vehicle movements to the site is not thought to hinder the safe movement of vehicles in the vicinity of the access. The CHA assessment of the likely traffic generation shows that there would not be a significant impact on the traffic movements to/from the site in both the am peak (8am-9am) and the pm peak (5pm-6pm). The above CHA comments are provided in full in Annex B.
- 7.6.6 The proposed provision of one parking space per flat is considered sufficient given their location in a settlement area and near to bus routes, and approx. 600m walk to Bagshot Centre and approx. 1.3km walk from Bagshot rail station. Given the size of the proposed units adjacent retail parking subject to time limits and conditions, in this instance the lack of visitor parking is considered justifiable. Additionally, no visitor bays were proposed under the previous refusal and this did not form a reason for refusal. In light of all the above, the Local Planning Authority is satisfied that the proposal would not conflict with the aims of Policy DM11.

## **7.7 Impact on ecology**

- 7.7.1 A Preliminary Ecological Appraisal was provided under the 19/0304, which identified the dwelling of No. 134 London Road as having high potential to support roosting bats, a legally protected species. Surrey Wildlife Trust (SWT) commented that further surveys were required to help ascertain the status of bats within the site. These surveys have been provided as part of an Ecological Impact Assessment, and SWT has now raised no objection, subject to a condition requiring the development to be provided in accordance with the recommended avoidance, mitigation and compensation measures for priority species as made in the above report.

7.7.2 Subject to the above condition, it is considered that the fifth reason for refusal of 19/0304 has now been overcome.

## **7.8 Impact on local infrastructure and Thames Basin Heaths SPA**

7.8.1 The proposed development would be liable for the Community Infrastructure Levy (CIL), used to fund projects including open space, transport projects, pedestrian safety improvements among others. The liable amount has been calculated as £193,891.89.

7.8.2 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA, but all new development is required to either provide: SANG on-site (for large proposals of more than 100 units), or for smaller proposals; a financial contribution towards SANG, provided that sufficient SANG is available and can be allocated to the development. There is currently sufficient SANG available, which is now collected as part of CIL.

7.8.3 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £12,845.00 is needed. The applicant has agreed to secure this financial contribution towards SAMM by means of a Section 106 legal agreement.

## **7.9 Affordable housing**

7.9.1 Policy CP5 of the CSDMP requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 also requires the Council to promote a range of housing types which reflect the need for market and affordable housing.

7.9.2 The applicant is proposing 50% of the development (13 flats) to be delivered as affordable shared ownership housing, as outlined in a cover letter from a Registered Provider (Paragon Asra Housing) who has been working on this scheme alongside the applicant. Based on this letter and the floor plans, the Affordable Housing (AH) would comprise 4 x 1 beds and 9 x 2 beds within all of Block A and part of Block B. Although Policy CP5 only requires up to 40% AH provision, any provision is required to be split 50/50 between social rented and intermediate tenures. However, a viability review was undertaken for the initial refused 19/0304 outline scheme for 26 open market, whereby the Council's viability consultants concluded that although they could identify significant cost savings, the scheme would remain technically unviable. As such, no on-site AH provision could be sought, although a S106 agreement was recommended to claw back any subsequent improvement on viability. The Registered Provider of the AH has confirmed that the inputs used in the above viability review are still relevant and up to date.

7.9.3 In light of the above, in this instance it is considered that the proposed provision of 50% shared ownership affordable housing is acceptable, and the applicant has agreed to secure this by a S106 legal agreement.

## **7.10 Other matters**

7.10.1 The proposal is not within Flood Zone 2 or 3, but several areas within the site are classified by the Environment Agency as being of low risk of surface water flooding. A Flood Risk Assessment has been provided, which includes a surface water management strategy. Surrey County Council as the Lead Local Flood Authority (LLFA) has raised no objection, subject to conditions requiring details of the design of the surface water drainage scheme, along with a subsequent verification report. This would ensure that the proposed drainage would meet the National Non-Statutory Technical Standards for SuDS.

- 7.10.2 The Council's Scientific Officer has commented that as the site was formerly part of a very large nursery, a planning condition would be required to secure a contaminated land desk survey, site investigation and subsequent remediation action plan, discovery strategy and verification report to demonstrate that the agreed remediation (if required) has been carried out.
- 7.10.3 Policy CP2 of the CSDMP supports sustainable development including measures to promote energy efficiency would be supported. The Design and Access Statement advises that the proposal has been designed to accommodate any of the following: air source heat pumps, solar thermal or solar PV panels where appropriate; air cooling system, and; under floor heating. Other thermal solutions and energy/water saving measures are proposed. The final construction solution could be secured by means of a pre-commencement planning condition requiring submission of an energy and sustainability report. On this basis, it is considered that the proposal would support sustainability and would comply with Policy CP2 of the CSDMP.

## **8.0 CONCLUSION**

- 8.1 It is considered that the overall quantum of proposed development is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.
- 8.2 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions as set out below.

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

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

## 10.0 RECOMMENDATION

GRANT subject to a legal agreement to secure the on-site Affordable Housing provision and contributions towards SAMM, and the following conditions:

1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

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

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

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

Proposed site layout plan (Drawing No. 18-J2566-02 Rev A); Proposed information plan (Drawing No. 18-J2566-04 Rev A); Proposed Block A and B ground floor plans (Drawing No. 18-J2566-05 Rev A); Proposed Block A and B first floor plans (Drawing No. 18-J2566-06 Rev A); Proposed Block A and B second floor plans (Drawing No. 18-J2566-07 Rev A); Proposed Block C ground floor plan (Drawing No. 18-J2566-08); Proposed Block B elevations (Drawing No. 18-J2566-12 Rev A); Proposed streetscenes (Drawing No. 18-J2566-14 Rev A); Proposed site section plan (Drawing No. 18-J2566-15 Rev A); Proposed tree protection plan (Ref: 18073-BT4) - all received on 29 January 2020;

Proposed Block C part-section plan (Drawing No. 18-J2566-1005) - received on 19 February 2020;

Proposed Block C first floor plan (Drawing No. 18-J2566-09 Rev A); Proposed Block C second floor plan (Drawing No. 18-J2566-10 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev A); Proposed Block C Section (Drawing No. 18-J2566-21) - all received on 19 May 2020;

Proposed Block A elevations (Drawing No. 18-J2566-11 Rev B) - received on 09 June 2020;

Proposed roof plan (Drawing No. 18-J2566-20 Rev B); Proposed Block C floor plan (Drawing No. 18-J2566-08 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev B) - all received on 17 June 2020, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until samples and details of types and colours of all external materials, including hard surfacing and any boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory and that it accords with Policies CP2 (iv) and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.



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

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

5. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Barrell Consultancy [Andy Sherlock] and dated 24 January 2020. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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

6. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) provision of boundary hoarding behind any visibility zones
  - (e) measures to prevent the deposit of materials on the highway
  - (f) on-site turning for construction vehicles

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

Reason: The above condition is required in order that the development should 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 2019.

7. No development shall commence until a strategy for monitoring and reporting on ground conditions and actions to be taken should there be the discovery of contamination is submitted to and approved by the Local Planning Authority. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The remediation strategy should detail how the contamination shall be managed and any agreed remediation verified.

Reason: To comply with the National Planning Policy Framework (NPPF) which requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (paragraph 170) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraphs 178 to 181).

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

- a) 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. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5 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.).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure 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, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

9. 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 drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

10. No part of the development shall be occupied unless and until the proposed modified northern pedestrian/vehicular access to London Road including the widening of the footway along the frontage of the site to 3m to extend the existing shared footway/cycleway with any private land dedicated as public highway shall be constructed and provided with visibility zones of 2.4m x 120m in both directions in accordance with the approved plans, Drawing Nos 68036-TA-001 B and 18-J2566-04 A, and thereafter the visibility zones shall be kept permanently clear of any obstruction above 0.6m high.

Reason: The above condition is required in order that the development should 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 2019.

11. The development hereby approved shall not be first occupied unless and until the existing southern access from the site to London Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above condition is required in order that the development should 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 2019.

12. 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. 18-J2566-02 A, for vehicles and cycles 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 purposes.

Reason: The above condition is required in order that the development should 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 2019.

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

Reason: The above condition is required in order that the development should 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 2019.

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

Reason: The above condition is required in order that the development should 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 2019.

15. The development hereby approved shall be undertaken in accordance with the mitigation, compensation and enhancement actions for bats presented within Section 4 (Table 5) and Section 5 (Table 6) of the Ecological Impact Assessment : Revision A (Enzygo, 8th January 2020). Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series".

Reason: To conserve and enhance biodiversity and legally protected species in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

16. Prior to first occupation of the development hereby approved, except for the entrance/exit onto Jenkins Hill (A30) to/from the site, a two metre high tongue and grooved acoustic fencing having a minimum surface mass of 10kg/m<sup>2</sup> shall be erected along all perimeters, and retained and maintained as such unless otherwise agreed upon in writing by the Local Planning Authority.

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

17. Before first occupation of the development hereby approved, unless otherwise agreed upon in writing by the Local Planning Authority, all habitable rooms shall be installed with the following minimum glazing and ventilation sound attenuation performance:

a) Block A - all elevations (except south west): Windows to provide an attenuation value of 42 dBRw for bedrooms and 37 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 42 Db Dn,e,w for bedrooms and 39 Db Dn,e,w for living rooms.

b) Block B and south west elevation of Block A: Windows to provide an attenuation value of 24 dBRw for bedrooms and 22 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

c) Block C - all elevations: Windows to provide an attenuation value of 25 dBRw for bedrooms and living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

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

18. No development shall commence until an Energy and Sustainability Report, outlining how the final construction design includes measures to promote energy efficiency, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the final design of the proposed construction would support sustainability to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

### **Informative(s)**

1. Highways informatives:

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

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats

connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

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

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

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

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

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

2. Flood risk/drainage informative:

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 the Surrey County Council website.

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.

If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use their reference number LLFA-SU-20-0197 in any future correspondence.

3. Environmental health informative:

The applicant is advised that Section 7 of the Acoustic Evaluation Assessment (ref: J 03759R1 - dated 19 February 2020) identifies suitable glazing and ventilation specifications and details to secure compliance with the attenuations required.



In the event that a satisfactory legal agreement has not been completed by 31 August 2020, or any other period as agreed with the Executive Head of Regulatory, the Executive Head of Regulatory be authorised to REFUSE for the following reasons:

1. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.

<b>LOCATION:</b>	134 & 136 London Road, Bagshot, Surrey, GU19 5BZ,
<b>PROPOSAL:</b>	Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.
<b>TYPE:</b>	Outline
<b>APPLICANT:</b>	N/A
<b>OFFICER:</b>	Mr Ross Cahalane

**RECOMMENDATION: GRANT, subject to conditions and S106 legal agreement.**

## 1.0 SUMMARY

- 1.1 This application seeks outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road. Access, appearance, layout and scale are to be considered, with landscaping reserved. The proposal seeks to overcome all reasons for refusal reported to the October 2019 Committee.
- 1.2 The principle of residential development in a sustainable location is supported and the redevelopment of the site in itself did not form a reason for refusal in 2019. It is now considered that the overall quantum of development proposed in this revised application is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is now also considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.
- 1.3 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions and the completion of a suitable legal agreement.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located on the eastern side of London Road, within the settlement area of Bagshot. The site includes two detached two-storey dwellings. No. 134 to the north appears to be of late-Victorian/Edwardian origin but is not Listed at statutory or local level. No. 136 is of 1950s origin but has been substantially updated.
- 2.2 Existing properties in the immediate area consist of two storey detached, semi-detached and terraced properties facing London Road, many of which are of Victorian/Edwardian origin and design. The adjacent site to the east and south has been recently redeveloped to comprise a

housing estate (former Notcutts Nursery) containing a mixture of dwelling types up to three storey in height, along with a large supermarket building that also contains several smaller retail units.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 05/0806 Erection of a 2 storey building with accommodation within the roof to contain 12 two bedroomed apartments. Erection of 2 detached 4 bedroomed and 3 terraced 3 bedroomed dwelling houses and associated parking, access to be considered, following the demolition of 134 and 136 London Road

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

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

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

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

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

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

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

- 3.4 19/0304 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.

*Decision: Refused on 17 October 2019 for the following summarised reasons:*

1. *Overdominant and incongruous form of development*
2. *Inadequate standard of communal amenity space for future occupiers and unacceptable pressure to remove/lop three TPO trees*
3. *Unacceptable loss of light and overbearing impact on rear gardens and elevations of Nos 9 and 11 Allbrook Close*
4. *Unacceptable perceived overlooking towards Nos 11 and 13 Allbrook Close*
5. *No further bat emergence and re-entry surveys to demonstrate that the proposed development would not result in harm to or loss of these legally protected species.*
6. *Adverse effect on the integrity of the Thames Basin Heaths SPA.*

3.5 The October 2019 Committee Report for the above application, outlining the full reasons for refusal, is provided in Annex A.

#### 4.0 THE PROPOSAL

- 4.1 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road is sought. Access, appearance, layout and scale are to be considered, with landscaping being the only matter reserved. The proposed floor plans show that the accommodation would comprise one three-bed flat, 18 two-bed flats and seven one-bed flats. The application is submitted to seek to overcome all reasons for refusal of 19/0304 as reported to the October 2019 Committee.
- 4.2 The proposed development would now be provided in the form of three buildings, as opposed to two buildings previously proposed under 19/0304. Each building would be 2.5 storey in eaves height, comprising crown roof forms of varying span with lower pitched roof forms and front gables, pitched and flat roof dormers, and rooflights on Block C. Internal bin and cycle storage would be provided within each building.
- 4.3 The proposed Block A to the front facing London Road would contain 11 flats across three floors and would have a maximum width of approx. 16.7m, maximum depth of approx. 23.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 12.2m.
- 4.4 The proposed Block B behind would contain seven flats across three floors and would have a maximum width of approx. 20.6m, maximum depth of approx. 12.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 11m.
- 4.5 The proposed Block C to the rear would contain eight flats across three floors and would have a maximum width of approx. 17.5m, maximum depth of approx. 18m, maximum eaves height of approx. 7.2m and maximum roof height of approx. 11m.
- 4.6 The proposed flats would be served by 26 car parking spaces located throughout the site, including ten undercroft spaces within Block A and B.
- 4.7 The proposed amendments from the refused 19/0304 scheme are as follows:
1. Splitting of Block A in to two separate buildings (Block A and Block B);
  2. Block A set 1m further back from London Road at the southwest end;
  3. Provision of additional usable communal amenity areas through proposed TPO crown span reductions of approx. 3-4m, as outlined in a revised arboricultural report;
  4. Two additional ground floor flats served by directly-accessed private amenity areas;
  5. Increased separation distances between proposed Block C elevations and the Albury Close dwellings to the north, and;
  6. Provision of bat emergence surveys.
- 4.8 Amended plans have been received to correct an error on the side elevation of Block A, but also to make the following further changes to Block C:
- Change a ground floor living area window to a French door, to provide a private amenity space for a two bed flat (Plot 19), with additional hedge boundary alongside the communal cycle storage area
  - Make the upper floor landing area windows facing Allbrook Close high-level as well as obscure-glazed.
- 4.9 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
  - Design and Access Statement
  - Arboricultural Report

- Transport Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment
- Development Viability Appraisal Executive Summary
- Letter from an Affordable Housing Registered Provider (Paragon Asra Housing) to confirm that they can deliver 13 of the proposed 26 units for shared ownership, subject to a Section 106 legal agreement.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority: No objection, subject to conditions *[See Section 7.6 and for a copy of the comments please see Annex B]*
- 5.2 Surrey County Council Lead Local Flood Authority: No objection, subject to conditions *[See Section 7.7]*
- 5.3 Surrey Wildlife Trust: No objection, subject to condition *[See Section 7.8]*
- 5.4 Council Urban Design Consultant: No objection *[See Section 7.3]*
- 5.5 Council Arboricultural Officer: Comments *[See Section 7.4]*
- 5.6 Council Environmental Health Officer: No objection, subject to conditions *[See Section 7.5]*
- 5.7 Council Housing Services Manager: Comments *[See Section 7.11]*
- 5.8 Council Scientific Officer: No objection, subject to condition *[See Section 7.12]*
- 5.9 Windlesham Parish Council: Objection - The Committee objected to the application due to overdevelopment of the site and raised serious concerns regarding highways issues and access onto the A30.

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, one objection has been received on behalf of the Bagshot Society, raising the following concerns:

Design/character *[Officer comment: See Section 7.3 below]*

- Overdevelopment of the site
- Three storey height out of character with other properties at gateway to village

Highway matters *[Officer comment: See Section 7.6 below]*

- Insufficient parking on site
- Access on to busy A30 already experiencing traffic congestion at peak times. Would be safer to make access to/from the site from the roundabout on the south side
- Number of on-site electric vehicle charging points should be adequate to meet future needs



## **7.0 PLANNING CONSIDERATION**

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

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

The reasons for refusal of 19/0304 are also material considerations, which identified harm in respect of: design and associated quantum of development; neighbouring amenity; insufficient amenity space leading to pressure to remove TPO trees; ecology, and; SPA impacts. The 19/0304 decision established, however, that the principle of development was acceptable and no objection was raised on highway matters.

### **7.2 Principle of the development**

7.2.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. Within the settlement area such as this site is located, the principle of residential development is acceptable. Following the publication of its Interim 5 Year Housing Land Supply 2019-2024 and recent appeal decisions, Surrey Heath can currently demonstrate a 5.15 year housing land supply. It is nonetheless accepted that the proposal would be a sustainable form of development, being within a settlement area and close to Bagshot Centre and its rail station.

7.2.2 The proposed redevelopment would involve the loss of one dwelling (No. 134) of late-Victorian/Edwardian origin. However, this dwelling is not Listed at statutory or local level. The other dwelling No. 136 is of 1950s origin. There are no local or national policies that resist the principle of the loss of these dwellings for additional residential use.

7.2.3 It is considered that the proposal would be an efficient use of land and a sustainable form of development. The principle of redevelopment of this site is therefore acceptable.

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

7.3.1 Policy DM9 (Design Principles) states that development will be acceptable where it achieves high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework also seeks to secure high quality design, as well as taking account of the character of different areas.

7.3.2 It is accepted that Paragraph 122 of the NPPF continues to require planning policies and decisions to ensure that new development makes efficient use of land. It is also accepted that since the latest appeal decision at this site in 2008, the immediate context of the site has since become more urbanised, with the redevelopment of the Nottcutts Nursery for a

number of residential units, supermarket, smaller retail units and car park areas. However, Paragraph 122 of the NPPF also states that decisions must also take into account the desirability of maintaining an area's prevailing character and setting.

- 7.3.3 Although the proposed density exceeds the average density in the immediate area, some increase in density would be supported given the sustainable location and the requirement for efficient use of land, provided that the existing local character of the area can be retained and enhanced. Principle 6.4 of the RDG aims to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area.
- 7.3.4 Paragraphs 127 and 130 of the NPPF also state that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Policies CP2 (iv) and DM9 (ii) of the CSDMP also reflect these requirements.
- 7.3.5 Principle 7.4 of the RDG advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area. Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.
- 7.3.6 The surrounding Victorian/Edwardian buildings along London Road are all fully two storey in form, containing pitched roofs and with a mixture of hipped ends and gabled frontages. Block A, as proposed under 19/0304, measured approx. 50m along the south-western boundary of the site with the Waitrose car park. This building has now been set further back from London Road and split into two separate built elements (Block A and B). Although the proposed building heights remain the same as 19/0304, they form reductions from an initial pre-application scheme and the 2.5/2.75 storey eaves levels proposed are considered to be of appropriate scale and appearance between London Road and Waterers Way. Whilst the number of proposed units also still remains as 26, this has been achieved through utilising the open south elevation frontage as the outlook for many of the flats. Furthermore, although many of the flats are of smaller floor area than the initial proposal, they still all fully comply with the DCLG minimum space standards.
- 7.3.7 The Council's Urban Design Consultant (UDC) has commented that the resultant scale, massing, bulk and footprint is now considered to conform with, and respect, the existing residential built context. The reconfiguration of Block A in to two buildings has resulted in a considerable reduction in scale, footprint and massing, to provide a more evenly balanced development which gives the impression of three separate built elements set in relatively spacious grounds. Block A is now also set slightly further back, to further assist retention of some of the existing vegetation boundary along London Road, and replacement of the existing hedge for the new vehicular access. The indicative landscape plan outlines the above, and full landscaping is to be agreed at Reserved Matters stage.
- 7.3.8 The UDC has further commented that the detailed building design has also been sufficiently revised to address the previously overly bulky crown roof and any potential detrimental impact on the local character. The amended roof designs, with the lower height of Block B as a separate building, are considered to overcome previous concerns and respond positively to the existing built context. The proposed architectural design cue with traditional details (stringcourses, quoins etc.) and building materials comprising brickwork, tile hanging and tiled roofs, remains supported and is an important quality of the scheme.

- 7.3.9 It is accepted that each of the proposed flat buildings would still include crown roof form. The applicant also argues that there are other crown roof examples further to the north along the A30 (the two flat buildings of Jenkins Court and Rowan Court). It is considered that the current proposed crown roof forms are acceptable, as they are of modest span and are considered to function more to reduce the building heights in this important location rather than to provide overly deep buildings.
- 7.3.10 The Planning Statement advises that the two proposed communal amenity areas have now been improved through the current proposed works to the TPO trees adjacent these areas. As outlined in the arboricultural report, these works would involve a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m. An increased number of ground floor private amenity areas are now also proposed. As set out in Sections 7.4 and 7.5 below, it is now considered that the current proposed communal and private amenity spaces are usable and sufficient for the development it would serve, whilst avoiding future pressure to remove TPO trees.
- 7.3.11 In light of all the above, the revised proposal, is considered to retain and enhance the local character of the area and also provides a development of a distinctive identity and a suitable focal point in this prominent corner position - where the traditional, small scale residential surroundings to the north and east meets the mixed-use, more varied built context to the west and south. The first reason for refusal of 19/0304 is now therefore considered to have been overcome. Conditions are recommended to require agreement for all external material details.
- 7.3.12 The proposed Block C building to the rear would still have a slightly lower 2.5 storey eaves level and roof height of approx. 11m. It would utilise the lower ground level as it declines from the A30 towards the Notcutts redevelopment, as shown on the streetscene drawing. Although this building also contains crown roofs, it would remain significantly inset from the northwest and southeast site boundaries facing the A30. Additionally, the two TPO trees to the south would restrict some views and on the other side of this shrubbery, the additional height of approx. 1.5m above the 2.5 storey entrance dwelling to the redeveloped Notcutts Estate is considered to form an acceptable height transition at higher ground level. The proposed cross-section plan shows that the height increase above and behind the two storey Allbrook Close dwellings to the north would be limited to approx. 0.4m. In light of the above built form and boundary relationships, it is considered that Block C would not lead to an overdominant or incongruous addition to the surrounding area.
- 7.3.13 Principle 6.7 of the RDG SPD advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough, ensure developments are not functionally and visually dominated by cars, and be spaces that are visually and functionally attractive in the street scene. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. In respect of on-street parking, Principle 6.10 advises that it should not dominate the street scene or accommodate more than a cluster of 3 cars.
- 7.3.14 A continuous line of six car parking spaces is proposed along the north eastern boundary, near to the entrance. However, additional planting is proposed to the front and it is considered that the substantial decline in ground level from the highway would be sufficient to avoid a prominence of hard standing in the streetscene. There would also be two other continuous rows to the rear, comprising six and four parking spaces. However, landscaping is proposed around these spaces which would restrict wider views. The other proposed ten spaces would be within the undercoft of the proposed Building A, and would therefore also be secluded. It is therefore considered that the proposed parking layout as a whole would comply with the overall aims of the abovementioned SPD advice governing parking layouts.

## **7.4 Impact on trees**

- 7.4.1 There are two Holm Oak and Red Oak TPO trees (ref: 6/00) within the site towards the southeast corner, and one further Oak TPO tree (same ref) dissecting the northern boundary. A revised arboricultural assessment, method statement and tree protection plan has been provided. This still advises that 17 trees and 5 tree groups are to be removed, along with an additional 6 trees categorised as unsuitable for retention and need removal for management reasons irrespective of any development proposals. Tree and ground protection measures and replacement planting is proposed, and an indicative landscaping plan is now provided to include locations of replacement planting.
- 7.4.2 The Council's Arboricultural Officer has raised no objection in respect of impact on root protection areas. The proposed tree and ground protection measures are considered appropriate for the location and could be secured by a planning condition to include a pre-commencement site meeting. It is still proposed to crown lift the TPO trees to provide a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m.
- 7.4.3 The Council's Arboricultural Officer has maintained that although the proposed tree works are acceptable in respect of good management to increase light penetration beneath the canopies, there will be long term pressure to remove at least two of these trees (Holm Oak and Red Oak adjacent the proposed southeast Block C amenity space) due to potential long term pressures to excessively reduce or remove the dominant TPO trees to abate light restriction, leaf litter and debris, perception of threat, physical nuisance etc
- 7.4.4 However, the proposed reduced canopy spreads, as shown in the current proposed tree protection plan and indicative landscaping plan, demonstrates that the majority of both proposed communal amenity areas would now be outside of the retained TPO canopies. The proposed communal amenity areas are therefore now considered to be usable for future occupiers. Any further works to the TPO trees would be subject to future separate applications under TPO legislation, whereby the Arboricultural Officer can exercise full control. In light of all the above, it is considered that the second reason for refusal of 19/0304 has been overcome in this regard. Full landscaping details relating to replacement landscape location and species, are to be agreed at Reserved Matters stage.

## **7.5 Impact on residential amenities**

- 7.5.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties and uses should be respected by proposed development. Principle 8.1 of the RDG advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Paragraph 8.4 further advises that a minimum distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship).
- 7.5.2 Principle 8.3 advises that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Paragraphs 8.5-8.6 of the RDG state that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Topographical changes can also create overbearing relationships and poor outlooks.

- 7.5.3 The proposed Block A building at the front would remain sited approx. 20m from the side elevation of the detached dwelling of No. 132 London Road to the northeast. The inset elevation of Block B behind would be sited between approx. 20m from the rear garden side boundary of No. 132, with a TPO tree on the boundary restricting some views. Given these separation distances along with the site orientation and existing relationship with No. 134 to be demolished at closer proximity, it is considered that the proposed buildings would not lead to adverse harm upon the amenity of this neighbour in terms of loss of light, privacy or overbearing impact.
- 7.5.4 The separation distances to the front elevations of the dwellings on the opposite side of London Road would range between approx. 23m-30m, which is also considered sufficient to avoid adverse harm. The proposed Block B building would be sited between approx. 34-37m from the rear elevations of the two storey terraced dwellings of Nos 13-21 Allbrook Close, and the proposed southern elevations of Blocks A and B would face the Waitrose overflow carpark.
- 7.5.5 The proposed Block C building at the rear would, at first and second floor level, be sited at proximity of up to approx. 17.9m from the two storey semi-detached pair of Nos 9 and 11 Allbrook Close to the northeast. Although this proposed elevation would contain no upper floor openings facing these neighbours, it would be sited at higher ground level as outlined in the proposed cross-section drawing. However, this cross-section demonstrates that the resultant relationship would now not breach the 25 degree vertical line of sight test. As such, it is considered that the current proposed Block C would not lead to adverse harm to the amenity of the rear gardens and elevations of Nos 9 and 11 Allbrook Close in terms of loss of light and overbearing impact. It is therefore considered that the reduced bulk of Block C and increased separation distances would overcome the third reason for refusal of 19/0304.
- 7.5.6 The proposed Block C building would also contain an inset first and second floor elevation sited approx. 18.5m from the rear elevation of No. 11 Allbrook Close. The separation distance would increase to approx. 19m to the rear of the end-terraced dwelling of No. 13 further to the north, and between approx. 19.5m-24m further along this terrace containing Nos 15, 17, 19 and 21, through the provision of an inset elevation. This inset elevation contains two window openings on the first floor, and on the second floor, facing directly towards No. 11 and 13. However, these windows serve communal hallways and amended plans have been received to make these windows obscure-glazed and high-level (minimum 1.7m above finished internal floor level). It is considered that the size of these windows are now modest and would clearly high-level – therefore sufficient to avoid adverse perceived overlooking upon the rear gardens and elevations of Nos 11 and 13. It is therefore considered that the amended layout and windows of Block C would overcome the fourth reason for refusal of 19/0304.
- 7.5.7 The upper floor northeast elevation of Block C would be sited between approx. 18m-22m from the terraced rear elevations of Nos 1, 3, 5 and 7 Allbrook Close to the northeast. The nearest proximity from the proposed single storey element would be approx. 15m at an angle away from No. 3. The proposed southern corner of this building would be sited approx. 17m toward the rear elevation and rear garden side boundary of the detached dwelling of No. 1 Waterers Way. It is considered that these separation distances and juxtaposition between the buildings would be sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact. No windows would face directly towards these Allbrook Close neighbours. The proposed side elevation would contain first and second floor windows serving habitable rooms, the nearest of which would be sited approx. 20m at an angle away from the rear elevation of No. 1 Waterers Way. Given the angle of these windows away from the rear elevation of No. 1, in this instance it is considered that no adverse impact would arise in terms of overlooking.



7.5.8 The window separation distances to the other neighbouring elevations beyond (Nos 3, 5, 7, 9 and 11 Waterers Way) would range from approx. 24m – 37m, with a communal parking courtyard sited in between. The northernmost side windows would also be sited approx. 25m at an angle away from the rear elevation of No. 1 Allbrook Close to the east. These separation distances and built form relationships are all considered sufficient to avoid adverse harm to neighbouring amenity.

Amenities of future occupiers

- 7.5.9 An Acoustic Evaluation Assessment has been provided, which comments that the proposed communal amenity area furthest from the A30 (adjacent to Block B) would fall within an acceptable noise environment. In order for the other proposed amenity areas nearer to the A30 to also be acceptable, the report recommends a 2m high acoustic fence around the boundary perimeter. Minimum attenuation levels provided by windows and acoustic trickle vents are also recommended, to mitigate against traffic noise. The Council's Environmental Health Officer (EHO) has raised no objection, subject to planning conditions to secure the minimum sound insulation and ventilation performance of all flat windows, along with the specification of the proposed 2m high fence. This could be provided behind the proposed landscaping along the A30.
- 7.5.10 The proposed Block A to the front (nearest the A30) would contain 11 flats and Block B behind it would contain 7 flats. Four of the five ground floor flats would be provided with directly-accessible private amenity space that would meet the guidance of Principle 8.6 of the RDG concerning provision of private amenity space for flats. Eight of the upper floor flats would contain south-facing external balconies to also meet Principle 8.6. This would however leave six flats across Block A and B without any private amenity space. Two of the other proposed eight flats within Block C to the rear would also not be provided with any private amenity space.
- 7.5.11 Principle 8.5 of the RDG advises that for flatted developments, communal open space will also be expected. This should be: connected to the building, easily accessible to all residents, screened from public view, free of vehicles, located to receive sunlight for a substantial part of the day, and actively overlooked to provide surveillance and security. Blocks A and B would be provided with a separate communal private amenity space of approx. 270 sq m, located across the access road to the north. Block C to the rear would be provided with a more immediate south-facing communal private amenity space of approx. 267 sq m. These amenity space areas are the same as proposed under 19/0304. However, as already outlined in Section 7.4 above, both these areas would now be mostly clear from the mature TPO tree canopies. It is therefore now considered that these proposed amenity areas would be served by sunlight for a substantial part of the day, as advised by Principle 8.5 of the RDG.
- 7.5.12 As such, although eight of the total 26 proposed flats would not have dedicated private amenity space, they would now have access to appropriate and usable communal amenity space nearby. It is therefore now considered that all future occupiers of the current proposal would be provided with sufficient and accessible amenity space, thus meeting the aims of the RDG. It is therefore considered that the second reason for refusal of 19/0304 has been overcome in this regard.
- 7.5.13 Principle 7.6 of the RDG advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floorspace provision for each flat would meet the requirements as set out in the national minimum space standards and it is also considered that future occupiers would be afforded with sufficient outlook. The additional side elevations created by splitting Block A and Block B are utilised as second bedroom windows. As these windows face a communal parking area and not directly towards each other, it is considered that no adverse overlooking between future occupiers would arise.

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

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 Paragraph 108 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.3 The proposal would involve the provision of one off-street parking space for each flat (1 3-bed, 18 two-beds and 7 one-beds) and a revised vehicular off A30 London Road. Cycle parking spaces and bin storage would be accommodated within the proposed flat buildings. The Transport Statement advises that pre-application advice from the County Highway Authority (CHA) was received in respect of the above access arrangement and parking provision were acceptable in principle.
- 7.6.4 The proposed development would be accessed via a very well-used route linking Camberley and Bagshot, and towards the A322 and M3. However, the CHA has been consulted and has not objected on safety, capacity or policy grounds, subject to conditions, commenting that it is not considered that the proposal will give rise to any significant highway issues.
- 7.6.5 The CHA has commented further that the proposed access is sufficient to accommodate two-way vehicular movements. Vehicles leaving the site will benefit from the position of the access in close proximity to the nearby traffic light junction. Drivers will be able to leave at appropriate and safe times when vehicle flows are controlled by the traffic signals. A vehicle egressing right will be able to utilise the nearest lane to cross two lanes and not three. In terms of access into the site, whilst no dedicated right-turn lane is provided for the site, the relatively low number of proposed vehicle movements to the site is not thought to hinder the safe movement of vehicles in the vicinity of the access. The CHA assessment of the likely traffic generation shows that there would not be a significant impact on the traffic movements to/from the site in both the am peak (8am-9am) and the pm peak (5pm-6pm). The above CHA comments are provided in full in Annex B.
- 7.6.6 The proposed provision of one parking space per flat is considered sufficient given their location in a settlement area and near to bus routes, and approx. 600m walk to Bagshot Centre and approx. 1.3km walk from Bagshot rail station. Given the size of the proposed units adjacent retail parking subject to time limits and conditions, in this instance the lack of visitor parking is considered justifiable. Additionally, no visitor bays were proposed under the previous refusal and this did not form a reason for refusal. In light of all the above, the Local Planning Authority is satisfied that the proposal would not conflict with the aims of Policy DM11.

## **7.7 Impact on ecology**

- 7.7.1 A Preliminary Ecological Appraisal was provided under the 19/0304, which identified the dwelling of No. 134 London Road as having high potential to support roosting bats, a legally protected species. Surrey Wildlife Trust (SWT) commented that further surveys were required to help ascertain the status of bats within the site. These surveys have been provided as part of an Ecological Impact Assessment, and SWT has now raised no objection, subject to a condition requiring the development to be provided in accordance with the recommended avoidance, mitigation and compensation measures for priority species as made in the above report.

7.7.2 Subject to the above condition, it is considered that the fifth reason for refusal of 19/0304 has now been overcome.

## **7.8 Impact on local infrastructure and Thames Basin Heaths SPA**

7.8.1 The proposed development would be liable for the Community Infrastructure Levy (CIL), used to fund projects including open space, transport projects, pedestrian safety improvements among others. The liable amount has been calculated as £193,891.89.

7.8.2 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA, but all new development is required to either provide: SANG on-site (for large proposals of more than 100 units), or for smaller proposals; a financial contribution towards SANG, provided that sufficient SANG is available and can be allocated to the development. There is currently sufficient SANG available, which is now collected as part of CIL.

7.8.3 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £12,845.00 is needed. The applicant has agreed to secure this financial contribution towards SAMM by means of a Section 106 legal agreement.

## **7.9 Affordable housing**

7.9.1 Policy CP5 of the CSDMP requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 also requires the Council to promote a range of housing types which reflect the need for market and affordable housing.

7.9.2 The applicant is proposing 50% of the development (13 flats) to be delivered as affordable shared ownership housing, as outlined in a cover letter from a Registered Provider (Paragon Asra Housing) who has been working on this scheme alongside the applicant. Based on this letter and the floor plans, the Affordable Housing (AH) would comprise 4 x 1 beds and 9 x 2 beds within all of Block A and part of Block B. Although Policy CP5 only requires up to 40% AH provision, any provision is required to be split 50/50 between social rented and intermediate tenures. However, a viability review was undertaken for the initial refused 19/0304 outline scheme for 26 open market, whereby the Council's viability consultants concluded that although they could identify significant cost savings, the scheme would remain technically unviable. As such, no on-site AH provision could be sought, although a S106 agreement was recommended to claw back any subsequent improvement on viability. The Registered Provider of the AH has confirmed that the inputs used in the above viability review are still relevant and up to date.

7.9.3 In light of the above, in this instance it is considered that the proposed provision of 50% shared ownership affordable housing is acceptable, and the applicant has agreed to secure this by a S106 legal agreement.

## **7.10 Other matters**

7.10.1 The proposal is not within Flood Zone 2 or 3, but several areas within the site are classified by the Environment Agency as being of low risk of surface water flooding. A Flood Risk Assessment has been provided, which includes a surface water management strategy. Surrey County Council as the Lead Local Flood Authority (LLFA) has raised no objection, subject to conditions requiring details of the design of the surface water drainage scheme, along with a subsequent verification report. This would ensure that the proposed drainage would meet the National Non-Statutory Technical Standards for SuDS.

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

7.10.3 Policy CP2 of the CSDMP supports sustainable development including measures to promote energy efficiency would be supported. The Design and Access Statement advises that the proposal has been designed to accommodate any of the following: air source heat pumps, solar thermal or solar PV panels where appropriate; air cooling system, and; under floor heating. Other thermal solutions and energy/water saving measures are proposed. The final construction solution could be secured by means of a pre-commencement planning condition requiring submission of an energy and sustainability report. On this basis, it is considered that the proposal would support sustainability and would comply with Policy CP2 of the CSDMP.

## **8.0 CONCLUSION**

8.1 It is considered that the overall quantum of proposed development is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.

8.2 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions as set out below.

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

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

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

## 10.0 RECOMMENDATION

GRANT subject to a legal agreement to secure the on-site Affordable Housing provision and contributions towards SAMM, and the following conditions:

1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

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

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

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

Proposed site layout plan (Drawing No. 18-J2566-02 Rev A); Proposed information plan (Drawing No. 18-J2566-04 Rev A); Proposed Block A and B ground floor plans (Drawing No. 18-J2566-05 Rev A); Proposed Block A and B first floor plans (Drawing No. 18-J2566-06 Rev A); Proposed Block A and B second floor plans (Drawing No. 18-J2566-07 Rev A); Proposed Block C ground floor plan (Drawing No. 18-J2566-08); Proposed Block B elevations (Drawing No. 18-J2566-12 Rev A); Proposed streetscenes (Drawing No. 18-J2566-14 Rev A); Proposed site section plan (Drawing No. 18-J2566-15 Rev A); Proposed tree protection plan (Ref: 18073-BT4) - all received on 29 January 2020;

Proposed Block C part-section plan (Drawing No. 18-J2566-1005) - received on 19 February 2020;

Proposed Block C first floor plan (Drawing No. 18-J2566-09 Rev A); Proposed Block C second floor plan (Drawing No. 18-J2566-10 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev A); Proposed Block C Section (Drawing No. 18-J2566-21) - all received on 19 May 2020;

Proposed Block A elevations (Drawing No. 18-J2566-11 Rev B) - received on 09 June 2020;

Proposed roof plan (Drawing No. 18-J2566-20 Rev B); Proposed Block C floor plan (Drawing No. 18-J2566-08 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev B) - all received on 17 June 2020, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until samples and details of types and colours of all external materials, including hard surfacing and any boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory and that it accords with Policies CP2 (iv) and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.



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

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

5. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Barrell Consultancy [Andy Sherlock] and dated 24 January 2020. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

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

6. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) provision of boundary hoarding behind any visibility zones
  - (e) measures to prevent the deposit of materials on the highway
  - (f) on-site turning for construction vehicles

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

Reason: The above condition is required in order that the development should 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 2019.

7. No development shall commence until a strategy for monitoring and reporting on ground conditions and actions to be taken should there be the discovery of contamination is submitted to and approved by the Local Planning Authority. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The remediation strategy should detail how the contamination shall be managed and any agreed remediation verified.

Reason: To comply with the National Planning Policy Framework (NPPF) which requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (paragraph 170) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraphs 178 to 181).

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

- a) 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. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5 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.).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure 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, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

9. 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 drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

10. No part of the development shall be occupied unless and until the proposed modified northern pedestrian/vehicular access to London Road including the widening of the footway along the frontage of the site to 3m to extend the existing shared footway/cycleway with any private land dedicated as public highway shall be constructed and provided with visibility zones of 2.4m x 120m in both directions in accordance with the approved plans, Drawing Nos 68036-TA-001 B and 18-J2566-04 A, and thereafter the visibility zones shall be kept permanently clear of any obstruction above 0.6m high.

Reason: The above condition is required in order that the development should 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 2019.

11. The development hereby approved shall not be first occupied unless and until the existing southern access from the site to London Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above condition is required in order that the development should 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 2019.

12. 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. 18-J2566-02 A, for vehicles and cycles 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 purposes.

Reason: The above condition is required in order that the development should 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 2019.

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

Reason: The above condition is required in order that the development should 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 2019.

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

Reason: The above condition is required in order that the development should 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 2019.

15. The development hereby approved shall be undertaken in accordance with the mitigation, compensation and enhancement actions for bats presented within Section 4 (Table 5) and Section 5 (Table 6) of the Ecological Impact Assessment : Revision A (Enzygo, 8th January 2020). Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series".

Reason: To conserve and enhance biodiversity and legally protected species in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

16. Prior to first occupation of the development hereby approved, except for the entrance/exit onto Jenkins Hill (A30) to/from the site, a two metre high tongue and grooved acoustic fencing having a minimum surface mass of 10kg/m<sup>2</sup> shall be erected along all perimeters, and retained and maintained as such unless otherwise agreed upon in writing by the Local Planning Authority.

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

17. Before first occupation of the development hereby approved, unless otherwise agreed upon in writing by the Local Planning Authority, all habitable rooms shall be installed with the following minimum glazing and ventilation sound attenuation performance:

a) Block A - all elevations (except south west): Windows to provide an attenuation value of 42 dBRw for bedrooms and 37 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 42 Db Dn,e,w for bedrooms and 39 Db Dn,e,w for living rooms.

b) Block B and south west elevation of Block A: Windows to provide an attenuation value of 24 dBRw for bedrooms and 22 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

c) Block C - all elevations: Windows to provide an attenuation value of 25 dBRw for bedrooms and living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

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

18. No development shall commence until an Energy and Sustainability Report, outlining how the final construction design includes measures to promote energy efficiency, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the final design of the proposed construction would support sustainability to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

### **Informative(s)**

1. Highways informatives:

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

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats

connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

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

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

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

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

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

2. Flood risk/drainage informative:

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 the Surrey County Council website.

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.

If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use their reference number LLFA-SU-20-0197 in any future correspondence.

3. Environmental health informative:

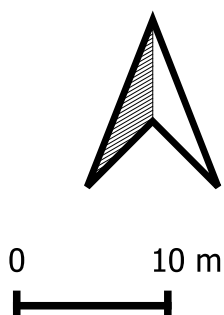
The applicant is advised that Section 7 of the Acoustic Evaluation Assessment (ref: J 03759R1 - dated 19 February 2020) identifies suitable glazing and ventilation specifications and details to secure compliance with the attenuations required.



In the event that a satisfactory legal agreement has not been completed by 31 August 2020, or any other period as agreed with the Executive Head of Regulatory, the Executive Head of Regulatory be authorised to REFUSE for the following reasons:

1. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.



<b>Title</b>	Planning Applications		
<b>Application number</b>	21/1333/RRM		<b>Scale @ A4</b> 1:500
<b>Address</b>	134 And 136 London Road Bagshot Surrey GU19 5BZ		<b>Date</b> 12 Jul 2022
<b>Proposal</b>	Application for the approval of all reserved matters (landscaping) pursuant to outline planning permission 20/0090/OOU (erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping.		
Version 5 <span style="float: right;">© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022 Author: DE</span>			

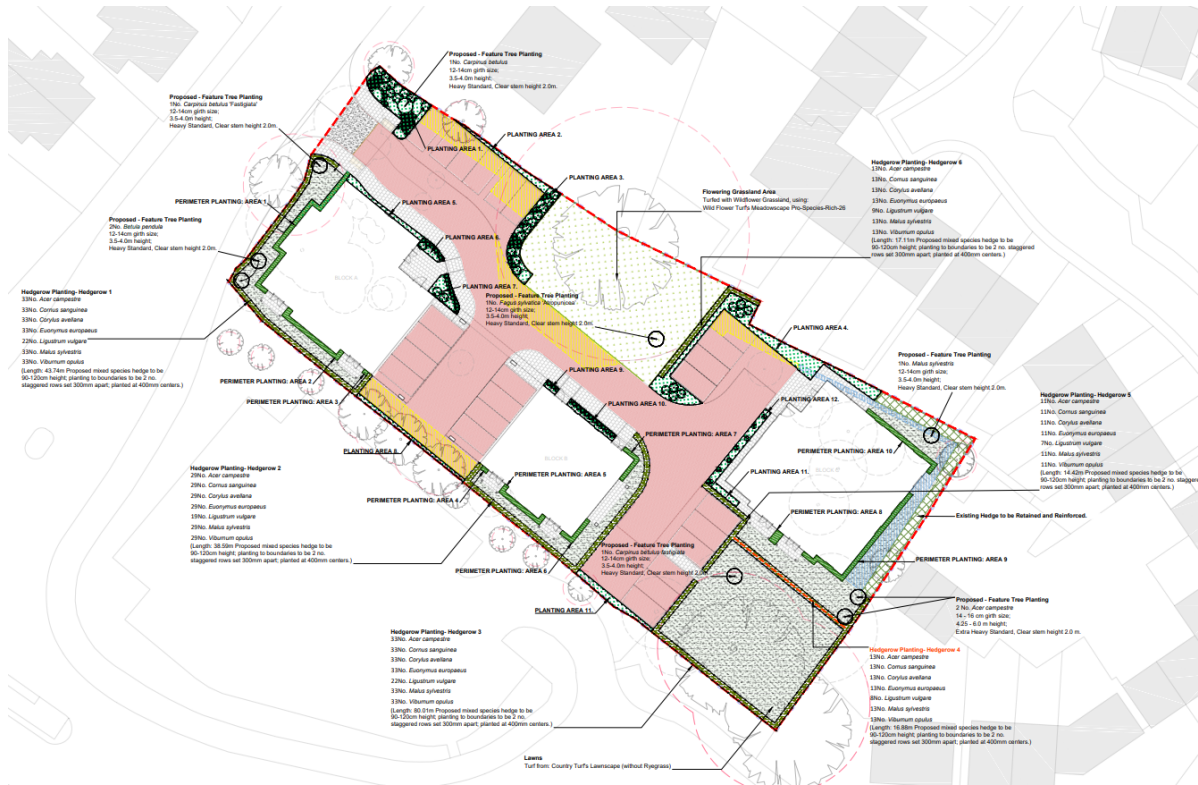


This page is intentionally left blank

Site Location Plan



# Proposed Hard and soft landscaping





21/0344/FFU

**Reg. Date** 25 May 2021

Lightwater

<b>LOCATION:</b>	99 - 109 Guildford Road, Lightwater, Surrey, GU18 5SB
<b>PROPOSAL:</b>	Erection of 5 buildings to comprise 18 terrace style houses and 12 apartments within a flatted block with associated landscaping, access, and car parking. All following demolition of existing buildings on site.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Howarth Homes
<b>OFFICER:</b>	Duncan Carty

This application has been referred to the Planning Applications Committee because it is major development (a development of 10 dwellings or over). The application is subject to a non-determination appeal and so the Planning Inspectorate is now the determining authority.

## **RECOMMENDATION: WOULD HAVE REFUSED**

### **1.0 SUMMARY**

- 1.1 This planning application relates to a residential redevelopment of a commercial site located in the settlement of Lightwater. The site is currently predominantly occupied by a car business, including car sales/showroom, repairs and MoT services and is located on the south west side of Guildford Road.
- 1.2 The current proposal includes the provision of 30 dwellings, including 18 houses and 12 flats, with a new access road onto Guildford Road, parking and landscaping. The houses would be arranged in four blocks of terraced properties, at two storeys (with some accommodation in the roof) and the flats contained within a three storey building.
- 1.3 The principle of the development is accepted. However, the proposal is considered to be unacceptable in terms of its impact on local character and trees, and residential amenity. The proposal is CIL liable and no objections are raised on flood risk/drainage and highway safety and parking capacity grounds. However, without an acceptable legal agreement to secure affordable housing (including First Homes) and a contribution towards SAMM measures, the proposal is also considered to be unacceptable on these grounds. The application would have been refused if this Authority had been the determining authority.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site is located in the settlement of Lightwater. The 0.38 hectare site lies on the south west side of Guildford Road with St Annes House (and Crossley Club beyond/rear) to the north west flank, 6 Grasmere Road to the rear, 12 Grasmere Road and 8 and 9 Ullswater Close to the south corner and 97a Guildford Road and 3 Coyne Close to the south east flank of the application site. Passfield Lodge, 84 and 92 Guildford Road lie on the opposite side of Guildford Road.
- 2.2 The existing site has been occupied by a car business, known as Deepcut Garage, including sales/showroom, repairs and Mot services. This business closed in October 2020 and remains vacant. The site lies within the defined village centre as defined in the Lightwater Village Design Statement SPD 2008.

### 3.0 RELEVANT HISTORY

The application site has an extensive planning history of which the most recent and relevant is:

- 3.1 94/0239 Erection of a paint spray booth and extract duct following the demolition of existing covered parking bay.  
*Approved in June 1994.*
- 3.2 99/1183 Erection of a detached building to comprise MoT testing centre and ancillary accommodation.  
*Approved in January 2000.*
- 3.3 13/0166 Erection of an outbuilding as a sales cabin.  
*Approved in June 2013.*
- 3.4 22/0525 Erection of 21 no dwellings with associated access, hardstanding, landscaping and parking.  
*Currently under consideration.*

### 4.0 THE PROPOSAL

- 4.1 The current proposal relates to a residential development of 30 dwellings comprising 18 terraced houses and 12 flats which equates to 19 two bed and 11 three bed dwellings as shown in the following table:

<b>No of bedrooms</b>	<b>Houses</b>	<b>Number</b>
Two		7
Three		11
	<b>Flats</b>	
Two		12
Total		30

The flats were envisaged to be provided as affordable homes (intermediate). However, a legal agreement to secure this provision has not been provided to date.

- 4.2 The development would provide both terrace and flatted housing. The proposed layout would be as follows: Two terraces (Plots 1-4 and 5-8) and the flatted block to the front (Plots 19-30). Behind these plots would be a second row of development with one terrace (Plots 9-14) behind the flatted block and another terrace (Plots 15-18) perpendicular to the other terraces. Access to the proposed dwellings would be predominantly from a new access road, to be located between the front terraces and flatted block. In between the two rows of development would be an access, servicing and parking area.
- 4.3 The proposed houses would be two storey in height, with some mid-terrace units (Plots 2-3, 6-7 and 11-13) and a rear block (Plots 15-18) with accommodation in the roof. All proposed houses would be rectangular in footprint, except Plot 9, an end-of-terrace unit, which would be L-shaped. The proposed flats would be provided within one three storey block, with eaves lowered (in part) to a two and a half storey height.
- 4.4 The proposed buildings would be traditional in design with either ridged roofs over (Plots 15-18) or crown roofs with a pitched roof to the front/side/rear. The proposed buildings would have traditional detailing including: soldier courses (between floors), stone window sills and brick window hood detailing, two projecting gables (in the front and rear elevations of the flatted block), flat roof dormers/half dormers, chimneys, brick detailing to end gables (Plots 15 and 18), and open porches.

- 4.5 The rear block of houses (Plots 15-18) would have a ridge height of about 9.8 metres. Plot 9 would have a maximum height of 7 metres. The remainder of the houses would have a maximum height of 8.2 metres. All of the houses would have an eaves height of 5.3 metres. The flatted block would be three storeys in height also with a traditional in design and would have a crown roof to a maximum height of 11.7 metres, reducing to 7.7 metres at the eaves.
- 4.6 Each house would have rear gardens with a depth typically of 8.4 metres (and area of 37 square metres) for the frontage plots (Plot 1-8); 8-14 metres (and area of 37-66 square metres) for the rear plots. The rear gardens are generally rectangular in shape with the exception of Plot 9, a corner plot, which tapers to the rear. The amenity space for the flats is provided to the front, rear and east flank. This includes an area 2-2.5 metres deep to the front and rear and an irregular shaped side area between 2 and 8 metres deep. Although the amenity area around the flats amounts to about 200 square metres in area, the majority is not private amenity space. For example, the front garden area, as indicated on the streetscene views, would not provide private amenity space due to the low front boundary treatment. Some Juliet balconies are to be provided on the front and rear elevations.
- 4.7 The current proposal would provide an overall provision of 34 parking spaces (including 3 disabled spaces). The parking is not allocated except two drive spaces (adjacent to Plot 15 at the rear). The parking is therefore assumed to be as follows:

No of bedrooms	Parking ratio	Parking guidance
2	1	1
3	1.4	2

- 4.8 This planning application has been supported by:

- Planning Statement;
- Design and Access Statement;
- Market Demand Report;
- Transport Statement;
- Ecological Report;
- Drainage Strategy and Flood Risk Assessment;
- Energy Statement and Water Efficiency Calculator;
- Arboricultural and Planning Integration Report;
- Geo-Environmental Assessment;
- Services (Utilities) Appraisal;
- Statement of Community Involvement; and
- Road Safety Audit and Parking Strategy.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections, subject to conditions [*See Annex A for a copy of their comments*].
- 5.2 Archaeology Officer No comments received to date (their requirements are normally secured by condition).
- 5.3 Windlesham Parish Council An objection raised on an insufficient level of parking (and EV charging points). No reference has been provided to the Lightwater Village Design Statement and no evidence of community engagement.
- 5.4 Local Lead Flood Authority No objections subject to conditions.

- |     |                                  |   |
|-----|----------------------------------|---|
| 5.5 | Council's Arboricultural Officer | Further details required.   |
| 5.6 | Surrey Wildlife Trust            | No objections subject to conditions.  |
| 5.7 | Environmental Health             | No objections on noise or land contamination grounds.                                       |
| 5.9 | Urban Design Consultant          | Raises an objection on character grounds [ <i>See Annex B for a copy of her comments</i> ]. |

## 6.0 REPRESENTATIONS

- 6.1 There were 49 notification letters originally sent to neighbouring properties on 26 May, 1 June and 23 August 2021, and publicised in the local press on 2 and 4 June 2021. A total of 2 letters of support and 5 letters of objection, have been received. The objections are summarised below:

### Principle [*See section 7.2*]

- Building flats is not in keeping with local housing market (generally flats and retirement/care homes)

### Character [*See section 7.3*]

- Cramming in development
- Frontage properties have very small gardens (access onto street)
- Tiny rear gardens for houses
- Need detached houses

### Highway safety and traffic generation [*See section 7.5*]

- Insufficient parking
- Reliance on cars in the area (no rail station or bus routes to major centres)
- Insufficient EV charging points
- Overspill parking in neighbouring street and local centre which are already overcrowded with limited parking available
- Add to traffic congestion for traffic joining M3

### Other matters

- Impact on local schools/doctors surgery [*See section 7.6*]

- 6.2 The letters of support are summarised below:

- In keeping with surrounding flats and houses
- Improve current site and enhance the area
- Supports, subject to increased height of boundary fencing (above 1.8 metres) to limit any loss of privacy
- Supports but notes limited parking provided

## 7.0 PLANNING CONSIDERATION

- 7.1 The application is considered against the relevant policies, which are Policies CP1, CP2, CP5, CP6, CP8, CP9, CP11, CP14, DM9, DM10, DM11, DM13 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy

Framework (NPPF); as well as advice within the Surrey Heath Residential Design Guide 2017 (RDG); Lightwater Village Design Statement SPD 2008 (LVDS); Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS); the Planning Practice Guidance (PPG); the Written Ministerial Statement 24.05.21 (WMS); the Council's First Homes Policy Guidance Note 2021 (FHP); and the National Design Guide. The main issues to be addressed in the consideration of this application are:

- Principle of the development;
- Impact on character and trees;
- Impact on residential amenity;
- Impact on sustainability, highways safety and parking capacity;
- Impact on flood risk and drainage;
- Impact on the Thames Basin Heaths Special Protection Area
- Impact on ecology;
- Impact on affordable housing provision and housing mix; and
- Other matters.

## **7.2 Principle of the development**

7.2.1 Policy CP1 of the CSDMP indicates that new development will be expected to come forward largely through the redevelopment of previously developed land in the western part of the Borough and development in smaller settlements such as Lightwater is expected to be more limited. However, the development would provide housing within the settlement close to services in the village.

7.2.2 Policy DM13 of the CSDMP indicates that the loss of employment sites (outside of Core Employment Areas) may be permitted where it would not result in the loss of units capable of use by small business or industry unless it can be demonstrated that there is no longer a need for such units. The existing commercial use has ceased since later 2020 and has not been re-let. It is a use, including industrial processes, which are incompatible with a residential area. As such, the loss of this employment site is considered to have wider benefits to the local area.

7.2.3 The Council's Five Year Housing Land Supply Paper 2021-2026 (1 April 2021) indicates that there is currently about a 7.2 year supply of housing available within the Borough. It is noted that the planning statement provided with this application refer to an earlier housing land supply position where a 5 year supply could not be demonstrated. However, as noted above, the site is within the settlement area and adjacent to housing. It would remove a non-confirming use in this location and as such, this proposal is supported in principle.

7.2.4 It is therefore considered that the proposal is considered to be acceptable in principle complying with Policies CP1, CP2 and DM13 of the CSDMP. This is subject to the assessment below.

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

7.3.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects and enhances the local character of the environment and protects trees and vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate. Principle B2 of the LVDS indicates that the over-development of sites should be resisted due to its harm to the character of the area through the eroding of the generally smaller scale character of the village.

### Development context

7.3.2 The current proposal was envisaged as a redevelopment on the edge of a local village centre, between the commercial nature of the village centre and the residential properties further beyond. To the west of Grasmere Road, the properties on the south side of Guildford Road are generally Victorian or Edwardian in age with narrow, but deep, plots.



The development is more mixed on the north side of this road. It is envisaged that the application site would be within a transitional location where a higher density of housing could be provided. In principle, this is accepted. However, the form of the development should successfully integrate into this location. The existing commercial nature of the site is noted but there is an expectation that a residential redevelopment of the site should provide an environment suitable for such a use of the site.

#### Layout and density

- 7.3.3 Principle B5 of the LVDS indicates that the redevelopment of the commercial centre of the village should provide a more defined structure for the layout of buildings and car parking which will substantially increase the amount of landscaping and reduce the impact of car parking on the streetscene. Principle 6.2 of the RDG indicates that developments should create a hierarchy of streets based on street character and form. Principle 6.3 of the RDG requires the integration of parking into the street in an attractive manner. Principle 6.7 of the RDG sets out the requirements for parking courts, which should be softened with generous soft landscaping.
- 7.3.4 The proposed layout reflects the more recent developments to the east, such as Coyne Close, which are based upon the provision of two rows of development, one row close to the front of the site with a second row centrally positioned with parking and servicing arrangements in between. Each row provides narrow house plots, often in the form of short terraces or semi-detached houses. The current proposal would also provide two rows of development with two terraces and the flatted block to the front with two terraced blocks behind, and facing, the parking and servicing arrangements.
- 7.3.5 This approach would remove the hardstanding and commercial appearance of the site with small front gardens provided to soften the appearance of this development from Guildford Road. However, the proposal would provide a high level of unrelieved hardstanding in the middle of the site, to accommodate the parking and servicing required for the scheme, which limits the opportunities to provide soft landscaping in this part of the site. The Council's Urban Design Consultant (UDC) advises that use of soft landscaping can provide a softening of the development and provide communal green space(s) and placemaking. The attempt to break-up the expanse of hardstanding has been unsuccessful, failing to meet the requirements of Principle 6.7 of the RDG. For example, trees have been shown indicatively between parking spaces and the access path where it would not be feasible to plant trees. The small front gardens provided for the houses to the rear also reflects this limited scope for providing soft landscaping in this part of the site. The access approach, between the flatted block and terraced houses, also provides little scope to provide soft landscaping, particularly the limited gap between the flank wall of the flatted block and the access road/footway. As such, the proposal provides a harsher environment than would be expected for a residential development and this arrangement is considered to be unacceptable.
- 7.3.6 Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without compromising the local character of an area, the environment or the appearance of an area.
- 7.3.7 The current proposal provides an overall density of 79 dwellings per hectare with the houses providing a density of about 55 dwellings per hectare. This compares with neighbouring developments (to the east) of about 35-40 dwellings per hectare. The development would also provide benefits by improving the visual appearance of the site, noting the utilitarian appearance of the existing buildings on the site, lack of soft landscaping and that the recent commercial use is a non-conforming (but lawful) use in this location. However, overall the higher density is a reflection of the concerns raised above in terms of its impact on local character.

#### Design and detailing

- 7.3.8 Principle B5(d) indicates that development should predominantly contain traditional elements such as the use of gables and pitched roofs and there should be a high quality

of architectural details appropriate to the character of the building. Principle 7.5 of the RDG indicates that development which introduces new roof forms that diverge from the prevailing character will be resisted and where a building has been designed to reflect traditional forms and styles, flat roofs should not be used to span overly deep buildings. Principle 7.8 of the RDG requires development to provide architectural detailing to create attractive buildings that positively contribute to the character and quality of an area.

- 7.3.9 The proposed development would provide detailing, as indicated in paragraph 4.2 above, which would be reflective of the traditional character envisaged for this development close to the village centre. However, some elements, particularly the flatted block, introduces crown roofs which use a flat roof element to span the depth (and width) of the proposed building, and provide a top-heavy and bulky roof form. This roof form would be more apparent particularly from views from Guildford Road close to the proposed access road into the site. In addition, Plot 9 would be provided with an L-shaped footprint with a reduced height, providing a larger area of crown roof which, whilst in a corner location within the development, would also be noticeable from public vantage points within and around the site. The UDC has raised concerns about the use of crown roofs within this development.

#### Scale

- 7.3.10 The proposed development would provide a range of dwellings from two to three storeys in height. The general height and scale of the houses would be reflective of the character of the nearby dwellings. However, the proposed flatted block due to its larger depth (17 metres compared to 10 metres for the houses) and height (11 metres compared to 8.2 metres for the frontage houses) along with the two storey height (some with accommodation in the roof) of adjoining dwellings and the limited soft landscaping around it, would provide an abrupt and disruptive change to the character, standing out from, and being out of place within, this environment. The forward projection of the flatted block on the inside of a bend in Guildford Road, at this point, and limited flank set-ins would accentuate this impact. It is noted that Passfield Lodge, which rises to three storeys in height, is located opposite the application site but this lies on a wider, and much deeper, site. The proposed flatted block, in particular, is considered to be unacceptable in this context.

#### Landscaping and trees

- 7.3.11 Principle 6.2 of the RDG requires residential developments to use trees, vegetation, gardens and open spaces to create a strong, soft green character to streets. The existing site is limited in soft landscape cover and the proposal would provide some opportunities to increase the general level of soft landscaping and tree cover at the site but concerns are raised about the harsher environment that is proposed than would be expected for a residential area, as indicated above – particularly to the environment in the access and parking/servicing area between the rows of dwellings. There are a number of off-site trees, predominantly with the gardens of surrounding dwellings, close to the application site. The Council's Arboricultural Officer has indicated that insufficient information has been provided to understand the full impact of the proposal on trees near to the site and potentially having an influence over parts of the site and raises an objection to the proposal on this ground.
- 7.3.12 To summarise paragraphs 7.3.3 - 7.3.11 above, the height, depth and scale of the flatted block, and its crown roof, the predominance of hardstanding around the site access and within the site would result in an overdevelopment of the site, harmful to local character. This opinion is supported by the UDC. In addition, insufficient details in relation to the impact on trees has been provided. As such, the proposal is considered to be unacceptable in terms of its impact on character and tree grounds failing to comply with Policies CP2 and DM9 of the CSDMP and the NPPF, as well as advice in the RDG. An objection is therefore raised on these grounds.

### **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. Principle 6.2 of the RDG sets out the requirements for residential developments. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents.
- 7.4.2 The proposed frontage development lies between commercial development to the immediate west and residential properties to the east. The side-to-side relationship between the development and these properties are considered to be acceptable. In addition, the scale of the proposal and the levels of separation to the development opposite, are considered to be acceptable. The relationship of the dwellings within the development and levels of separation between dwellings are acceptable, complying with the RDG.
- 7.4.3 The side wall of Plot 18 faces the rear garden of 6 Grasmere Road. The side wall would be located close to the end of this garden and set-in from the mutual boundary, with this garden which is relatively wide. The rear elevation would only have more oblique views towards the rear wall of this dwelling. As such, it is considered that this dwelling would have an acceptable relationship with this dwelling. Plot 9 has a wedge-shaped plot, tapering to the rear. The proposed dwelling is therefore angled towards the neighbouring residential dwelling, 3 Coyne Close. However, noting the retained separation distance of this dwelling to this plot, and that the proposed dwelling does not extend in front or behind the front and rear walls of this dwelling, an acceptable relationship with this dwelling is proposed. The rear garden boundaries of Plots 10-14 abut the side boundary of the rear garden of 9 Ullswater Close. Noting the length of these proposed rear gardens, it is considered that the relationship between these proposed dwellings and 9 Ullswater Close is also acceptable.
- 7.4.3 The proposal would provide dwelling sizes which exceed the minimum national space standards. The garden sizes would comply with Principles 8.4, 8.5 and 8.6 of the RDG (i.e. a minimum of 3 metre depth for ground floor flats (and separate accommodation for upper floor flats e.g. balconies), 55-65 sqm for two/three bed houses and 70-85 sqm for four/five bed houses) and would provide a development which would therefore provide sufficient garden space for each housing plot and flat unit. However, the proposed flatted block would provide a very limited rear usable amenity space, for 12 flats, which is considered to be unacceptable. The provision of both private individual amenity space and private communal amenity space for the flats has not been shown and would fail to meet the minimum requirements set out in Principle 8.3 of the SPD, and what would be reasonably expected in Principle 8.5 of the RDG.
- 7.4.4 Within the development, there are a number of first floor flank and some rear windows which would be located close to boundaries with adjacent or nearby residential properties and therefore, if the Council had been minded to approved the proposal, a condition to limit these windows to be fitted (and retained) with obscure glazing, with high level openings only, to limit overlooking, could have been imposed.
- 7.4.5 The application site fronts onto Guildford Road, which is a noise-generating source. A scheme to provide double glazed limits would limit the impact of noise on the future occupiers. In this regard, the Senior Environmental Health Officer raises no objections on these grounds.
- 7.4.6 The proposal would provide insufficient private amenity space for the future residents of the flats. As such, the proposal is unacceptable on residential amenity terms, for existing local residents and future residents of this development, and does not comply with Policy DM9 of the CSDMP and the RDG. An objection is therefore raised on these grounds.
- 7.5 Impact on sustainability, highway safety and parking capacity**
- 7.5.1 Policy DM11 of the CSDMP requires 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 vehicular access and egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.

- 7.5.2 Policy CP11 of the CSDMP requires development to comply with parking standards. The SCC parking guidance require a maximum of 2 parking spaces per three bedroom dwelling and 1 parking space per 2 bedroom dwelling. Visitor parking is encouraged where appropriate (e.g. to serve flats). A minimum of 1 fast charge socket is required per dwelling. A minimum of one cycle parking space per three and four bedroom dwelling and 1 cycle parking space per 1 or 2 bedroom dwelling needs to be provided.
- 7.5.3 The current proposal would provide an overall provision of 34 parking spaces (including for 30 dwellings). The level of parking for the size of dwelling (i.e. number of bedrooms) either equals or falls below the maximum parking guidance (see paragraph 4.5 above). The parking guidance encourages the provision of visitor spaces, particularly for flatted development, without providing any minimum requirements. There is limited on-street parking available and parking in the village centre is more limited. However, noting that the site is deemed to be more sustainable, it is considered that the overall level of parking is sufficient for the development. The County Highway Authority (CHA) has raised no objections to this level of overall parking provision, subject to condition(s). The Authority has indicated that the parking demand for the site is 41 parking spaces. However, a parking stress survey has been undertaken which has indicated that there is sufficient on-street parking available in the local area to accommodate any overspill parking.
- 7.5.4 The CHA has advised that the proposal would result in a net reduction in vehicle trips both in the morning and evening peaks and also for the total daily trips when compared to the lawful use of the site as a car sales and repair shop. This indicates a sizable reduction in traffic generation at the site for the proposal when compared with the commercial use of the site.
- 7.5.6 The CHA has advised that the access arrangements are considered to be acceptable, with adequate visibility provided onto Guildford Road. A new bell-mouth junction would be provided onto Guildford Road with dropped crossing points and tactile paving which would be secured through conditions/Section 278 agreement (under the Highways Act 1980). A Stage 1 Road Safety Audit has been completed, and the CHA is satisfied that suitable visibility splays can be achieved. There would be safe pedestrian access into the site.
- 7.5.7 The CHA has confirmed that the proposal would be centrally located close to the village centre where local services and shops are available. There is also good access to local bus services and the nearest rail station (in Bagshot) is within cycling distance. The CHA considers that the proposed development meets the criteria for sustainable development (as defined in the NPPF). Cycle storage could be provided by condition. This could be provided within the house plots and in a shared area for the flats.
- 7.5.8 As such, the proposal is considered to be acceptable on sustainability, highway safety and parking capacity grounds complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

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

- 7.6.1 Policy DM10 of the CSDMP indicates that development within flood risk zones 2 and 3, or on sites of 1 hectare or more, will not be supported unless it can be demonstrated that, through a Flood Risk Assessment, that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral and, where risks are identified flood resilient and resistant design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels, and that the form of development is compatible with the level of risk. Development will be expected to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at an appropriate level to the scale and type of development.

7.6.2 The application site lies in a Zone 1 (low risk) flood area and relates to a site of less than one hectare in area. The proposal includes a surface water drainage scheme with permeable paving for hardstanding (parking, etc.) areas with an attenuation tank for surface water before discharging via a pumping station into the storm sewer. The Local Lead Flood Authority (LLFA) has agreed this arrangement could be provided by condition(s). Thames Water has confirmed that connections to the public sewer system would require a permit under the Water Utilities Act.

7.6.3 No objections are raised on drainage and flood risk grounds with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

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

7.7.1 Policy CP14 of the CSDMP indicates that development will only be granted where the Council is satisfied that the proposal will not give rise to a likely significant adverse effect upon the integrity of the Thames Basin Heath Special Protection Area (SPA). All new (net) residential development within 5 kilometres of the SPA is considered to give rise to the possibility of likely significant effect. Policy NRM6 of the SEP reflects these requirements. Proposals will be required to provide appropriate measures in accordance with the AAP. This includes contributions towards SAMM measures. SANG requirements are provided through CIL.

7.7.2 The applicant has confirmed that a SAMM contribution of £20,803.84 would be required through a legal agreement or upfront payment. With this contribution not secured to date, an objection is raised on SPA grounds with the proposal failing to comply with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the AAP. An objection is raised on these grounds.

## **7.8 Impact on ecology**

7.8.1 Policy CP14 of the CSDMP requires development to conserve and enhance biodiversity with new opportunities for habitat creation and protection will be explored in particular on biodiversity opportunity areas. Development that results in harm to or loss of features of interest for biodiversity will not be permitted. Paragraph 174 of the NPPF indicates that planning decisions, and therefore development, should contribute to and enhance the natural environment by minimising impacts on, and providing net gains for, biodiversity. The need for biodiversity net gains are also set out in the Environment Act 2021, but this need would need to be supported by secondary legislation.

7.8.2 The commercial use of the site has limited any impact of the proposal on biodiversity. The ecological report confirms that there are no protected species on this site but biodiversity enhancements should be provided as a part of this development. The Surrey Wildlife Trust has raised no objections subject to this provision by condition.

7.8.3 As such, it is considered that the proposal is acceptable in ecological terms with the proposal complying with Policy CP14 and the NPPF.

## **7.9 Impact on affordable housing provision and housing mix**

7.9.1 Policy CP5 of the CSDMP requires the provision of 40% of the proposed housing to be affordable. This is normally split between socially rented and intermediate (shared ownership). The definition of affordable housing, as set out in Annex 2 of the NPPF, has widened the options for affordable housing. The more recent Written Ministerial Statement, and the Council's First Homes Policy Guidance, requires 25% of the overall provision to be provided as First Homes, which is a form of discounted market sale housing. The WMS indicates that there is a requirement that a minimum proportion of 25% of the overall affordable housing provision should include First Homes. First Homes must be sold at a minimum discount of 30% below their full market value, with the owner/occupier fulfilling eligibility criteria, and the discount provided in perpetuity. For the current proposal, there would be a requirement for 3 First Homes; 6 socially rented and 3 intermediate units to meet the FHP.



- 7.9.2 Whilst the applicant proposes that the 12 flats would be affordable (or 40% of the overall development in line with Policy CP5), this would all be intermediate housing. Given that there is a requirement for First Homes and socially rented units, the proposal would therefore fail to comply with national and local policy. Policy CP5 does go on to state that in seeking affordable housing provision the Borough Council will assess scheme viability, including assessing the overall mix of affordable unit size and tenure, other development scheme costs and any Housing Corporation grant subsidy secured. However, the applicant has provided no viability evidence to support the case for only intermediate housing, and in the absence of this evidence the application is contrary to Policy CP5. Furthermore, even if this form of affordable housing is deemed to be acceptable, then the applicant has not provided a legal agreement to secure this.
- 7.9.3 Policy CP6 of the CSDMP requires the provision of a range of housing sizes across the Borough. The proposal would provide 63% two bedroom and 37% three bedroom units. It is considered that the proposal provides a range of housing with different sizes and, noting its location, would provide an acceptable mix of housing.

## **7.10 Other matters**

- 7.10.1 Policy CP2 of the CSDMP indicates that development will be required to provide measures to improve energy efficiencies and sustainability. The energy statement provided to support the application includes measures to include a fabric first approach, within the building fabric, insulation and double glazing, high-efficiency heating systems and low energy lighting. In addition, photovoltaic panels to the south west and south east facing roofslopes would be provided. An expected reduction of 19% reduction in emissions which is equivalent to Level 4 Code for Sustainable Homes and Part G water requirements. These matters could have been provided by condition.
- 7.10.2 Policy DM16 of the CSDMP requires the provision of play space provision for residential developments on site. The policy does not set a site area or threshold as to when this is required. The supporting text goes on to explain that this should be as the need arises and be negotiated on a case by case basis. The proposal does not include such provision, but noting the lower number of residential units to be provided, it is not considered that an objection can be raised on this ground.
- 7.10.3 Policy DM17 of the CSDMP indicates that on sites of 0.4 hectares or over, a prior assessment of the potential archaeological significance of the site has to be undertaken. In this case, a desk-based assessment has been provided which indicates that the site has a low archaeological potential. In addition, due to the previous site history, the archaeological implications for this development are low, with no evidence indicated, and it is considered that a programme of archaeological work is not required in this instance.
- 7.10.4 Paragraph 183 of the NPPF indicates that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land contamination. Noting the historic site use, it is considered prudent to seek agreement of an approach to any land contamination on this site. A condition in this respect would be required, an approach which is supported by the Senior Environmental Health Officer.

## **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 proposal is considered to be acceptable in terms of its impact on, highway safety and parking capacity, ecology, flood risk/drainage and archaeology. However, an objection is raised on character and residential amenity grounds. Without the completion of a legal agreement to secure affordable housing (including First Homes) and a contribution towards SAMM measures, the application proposal is considered to be unacceptable on these grounds. An objection is therefore raised to this proposal.

## **10.0 RECOMMENDATION**

The Council **WOULD HAVE REFUSED** for the following reasons:

1. The proposed development by reasons of its layout and density, dominated by a central parking and servicing area with a lack of soft landscaping, would result in an incongruous form of development. In addition, the flatted block that would provide insufficient amenity space and the height, depth and crown roof of this block would be harmful to the visual amenities of the streetscene. As such, the overall proposal would amount to an over development of the site that would fail to respect and successfully improve the character and quality of the area and fail to comply with Principles B1 and B5(d) of the Lightwater Village Design Statement SPD 2007; Principles 6.2, 6.3, 6.4 and 6.7 of the Residential Design Guide SPD 2017; and Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.
2. The proposed development would provide insufficient private amenity space for the flatted block which would result in poor living conditions for future occupiers failing to comply with Principles 8.5 and 8.6 of the Residential Design Guide SPD 2017; and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.
3. It has not been demonstrated that the proposal would not have an adverse impact on the health of trees around the site failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.
4. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy

NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.

5. The proposal fails to provide the necessary mix of affordable housing, including First Homes and social rented units, and no viability evidence has been provided to justify the applicant's position. Furthermore, in the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to secure any provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework, and advice within the Surrey Heath First Homes Policy Guidance Note 2021 and Written Ministerial Statement (24.05.21).

This page is intentionally left blank



<b>APPLICATION NUMBER</b>	<b>SU/21/0344/FFU</b>
---------------------------	-----------------------

## DEVELOPMENT AFFECTING ROADS

### TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Howarth Homes

**Location:** 99 - 109 Guildford Road Lightwater Surrey GU18 5SB

**Development:** Erection of 5 buildings to comprise 18 terrace style houses and 12 apartments within a flatted block with associated landscaping, access, and car parking. All following demolition of existing buildings on site.

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	26 May 2021	<b>Response Date</b>	07 July 2022
------------------------	----------------	--------------------------	-------------	----------------------	--------------

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 proposed vehicular access to Guildford Road has been constructed and provided with 2.4 x 43 metre visibility splays in accordance with the approved plans (Drawing No. 201268/TS/03) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6 metres 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 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) no HGV movements to or from the site shall take place between the hours of 8.15 and 9.00am and 2.30 and 3.15pm
- (j) 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 facilities have been provided in accordance with the approved plans (Drawing No. 101 Rev 02) for the secure parking of bicycles within the development site in secure, covered and lit stores,

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

5) Prior to the first occupation of the development a Sustainable Travel Information Pack 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 and Surrey County Council's Travel Plans Good Practice Guide for Developers. The approved Sustainable Travel Information Pack shall be issued to the first time occupier of each dwelling, prior to first occupation.

The pack should include:

- Details of local public transport services and location of rail stations and local bus stops
- Details of any local car club and lift sharing schemes
- Maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities
- Information to promote the take-up of sustainable travel

6) The development hereby approved shall not be occupied unless and until each of the proposed 30 dwellings 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) 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.

7) The development hereby approved shall not be first occupied unless and until existing accesses from the site to Guildford Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

## **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.

## **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-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-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.

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>

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

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

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

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

- 9) 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.
- 10) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

## **Note to Planning Officer**

### **Access**

A new bellmouth access would be provided onto Guildford Road with dropped kerb crossing points and tactile paving, implemented through a S278 Agreement. A stage 1 Road Safety Audit has been completed and the CHA is satisfied that suitable visibility splays can be achieved. There would be safe pedestrian access into the site. Existing dropped kerbs along the frontage of the site would be raised.

### **Trip Generation**

The TRICS analysis and trip data provided has shown that the proposed development would lead to a net reduction in vehicle trips both in the AM and PM peak hours and also for the total daily trips, when compared to the existing lawful use of the site as a car sales and repair shop.

### **Sustainable Travel**

The proposed residential development is centrally located within Lightwater with good access within walking distance to schools, shops, health and community facilities. There is good access to local bus services. The nearest train station at Bagshot is within cycling distance. The CHA is therefore satisfied that the proposed development meets the criteria for sustainable development as set out in the NPPF.

### **Parking and Electric Vehicle Charging**

The proposed development would provide 34 parking spaces. The CHA previously commented that this would fall below the recommended provision as set out in Surrey County Council's Vehicle, Cycling and Electric Vehicle Parking Guidance for New Development, which is Surrey Heath's Adopted Parking Standard. In response the Applicant has provided further information setting out the reasons for parking provision to accord with the standards for an 'edge of centre' location, rather than that for a village or suburban edge, based on the accessibility of the development site, public transport provision and local car ownership levels. From a reassessment of this information the CHA accepts that this location can be regarded as being suburban, rather than a village or suburban edge, for the purposes of assessing the parking requirement. However, the CHA does not accept that it is 'edge of centre'.

Under the requirements for a suburban location the recommended parking provision for the site would be 41 spaces. Not taking account of any visitor parking spaces, there would therefore be a shortfall of 7 spaces. This may lead to overspill parking on roads close to the site. The CHA therefore advised that a Parking Stress Survey be carried out on roads within close vicinity of the site. These surveys were carried out on two dates within a 200m walking distance of the site. This was done in accordance with the approved Lambeth Parking Survey methodology.

The CHA has assessed the submitted survey results, which showed there were a

minimum of 31 on-street parking spaces available on unrestricted lengths of carriageway during both surveys. This did not include 19 additional restricted parking bays, where restrictions end after 6pm. The CHA also notes that there are double yellow lines along Guildford Road close to the site and at the junctions with nearby side roads. The CHA is therefore satisfied that if there was overspill parking from the proposed development this would be unlikely to lead to danger on the local highway.

The CHA recommends that in accordance with the latest Parking Guidance (updated November 2021) each of the proposed dwellings be provided with access to a fast charge Electric Vehicle Charging facility, as detailed in Condition 6. Therefore a minimum of 30 bays should have access to a fast charge facility.

**PRE-APPLICATION 99-109 Guildford Road, Lightwater**  
**URBAN DESIGN ADVICE**

- Lightwater is a recognized local centre in the borough. Retaining and improving the design quality is increasingly considered an important goal. Lightwater was originally a Victorian village which developed around the many farms in the rural area.
- The prevalent building height is 2 storeys, with an occasional acceptance of 3 storeys.
- The local Victorian buildings are characterized by two storeys, are relatively modest buildings with pitched roofs, in red brickwork and mainly slate roofs. There are also examples of white rendered buildings.
- Traditional sash windows, wooden doors and details like soldier courses and quoins, often in buff, are typical.
- New development must pay careful attention to details.
- Traditional boundary treatment such as brick walls or hedges are common features which contribute to the quality of the environment.
- All development is guided by Lightwater Village Design Statement SPD (2007). well-designed, contemporary scheme is an interesting option to a traditional building design. If a traditional design is chosen, developing the design a step further e.g. through materiality/colour scheme and details to create a strong sense of place is encouraged.
- The idea to create a distinct building line along Guildford Road is supported in principle. However, the proposed buildings in this street are substantial buildings, characterised by large mass and bulk. As demonstrated in the illustration p.29 the 3 storey building does not create a comfortable relationship with the neighbouring, lower property Nos. 97 and 97a, and would therefore benefit from being reduced to 2.5 storeys at the eastern end. It could possibly step up and include some 3 storey elements further to the west.
- The pre-app report refers to the proposed buildings as being 2 and 2.5 storeys high, not 3 as the plan and massing diagrams show.
- Generally, the 3 built elements along Guildford Rd would benefit from having a stronger degree of differentiation by reducing the bulk and creating some set-backs from the building line, to alleviate the massing and the solid character in the streetscene.
- The frontage would benefit from being reduced in scale by introducing some variation and more verticality, reflecting traditional gable widths in Surrey heath.
- The site would benefit from a well defined boundary to soften the streetscene, for example hedges.
- We would encourage pitched roofs rather than the bulky crown roofs, as these can create a heavy and bulky impact. Double pitched roofs would integrate better in the built context.
- Unfortunately, the masterplan does not accommodate any communal green space or other placemaking, which is becoming increasingly important due to homeworking, health aspects etc. Communal greenspace is required in line with the



Surrey Heath Residential Design Guide (SHRDG). We suggest a reduction of units/reconfiguration of the layout of the scheme to incorporate coherent and positive placemaking, e.g. in the form of a green, informal courtyard to the rear.

- A distinct difference between active street frontage and a more relaxed, semi-private rear garden side would be encouraged in line with national design guidance.
- It is also important to establish a clear design vision for the development, setting out the aspirations for the development and the main character.
- A well designed contemporary scheme would be considered fully acceptable, in line with the Village Design SPD.
- Initially we recommend simple 3D diagrams to start with to establish a balanced massing and height as well as built areas/open space in the existing context
- Secondly proportions of buildings to be worked on including roofscape (currently top heavy and bulky roof forms).
- Building details are vital for functionality as well as character: 1/ A traditional fenestration hierarchy, with larger windows on the ground floor, is required - see Surrey Heath Residential Design Guide. As a result, higher ceiling heights on the ground floor can be considered. High quality fenestration and doors are expected in line with the SHRDG. Secondly the proportions of dormer windows need to be balanced (building type B).  
2/ a more distinct design with regards to front doors/entrances (too much repetition, equal distances along front elevation adds to the large scale) (Building type A).  
3/some simplification of the proposed design, e.g. of the entrance canopies would be recommended 4/ high quality material and proper recesses around doors and windows are essential 6/ If introducing soldier courses, these should be continuous, not interrupted by roof canopies
- A focus on placemaking is especially important for the layout of the central areas of the site. Shared streetscape could be considered, see SHRDG, p 19. The private gardens need to be properly defined and separated from traffic e.g. by hedge planting. Car parking areas need to be broken up in smaller segments and divided by vegetation in line with the SHRDG to avoid a domineering effect. We encourage the planting of fruit trees in relation to the rear gardens to create a more informal character.

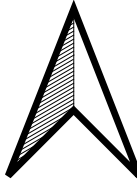
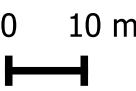

For Surrey Heath Residential Design Guide please see:

<https://www.surreyheath.gov.uk/sites/default/files/documents/residents/planning/planning-policy/ResidentialDesignGuide%20SPDsmall.pdf>

A link to Lightwater Village Design Statement SPD can be found here:

<https://www.surreyheath.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Lightwater/LightwaterVillageDesign.pdf>



<b>Title</b>	Planning Applications		
<b>Application number</b>	21/0344/FFU	 	<b>Scale @ A4</b> 1:1,000
<b>Address</b>	99 - 109 Guildford Road Lightwater Surrey GU18 5SB		<b>Date</b> 12 Jul 2022
<b>Proposal</b>	Erection of 5 buildings to comprise 18 terrace style houses and 12 apartments within a flatted block with associated landscaping, access, and car parking. All following demolition of existing buildings on site.		
Page 199			
Version 5		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022	Author: DE

This page is intentionally left blank

## EXISTING LAYOUT



## PROPOSED LAYOUT





EXISTING STREETSCENE



PROPOSED STREETSCENE



TYPICAL HOUSE ELEVATIONS



PROPOSED FLATTED BLOCK



VIEWS FROM GUILDFORD ROAD





This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

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

**NOTES**

**Officers Report**

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

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

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

**How the Committee makes a decision:**

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

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

**The Committee cannot base decisions on:**

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

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

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