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Monday, 19 September 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, 6 October 2022 at  
7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

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## AGENDA

	Pages
<b>1 Apologies for Absence</b>	

**2 Minutes of Previous Meeting 3 - 6**

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 1<sup>st</sup> September 2022.

**3 Declarations of Interest**

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

**Human Rights Statement**

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

**Planning Applications**

**4 Application Number 22/0423: Gordon Murray HQ, Chertsey Road, Windlesham, GU20 6HL 7 - 34**

**5 Application Number 22/0408: 15 Milden Close, Frimley Green, Camberley, GU16 6PX 35 - 48**

**6 Application Number 22/0817: 39 Commonfields, West End, GU24 9JA 49 - 70**

**7 Exclusion of Public and Press**

That the press and public be excluded from the meeting during consideration of Agenda Item 8 Planning Enforcement Priority Cases as it involves the likely disclosure of exempt 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),

**8 Planning Enforcement Update 71 - 82**

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

**Glossary**

**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 1 September 2022**

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+ 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

Members in Attendance: Cllr Paul Deach

Officers Present: Sarita Bishop, Principal Planning Officer  
Gavin Chinniah, Head of Planning  
Shannon Kimber, Senior Planning Officer  
Navil Rahman, Principal Planning Officer  
Sarah Shepherd, Senior Solicitor

**23/P Minutes of Previous Meeting**

**RESOLVED** that the minutes of the meeting of the Planning Applications Committee held on 4<sup>th</sup> August 2022 be approved as being a correct record and signed by the Chairman.

**24/P Application Number 22/0404: 8 Orchard Close, West End, Woking, Surrey, GU24 9NS**

The application was for the erection of a part two-story front and side extension together with first floor side extensions to both the northern and southern aspects of and the installation of one roof light to the northern flank of the existing dwelling.

It was reported that following its refusal in January 2022, the extension proposed in planning application number 21/1258 had been reduced in size and would now not be adjacent to the flank of the neighbouring garden, thus ameliorating any potential impact on neighbouring properties.

Concerns about the possibility of the garage being converted into habitable accommodation at a future date and the potential pressures this could place on the local area were acknowledged. It was noted that the property met the agreed parking standards however it was agreed that a condition that prevented the garage for being converted to habitable accommodation without prior agreement from the planning authority.

The officer recommendation to grant the application, subject to the addition of an additional condition restricting the conversion of the garage to accommodation, was

proposed by Councillor Graham Tapper, seconded by Councillor Robin Perry and put to the vote and carried.

**RESOLVED** that application 22/0404 be granted subject to the conditions in the officer report, the update sheet and the agreed amendment set out above.

**NOTE 1**

It was noted for the record that Councillor Liz Noble had attended the meeting of West End Parish Council at which the application had been discussed but came to the meeting with a free and open mind.

**NOTE 2**

In accordance with Part 4, Section D, Paragraph 18 of the Constitution, the voting in relation to the application, and the officer's recommendation to grant the application, was as follows:

Voting in favour of the officer recommendation to approve the applications: Councillors Stuart Black, Mark Gordon, Edward Hawkins, David Lewis, Liz Noble, Robin Perry, Darryl Ratiram, Graham Tapper, Helen Whitecroft and Valerie White.

Voting against the officer recommendations to approve the application: Councillors Graham Alleway, Peter Barnett, Cliff Betton and Victoria Wheeler.

**25/P Application Number 22/0408: 15 Milden Close, Frimley Green, Camberley, Surrey, GU16 6PX**

The application was for the conversion of an approved garage to form an annexe for use by a dependant relative.

It was proposed that consideration of the application be deferred to provide officers with the time to gather additional information relating to the proposed size of the planned annexe.

**RESOLVED** that application 22/0408 be deferred.

**26/P Application Number 22/0471: 45 Windsor Road, Chobham, Woking, Surrey, GU24 8LD**

The application was for the erection of a single storey front and side extension, erection of a single storey rear extension and alterations to the rear fenestration of the existing building.

It was noted that an additional condition requiring the Juliette balcony to be provided with obscure glazing in place of railings and that the obscure glazing be retained in perpetuity to ensure the amenity of neighbouring occupiers had been added to the application.

The officer recommendation that the application be approved, subject to the conditions proposed in the officer's report and the update sheet, was proposed by Councillor Cliff Betton, seconded by Councillor Graham Tapper and put to the vote and carried unanimously.

**RESOLVED** that application 22/0471 be approved subject to the conditions in the officer report and update sheet, as amended.

## **NOTE 1**

It was noted for the record that Councillor Victoria Wheeler had had extensive communications with the residents of neighbouring properties.

### **27/P Application Number 22/0423: Gordon Murray Hq, Chertsey Road, Windlesham, Surrey, GU20 6HL**

It was noted that this item had been deferred to the Planning Applications Committee in October 2022.

### **28/P Application Number 22/0233: Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN**

The application was for approval of reserved matters for the Southern Suitable Alternative Natural Green Space (SANGS) and SANGS Link (Phases 5a,5b and 5c) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the submission of partial details to comply with conditions 16 (detailed ecological management strategy and management plan), 29 (tree retention and protection plans), 32 (hard and soft landscaping) and 33 (landscape management plan) of planning permission ref: 12/05046 dated 4<sup>th</sup> April 2021 (as amended) and Schedule 5 Part 2 (Provision of SANG land) of the Section 106 agreement dated 17<sup>th</sup> April 2014 as varied.

The Committee was informed that a security gate located on an access road onto Brunswick Road in the vicinity of the Officers Mess in Pirbright had recently been unlocked and was being used by the army to travel between Pirbright Barracks and Deepcut training areas. The security gate, which was located within the boundaries of Guildford Borough Council's area, had originally been locked in the 1980s and it had never been envisaged that the route would be used for anything other than emergency access between the two army installations. The gate's location fell outside the envelope of the original hybrid planning application and this combined with the road's intended purpose meant that when the application had originally been developed there had never been any assessment made of the impacts of traffic coming into the Mindenhurst development from the east. Consequently, no conditions had been placed on the gate's use at the time the hybrid application had been considered. The situation was expected to be further compounded by to the extensive development that was taking place, and was planned, in the Pirbright area.

In an effort to address the situation, a condition requiring the installation of a lockable barrier on the access road prior to the first use of any part of the Southern SANG and SANG link had been included in the application. Notwithstanding this, it took an average of two years for SANG to be provided from receipt of planning approval and this left the area vulnerable to traffic using the access road in the interim. Discussions with the Defence Infrastructure Organisation (DIO) over the use of the road had, to date, been unproductive and no resolution had been reached.

It was recognised that deferring the application would impact on the delivery of the SANG and this would in turn have implications for the delivery of the Mindenhurst development. However it was considered imperative that the situation was resolved before the development progressed much further.

The recommendation to defer the application to enable further discussions to take place with the DIO over the concerns of residents, officers and the Committee with regard to the use of the access road from Pirbright Barracks, was proposed by Councillor Helen

Whitcroft, seconded by Councillor Edward Hawkins and put to the vote and carried unanimously.

**RESOLVED** that application 22/0233 be deferred to enable discussions with the DIO over a permanent solution to the gates use to be concluded.

Chairman

<b>LOCATION:</b>	Gordon Murray Hq, Chertsey Road, Windlesham, Surrey, GU20 6HL,
<b>PROPOSAL:</b>	Variation of Condition 22 (highway improvement works) and removal of condition 24 (bridleway details) pursuant to application 20/0747/FFU, permitted 09.02.2021.
<b>TYPE:</b>	Relaxation/Modification
<b>APPLICANT:</b>	Gordon Murray Group Limited
<b>OFFICER:</b>	Navil Rahman

This application seeks to alter a grant of permission relating to a major scheme application and is a departure from the Development Plan as it is a major development within the Green Belt, and therefore under the Council's Scheme of Delegation is to be reported to the Planning Applications Committee. The application was deferred from the September committee due to a requirement to advertise the application by site notice.

**RECOMMENDATION: GRANT, subject to conditions**

**1.0 SUMMARY**

- 1.1 The application relates to a variation of condition 22 (Highway improvement works) to allow the required improvements at the Highams Lane/Chertsey Road junction to be implemented as prior to the commencement of phase three of the development and removal of condition 24 (bridleway details) as the temporary bridleway diversion is not considered necessary with the existing bridleway route unaffected, pursuant to application 20/0747/FFU, permitted 09/02/2021. The submission follows discussions with the County Highway Authority who raise no objection to the application and it is not considered the proposal would result in any undue impact to the highway network or the safety of highway users.
- 1.2 The application is therefore recommended for approval subject to conditions.

**2.0 SITE DESCRIPTION**

- 2.1 The application site comprises approximately 22 hectares and lies within the Green Belt. The site has an established office use, with its former use as the headquarters for the British Oxygen Corporation (BOC). Since 2007 the premises have broadly remained vacant, however, the site was briefly owned by Kamcorp Ltd, but this company entered into administration in 2019 and the site has since been acquired by the current applicant.
- 2.2 The site is located within the parish of Chobham but sits adjacent to the Windlesham parish boundary. It is also outside of but in close proximity to the Chobham Common Site of Special Scientific Interest (SSSI); the Thurley, Ash, Pirbright and Chobham Special Area of Conservation (SAC); a National Nature Reserve; and, the Thames Basin Heath Special Protection Area (SPA). These areas of designation are located on the northern side of Chertsey Road opposite and beyond the site. The site also lies

outside the floodplain and is not identified as having a designated landscape of historical, cultural or archaeological importance.

- 2.3 All of the existing buildings (totalling approximately 12,630 sq metres) are located at the northern end of the site with the principal vehicular access off Chertsey Road used for visitors. There is also a secondary vehicular access to the site off Chertsey Road (known as Shepherd's Lane) used for deliveries. Highams Lane runs parallel with the site's eastern boundary and at the northern end of Highams Lane there is a further vehicular access which was used by staff, with access to the main building's basement car park.
- 2.4 The main building has an oxygen molecular shape footprint with a series of wings fanning out. The building is part single and part two-storey, with the rear of the building having an attractive landscape setting which includes two linked ponds and a lake. Beyond this and to the site's southern boundary, which is adjacent to the M3 motorway, the land levels drop and comprise open fields. The M3 motorway itself is on higher land up on an embankment.
- 2.5 There are a series of smaller ancillary buildings located closer to Chertsey Road than the main building. This includes the locally listed clock tower, plus single storey garage and plant building. These buildings are walled off from the main visitor entrance with a separate parking area. At the northwest corner of the site there is also a walled garden, and also a small graveyard which are both remnant of the original convent use of the site.
- 2.6 All site boundaries are well screened with mature trees and vegetation, although there are no statutory protected trees within the site or boundaries. Along the southern boundary rows of conifers have been planted to screen the motorway and the northern Chertsey Road boundary also includes walling. The immediate surrounding area is not densely populated with the most residential dwellings to the west of the site, on the edge of Windlesham.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 20/0747 Hybrid planning application comprising: Full application for a new building for Sales, Manufacturing & Heritage (Building 2) together with test road, two new vehicular accesses onto Higham's Lane, associated parking, landscaping and ancillary outbuilding. Change of use of existing buildings (comprising former BOC Headquarters) for education, storage, business and ancillary uses. Outline application with all matters reserved for 2 new buildings for Headquarters and Engineering (Building 1) and Vehicle Research and Development (Building 3). **Granted 09/02/2021**
- 3.2 The application related to a phased development as detailed below;
- Phase 1: Building 2 is proposed to be erected with adjoining service building & cycle stores, adjacent landscaping, access road & adjoining parking spaces and the test road including immediate landscaping. As part of phase one it is also proposed to replant / refurbish the Walled Garden, an internal refurbishment of the listed clock tower including clock mechanisms. Internal refurbishment of the other existing ancillary buildings for reuse, repair & maintenance of the two existing lakes, clear existing overgrown vegetation & maintain the historic graveyards. It is also proposed to



clean and repair the underground sections of the molecule buildings for vehicle storage (works originally anticipated to start quarter one 2021 with estimated completion and occupation by quarter two 2023).

- Phase 2: Building 1 is to be erected with adjoining service building & cycle store, adjacent landscaping and adjoining parking (works originally anticipated to start quarter four 2021 with estimated completion and occupation by quarter three 2023).
- Phase 3: Building 3 is proposed to be erected with adjoining services building, adjacent landscaping and access & adjoining parking spaces (works originally anticipated to start quarter two 2023 with estimated completion and occupation by quarter four 2024).
- Phase 4: repair and maintain the Molecule Building for use for Higher Educational & Office functions / ancillary uses for the GMC group and wider community (works originally anticipated to start quarter one 2025 with estimated completion by quarter three 2026).

3.3 Building 2 (Gordon Murray Automotive) relates to the proposed two-storey development sited parallel to the M3 that would accommodate the following:

- Ground floor – Customer reception, heritage vehicle collection area, Production vehicle work area, production vehicle assembly area, stores & staff welfare areas.
- 1st floor – Sales & customer area, heritage presentation area, heritage office, meeting rooms, viewing galley (of assembly area). Building 2, is primarily for the low output build and assembly of vehicles.

3.4 Buildings 1 & 3 remain at outline stage however would serve the following:

- Building 1: Main HQ building. Ground floor includes a reception area, technical labs & machinist shops for supporting R&D and prototype builds with 3no. prototype garages. The 1st Floor activities include engineering & design offices, styling & graphic inc. virtual reality studios, purchasing & procurement, boardroom & Chairman's suite.
- Building 3: Flexible research and development function into automotive technologies and vehicles. This would include R&D test beds and labs, stores, vehicle repair & servicing, stores and offices.

3.5 The proposal represented a departure from the Development Plan as it is a major development within the Green Belt. It was therefore referred to the Secretary of State following members agreement with the recommendation to grant permission at Planning Committee. The Secretary of State made no comment on the development.

3.6 21/0655 Application for approval of conditions: 14 (Archaeology), 15 (Heritage), 18 (Land Contamination), 19 (Drainage), 23 (Highways), 25 (Construction Traffic Management Plan) of planning consent 20/0747 (Hybrid planning application comprising: Full application for a new building for Sales, Manufacturing & Heritage (Building 2) together with test road, two new vehicular accesses onto Highams Lane, associated parking, landscaping and ancillary outbuilding. Change of use of existing buildings (comprising former BOC Headquarters) for education, storage, business and ancillary uses. Outline application with all matters reserved for 2 new buildings for Headquarters and Engineering (Building 1) and Vehicle Research and Development (Building 3)) – **Pending decision**

- 3.7 22/0111 Application for the approval of details of external materials (for Building 2) pursuant to Condition 4 of hybrid permission 20/0747/FFU (relating to the full application for the sales, manufacturing and heritage (Building 2) together with road, two new vehicular accesses onto Highams Lane, associated parking, landscaping and ancillary outbuilding; change of use of existing buildings (comprising BOC headquarters) for education, storage, business and ancillary uses; outline application with all matters reserved for two new buildings for headquarters and engineering (Building 1) and vehicle research and development (Building 3)) – **Granted 22/06/2022**

#### **4.0 PROPOSAL**

- 4.1 Planning permission is sought vary condition 22 (Highway improvement works) and removal of condition 24 (bridleway details) pursuant to application 20/0747/FFU, permitted 09/02/2021.

- 4.2 The supporting statement states that it is not necessary to implement the required highway improvements (Condition 22) at the Higham's Lane/Chertsey Road junction during the first two construction phases, rather it would be more relevant to phase 3 of the development in relation to the repurposing of the "Molecule Building". The condition following the variation is proposed as follows:

- 4.3 "Prior to the first occupation of Phase Three of the development hereby approved, the proposed highway improvements at the junction of Higham's Lane with B386 Chertsey Road comprising the removal or cut-back of vegetation to improve visibility west of the junction and widening of the junction bell mouth shall be completed broadly in accordance with Arup's drawing no. GMDW-ARUP-ZZ-XX-DR-C-2160 P01 and subject to the full technical and road safety auditing requirements approved by Surrey County Council on 6th April 2022".

- 4.4 With regards to Condition 24, the temporary bridleway diversion is not considered necessary as the existing bridleway route is unaffected and therefore the removal of the condition is proposed.

#### **5.0 CONSULTATION RESPONSES**

- |     |                                 |   |
|-----|---------------------------------|---|
| 5.1 | Chobham Parish Council          | Recommend original conditions remain imposed.   |
| 5.2 | Surrey County Highway Authority | Raise no objection and confirm acceptability of the variation of condition 22 and removal of condition 24. See <i>Annex A for a copy of their comments.</i> |
| 5.3 | Windlesham Parish Council       | Representation received but no comments made.   |

#### **6.0 REPRESENTATION**

- 6.1 A total of 35 letters of notification were sent out on the 11<sup>th</sup> May 2022, advertised in the local press on the 20<sup>th</sup> May 2022 and 07<sup>th</sup> September 2022 and by site notice on the 26<sup>th</sup> August 2022. No letters of representation have been received as part of the consultation exercise.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 In considering this proposal regard has been had to the National Planning Policy Framework (NPPF), the National Design Guide (NDG), Policies CP1, CP2, CP8, CP11, CP14A, DM1, DM7, DM9, DM10, DM11, DM13 and DM17 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP).
- 7.2 The main issues to be considered within this application are:
- (i) Impact to the highway network

### **7.3 Impact on the highway network**

- 7.3.1 Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.

#### Condition 22

- 7.3.2 Condition 22 was attached to the original planning permission as a mitigation measure to improve the ratio of flow to capacity and visibility at the junction in the longer term, once the development was fully operational. The condition would require modifications to the junction in response to the increased number of vehicles using the junction at peak times.
- 7.3.3 The objectives of the condition are therefore related to the post construction of the development in reference to future users of the site rather than a mitigation measure required during the construction of the development. Noting this, it is considered that the level of increased vehicle use will only arise following the occupation of Building 3 (Phase 3). It is therefore considered acceptable and appropriate that the condition be amended to ensure the mitigation measures are put in place prior to the occupation of Phase 3 where the relevant harm is anticipated to arise.
- 7.3.4 The variation has been assessed by Surrey County Highway officers who are satisfied with the that the variation of the condition would still ensure the objectives of the original condition would be met, ensuring no adverse harm to the highway network during the critical construction phase of the development nor following the occupation of Phases 1&2. The variation is therefore considered acceptable and would not result in any significant adverse harm to users of the highway network whilst ensuring the original objectives of the condition would be met.

#### Condition 24

- 7.3.5 Condition 24 was originally imposed to create a temporary bridleway diversion during the construction of the site access, to allow highway users a safe route available. Following the grant of approval, the applicant has completed a s278 agreement in relation to access construction.
- 7.3.6 The submitted Road Safety Audit has recommended that the existing bridleway be maintained and the temporary diversion not required. The Surrey County Highway officers have reviewed the report and concur with its conclusions, recommending to officers the deletion of Condition 24.

## Summary

- 7.3.5 On the basis of the above assessment, the proposed variation to the conditions would not prejudice the development in ensuring no significant adverse harm to the highway network during the construction phases, in line with Policy DM11 of the adopted Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012.

## Other Matters

- 7.3.6 Permission granted under section 73 takes effect as a new independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted. A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.
- 7.3.7 Aside from Condition 4 no conditions have been discharged as part of the original permission and therefore would remain as part of any new decision notice

## **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 proposed variation to the conditions originally imposed would not be considered to harm the overall quality of the development nor result in any adverse harm to the highway network. The proposal would therefore sufficiently accord with the local plan policies.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. Approval of the details of the layout, scale, appearance, access and the landscaping of the site under the outline application (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development, subject to the outline permission, 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 Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. The development hereby permitted for the full planning application shall be begun within three years of the date of this permission.

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

3. The full planning application (hereinafter known as the detailed development) shall be built in accordance with the approved plans all as listed in the 'Planning Drawings Issue Sheet' reference 1714-P as received 15.09.2020 plus additional drawing nos. LD-DET-652 P01, LD-DET-653 P01 and GMDW-ARUP-ZZ-XX-SK-C-0001 P01, GMDW-ARUP-ZZ-XX-SK-C-0002 P01, GMDW-ARUP-ZZ-XX-DR2160 P01 and GMDW-ARUP-ZZ-XX-DR-C-2150 P01 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.

4. The development shall be carried out using the agreed external materials as set out in application ref. 22/0111/DTC granted 22/06/2022.

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.

5. For the avoidance of doubt, the development hereby permitted shall be used for Class E(g) use as defined by 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), and for no other use unless otherwise agreed in writing by the Planning Authority.

Reason: To retain control in the interests of the Green Belt, the character of the area and residential amenities and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies and the NPPF.

6. Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the development (including existing buildings

subject to the change of use) hereby approved shall not be converted to a residential use or any other use without the express permission in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over inappropriate changes of use and to accord with the National Planning Policy Framework.

7. Immediately prior to commencement of development, a survey of the site by an appropriately qualified ecologist shall be undertaken, to check for any new signs of badger sett construction, if any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the Local Planning Authority. All other details hereby permitted shall be undertaken in strict accordance with the mitigation and enhancement measures set out in Section 5 of the applicant's Ecological Appraisal, authored by Land Use Consultants Ltd, dated August 2020 and any deep excavations left overnight should be provided with a ramped means of escape and stockpiles of soft materials shall be covered overnight to prevent badgers excavating new setts.

Reason: To comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

8. Prior to occupation of development hereby permitted, a comprehensive lighting scheme shall be submitted to and approved in writing by the Planning Authority. This shall include details of all external lighting including appearance, manufacturer's specifications, automatic sensor controls and timers, hours of illumination and light spillage diagrams for the detailed application. A 'Sensitive Lighting Management Plan' should also be submitted and this should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series". The approved details shall be fully implemented prior to first occupation of new buildings, or with a phasing plan agreed by the Planning Authority, and thereafter there shall be no changes unless otherwise agreed.

Reason: To limit light pollution in the interests of the rural character of the area, residential amenities and nature conservation and to comply with Policies DM9 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

9. The detailed application hereby permitted shall be undertaken in strict accordance with the submitted Landscape Management and Maintenance Plan and associated native planting plan, version P01, prepared by Land Use Consultants and dated August 2020 unless otherwise agreed in writing by the Planning Authority.

Reason: To comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

10. Prior to commencement of works and in accordance with paragraph 5.9.1 of the submitted Arboricultural Impact Assessment, a detailed Arboricultural Method Statement, to include details of drainage services, contractors facilities and a cross section through the No-Dig areas showing existing and proposed levels shall be submitted to and approved by the Local Planning Authority, prior to construction or ground work starting on site. Once agreed the development shall be implemented in strict accordance with the agreed details, unless otherwise agreed in writing with the Local Planning Authority.

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.

11. A minimum of 7 working days before any development, including any works of demolition or site clearance, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to agree the extent of any facilitation or management tree works, tree and ground protection, demolition, storage of materials and the extent and frequency of Arboricultural site supervision. In all other regards the development shall proceed in accordance with the supplied BS5837:2012 - Trees in Relation to Design, Demolition and Construction compliant report prepared by S J Stephens Associates and dated 9 July 2020.

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.

12. Prior to occupation of the detailed development hereby approved, a detailed 15-20 year woodland management plan shall be submitted to and approved in writing with the Local Planning Authority. Once agreed the development shall be implemented in strict accordance with the agreed details, unless otherwise agreed in writing with the Local Planning Authority.

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.

13. Prior to occupation of the detailed development hereby approved full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. Once agreed, all hard and soft landscaping works shall be carried out in accordance with the approved details and all plant material shall conform to BS3936:1992 Parts 1 - 5: Specification for Nursery Stock. Handling, planting and establishment of trees shall be in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape

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.

14. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: In the interests of heritage and to accord with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to commencement of works hereby approved, details regarding what measures will be put in place to protect the recognised heritage assets which include the clock tower, orchard, walled garden and burial ground during the construction period. Once agreed the development shall be implemented in strict accordance with the agreed details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve heritage assets in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

16. Prior to occupation of the detailed development hereby approved, a Heritage Site Management Plan which includes details of the clock tower, orchard, walled garden and burial ground and their short to long term management, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the development

shall be implemented in strict accordance with the agreed details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve heritage assets in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

17. Prior to occupation of building 1 the following details are to be provided to and agreed in writing by the LPA

- i) Proof that any plant installed on site has a BS 4142:14 Laeq rating level (LarTr) that does not exceed the background level L90 at a the nearest residential receptor.
- ii) An assessment of the noise impact of internal combustion engine vehicles using the test track ensuring compliance with internal noise levels as detailed within BS 8233:14 and BS 4142:14. Once agreed these details shall be retained as approved unless otherwise agreed in writing by the Planning Authority.

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

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

1. Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

2. Submission of Remediation Scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and



remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

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

19. 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. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using maximum discharge rates as detailed in Table 3 'Proposed discharge rates for completed development' in the approved document: Drainage Statement - Issue 01, ARUP, 13th August 2020, reference: GMDW-ARUP-ZZ-XX-RP-0002

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.

20. Prior to the first occupation of the detailed 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.

21. The detailed development hereby permitted shall be undertaken in strict accordance with the mitigation measures outlined at section 8 of the submitted Air Quality Assessment, Issue 01, prepared by Ove Arup & Partners Ltd and dated August 2020 unless otherwise agreed in writing by the Planning Authority.

Reason: To comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

22. Prior to the first occupation of Phase Three of the development hereby approved, the proposed highway improvements at the junction of Higham's Lane with B386 Chertsey Road comprising the removal or cut-back of vegetation to improve visibility west of the junction and widening of the junction bell mouth shall be completed broadly in accordance with Arup's drawing no. GMDW-ARUP-ZZ-XX-DR-C-2160 P01 and subject to the full technical and road safety auditing requirements approved by Surrey County Council on 6th April 2022.

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

23. No part of the development shall be commenced unless and until the proposed highway accesses to Highams Lane have been constructed and provided with 2.4 x 120m visibility splays in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility splays shall be kept permanently clear of any obstruction over 1.05m high.

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

24. 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) vehicle routing taking account of any HGV restrictions and local schools
- (e) measures to prevent the deposit of materials on the highway
- (f) on-site turning for construction vehicles
- (g) hours of construction has been submitted to and approved in writing by the Local Planning Authority, after consultation with Highways England and the Surrey County Council Highway Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and in accordance with Section 10 of the Highways Act 1980.

25. Prior to the occupation of the final build out, a Travel Plan shall be submitted for the written approval of the Local Planning Authority after consultation with Highways England and the Surrey County Council Highway 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". and then the approved Travel Plan shall be implemented prior to first occupation and thereafter retained and maintained for the lifetime of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and in accordance with Section 10 of the Highways Act 1980.

26. The new building for Sales, Manufacturing & Heritage together with test road hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, and turning areas shall be retained and maintained for their designated purposes.

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

27. Detailed development

The development hereby approved shall not be occupied unless and until 15 parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. A further 15 parking spaces will be provided with power supply to provide additional fast charge sockets (passive provision).

Full build out

The development hereby approved shall not be occupied unless and until 29 parking spaces (10% of the total available parking spaces) are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. A further 29 parking spaces will be provided with power supply to provide additional fast charge sockets (passive provision).

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

## 28. Detailed development

The development hereby approved shall not be occupied unless and until 20 cycle parking spaces are provided in a secure, covered storage facility and a further 6 cycle parking spaces provided for visitors.

### Full Build out

The development hereby approved shall not be occupied unless and until 72 cycle parking spaces are provided in a secure, covered storage facility and a further 8 cycle parking spaces provided for visitors.

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

29. Buildings 1 and 3 hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles and cycles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, and turning areas shall be retained and maintained for their designated purposes.

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

30. Buildings 1 and 3 hereby approved shall not be occupied unless and until at least 10% of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. A further 10% of the available parking spaces will be provided with power supply to provide additional fast charge sockets (passive provision).

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

31. Prior to the submission of the Reserved Matters application stage a detailed business, education and community plan for the Molecule building shall be submitted for approval by the LPA. The plan shall robustly include details of:

(1) - The financial viability of delivering and maintaining a community and educational facility over the longer term.

(2) - Demonstrate a longer term pipeline of demand for educational and community uses within this building.

(3) - How all the primary office functions of the applicant's business on site cannot be incorporated into the Molecule Building and why a new building is required. Development cannot commence in respect to any outline matters until the business, education and community plan has been approved in writing by the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice the openness of the Green Belt or the finely balanced Very Special Circumstances arrived at in approving this application in accordance with the National Planning Policy Framework.

32. The redline application site hereby approved shall not be subdivided, split up or occupied by multiple business without first applying for planning permission to approve such changes.

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 not prejudice the openness of the Green Belt or the finely balanced Very Special Circumstances arrived at in approving this application in accordance with policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and in accordance with the National Planning Policy Framework.

33. The test road hereby approved shall not be used before 9am or after 5pm on weekdays nor at any time at weekends or Public Holidays, unless otherwise agreed in writing with the Local Planning Authority. For the avoidance of doubt public holidays includes New Year's Day, Good Friday, Easter Monday, all Bank Holidays, May Day, Christmas Day and Boxing Day.

Reason: In the interest of the residential amenities of the area and to accord with the Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

**Informatives:**

1. This decision notice relates to a S73 application in relation to application ref. 20/0747/FFU, permitted 09/02/2021.

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 decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.

4. In respect to the detailed Arboricultural Method Statement, this must also address the level differences between Higham's Lane and the interior of the site. This must utilise geotechnical solutions such as air spade soil removal and grading, cellular confinement systems and permeable wearing surfaces.

5. The applicant is advised that in respect of foundation design vegetation related clay shrinkage subsidence has been reported in the area. Accordingly, suitable foundations should be provided (pile / pier and beam etc.) that will allow for future differential movement from potential desiccation of subsoil or indeed heave from the removal of significant trees which predate any agreed construction.

6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

7. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

8. The applicant is reminded of Natural England's standing advice in respect of species protection and if any protected species are found on the site that the appropriate licence be obtained.

9. 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 at <https://www.surreycc.gov.uk>

10. 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.

11. 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-andlicences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-andlicences/vehicle-crossovers-or-dropped-kerbs).

12. The permission hereby granted shall not be construed as authority to carry out any works that may affect a drainage channel/culvert or water course. The applicant is 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-planningand-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planningand-community-safety/flooding-advice)

13. 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).

14. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.

15. 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.

16. The developer is advised that Public Bridleway 74 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

17. The proposed new southern access to the site would involve the relocation of the 40mph speed limit sign which may require a change to the Traffic Regulation Order and be subject to any other approvals. This would need to be done at the applicant's expense.

18. The S278 junction improvement works may require the removal of trees on highway land for which the applicant would need to submit a tree report for approval. This may require the applicant to pay the County Highway Authority the agreed Capital Asset Valuation of Amenity Trees (CAVAT) value of the trees to be removed.

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<b>APPLICATION NUMBER</b>	<b>SU/22/0423</b>
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## **DEVELOPMENT AFFECTING ROADS**

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

**Applicant:** Gordon Murray Group Limited

**Location:** Gordon Murray Hq Chertsey Road Windlesham Surrey GU20 6HL

**Development:** Variation of Condition 22 (highway improvement works) and removal of condition 24 (bridleway details) pursuant to application 20/0747/FFU, permitted 09.02.2021.

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	11 May 2022	<b>Response Date</b>	21 June 2022
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THE COUNTY HIGHWAY AUTHORITY has undertaken an assessment of the details submitted pursuant to the variation of condition 22 (highway improvement works) and removal of condition 24 (bridleway details) of permission 20/0747/FFU. Both of these are considered acceptable.

#### **Note to Planning Officer**

As detailed in the submitted documentation the CHA carried out a technical review of the S278 plans and a stage 2 Road Safety Audit was undertaken.

#### Condition 24

The RSA report recommended that the bridleway be maintained in its current position, separated from the emergency access, and that temporary diversion of the bridleway was not required. This condition can therefore be removed.

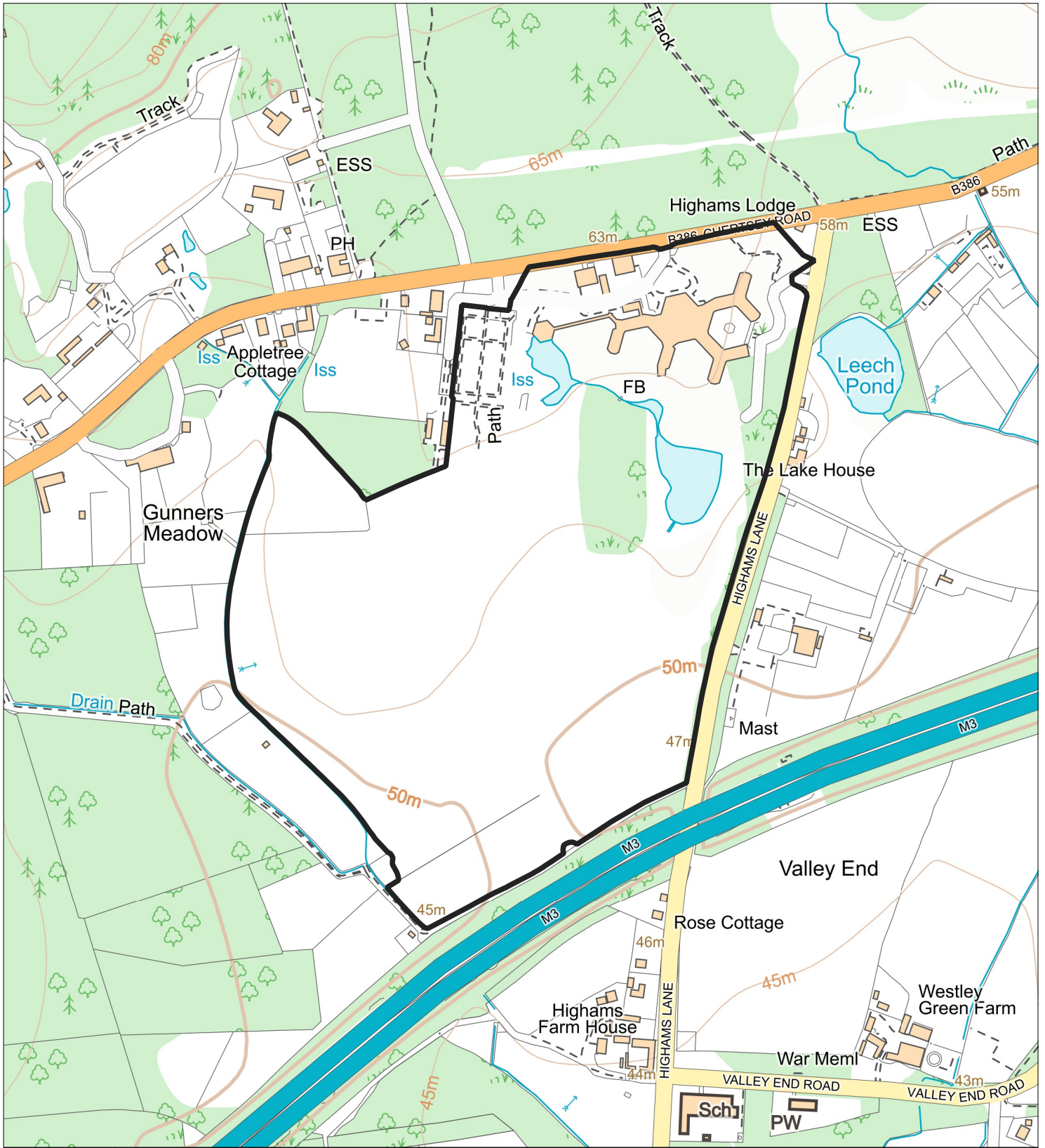
#### Condition 22

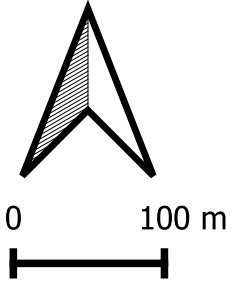

The requirement for this condition was in response to the junction modelling carried out as part of the Transport Assessment. This indicated that mitigation measures to improve the RFC (Ratio of Flow to Capacity) and visibility at the junction would be beneficial in the longer term, once the development was fully operational.

The RSA report raised the issue that the proposed widening of the junction bellmouth may have the negative effect of further reducing visibility splays due to vehicles being aligned closer to the left side kerb. The removal of vegetation within the visibility splay was however recommended.

It is considered reasonable that the above junction improvement measures are further reviewed and implemented prior to first occupation of Phase 3 of the development. The suggested variation to the condition is therefore acceptable.

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<b>Title</b>	Planning Applications		
<b>Application number</b>	22/0423/PMR		<b>Scale @ A4</b> 1:5,000
<b>Address</b>	Gordon Murray Hq Chertsey Road Windlesham Surrey GU20 6HL		<b>Date</b> 10 Aug 2022
<b>Proposal</b>	Variation of Condition 22 (highway improvement works) and removal of condition 24 (bridleway details) pursuant to application 20/0747/FFU, permitted 09.02.2021.		
Page 27			
Version 5		© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022	Author: SM

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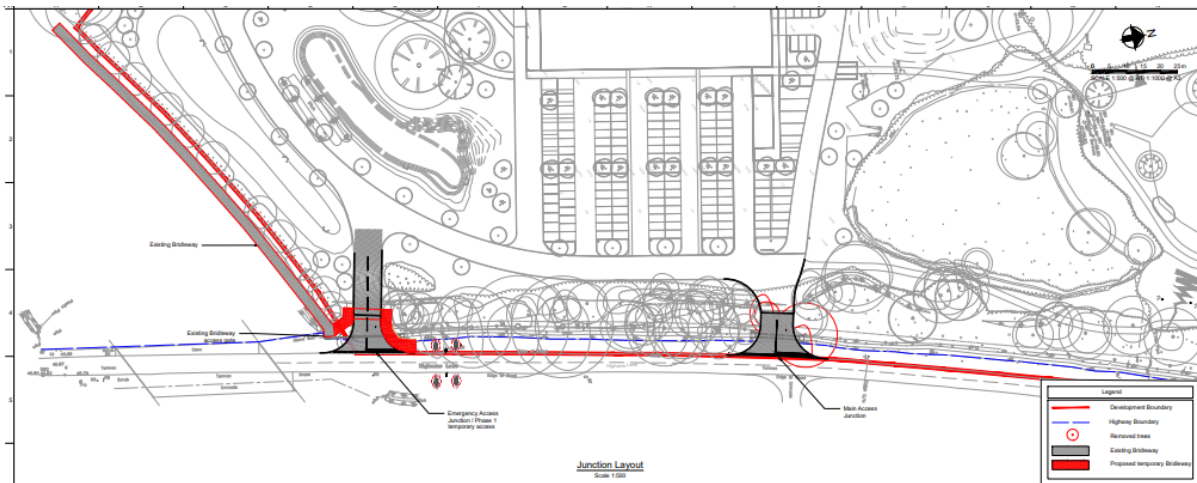
*Location Plan*



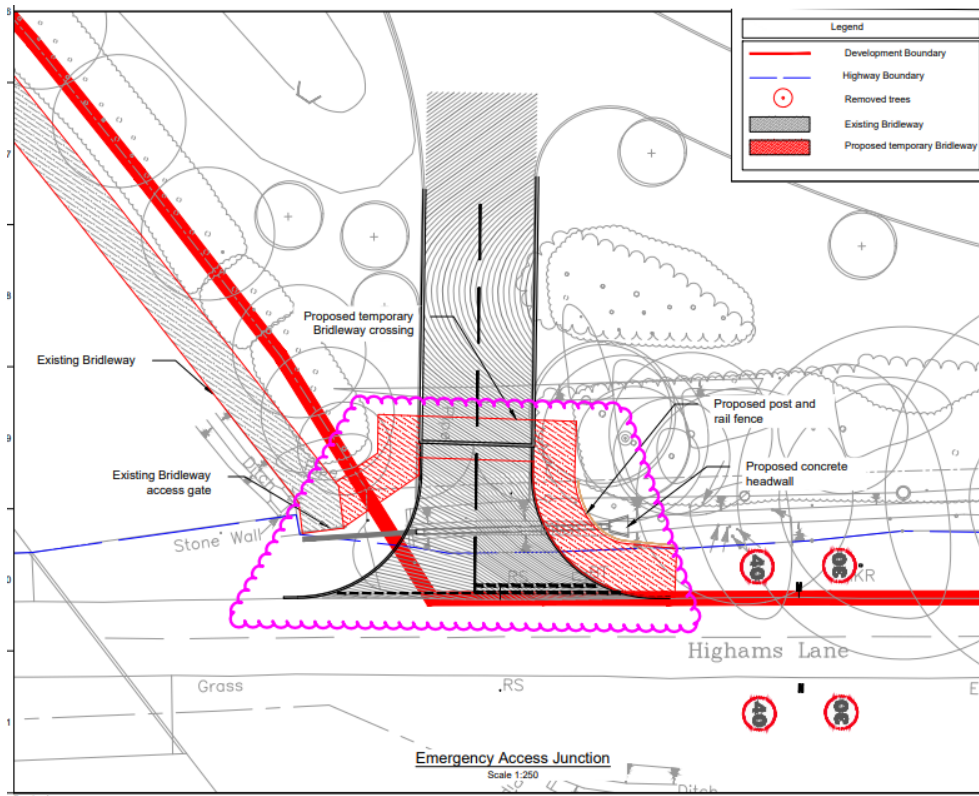
Site Wide Plan



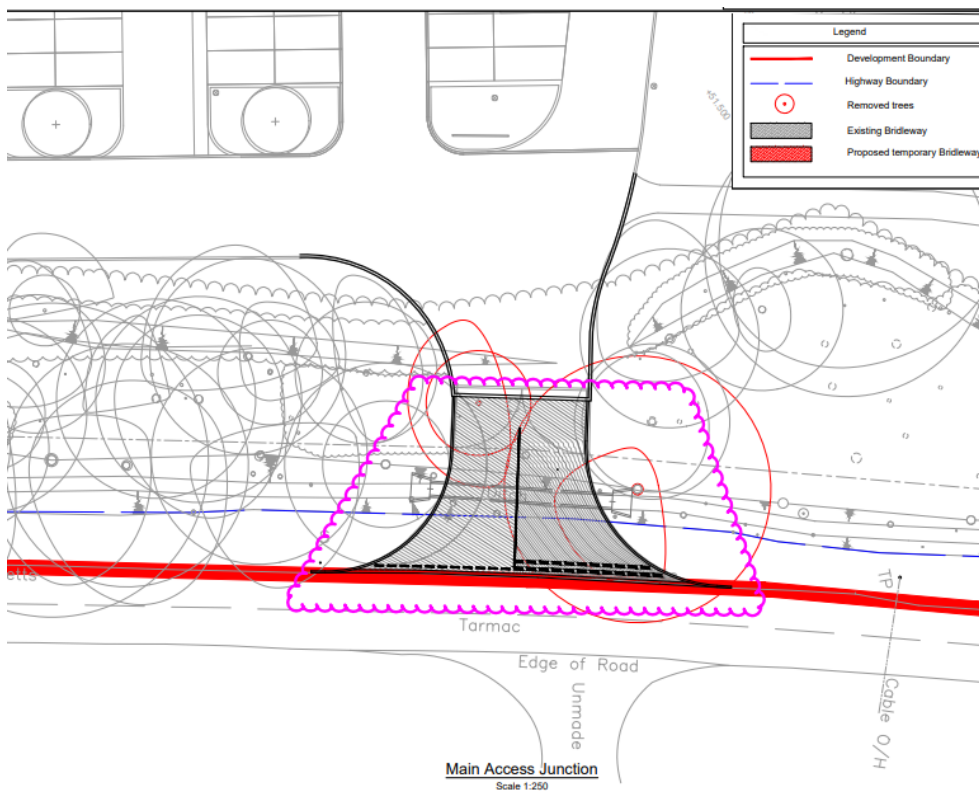
Junction Layout



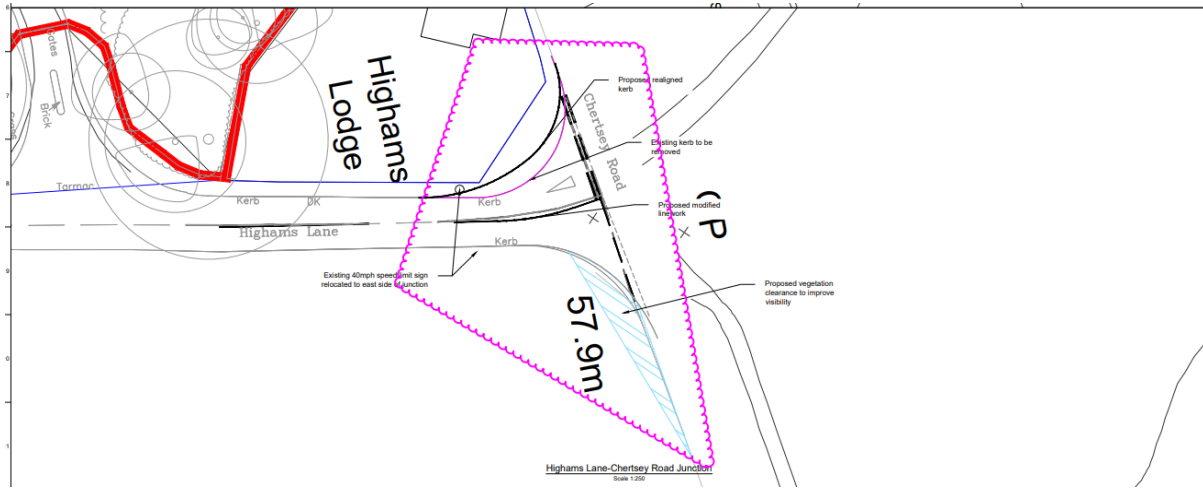
### Emergency Junction Access



### Main Access Junction



# Highams Lane – Chertsey Road Junction





*Existing Bridleway Access*



*Main Access Highams Lane – Chertsey Road*



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22/0408/FFU

**Reg. Date**

25 April 2022

Frimley Green

**LOCATION:** 15 Milden Close, Frimley Green, Camberley, Surrey, GU16 6PX

**PROPOSAL:** Erection of a single-storey building to be used as an annexe building ancillary to the existing single-family dwelling.

**TYPE:** Full Planning Application

**APPLICANT:** Ms Tracey Hatton

**OFFICER:** Shannon Kimber

An application of this type would usually be determined under the Council's Scheme of Delegation. However, this application has been reported to the Planning Applications Committee on the request of Cllr. Black for scrutiny of the proposal as the previously approved detached garage, which this outbuilding would replace, was explicitly conditioned by the previous planning permission to prevent it from being severed from the main dwelling.

This application was deferred from the September committee to enable re-consultation on a corrected application description, to take into account the building's enlargement compared to approval 20/0521/FFU, and to match up with the submitted plans.

The application is subject to a non-determination appeal and so the Planning Inspectorate is now the determining authority. The application has been put forward to Planning Committee for approval subject to conditions.

**RECOMMENDATION: WOULD HAVE GRANTED, SUBJECT TO CONDITIONS**

**1.0 SUMMARY**

1.1 The application is for the erection of a detached outbuilding to form an annexe building ancillary to the existing single-family dwelling. It is considered that the proposal is acceptable in principle. It would result in no adverse impact on the character of the surrounding area or the host dwelling or the residential amenities of the occupiers of the neighbouring dwellings. The proposal would also have no adverse highway impacts. Therefore, the application would have been recommended for approval, if this Authority had been the determining authority.

**2.0 SITE DESCRIPTION**

2.1 The application site contains a semi-detached bungalow, with an extant permission for a detached garage. It is located to the north-west of the highway, towards the end of the cul-de-sac. It is located within the Post War Council Estate Character Area. The site is within Flood Zone 1. The surrounding area is predominantly residential.

**3.0 RELEVANT HISTORY**

3.1 20/0521/FFU Erection of a single storey side extension following the demolition of the attached garage, a single storey rear extension, a front porch and a detached garage and the installation of a dormer window to rear to facilitate a loft conversion.  
Approved 25.08.2020 (part implemented)

Condition 5 of the above permission reads as follows:

*The garage hereby permitted shall be retained for such purpose only and shall not be converted into living accommodation without further planning permission from the Local Planning Authority.*

*Reason: To maintain planning control of this property, to ensure the provision of on-site parking accommodation and to ensure that the additional building is not in any way severed from the main dwelling to provide a self-contained dwelling unit to the detriment of the character of the area and the integrity of the Thames Basin Heath SPA. In accordance with Policies CP11 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

3.2 1952 Erect bungalows  
Approved 08.08.1956

#### **4.0 THE PROPOSAL**

4.1 Full planning permission is sought for the erection of a single-storey building to be used as an annexe building ancillary to the existing single-family dwelling.

4.2 The proposed outbuilding would have a depth of 8.9 metres, a width of 3.2 metres and a maximum height of 4 metres with an eaves height of 2.7.

4.3 This application was initially described on the submitted application form as: *Conversion of approved garage to form an annexe for use of dependant relative.* This has since been amended as it was not accurate. As the proposed outbuilding would increase in depth by 0.7 metres compared to the previous approval, the resulting structure cannot be described as a conversion of the approved garage. The currently proposed outbuilding would be sited on a similar location within the application plot.

#### **5.0 CONSULTATION RESPONSES**

5.1 County Highways Authority. No requirements or comments to make.

#### **6.0 REPRESENTATION**

6.1 The occupiers of neighbouring properties were notified of the proposed development on the 10<sup>th</sup> May 2022, the 18<sup>th</sup> August 2022 (amended plans received), and the 2<sup>nd</sup> September (amended description). At the time of preparation of this report 11 letters of representation have been received from 6 different addresses. The objections have been summarised below:

- Inadequate parking provision and loss of parking, coupled with the need for more spaces being required through the use of the proposed annexe. No visitor parking provided. Issues with deliveries.  
*[Officer comment: see section 7.6 in the following report]*
- Out of keeping with/negative impact on the character of area  
*[Officer comment: see section 7.4 in the following report]*
- Over development *[Officer comment: see section 7.4 in the following report.]*
- House has previously been extended *[Officer comment: this point has been noted]*
- There is a conditions attached to the approved garage to maintain control  
*[Officer comment: condition 5 attached to the recent approval (20/0521/FFU)]*

*states that the approved garage should not be converted to living accommodation without planning permission. The application currently submitted is for a replacement outbuilding, and planning permission is sought for the annex use]*

- Structure would be close to the boundary wall and could disturb foundations, a Party Wall Agreement would be needed *[Officer comment: this is not covered by planning legislation, however an informative regarding party wall agreements can be added to the decision]*
- Conflict with local plan *[Officer comment: the relevant policies are included at the start of each sub-sections in the following report, the proposal is then assessed against this policies]*
- Development too high *[Officer comment: the proposal would not alter the height of the approved outbuilding]*
- Inadequate access *[Officer comment: see section 7.6 in the following report]*
- General dislike of proposal *[Officer comment: this point has been noted]*
- Increase danger of flooding *[Officer comment: see section 7.7.1 in the following report]*
- Information missing from plans *[Officer comment: it is acknowledged that extensions approved by permission 20/0521/FFU have not been included on the block plan, however the application for the outbuilding can be assessed without this information]*
- Future use of the site/potential to be an independent dwelling, this could lead to privacy impacts due to unknown/transient people using the annexe in the future. The development would also set a precedence for separate dwellings as there are a lot of detached garages in the surrounding area *[Officer comment: this is not what has been applied for, and only the proposal can be considered, potential future uses can be controlled through the use of conditions]*
- Sustainability impact *[Officer comment: the application site is within the settlement boundary, in principle, this is a sustainable area to develop in]*
- Amendments to the proposal have also been suggested *[Officer comment: this point has been noted, however this is not what is being proposed and each application is determined on its own merits]*
- Overlooking *[Officer comment: see section 7.5 in the following report]*
- Vaulted ceiling would need to be heated *[Officer comment: this is not a planning matter]*
- The amended description does not address the concerns previously raised regarding the future use of the outbuilding as a separate dwelling *[Officer comment: this point is noted, as are the previous comments].*

6.2 The support comments have been summarised below:

- Support for caring for relatives,
- Plans are reasonable and proportionate.

## 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 policies DM9, DM10, DM11 and CP14 of the CSDMP and the National Planning Policy Framework (NPPF). The Residential Design Guide (RDG) Supplementary Planning Document 2017 as well as the Western Urban Area Character (WUAC) Supplementary Planning Document 2012 also offer relevant advice.

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

- Principle of development
- Impact on character and appearance of the surrounding area and host dwelling
- Impact on residential amenity of neighbouring properties
- Transport and highways considerations

Other considerations include:

- Flood Risk
- Community Infrastructure Levy

### **7.3 Principle of development**

7.3.1 The application site is located within the defined settlement boundary. As such, it is considered a sustainable place for development. It is noted that the site is outside of the 400 metre buffer zone around the Thames Basin Heath Special Protection Area. As such, it is concluded that the proposed development would be acceptable in principle.

### **7.4 Impact on character and appearance of the surrounding area and host dwelling**

7.4.1 Para 127 of the National Planning Policy Framework (NPPF) requires good design principles; subparagraphs b and c clarify that a visually attractive extension which is sympathetic to local character should be acceptable. Policy DM9 of the CSDMP states that development will be acceptable where it achieves a high-quality design which respects and enhances the local character in its urban setting, paying particular regard to scale, materials, massing and bulk.

7.4.2 Principles 7.1 and 7.8 of the RDG state that developments should complement the street scene and should positively contribute to the character and quality of the area.

7.4.3 The WUAC sets out the importance of achieving a good design which builds on the existing character of an area. The application site is located within the Post War Council Estate Character Area, this area is distinguished by its low red brick walls, long regular street and plot patterns and preponderance of semi-detached or terraced properties. Guiding principles PC1a, PC2 and PC4 of the WUAC are relevant in this instance.

7.4.4 It is acknowledged that unsympathetic extensions which reduce gaps between buildings and result in a loss of the open texture is a known pressure on this character area. The proposed outbuilding would be visible from the public realm. However, due to a back land development to the north-east side and rear (north) of the application site there is no dwelling directly to the north-eastern side of the application site, instead there is an access drive. As such, it is considered that this development would not result in an adverse reduction in the space around the dwelling nor would it lead to a terracing effect. As the application site is located in the form turning head, the plot is not comparable to those to the west. The development would not represent an overdevelopment of the plot.

7.4.5 The proposed outbuilding would be 0.7 metres deeper than the approved garage, although this increase in depth would project further into the garden space of number 15, rather than projecting forward. In addition, due to increases in land levels, the dwellings to the north-east of the site are located at a higher level than 15 Mildens Close, with an existing retaining wall enclosing the application site adjacent to the proposed outbuilding.

Therefore, it is considered that the proposed development, when compared to the approved garage would have no greater impact on the character of the surrounding residential area.

7.4.6 It has been demonstrated by the applicant that the proposal would not be used as a separate dwelling unit. It has been confirmed by the applicant that no separate private amenity area will be provided for the annexe, nor will the annex be rated separately to the main dwelling. Whilst the annexe would provide an ensuite bathroom for toilet and washing, and facilities for making light refreshment, the kitchen and laundry facilities of the main house would be shared by the occupiers of the main single family dwelling. As there is the potential for future users to deviate from what is currently proposed, it is recommended that the use of the outbuilding is secured by planning condition. Furthermore, it is important that the use of the outbuilding is secured by a condition to ensure that the correct mitigation is secured for the Thames Basin Heath Special Protection Area.

7.4.7 Therefore, the proposal would not be considered contrary to the NPPF, Policy DM9 of the CSDMP, the RDG or the WUAC.

## **7.5 Impact on residential amenity of neighbouring properties**

7.5.1 Policy DM9 of the CSDMP states that development will be acceptable where the proposal respects the amenities of the occupiers of neighbouring properties and uses. This is supported by para 127(f) of the NPPF, which seeks to create a high standard of amenity for existing and future users. The importance of appropriate design for extensions, so as not to result in a material loss of amenity for the occupiers of neighbouring properties, is set out in principles 8.1, 8.2, 8.3 and 10.1 of the RDG.

7.5.2 Due to the separation distances between the proposed outbuilding and the neighbouring dwellings, coupled with the fact that this would be a single storey structure, it is considered that the proposal would not alter the existing pattern of overlooking. As the development is for an annexe and no sub-division of the plot is proposed, there would be no adverse impacts on the occupiers of the application site. It is noted that the proposed development would result in an increase of built form when compared to the extant garage, however this increase of 0.7 metres in depth would not result in such a significant increase to the bulk or mass of the approved structure to cause adverse overbearing or overshadowing impacts.

7.5.3 It is considered that the proposal would comply with the NPPF, Policy DM9 of the CSDMP and the RDG.

## **7.6 Transport and highways considerations**

7.6.1 Policy DM11 of the CSDMP states that development will be not acceptable where the proposal adversely impacts safe and efficient flow of traffic. All development should ensure safe and well-designed vehicular access, egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Principles 6.7 and 6.8 of the RDG sets out the importance of well-designed parking arrangements, without parking visually dominating the street scene. Surrey County Council recommends a minimum of two vehicle parking spaces for a dwelling with four bedrooms in a suburban environment.

7.6.2 The proposed outbuilding would be sited on the same area of the site as the detached garage which has extant planning permission. The driveway leading to the outbuilding would have a minimum width of 3.7 metres, between the boundary wall and the closest corner of the extended dwelling. This is of a sufficient width to allow access for a motor vehicle to the existing hardstanding. In addition, current trends show that garages are

used predominantly for storage rather than for parking. In any event, there is sufficient space to the front of the property for two vehicles to be accommodated on-site. The access point to the property is not proposed to be altered.

- 7.6.3 As such, it is not considered that the proposed development would have a negative impact on highway safety.

## **7.7 Other Considerations:**

### **7.7.1 Flood Risk:**

The application site and the neighbouring properties is in flood zone 1, meaning that it has a greater than once in a 1000 years chance of flooding. There is a 0.1% chance of surface water flooding in any given year on the road to the site of the site. In any event, the proposal is for the conversion of an approved structure, with no increase in foot print. This would not alter the approved risk of flooding.

### **7.7.2 Community Infrastructure Levy:**

The proposed development is not for a net increase in dwellings, nor is it for a residential extension of over 100 square metres, as such the proposal would not be CIL liable.

## **8.0 POSITIVE/PROACTIVE WORKING**

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- 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 It is considered that the proposal is acceptable in principle. It would result in no adverse impact on the character of the surrounding area and the host dwelling, the residential amenities of the occupiers of the neighbouring dwellings, and would cause not adverse highway impacts and would not increase flood risk. The proposed development would comply with the NPPF, policies DM9, DM10 and DM11 of the CSDMP, the RDG and the WUAC. The application is therefore recommended for approval.

## **10.0 RECOMMENDATION**

The Council would have GRANTED subject to the following conditions:

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



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

2. The development hereby permitted shall be built in accordance with the following approved plans:  
Site Location and Proposed Block Plan, Drawing reference: 1713.05 01, Received 01.09.2022  
Proposed Floor Plans and Elevation, Drawing reference: 1713.06, Received 01.09.2022  
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. The building works, hereby approved, shall be constructed in external fascia materials to match those of the existing building.

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

4. The development hereby permitted shall not be otherwise occupied other than as ancillary accommodation to the existing dwelling known as 15 Mildens Close, Frimley Green, GU16 6PX.

To ensure the ancillary nature of the outbuilding it shall not have; i) a separate postal address, ii) separate metres for the provision of services, iii) a separate and registered Land Registry title, iv) a separate Council tax account, v) a separate access independent of the main dwelling house.

In addition the outbuilding shall be retained within the curtilage of the host dwelling house and a separate curtilage shall not be created. At no time shall the outbuilding be sold, sub-let or rented independently to the occupation of 15 Mildens Close.

Reason: To maintain planning control of this property and to ensure that the additional accommodation is not in any way partitioned from the main dwelling to provide a self-contained dwelling unit to the detriment of the character of the area and the integrity of the Thames Basin Heath Special Protection Area in accordance with Policies DM9 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

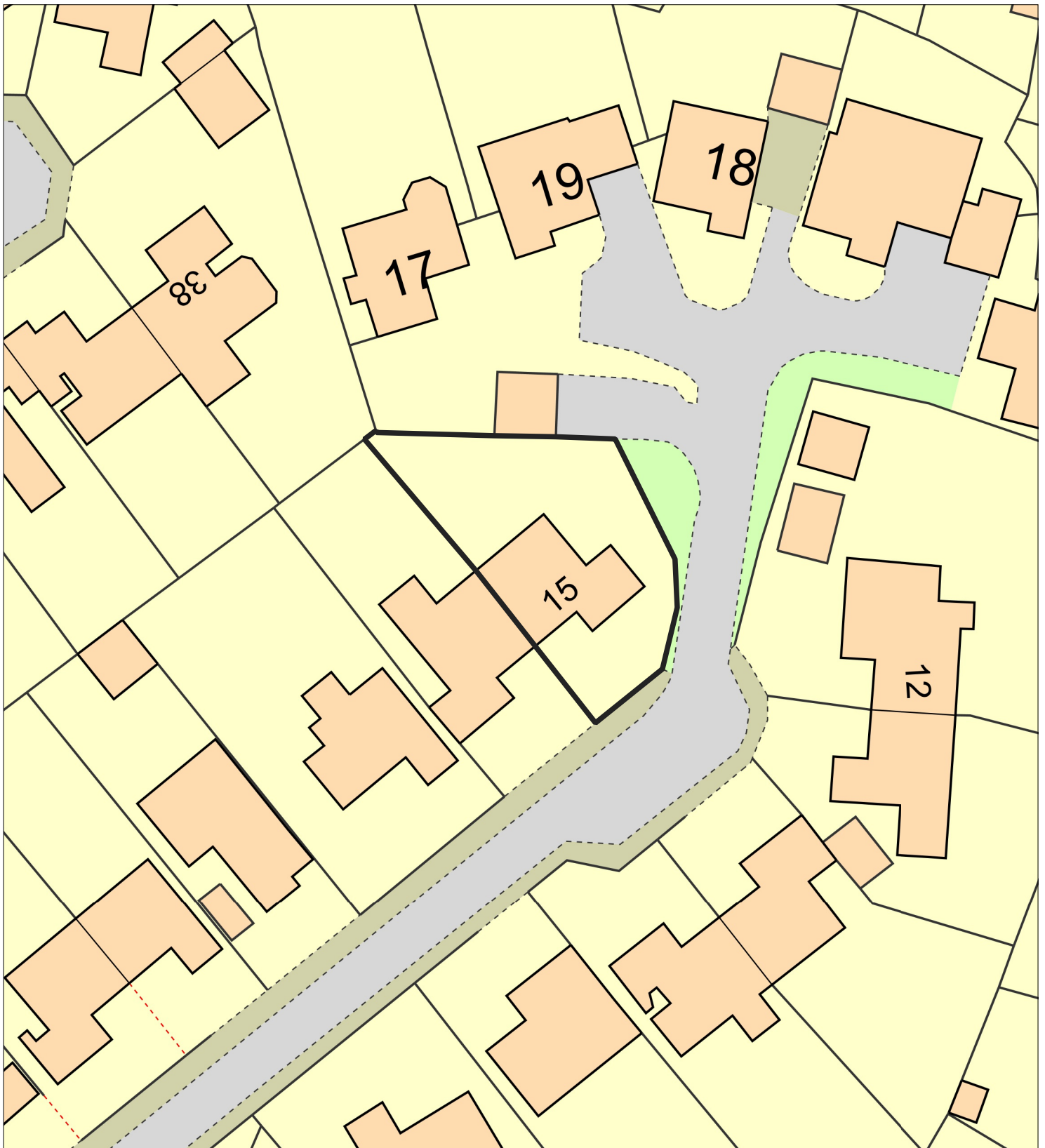
5. Notwithstanding the provisions set out in Schedule 2 Part 1 Class E and Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) other than for works to maintain or replace the existing fencing or walls forming the external boundaries of the application property no means of enclosure, gates, fences or walls shall be erected, installed, formed or sited anywhere within the curtilage of the application property.

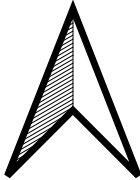


Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved commencing.

Reason: To prevent the subdivision of the application site and ensure the use of the development remains ancillary to the host dwelling in the interests of visual and residential amenity and to protect the integrity of the Thames Basin Heaths Special Protection Area in accordance with Policies DM9 and CP14 of the Surrey Heath Core

**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 applicant's attention is drawn to the Party Walls (etc) Act 1996.
4. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.
5. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

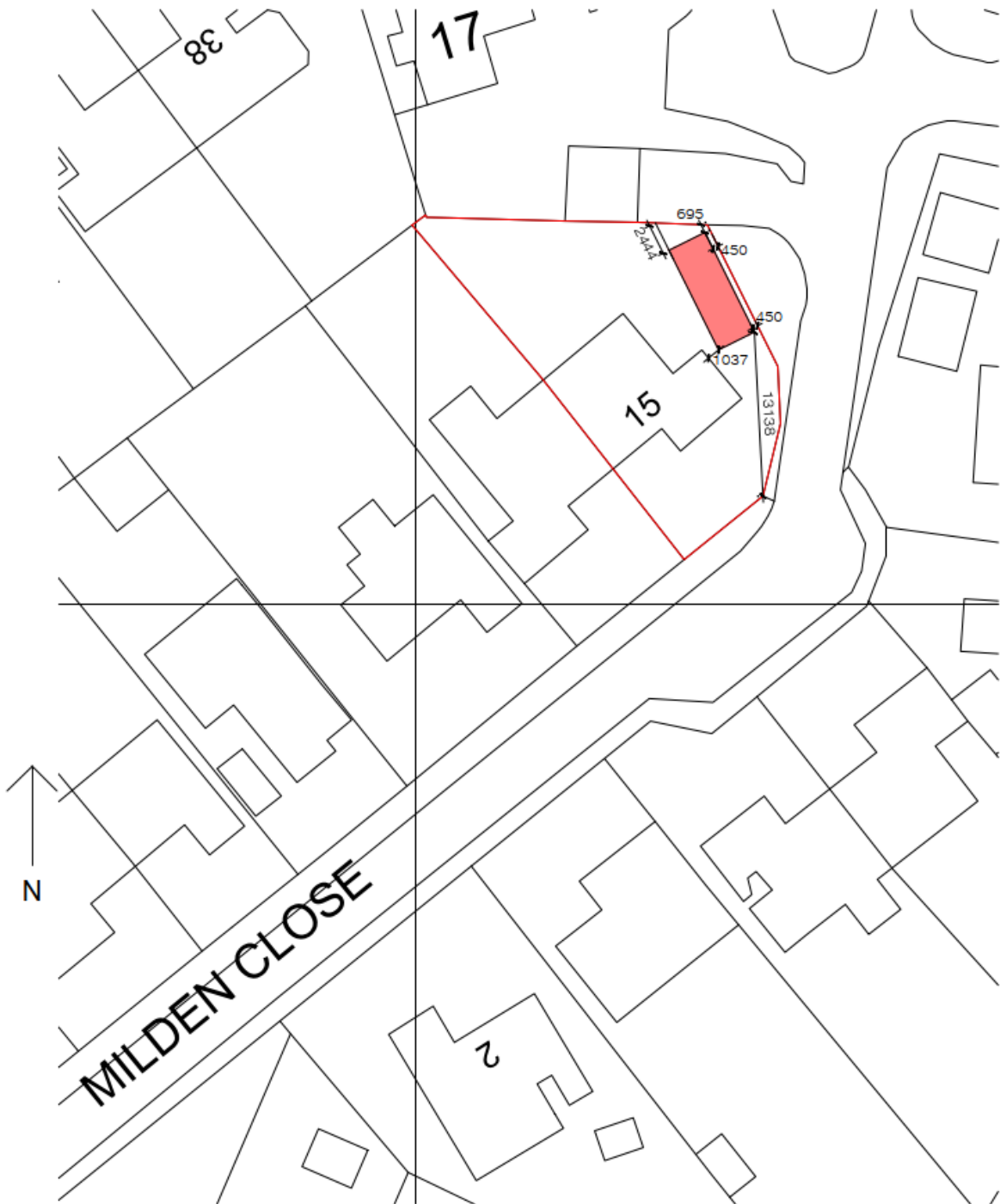


<b>Title</b>	Planning Applications		
<b>Application number</b>	22/0408/FFU	 	<b>Scale @ A4</b> 1:500
<b>Address</b>	15 Milden Close Frimley Green Camberley Surrey GU16 6PX		<b>Date</b> 10 Aug 2022
<b>Proposal</b>	Conversion of approved garage to form an annexe for use of a dependent relative.		
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Version 5	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022		Author: SM

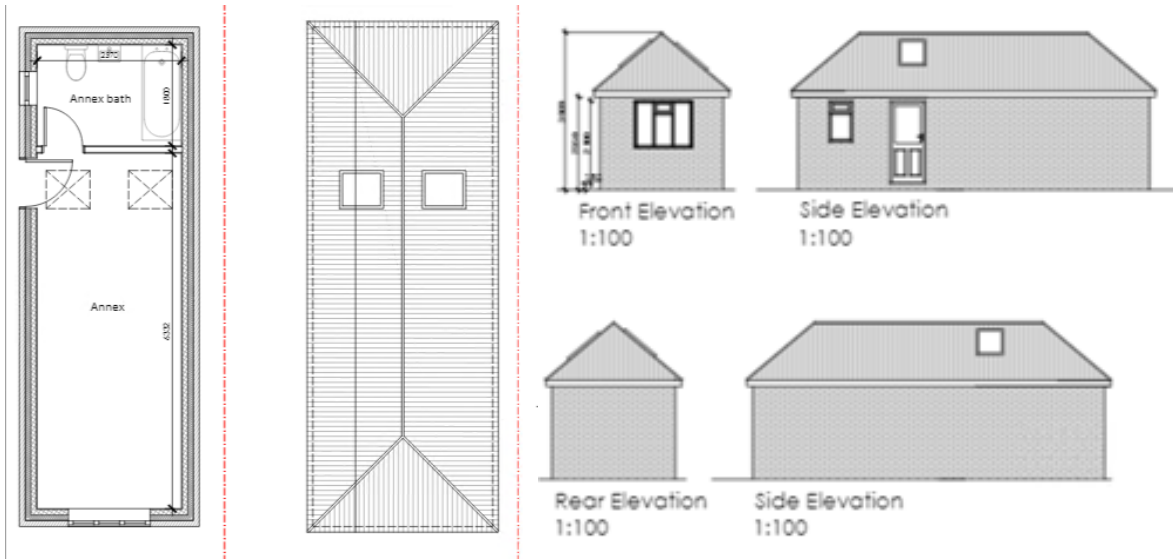
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Plans and photos for 15 Milden Close, 22/0408/FFU

Proposed Block Plan



Floor plans and elevations of the development proposed by this application



Front of the application site



Application site within street scene



Dwellings opposite the application site (12, 10 and 8 Milden Close)



Parking and site of outbuilding facing rear



Site of outbuilding facing the front of the application site





22/0817/FFU

**Reg. Date** 27 July 2022

Bisley & West End

**LOCATION:** 39 Commonfields, West End, Woking, Surrey, GU24 9JA,  
**PROPOSAL:** Erection of single storey side/rear extension following the demolition of detached garage  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Graham Alleway  
**OFFICER:** Michelle Fielder

This application would normally be determined under the Council Scheme of Delegation. However, it is being reported to the Planning Applications Committee because the applicant is Councillor Mr. G Alleway.

**RECOMMENDATION: GRANT, subject to conditions**

**1.0 SUMMARY**

- 1.1 The application seeks planning permission for the erection of a single storey side and rear extension following the demolition of the existing garage and car port. The proposal also includes an amended roof design to the existing dining room so this element and the proposed extension would appear as one unified extension to the host dwelling.
- 1.2 The proposal is a revised scheme to the extant planning permission 21/1302 which proposed a single storey rear and side extension. The revised proposal would also be in keeping with the character of the property and subservient in size. In addition, the proposed works are of an appropriate design and are not considered to be harmful to the appearance of the street scene, nor is the development considered to cause any adverse amenity impacts to occupiers of neighbouring dwellings.
- 1.3 It is noted that the proposal involves the demolition of the existing garage and car port, however sufficient space would be retained to the front of the dwelling to meet parking guidance.
- 1.4 The proposal is therefore recommended for approval, subject to conditions.

**2.0 SITE DESCRIPTION**

- 2.1 The application site contains a two storey, detached dwelling and is located within the settlement area of West End. The property has a single storey garage to the side with an attached carport and a rear garden enclosed by a fence. The property has an open front garden and there is also hardstanding for parking towards the front of the property.

**3.0 RELEVANT HISTORY**

- 3.1 91/0974 Erection of a single storey rear extension (conservatory).  
Granted and implemented.

- 3.2 21/1302 Erection of a single storey side and rear extension following demolition of the existing garage.

Decision - Granted 21/02/22. Not implemented.

A copy of the Committee papers for this application are provided as Annex 1 to this report.

#### **4.0 THE PROPOSAL**

- 4.1 The proposal is for a single storey side and rear extension following demolition of the existing garage and carport. The extension would have an overall depth of approximately 9.3m (of which 0.75m would project beyond the rear elevation of the existing dining room extension) and would be between 2.1m and 4.2m in width.
- 4.2 The development would provide a mock pitch to the front elevation standing to a height of 3.7m with an eaves height of 2.2m. above the front door. This element would be 1.2m deep before the width increases from 2.1m to 3m. At this point a flat roof is proposed with a height of 2.8m. This would extend the depth and width of the proposed extension. The roof to the existing dining room would also be removed and replaced with a continuation of the roof to the proposed extension. This would allow the proposed and existing extensions to blend seamlessly. Two roof lanterns are proposed with an apex height of 3.2m.
- 4.3 As seen from the front elevation the flat roof behind the mock pitch would be visible due to an increase in width from 2.1m to 3m. The proposal would be sited between 2.8 and 0.8m metres away from the adjoining neighbours
- 4.4 The main differences between permission 21/1302 and the current application are:
- The front elevation of the side extension is set further back from the front elevation of the host dwelling;
  - The extension is narrower with a reduced floor area; and,
  - The mock pitch roof to the front elevation has a width of 2.1m for a depth of 1.2m at which point the width increases to 3m and a flat roof would be provided.

An amended plan was requested and received 31 August 2022 to correct a drafting error (this related to the position of a ground floor window in the side wall of the existing dwelling and therefore no re-notification was needed).

#### **5.0 CONSULTATION RESPONSES**

- 5.1 West End Parish Council No objection.

#### **6.0 REPRESENTATION**

- 6.1 In total, 3 notification letters were sent on 8<sup>th</sup> August 2022. At the time of preparation of this report, no letters of representation have been received.

#### **7.0 PLANNING CONSIDERATION**

- 7.1 The application site is located within the settlement of West End 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 policies DM9 and DM11 of the CSDMP, the Residential Design Guide (RDG)

Supplementary Planning Document 2017, West End Village Design Statement (WEVDs) and the NPPF. The proposal is not CIL liable.

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

- Impact on character and appearance of the surrounding area and host dwelling;
- Impact on residential amenity of neighbouring properties; and,
- Transport and highways considerations.

### **7.3 Impact on character and appearance of the surrounding area and host dwelling**

7.3.1 Para 130 of the National Planning Policy Framework (NPPF) requires good design principles; subparagraphs b and c clarify that a visually attractive extension which is sympathetic to local character should be acceptable. Policy DM9 of the CSDMP states that development will be acceptable where it achieves a high-quality design which respects and enhances the local character in its urban setting, paying particular regard to scale, materials, massing and bulk.

7.3.2 Principle 7.8 of the RDG sets out guidelines for designers detailing that design which positively contributes to the character and quality of the area will be supported. Principle 7.9 focuses on window design and principles 10.1, 10.3 and 10.4 focus on side and rear extensions and as such, are relevant.

7.3.3 The site lies in Character Area 5 as set out in the WEVDs. Guideline 3 of the WEVDs states any new development in this area should be complementary to the existing buildings regarding construction materials. Guideline 5 of the WEVDs states that extensions should be complementary to the existing building in proportion, style and use of materials.

7.3.4 The proposed extension would be set back by approximately 6m from the front elevation of the dwelling, would be single storey in height with a mock pitch roof and would accommodate the relocated main entrance. It would be constructed in materials to match and would harmonise well with the design form of the existing dwelling. The proposed width would be less than half that of the existing property and is considered appropriate against Guideline 5 of the WEVDs. It is noted that the flat roof would be visible from the street scene, however due to the dwelling being setback from the highway, coupled with its set back from the front elevation of the dwelling, the visual impact of the proposal on the streetscene would be very limited. It is also noted that a small flat roof element on the host dwelling is already visible from the public domain, as are the flat roof elements on some neighbouring properties. In this instance, the extension would be in keeping with the character of the existing property and would not result in an over-dominant or incongruous addition to the street scene.

7.3.4 In character terms, the proposal would not be contrary to the NPPF, Policy DM9M9 DI CSDMP, the RDG or the WEVDs.

### **7.4 Impact on residential amenity of neighbouring properties**

7.4.1 Policy DM9 of the CSDMP states that development will be acceptable where the proposal respects the amenities of the occupiers of neighbouring properties and uses. This is supported by para 130(f) of the NPPF, which seeks to create a high standard of amenity for existing and future users. The importance of appropriate design for extensions, so as not to result in a material loss of amenity for the occupiers of neighbouring properties, is set out in principles 8.1, 8.2, 8.3, 10.1, 10.3 and 10.4 of the RDG.

- 7.4.2 The application site shares a boundary with 41 Commonfields to the west. The single storey extension would be largely concealed from this property by the built form of the existing dwelling and the proposed new roof to the existing dining room is not considered to result in significant harm to the amenities of this neighbour.
- 7.4.3 To the east, the proposed side extension would be set at its closest point approximately 0.8m away from the shared boundary with No.37 Commonfields. Given its proposed height, together with the separation distance, no significant overbearing or overshadowing impacts would occur. There are windows proposed in the side elevation facing this neighbour, however, taking into consideration the existing situation in terms of windows at ground floor level and existing close boarded fence, the proposed development would not result in materially different patterns of overlooking. It would also not be materially different from that found acceptable under the planning application 21/1203. In addition, this revised scheme has a greater set back from the front elevation of the host dwelling, and in turn its forward projection beyond the nearest point of No.37 has been reduced, giving it a reduced mass in relation to this neighbour, as such resulting in limited amenity impact.
- 7.4.4 It is therefore considered that the proposal would comply with the NPPF, Policy DM9 of the CSDMP and the RDG.

## **7.5 Transport and highways considerations**

- 7.5.1 Policy DM11 of the CSDMP states that developments will be not acceptable where the proposal adversely impacts the safe and efficient flow of traffic. All development should ensure safe and well-designed vehicular access, egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Principles 6.7 and 6.8 of the RDG sets out the importance of well-designed parking arrangements, without parking visually dominating the street scene. Surrey County Council recommends a minimum of two vehicle parking spaces for a dwelling of this size. This can be provided within the dwelling's front drive.

## **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 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 It is considered that the proposal is acceptable in principle as the proposal would not impact on the character and appearance of the surrounding area and the host dwelling. The proposed extension would not cause any impact on residential amenity. Furthermore, the proposal would have no adverse highway impacts. Therefore, the proposed development would comply with the NPPF, policies DM9, and DM11 of the CSDMP, the RDG and WEVDs. The application is therefore recommended for conditional approval.

## 10.0 RECOMMENDATION

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

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

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

Drawing Number reference; AD4596 SHEET 2 Rev F received on 31st August 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. The building works, hereby approved, shall be constructed in external fascia materials to match those of the existing building.

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

### Informative(s)

1. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
2. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.
3. 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.

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21/1302/FFU

**Reg. Date** 4 January 2022

Bisley &amp; West End

<b>LOCATION:</b>	39 Commonfields, West End, Woking, Surrey, GU24 9JA,
<b>PROPOSAL:</b>	Erection of a single storey side extension following the demolition of the garage.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Graham Alleway
<b>OFFICER:</b>	Ms Louise Fuller

This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee because the applicant is Councillor Mr. G Alleway.

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

### **1.0 SUMMARY**

- 1.1 The application seeks permission for erection for a single storey side extension following the demolition of the existing garage and car port.
- 1.2 The extension would be in keeping with the character of the property and is considered subservient in size to the existing dwelling. The proposed works are of an appropriate design and scale and are not considered to be harmful to the appearance of the street scene. The development is not considered to cause any adverse amenity issues for neighbouring dwellings. The proposal involves the demolition of the garage and car port but sufficient space is retained to the front of the dwelling to accommodate sufficient parking. The proposal is therefore considered to be acceptable, subject to conditions.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site contains a two storey, detached dwelling and is located within the settlement area of the West End. The property has a single storey attached garage to the side with an attached carport and a rear garden enclosed by a fence. The property has an open front garden and there is also hardstanding for parking.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 91/0974 – Erection of a single storey rear extension (conservatory).  
Decision-Granted and Implemented

### **4.0 THE PROPOSAL**

- 4.1 The development proposed is a single storey side extension following the demolition of the garage and carport. The extension has a width of approximately 3.7m and 4.3m when viewed from the rear and front rear elevations respectively, depth of 19.6m and an overall flat roofed height of 2.9m (3.2m to the apex of the roof lanterns). There would also be a

dummy pitched roof on the front elevation. The proposal would be sited 1 metre away from the adjoining neighbour's boundary to the east.

## **5.0 CONSULTATION RESPONSES**

5.1 West End Parish Council      No objection

## **6.0 REPRESENTATION**

6.1 Notification letters were sent on the 4 January 2022. At the time of preparation of this report, no letters of representation have been received.

## **7.0 PLANNING CONSIDERATION**

7.1 The application is considered against the relevant policies, which are Policies CP2, DM9, and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP), the Surrey Heath Residential Design Guide 2017, the West End Village Design Statement 2007, the National Design Guide, and the National Planning Policy Framework (NPPF). The main issues to be addressed in the consideration of this application are:

- Impact on the character and appearance of the dwelling and the wider area;
- Residential amenity impacts; and,
- Highways and parking;

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

7.2.1 Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 states that planning decisions should ensure that developments add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate landscaping. They must also be sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not discouraging appropriate innovation or change.

7.2.2 Policy CP2 of the CSDMP states that the Borough Council will require development to ensure that all land is used efficiently within the context of its surroundings, and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.

7.2.3 Principle 10.1 of the RDG states that extensions which erode garden spaces and gaps which contribute to visual amenity and character will be resisted, and that extensions will be expected to be subordinate and consistent with the form, scale and architectural style and materials of the original building. Developments that are over-dominant or out of keeping will be resisted. Principle 10.3 states that side extensions should not erode the character of the street scene and local area.

7.2.4 Guideline 3 of the WEVDS states any new development in this area should be complementary to the existing buildings with regard to construction materials. Guideline 5 of the WEVDS states that extensions should be complementary to the existing building in proportion, style and use of materials. Guideline 7 states open space (formal and



informal) trees, shrubs, hedges, grass verges, low wall, ponds, footpaths and pavements should be preserved and maintained to reflect the rural/semi-rural appearance of the Character Area, in line with current boundary treatments.

7.2.5 The proposed extension would be set back by 3.3m from the front elevation of the dwelling, would be single storey in height with a pitched roof and would accommodate the relocated main entrance. It would be constructed in materials to match and would harmonise well with the design form of the existing dwelling. Its width would be less than half that of the existing property and, as such, it is considered would be sufficiently subordinate to the host dwelling. Overall, the extension would be in keeping with the character of the existing property and would not result in an over-dominant or incongruous addition to the street scene.

7.2.6 The proposal is therefore considered to be acceptable in terms of its impact on character of the existing dwelling and the streetscene, and in line with the relevant policies.

### **7.3 Impact on residential amenity**

7.3.1 Paragraph 130 of the NPPF states that planning policies and decisions should create places with a high standard of amenity for existing and future users. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.

7.3.2 Principles 8.1 – 8.3 of the RDG require new development not to affect existing properties in terms of being overbearing, causing overshadowing or affecting privacy.

7.3.3 The application site shares a boundary with 41 Commonfields to the west. The single storey extension would be completely concealed from this property by the built form of the existing dwelling. The single storey side extension would be set 1m away from the shared boundary with No.37 Commonfields to the east. Given its proposed height, together with the separation distance, no overbearing or overshadowing impacts would occur. There are windows proposed in the side elevation facing this neighbour; however taking into consideration the existing situation in terms of windows at ground floor level and the existing close boarded fence, no new patterns of materially harmful overlooking would be introduced.

7.3.4 The proposal is therefore considered acceptable in terms of its impact on residential amenity, and in line with the above policies.

### **7.4 Impact on highways and parking**

7.4.1 Policy CP11 of the CSDMP seeks to direct new development to sustainable locations, and states that development that will generate a high number of trips will be required to demonstrate that it can be made sustainable to promote travel by sustainable modes of transport. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented. Guideline 10 of the WEVDS states any new development in this street/area should take account of the existing guidelines and policies on parking.

7.4.2 The property currently has space for parking to the front/side of the property, off the main road of Commonfields. The garage is being demolished as part of this proposal. However, no new bedrooms are proposed and sufficient parking space is available for a dwelling of this size. As such the proposal will not lead to any different situation in terms of parking than previously.

7.4.3 The proposal is therefore considered acceptable in terms of its impact on highways and parking, and in line with the relevant policies in this regard.

## **8.0 POSITIVE/PROACTIVE WORKING & 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.
  - 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 extension would be in keeping with the character of the property and the wider area and is considered to harmonise well with the design form of the existing dwelling. The proposal does not raise any concerns with regard to the amenities of adjoining residential properties or parking. The application is therefore recommended for approval.

## **10.0 RECOMMENDATION**

GRANT, subject to the following conditions:

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

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

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

Drawing Numbers reference; AD4596 SHEET 2 REV B (Plans) received on 1st December 2021, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. The building works, hereby approved, shall be constructed in external fascia materials to match those of the existing building.

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

## **Informative(s)**

1. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.
2. 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.

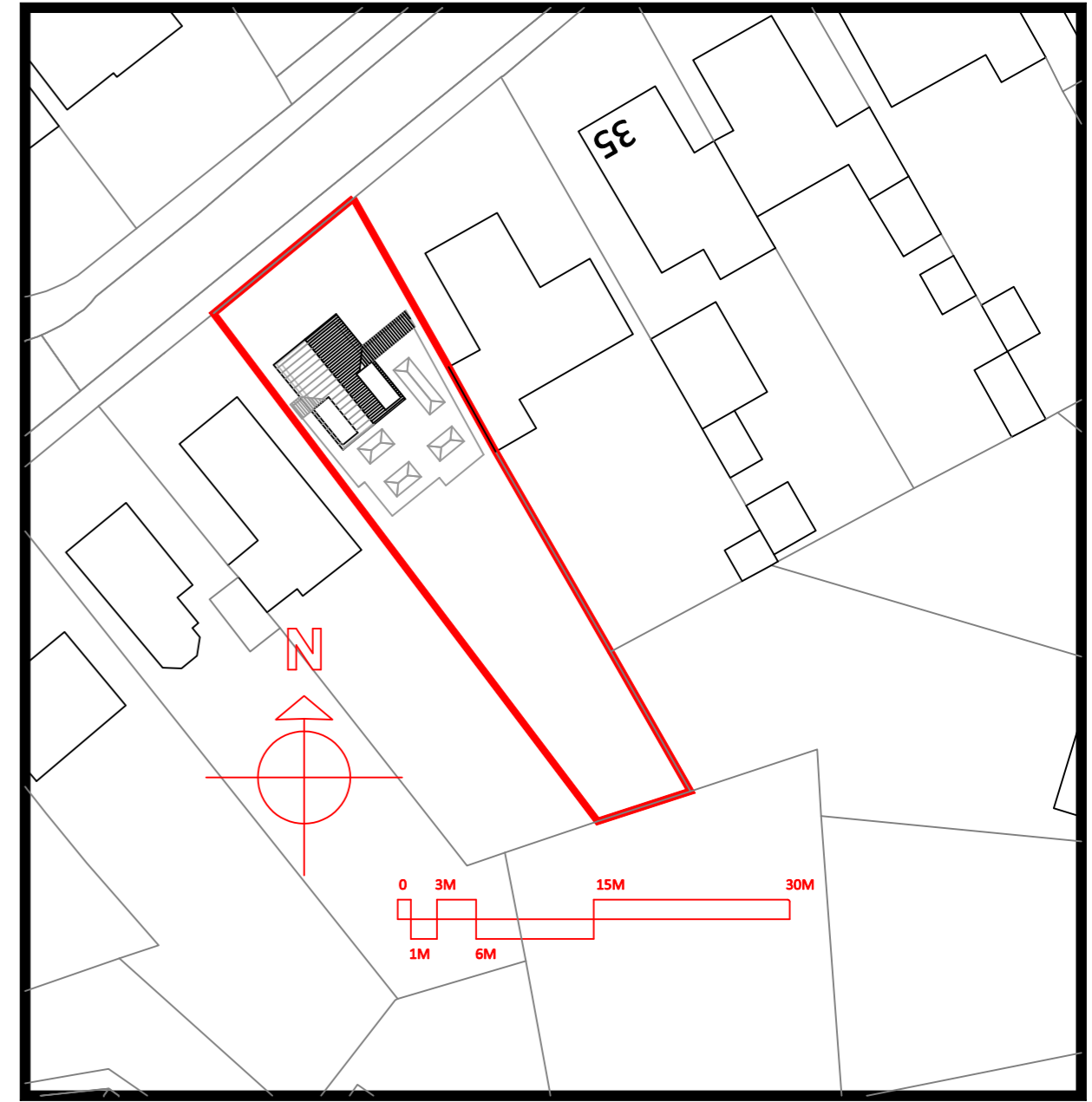
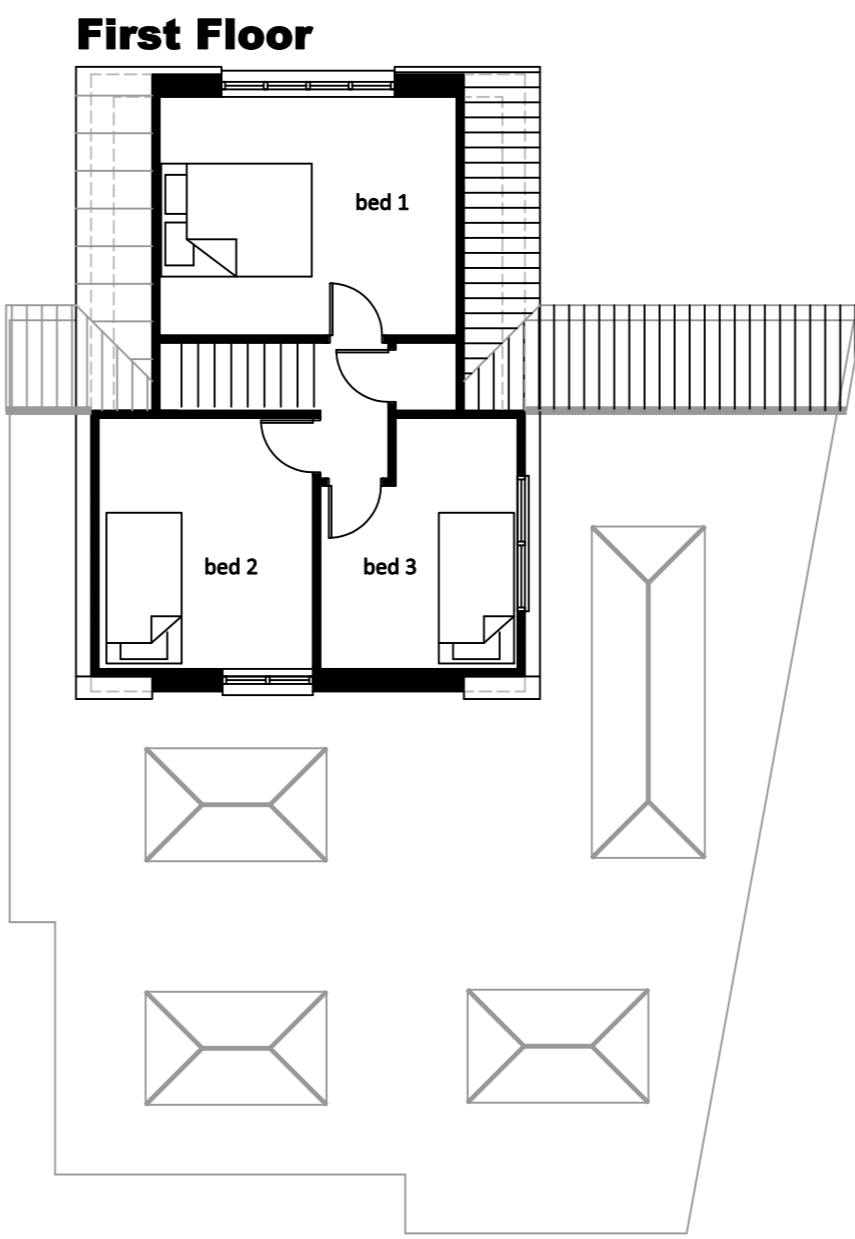
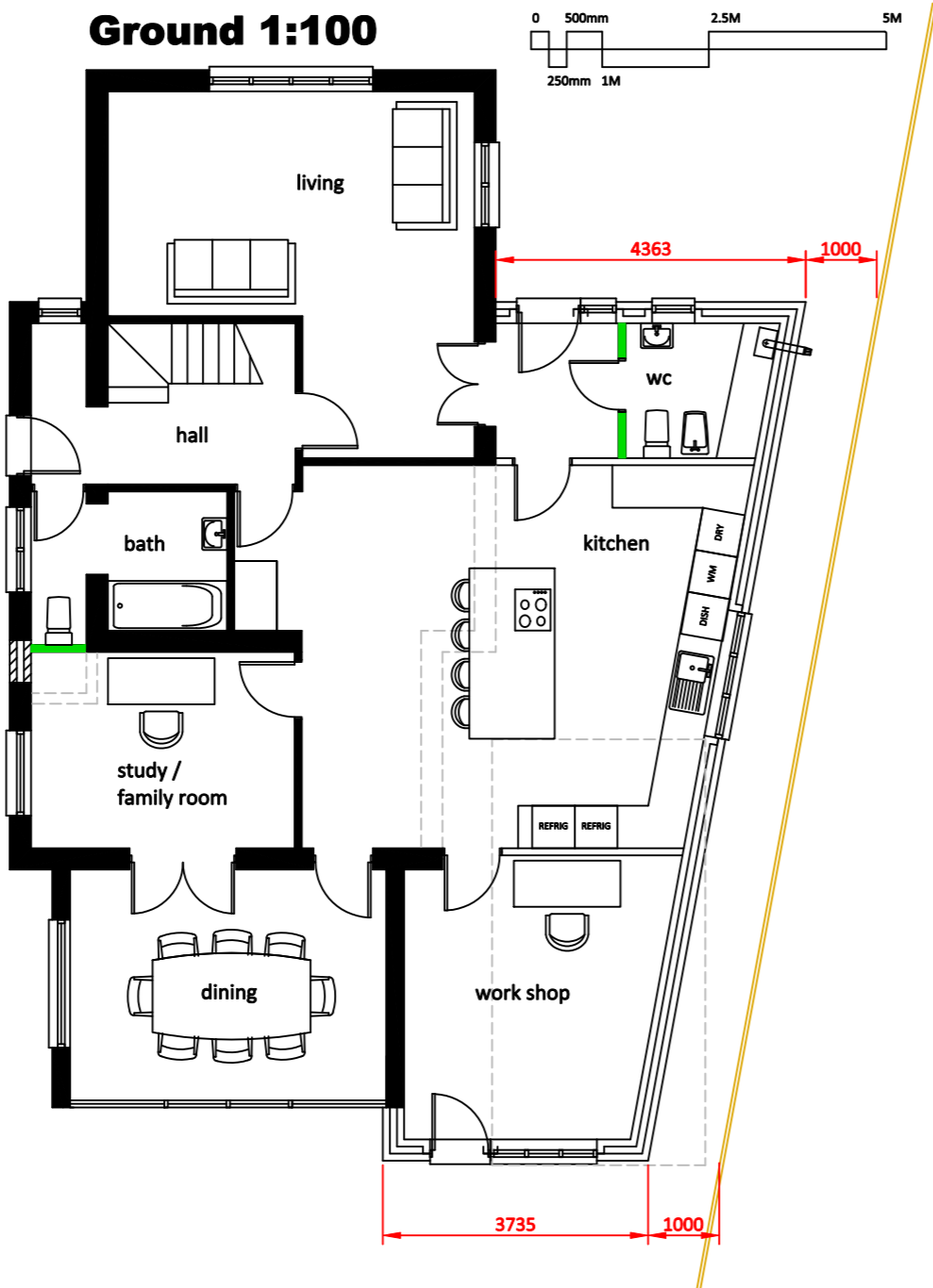
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**39 Commonfields**  
**West End**  
**GU24 9JA**

AD4596 Proposed single storey rear/side extension.  
Planning Application.  
Proposed plans, elevations & site plan - Sheet 2.  
Print @ A2. Rev C 27/01/2022

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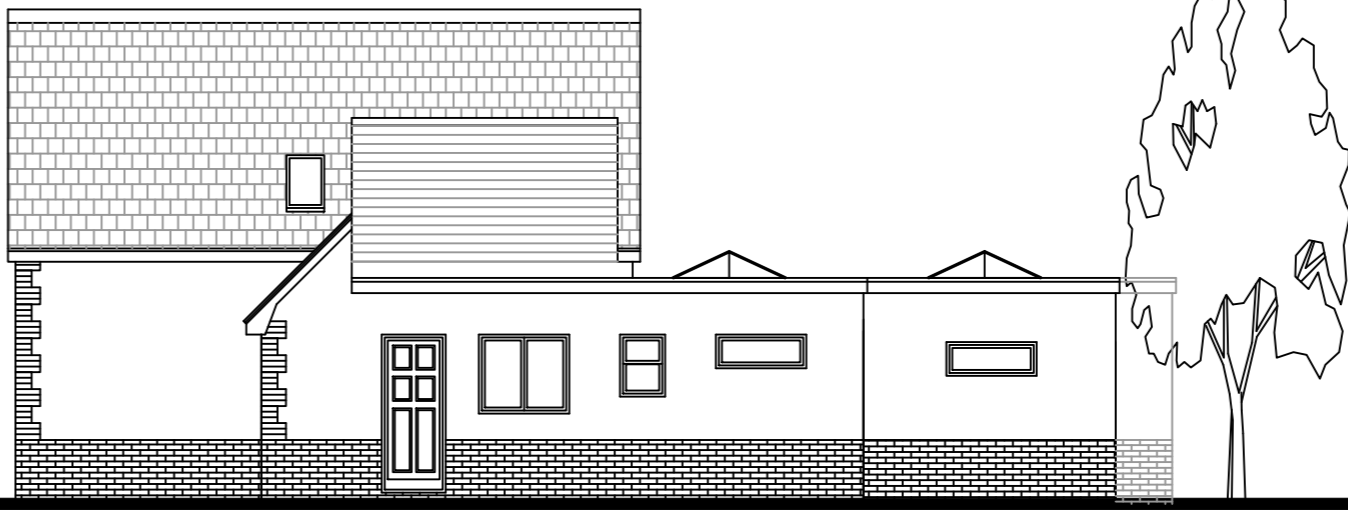
**General Notes.** The contractor is responsible for checking all dimensions on site prior to commencement of the works. Any construction work carried out prior to receiving all necessary approvals is entirely at the clients risk. All building work to be carried out to the satisfaction of the Local Authority Building Control and in accordance with the current Building Regs and as such additional unforeseen building works may be required on site. The contractor shall inspect all adjoining properties which may be affected by the works prior to commencement of works and notify client of any defects. The contractor shall be entirely responsible for the security, strength and stability of the building during the course of the works. Drawings produced for the purpose of obtaining Building Regs approval only and do not constitute full working drawings. All drawings are the copyright of Award Design and may not be copied by any third party without prior permission. Payment of invoice is required within 7 days, and assumes T & C's stated here and on website have been understood & accepted.



**Site plan 1:500**



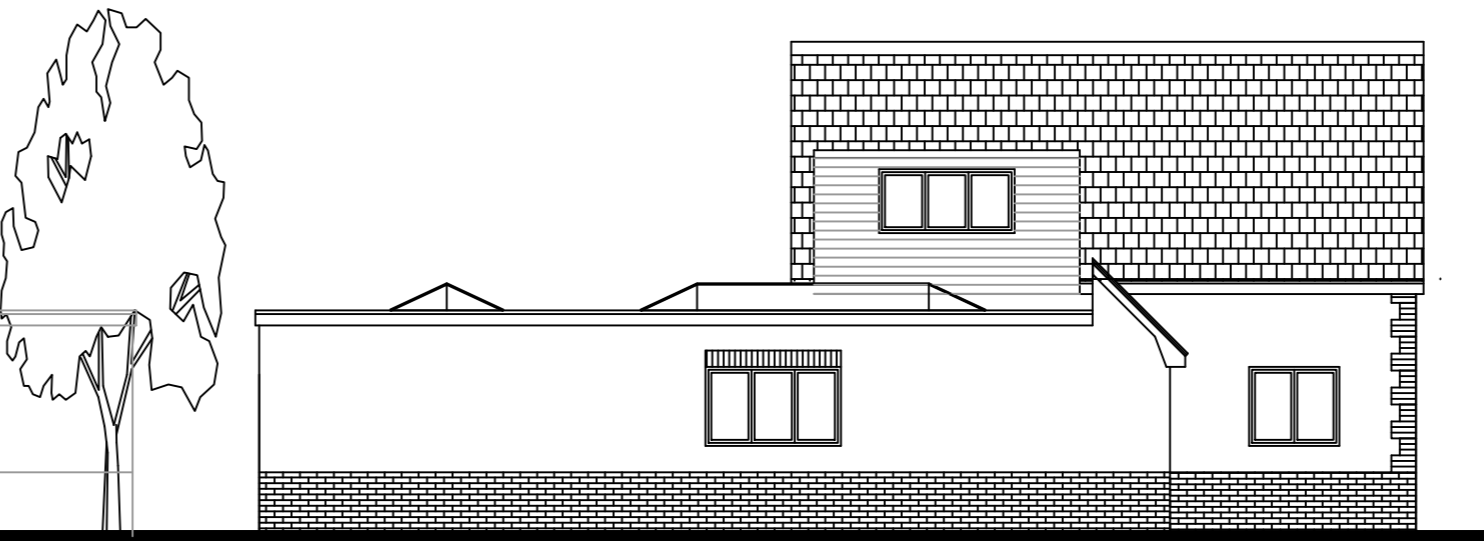
**Front 1:100**



**RH Side**



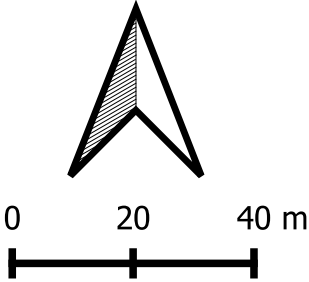

**Rear**



**LH Side**

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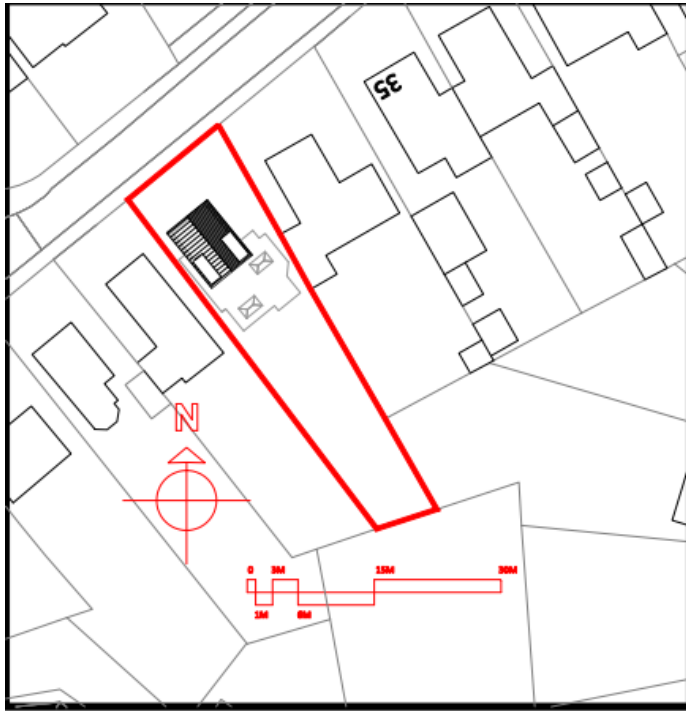


<b>Title</b>	Planning Applications		
<b>Application number</b>	22/0817/FFU		<b>Scale @ A4</b> 1:1,250
<b>Address</b>	39 Commonfields West End Woking Surrey GU24 9JA		<b>Date</b> 15 Sep 2022
<b>Proposal</b>	Erection of single storey side/rear extension following the demolition of detached garage		
Page 63			
<small>Version 5      © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2022      Author: SM</small>			

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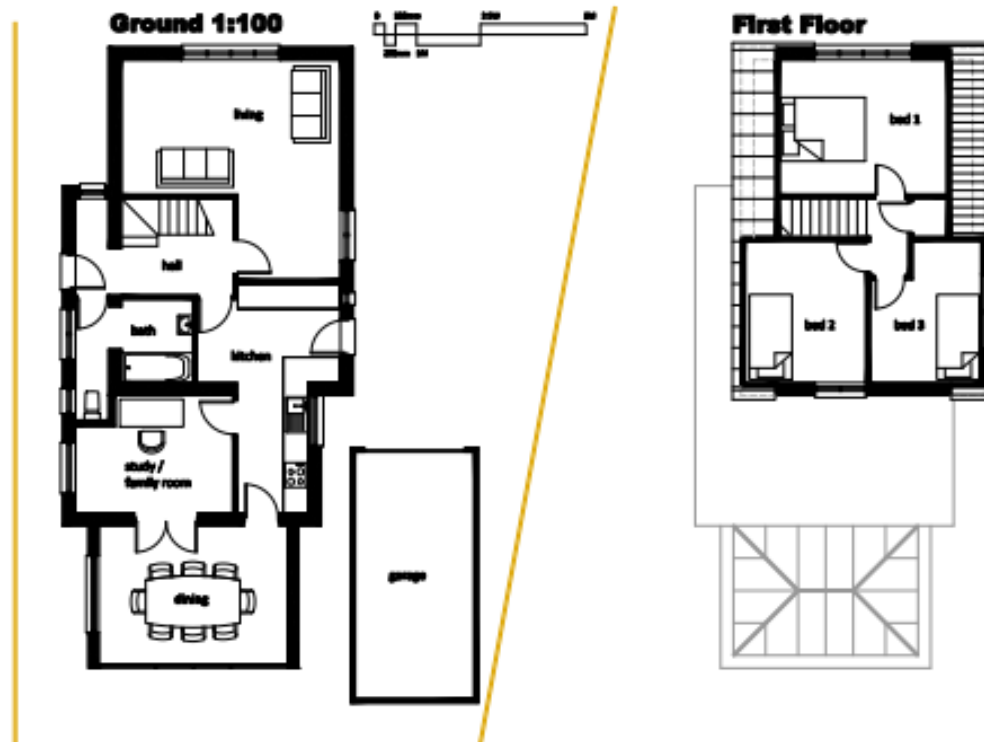


Site Plan

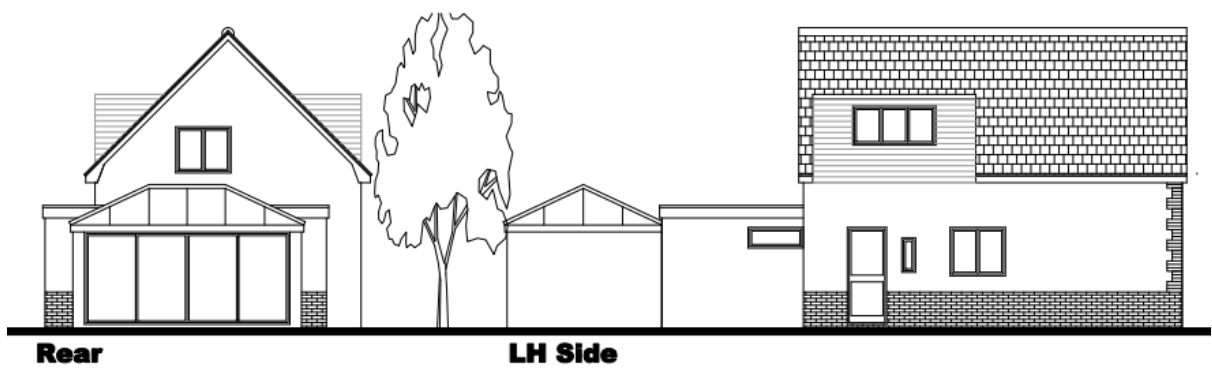


**Site plan 1:500**

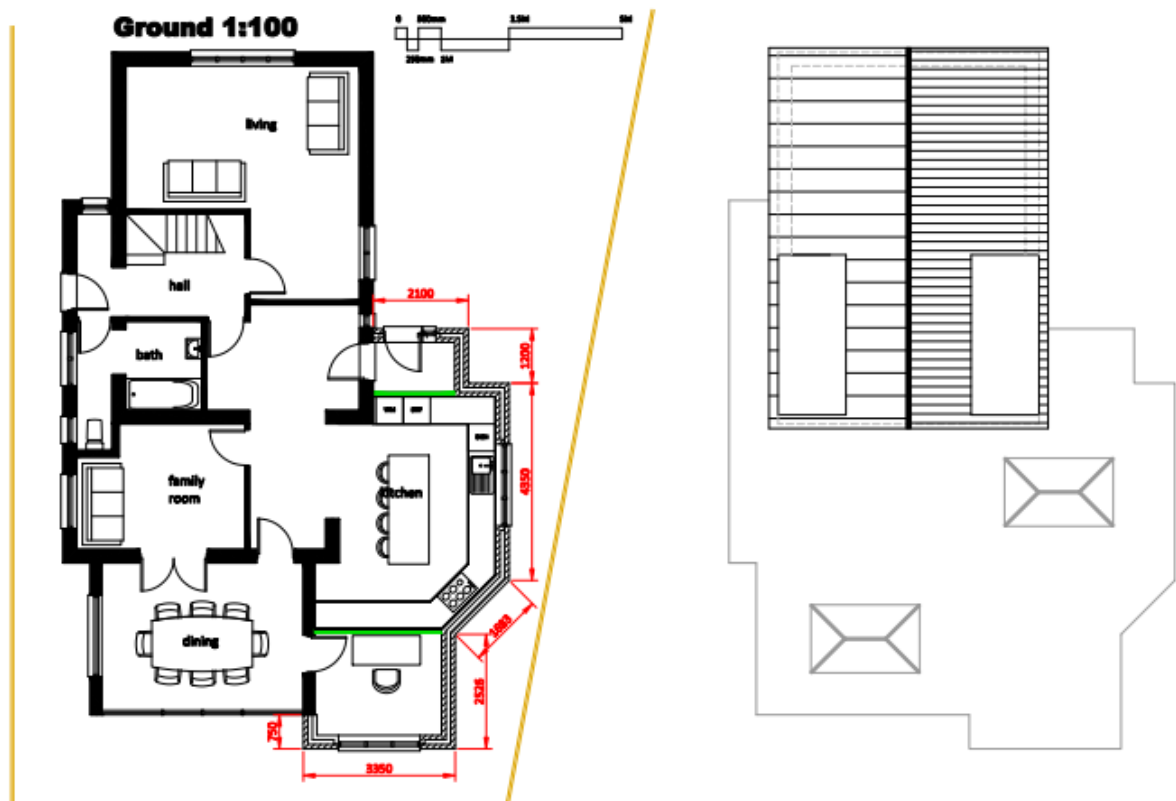
Existing Floor Plans



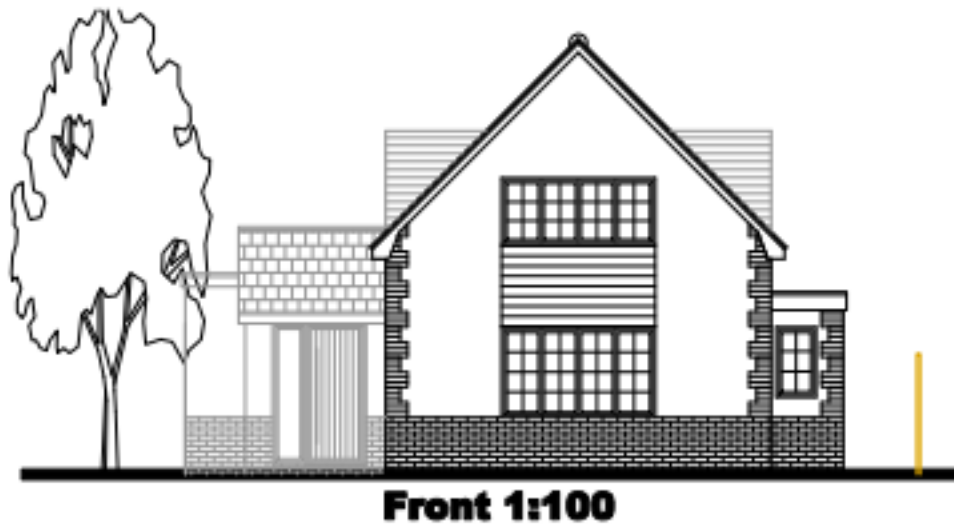
Existing Elevations



Proposed Floor Plan



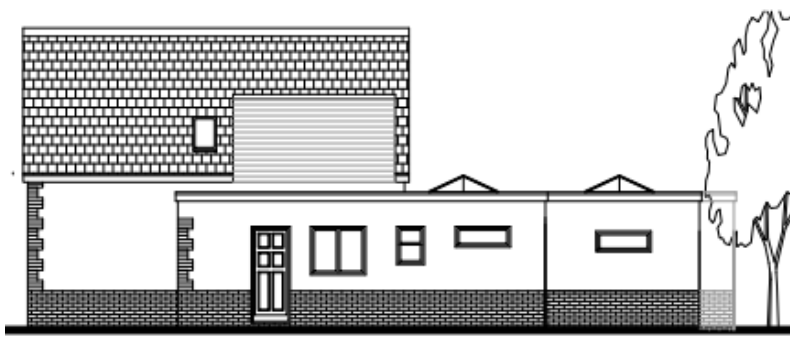
Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevations



**RH Side**



**LH Side**

Photograph of front of dwelling



Side elevation of Application Site showing relationship with side elevation of No.37



Existing structure to be demolished and replaced with the proposed side extension



**Surrey Heath Borough Council**  
**Planning Applications Committee**  
**6 October 2022**

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## Planning Enforcement Update

**Strategic Director:** Nick Steevens, Strategic Director Environment and Community  
**Report Author:** Julia Greenfield, Corporate Enforcement Manager  
**Key Decision:** No  
**Wards Affected:** All

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### Summary and purpose

An information item providing an overview of function and performance of the Corporate Enforcement Service for the period 1<sup>st</sup> July 2022 to 23<sup>rd</sup> September 2022

### Recommendation

The Planning Applications Committee is advised to RESOLVE that 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 second quarter (1<sup>st</sup> July to 23<sup>rd</sup> September 2022). The previous monitoring update to the Planning Applications Committee was in August 2022 reporting on performance from 25<sup>th</sup> March to 30<sup>th</sup> June 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>41</b>
No breach established	12
Breach resolved	2
Not expedient to pursue	0
Planning applications received dealing with matters under investigation	0
Pending consideration (open investigations)	27

<b>Requisition of Information Notices (PCN/S16/S330) issued</b>	<b>0</b>
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- 1.3 Graphs are provided as Annex 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**

- 1.4 Enforcement Notices have been issued on the following premises:

**Land at Easigrass, Hillings Nursery, Bagshot Road, Chobham GU24 8DB – Ref: 20/0019/ENF**

Enforcement Notice issued on 29<sup>th</sup> July, 2022.

**Breach of Planning Control alleged:** Without planning permission, the material change of use of the Land (including existing outbuilding) to a mixed use comprising storage and retail; the construction of a hardstanding and flat roof structure and placement of shipping containers, all used in conjunction with the unauthorised material change of use

#### **Reasons for issuing the Enforcement Notice:**

1) It is considered that the material change of use to a mixed use comprising storage and retail has occurred within the last 10 years.

2) It is considered that the provision of the hardstanding, flat roofed structure and the siting of the containers occurred within the last 10 years and although some of the operational development has been in situ for more than 4 years, the hardstanding, flat roofed structure and containers facilitate the storage use at the site and are integral to and part and parcel of the unauthorised material change of use, and as such are not immune from enforcement action.

3) The unauthorised use of the building and land for retail and storage purposes, including the siting and use of containers and flat roofed structure for storage and associated hardstanding, is inappropriate development, fails to preserve Green Belt openness and conflicts with the purposes of including land within the Green Belt. It causes harm therefore by reason of inappropriateness, harm to openness, and harm to the visual amenities of the Green Belt. The retail and storage uses in this location also fail to comply with the spatial strategy which seeks to direct such uses to more sustainable and suitable locations which in turn contributes to the vitality and viability of employment and retail areas. No very special circumstances exist to outweigh the identified harm. The use is therefore detrimental and contrary to Policies CP1, CP2, CP8, DM1 and DM13 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and National Planning Practice Guidance.

4) The containers, flat roofed structure and hardstanding and associated outdoor storage of Easigrass products are therefore considered harmful to the rural, countryside character of the site and has a significant urbanising effect. The development fails to respect and enhance its surroundings and harms the intrinsic character and beauty of the countryside, therefore contrary to Policies CP2 and DM9 of these Surrey Heath Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and National Planning Practice Guidance.



5) In the absence of any further information in this regard, it is not considered likely that the current use of the site results in any highway safety issues or contravenes Policy DM11 or paragraph 109 of the NPPF. However, the location of the site is not considered to be a sustainable location for retail and storage uses, and generates additional traffic to an unsustainable location, and in the absence of information suggesting that there are no suitable alternative locations, the development is contrary to Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, the National Planning Policy Framework and National Planning Practice Guidance.

The effective date for the Enforcement Notice is on 2<sup>nd</sup> September 2022 subject to an appeal being made.

### **Enforcement Appeals**

1.6 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.

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

Fenns Lane Nursey, West End. Reference number 3281220. Start date 1/11/21. Appeal grounds C, D.

Hall Grove Farm Industrial site, Bagshot. Reference numbers 3292131 & 3292141 Start date 15/2/22. Appeal grounds. A, E, F, G.

Hillside House, 23 Highview Road, Lightwater. Reference number 3291502. Start date 10/2/22. Appeal grounds A, F.

Land at Miles Green Farm, Bisley. Reference number 3294991. Start date 30/3/22. Appeal grounds. A, C, D, F.

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 Middle Close, Camberley. Reference number 3299756. Start date 13/6/22. Appeal grounds A F G.

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.

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.

Four Oaks Nursey, Highams Lane, Chobham. Reference number 3301935. Start date 12/7/22. Appeal grounds. A, D.

Land at Easigrass, Hillings Nursery, Bagshot Road, Chobham. Reference number 3306190. Start date 08/09/22. Appeal grounds: A, B, D, F,G

**Note: Easigrass have opted for a Public Inquiry to which the Council is challenging.**

### **Resource Update**

- 1.7 Since reporting to this Committee in August 2022, there has been a marked improvement in staffing resource, albeit in the form of temporary contractors. The monitoring of planning conditions, has recommenced, currently at a reduced level.
- 1.8 A permanent structure for the team has been agreed and it is envisaged the roles will be advertised at the end of October.

### **Uniform / Enterprise**

- 1.9 The Uniform / Enterprise project remains priority. Due to resource issues, we have not been able to continue progressing this matter. Conversations remain ongoing with ICT as to the most effective way to resource and complete this project.

### **Summary**

- 1.10 The team have enjoyed a successful quarter and have again exceeded the 80% target **(90%)** 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 provide an update to Councillors on key 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 set out in the main body of the report.

**6. Section 151 Officer Comments:**

6.1 As set out in the main body of the report.

**7. Legal and Governance Issues**

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

**8. Monitoring Officer Comments:**

8.1 Nothing further to add.

**Annexes**

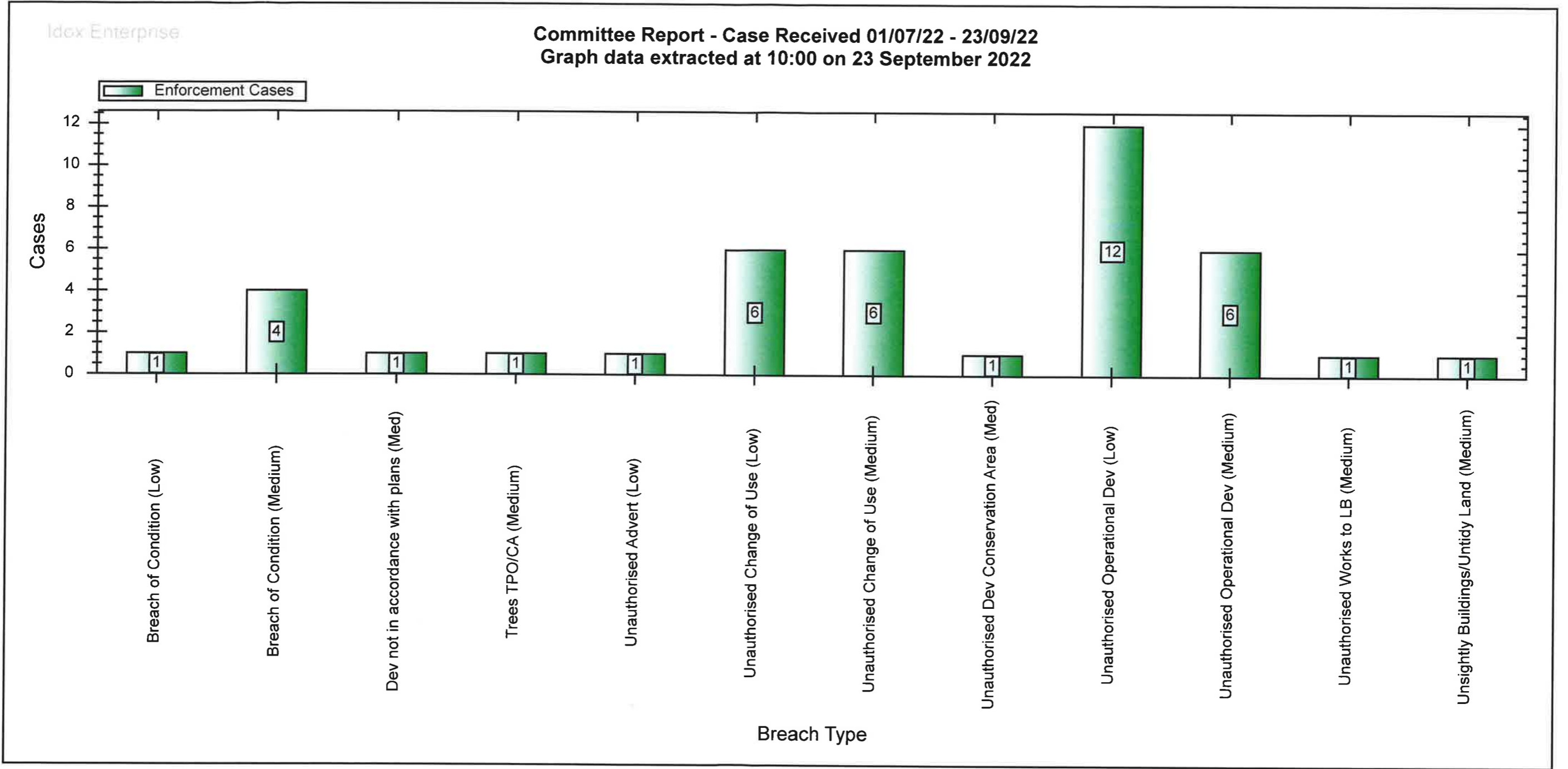
Annex 1 – Summary of Planning Enforcement Cases by type and ward

Annex 2 – Summary of Planning Enforcement Priority Cases

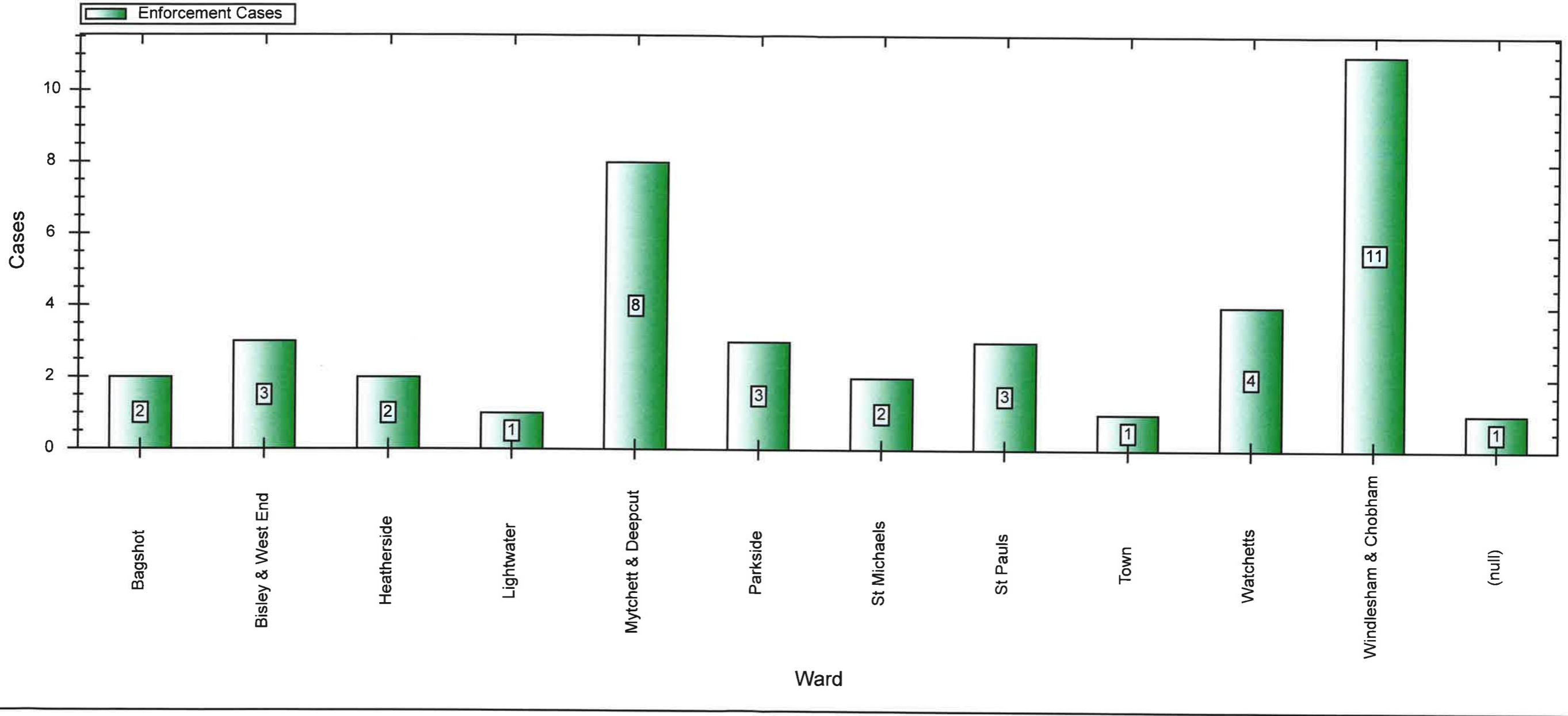
**Background Papers**

None

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Committee Report - Case Received 01/07/22 - 23/09/22  
Graph data extracted at 10:00 on 23 September 2022



By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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

**NOTES**

**Officers Report**

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

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

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

**How the Committee makes a decision:**

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

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

**The Committee cannot base decisions on:**

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

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

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