

2017/1078

Reg Date 05/12/2017

Frimley

LOCATION: 22 GROVEFIELDS AVENUE, FRIMLEY, CAMBERLEY, GU16 8PA
PROPOSAL: Two storey building comprising 2 x 1 bed flats, and 2 x 2 bed flats with additional access from The Grove and Grovefields Avenue, including gates, parking areas, landscaping and bin storage. (Amended Plans - Rec'd 13/02/2018). (Additional information rec'd 08/03/2018).
TYPE: Full Planning Application
APPLICANT: Mr Parmar & Kalyani
OFFICER: Emma Pearman

This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination at the Planning Applications Committee at the request of Cllr Sams.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The application site is on the corner of Grovefields Avenue and The Grove, opposite Frimley Park Hospital and within the settlement area of Frimley and Camberley. The application site currently features one single storey dwelling and large rear garden, with a garage to the side and parking to the side of the dwelling. The proposal is to erect a two-storey building to provide four flats, which would be 2 x 1-bedroom and 2 x 2-bedroom flats, with amenity space to the rear, and parking to the front and to the rear, accessed via a new vehicular side gate.
- 1.2 Significant concern has been raised in respect of the parking situation, and it is not disputed that there are existing problems in the vicinity of the application site, due in part to the proximity of the hospital. However, the proposal provides in excess of the parking that would be required by the County Highway Authority, and in addition is in a sustainable location close to bus and train routes. However, while many elements of the proposal are considered acceptable, it is considered that the scale of development sought cannot be accommodated on this site comfortably.
- 1.3 The proposed flats are significantly short of the national minimum space standards, and do not provide any private amenity space for the occupiers. In addition, the parking provided to the front would result in the loss of the front boundary wall which is an historic feature of the street scene and would result in a harsh, urban appearance to the front of the dwelling. No bin and cycle storage has been provided and it is not clear where this could be accommodated without further harm to character or amenity. In addition, badgers have been noted in the vicinity of the site and as such further information on ecology is required, and no SAMM payment has been provided to date. The proposal is therefore recommended for refusal on this basis.

2.0 SITE DESCRIPTION

- 2.1 The application property is a single storey, detached property, located on the eastern side of Grovefields Avenue, at the northern end on the corner with The Grove. The site lies within the settlement area of Frimley and Camberley. The property has a driveway to the side and front garden laid to hardstanding with flower beds, enclosed by a low brick wall and gates. There is a hedge running along the extent of the northern boundary and beyond this, an open area of grass with pedestrian paths between the boundary and The Grove. The property has a detached garage to the side/rear and garden to the rear.
- 2.2 Surrounding properties are varied in architectural style and in Grovefields Avenue mostly comprise two-storey semi-detached dwellings, or single storey detached dwellings. Directly opposite the site is Middle Gingers which is a Grade II listed detached property. The application site lies in the Historic Routes (Lanes) Housing Character Area, as set out in the Western Urban Area Character SPD.

3.0 RELEVANT PLANNING HISTORY

- 3.1 None.

4.0 THE PROPOSAL

- 4.1 The proposal is to replace the existing dwelling with a two-storey building to comprise four flats. The building would be longer and narrower than the existing building, and would be further from the boundary with number 21. It would have a maximum depth of 15.7m and maximum width of 8.3m. It would feature a hipped roof with gabled elements with eaves height of 5.2m and ridge of 7.8m. There would be a 1-bed and a 2-bed flat on both the ground and first floors. There would be two parking spaces to the front, a vehicular gate to the side and a parking area to the rear which would provide 4 further spaces. There would be an area of amenity space to the rear adjacent to the parking area with a pedestrian gate on the opposite side of the property.
- 4.2 The proposal has been amended during the course of the application. The main changes are as follows:
- Removal of proposed side access to the rear of the garden from The Grove and associated changes to the parking layout to the rear
 - Removal of garden area to the front and replacement with additional parking
 - Removal of bin store from rear boundary
 - Reduction in size of gabled element on northern side elevation
 - Removal of mock timber-framed oriels
 - Alterations to window positioning
 - Obscure glazing added to rear upper floor windows facing number 21

5.0 CONSULTATION RESPONSES

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| 5.1 | Council's Heritage Officer | No objection – commented on original design and amendments subsequently have been made |
| 5.2 | County Highway Authority | No objection, subject to conditions |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 25 letters of objection have been received, of which 11 appear to be in response to the original plans which have since been amended, with the remainder received in response to the second round of consultation.

The issues raised are as follows:

Character [see section 7.4]

- Development is not in keeping with the rest of the street which is primarily detached and semi-detached family homes
- Will set a new precedent for flats in the road and not family homes, which would in turn worsen parking issues and lead to a negative alteration of the street
- No Heritage Assessment and Grade II listed building is close by; this is historic area of Frimley
- Overdevelopment of the site
- Significant roof void shows that dwellings in the roof may be added at a later date and conditional restrictions should be applied to limit this; character guidance says that the appearance of three storeys should be avoided
- Design and massing seems unchanged from pre-application advice which advised that the mass would be harmful
- Elevations facing The Grove and number 21 are long and bulky and not representative of the scale and design of other nearby dwellings
- No evidence of high quality materials in this prominent site
- Does not consider architecture of surroundings
- Landscaping shows trees which do not exist and scale of landscaping has been deliberately enhanced and is not realistic
- Low level wall at the front has not been retained, contrary to pre-application advice
- Satellite dishes will need to be positioned adjacent to number 21
- Destroying large garden for parking will lose more green space, create more flood risk, more impact on flora and fauna

- Hedge on northern side being replaced by a fence would not be in keeping with the surroundings
- Will have a significant effect on Middle Gingers the listed building and the Conservation Officer has not given this enough weight
- Suggestion that they should retain a low wall to the front has been ignored

Residential Amenity [see section 7.5]

- Lack of private and communal amenity space – no private balcony space is provided and the amenity space has cars right next to it, it is not as large as stated
- Application has failed to address issues in the pre-application advice – while housing mix has been revised, the sizes of the dwellings are too small and do not meet national space standards
- Building extends beyond rear elevation of number 21 and will cause overbearing and overshadowing impacts
- Windows have to be opaque on this side to avoid overlooking and as such result in main habitable windows having obscure glazing for new residents
- Interior layouts do not comply with building regs – corridors are too narrow and if they were shown as wider this would compromise the sizes of kitchen/living rooms
- Double access compounds issue of providing adequate private amenity space and creates security implications for neighbours
- Driveway running along length of boundary of number 21 will impact on amenity
- Will block views of the green

Highways, Parking and Access [see section 7.6]

- Already issues with parking due to narrow road and proximity of hospital – this proposal will lead to a significant increase in parking and the level of parking proposed is not sufficient
- Additional traffic would result in problems with access for larger vehicles as road already suffers from this problem
- Children and families walk along The Grove and families try to find a parking space
- Would cause significant disruption during construction
- Access from The Grove would mean ruining the green area that currently exists to the side of the road
- Car parking is harsh and urban and spaces appear to be unachievable
- New rear access crosses several pedestrian paths

- Parking will be worse during construction phase
- Pleased that side access has been removed however still object for previous reasons outlined
- Revised application does not address previous concerns
- Will affect access/egress to Partridge Close – The Grove needs to be free flowing and gridlocks occur regularly; extra flats would compromise the existing situation
- No indication of cycle parking or refuse storage
- Shows a new dropped kerb which extends in front of the neighbour, surely this is not acceptable?
- If the spaces at the rear are full how would they turn around to exit
- No safe boundary between car parking and communal areas

Other issues

- No drainage details; drainage and sewerage is a problem *[Officer comment: This is a matter for building control]*
- No written display of the application within Grovefields Avenue; neighbours further afield should have been consulted *[Officer comment: For this type of application, the requirement under the Town and Country Planning (Development Management Procedure) Order 2015 is for either a site notice to be displayed, or notice given to adjoining owners/occupiers].*
- Consultation period was over Christmas *[Officer comment: When the consultation period falls depends on when the application was submitted. In addition there has been a second round which has given people a chance to comment again.]*
- Noise and light pollution during construction phase *[Officer comment: Disruption during construction is not a planning issue]*
- Reduction in property prices *[Officer comment: Not a planning issue]*
- Badger uses neighbouring gardens *[Officer comment: See section 7.9]*

7.0 PLANNING CONSIDERATION

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012, and in this case the relevant policies are Policy CP1, CP2, CP5, CP6, CP12, CP14A, CP14B, DM9, DM11 and DM17. It will also be considered against the Guiding Principles of the Historic Routes (Lanes) Character Areas, the Surrey Heath Residential Design Guide 2017 (RDG) and the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are:

- Principle of the development
- Character
- Residential amenity
- Highways, parking and access
- Impact on the Thames Basin Heaths SPA
- Impact on Infrastructure
- Ecology
- Affordable housing

7.3 Principle of the development

7.3.1 The NPPF seeks to significantly boost the supply of housing and requires local authorities to have a five-year supply of land suitable for housing. Surrey Heath currently does not have a five- year housing land supply. Policy CP1 directs new development to previously developed sites in the western side of the borough. This site already comprises residential development, and as such has already partly been developed. Residential gardens in built up areas are not considered to be previously developed, however in some cases the use of non-PDL is acceptable to deliver housing.

7.3.2 The site is on the western side of the borough, in a settlement area and is close to amenities and public transport and as such is in a sustainable location. As such, in principle, the redevelopment of the site to provide additional units is considered to be acceptable.

7.3.3 Policy CP6 requires a mix of housing and this site proposes to deliver 2 x 1-bed units and 2 x 2-bed units. As such, it is considered that the mix is acceptable in this regard.

7.4 Impact on character of area

7.4.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density and Policy CP2 requires development to respect and enhance the character of the environment.

7.4.2 Guiding Principles L1 and L3 of the Historic Routes (Lanes) Character Area state that buildings should be small scale, up to 2 storeys with pitched roofs, historic plot dimensions, architectural detail, scale and massing should be reflected, buildings should be softened with vegetation; and, that proposals that seek to introduce development that is out of

keeping with the strong historic character of the Lanes will be resisted, with particular attention paid to massing, scale, roofscapes, architectural detailing and materials. Principle 7.1 of the RDG states that setbacks should complement the street scene, and Principle 7.4 states that new residential development should reflect the spacing, heights and building footprints of existing buildings, especially when these are local historic patterns.

- 7.4.3 The proposal would replace a single storey bungalow with a two-storey building, however given that there are two-storey buildings next door and the mixed character of the road, this is considered to be acceptable. The height of the building and hipped roof would reflect that of the neighbouring dwellings and as such, from the front the building does not appear cramped in the plot. The design of the building has been revised slightly to incorporate comments made by the Planning Officer and the Conservation Officer and as such the appearance has improved, including the gabled element to the side appearing more subservient to the building and the design of the windows changing. However, the building would extend further into the plot than the bungalow, and this coupled with the increased height would lead to the significant depth of the building being very visible in the street scene from the northern side. Given the development on either side, which has the front elevations facing The Grove, and is set back from the road with mature vegetation as screening, this building would be a very prominent addition given the open nature of the site, with the long side elevation facing The Grove. It would dominate the appearance of the street scene and as such the bulk and massing is considered to be too large for this plot.
- 7.4.4 There would be a side gate to access the parking area to the rear. While this would result in the loss of some of the existing rear garden area, provision of parking in this location is considered to be essential and at the rear it is less visible than providing more parking at the front, where it would result in a more urban appearance to the dwelling. A rear garden could be paved and used for parking in any case, and the existing hardstanding and garage on the opposite side of the dwelling are to be removed. The loss of the front boundary wall, however, is unfortunate as this is a feature of many dwellings in the road, and the resulting paved area for parking would appear harsh and urban, and appears out of character with the strong historic character of The Lanes, which Guiding Principle L3 seeks to protect. The scale of development sought requires this amount of parking so as not to cause amenity issues, and again it is considered that the development cannot be comfortably accommodated on the plot without causing harm in character terms. There is only limited capacity to provide vegetation to soften the appearance to the front, between the two parking spaces, but it does not appear the wall could be retained so conditions could not mitigate the impact in this instance.
- 7.4.5 The property opposite is Grade II listed and as such the Conservation Officer was consulted, but has not objected, stating that the proposal would not cause harm to the setting of this building. While much concern has been raised in this regard, it is noted that the Listed Building is not highly visible in the street scene due to the amount of vegetation surrounding it. However, this adds weight to the fact that the historic character of The Lanes should be protected, and the building should integrate well within the existing character of the area. The design of the proposed building has been adapted following the Conservation Officer's advice and conditions suggested in respect of materials and windows which could be imposed, to ensure the materials are of a high quality.
- 7.4.6 Concern has been raised about the proposal being out of keeping with the other family sized houses in the street. Surrey Heath requires a range of housing sizes however, and each proposal would be determined on its own merits. This is a corner plot, surrounded by mixed architecture and there is no in-principle reason why flats cannot be provided here, subject to the design integrating well within the street scene. Concern has also been raised about adding further flats in the roofspace, however the design and depth of

the roof does not appear able to accommodate further flats, and as flats do not have permitted development rights in any case, a planning application would have to be submitted so a condition in this regard would not be necessary or meet the tests for its imposition. It is noted also that no bin and cycle storage has been provided on the revised plans. It is difficult to see where on the site this could be accommodated, other than on the northern boundary, in which case it is likely to be visible in the wider street scene from The Grove which would not be acceptable. If it were elsewhere in the site then it would reduce the amenity area or the parking space.

- 7.4.7 While it is considered that the revised design has improved the appearance of the building, and it would not significantly affect the setting of the listed building, concern is raised about the significant depth, bulk and massing of the building and its over-dominant effect on the street scene of The Grove, and the loss of the front boundary treatment and harsh, urbanising design of the front driveway. It is considered that the proposal fails to integrate sufficiently within the historic Lanes character area and as such is contrary to Guiding Principles L1 and L3 of the Western Urban Area Character SPD, Policies CP2 and DM9 and the NPPF.

7.5 Impact on residential amenity

- 7.5.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.1 of the RDG states that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted and Principle 8.3 states that developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.
- 7.5.2 The proposed building would be closest to 21 Grovefields Avenue, which shares a boundary to the southern side. The gap to the boundary would be 4m with this neighbour a further 5.5m from the boundary on the opposite side. While the new building would extend 5.6m behind the rear of this neighbour, given the large separation distance, it is not considered that any significant overbearing or overshadowing impacts would result. There are a number of windows proposed on the upper floor side elevations and with the exception of the one nearest to the front, these are all proposed to be obscure glazed, as they either serve bathrooms or are secondary windows. As such while the privacy of number 21 will not be significantly compromised, it is likely to result in a perception of overlooking due to the number of windows on this side, however given the separation distance, on balance this element is considered to be acceptable.
- 7.5.3 The new upper floor windows to the rear would result in a normal overlooking pattern between neighbouring properties, with oblique views only of the garden of number 21. To the rear, they would face the front gardens of the properties in the small inlet off The Grove, at a distance of over 16m and as such there would be no significant impacts on privacy. The driveway running alongside the boundary of 21, with the parking area also next to the boundary and next to the side elevation of number 12 The Grove, however is also considered to be unneighbourly and is likely to create noticeable additional noise and disturbance, and potentially air quality issues which could be noticeable from the garden of number 21 and front of number 12.

- 7.5.4 With regard to the amenities of the future occupiers of the flats, they would be provided with an area of amenity space to the rear of around 145m². No sizes are set out in the RDG with regard to amenity space, however this amount of communal space is considered acceptable, although it will need a boundary fence or hedge to separate it from the car parking area. However, no private amenity space has been provided in this instance such as balconies, or private ground floor areas for the ground floor flats, which is required by Principle 8.6 of the RDG.
- 7.5.5 Principle 7.6 states that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The sizes of the flats, however, are all approximately 10m² short of the minimum standards. While the bedrooms say they are over 10m² this includes the storage space and without this they would be even smaller, around 8.5-9m². Given this fact, and the lack of private amenity space, it is not considered that the new dwellings would provide an acceptable standard of living for the future occupiers.
- 7.5.6 Loss of private views to the green are not a planning consideration, and it is not considered that there would be any significant harm to the outlook of any other property. The proposal however is considered to be unacceptable in terms of its impact on residential amenity for other neighbours, and due to the small size of the proposed flats and the lack of private amenity space, it is not considered that the proposal would provide a sufficiently high standard of living for future occupiers, and is contrary to the RDG, Policy DM9 and the NPPF in this regard.

7.6 Highways, parking and access

- 7.6.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The proposal originally included a new side vehicular access to the rear of the garden which has now been removed from the application. However, it is clear that there is still significant concern about the existing parking situation in the vicinity of the application site, and concern that the proposal would worsen this situation. While it is not disputed that there are existing parking and access problems around the site, due to the proximity of the hospital amongst other factors, this does not prevent the redevelopment of this site as long as it complies with the relevant policies on parking and access. The proposal would provide 6 spaces for the 4 flats, which is in excess of the 4 spaces that would be required by the County Highway Authority's parking standards for flats of this size. The Parking Standards state that spaces for visitors should be included in some circumstances where necessary and given the existing parking situation it is considered that the two additional spaces are necessary in this instance. It is noted in this regard that the existing dwelling provides approximately two spaces, and even if the site was redeveloped for one dwelling then there could be a number of additional cars associated with a family sized dwelling.
- 7.6.3 There are double and single yellow lines along The Grove, Grovefields Avenue and Partridge Close and as such any off-road parking would have to be further afield. Existing problems with dangerous parking are a matter for parking enforcement and this is not something that the Planning Authority can address, and the Planning Authority has to assume that other regulations in force, such as parking restrictions, will operate effectively. It is not considered therefore, given the level of parking proposed, that the proposal would worsen the existing parking situation, and if any spaces were required over and above that provision, then they would have to park further afield due to parking restrictions in the vicinity. Concern has been raised about the proposed fence between 21 and 22 causing

a blind pull out to Grovefields Avenue and the dropped kerb being in front of the neighbour. This has not been raised as an issue by County Highways however, and the final details of boundary treatments will be requested by condition. The dropped kerb does not appear to be in front of the neighbour in any case. Concern has also been raised about turning however again, County Highways have not objected and it appears there is sufficient turning space in the area to the rear.

7.6.4 The County Highway Authority have been consulted and originally objected to the proposed access from the rear, however this has now been removed from the proposal. Therefore they have now not objected, subject to conditions for parking and turning, cycle storage, and a construction transport management plan, which should help to alleviate concerns about parking and access during the construction period. Concern has been raised about the dropped kerb being in front of the neighbours but it does not appear that it would be significantly in front of the neighbour. It is also noted that the site is within walking distance of bus routes and Frimley train station and as such occupiers may use these sustainable methods of transport instead of the private car.

7.6.5 The proposal is therefore considered to be acceptable in this regard and in line with the relevant policies, however it is not clear where on the site cycle parking could be provided without this adversely affecting character or amenity, as set out above.

7.7 Impact on the Thames Basin Heaths SPA

7.7.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the SHCS states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).

7.7.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 3km from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development, which is likely to be in the region of £21,960.

7.7.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £1,709.50 which takes into account the existing floorspace.

7.7.4 It is therefore considered that, subject to the payment of SAMM, the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD. Informatives relating to CIL would also be imposed. No record of the SAMM payment has been received at this time and updates will be provided to Committee in this regard.

7.8 Impact on Infrastructure

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.
- 7.8.2 The CIL Charging Schedule came into force on 1 December 2014 and details of infrastructure projects that are to be funded through CIL are outlined in the Regulation 123 list, which includes open space, transport projects, pedestrian safety improvements among others. These projects do not have to be related to the development itself.
- 7.8.3 Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms, however is likely to be in the region of £21,960. An informative will be added to the decision advising the applicant of the CIL requirements.
- 7.8.4 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

7.9 Ecology

- 7.9.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.9.2 The site is not in a rural location and normally a survey for protected species would not be required. However it is noted that a close neighbour suggests that the rear gardens are used by a badger and can provide evidence in this regard. As such it is considered that a precautionary approach should be taken, and evidence provided to ascertain whether or not there is any evidence of badgers to ensure they will not be harmed by the proposal. The applicant has been asked to provide this and updates will be provided to the meeting in this regard.

7.10 Affordable Housing

- 7.10.1 Policy CP5 states that developments of 3-4 units should secure a contribution towards affordable housing provided elsewhere in the Borough. The Ministerial Written Statement (MWS), and following the Court of Appeal decision requires a minimum threshold for affordable housing in excess of 10 dwellings or 1000 square metres. This proposal would fall under these thresholds and an affordable housing contribution is not required. As such, no objections are raised with the development proposal complying with Policy DM5 of the CSDMP and the MWS.

8.0 CONCLUSION

- 8.1 The principle of the redevelopment of the site for flats is considered to be acceptable. The proposal is acceptable in terms of its impact on highways, parking and access, infrastructure, affordable housing and housing mix. However, it is considered that the proposal represents overdevelopment of the site, which has resulted in the sizes of the proposed flats being too small, with no private amenity space for the occupiers. In addition, there would be adverse impacts on neighbours in terms of amenity, parking having to be provided to the front and the front boundary treatment being lost. The significant depth, bulk and massing of the building would be harmful to the street scene of The Grove. Finally, no SAMM payment has been received to date nor any ecology information to address the potential badgers in the rear garden. It is therefore considered that the application should be refused.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 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.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal, by reason of the size of the proposed flats and the lack of private amenity space would provide a poor standard of amenity for the future occupiers of the dwellings; and by reason of the location of the parking area and side driveway access would be unneighbourly to 21 Grovfields Avenue and 12 The Grove. In addition, no bin and cycle storage has been provided and it has not been demonstrated that this could be provided on site in a satisfactory manner without causing harm to character, amenity or loss of parking. The proposal, by reason of these in-combination effects represents overdevelopment of the site and fails to respect the amenities of existing occupiers and provide a good standard of living for future occupiers of the dwellings, contrary to Principles 7.6 and 8.6 of the Surrey Heath Residential Design Guide 2017, Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

2. The proposal, by reason of the in-combination effects of the depth, height, bulk and massing of the building, would result in an over-dominant and prominent addition to the street scene of The Grove, out of keeping with the existing scale of development. The loss of the front boundary wall and garden would also result in a harsh and urban appearance to the front of the building, and dilution of the existing Historic Routes (Lanes) Character Area. The proposal represents overdevelopment of the site and fails to respect and enhance the character of the area and is therefore contrary to Guiding Principles L1 and L3 of the Western Urban Area Character SPD, Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
3. In the absence of a payment in respect of strategic access management and monitoring (SAMM) measures, the impact of the proposal on the Thames Basin Heaths Special Protection Area has not been sufficiently mitigated and significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area. Accordingly the proposal is contrary to Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2012 and Policy NRM6 of the South East Plan 2009.
4. In the absence of information in respect of protected species (in particular, badgers), the applicant has failed to demonstrate to the satisfaction of the Local Planning Authority the presence or otherwise of protected species and the extent that they may be affected by the proposed development, contrary to paragraph 99 of ODPM Circular 06/2005, Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

Informative(s)

1. Advise CIL Liable on Appeal CIL3