

LOCATION: LAND SOUTH OF, BOURNE FARM, BAGSHOT ROAD,
CHOBHAM, WOKING, GU24 8SJ

PROPOSAL: Erection of a detached 3 bedroom dwelling, with parking and landscaping following demolition of existing barn (amendment to 16/1192). (Amended plans rec'd 05/03/18).

TYPE: Full Planning Application

APPLICANT: Mr Wood

OFFICER: Emma Pearman

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

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The application site is located on the northern side of Bagshot Road, outside the settlement area of Chobham and within the Green Belt. The site, until recently, comprised a barn and pig pen which have recently been demolished, and is part of the former Bourne Farm which has not been in use as a farm since the 1940s. The proposal is for the replacement of the barn with a residential dwelling, and permission has already been granted for this under 16/1192, and that permission implemented. This proposal seeks to slightly enlarge the size of the proposed dwelling and curtilage from that previously proposed, by the addition of a single storey rear extension.
- 1.2 A previous application (17/0857) was recently refused for very similar development, and this application proposes a smaller extension. However, the footprint of the barn would be enlarged by 41% and it is considered therefore that the replacement dwelling would be materially larger than existing and as such would not constitute an exception under paragraph 89 of the NPPF. The extension of the curtilage would have a further urbanising effect on the Green Belt. While the proposal is considered acceptable in all other regards, there are no very special circumstances to outweigh the harm to the Green Belt and justify a grant of permission. As such, the proposal is recommended for refusal on this basis.

2.0 SITE DESCRIPTION

- 2.1 Bourne Farm is located on the north side of Bagshot Road, with a total area of 1ha approximately with the farmland extending to the rear as far as the Hale Bourne stream. It lies within the Green Belt and outside any settlement area. The application site is approximately 1200m² in size and comprised a large detached barn within the grounds of Bourne Farm, approx. 20m north-west of the main farmhouse. The application site also includes an area of open land to the front of the barn which housed an open-topped pig pen and the remainder is used as a car parking/storage area. The barn and pig pen have recently been demolished. The farm is surrounded by open land on all sides, with the nearest buildings being the disused horticultural buildings of Chobham Nurseries on

the opposite side of Clappers Lane.

3.0 RELEVANT PLANNING HISTORY

- 3.1 15/0870 - Change of use of agricultural barn to residential dwelling with the addition of two single storey extensions and dormer windows, with car port and residential garden following demolition of pigpen and removal of hard standing.

Application withdrawn 12/11/15

- 3.2 15/1073 - Change of use of agricultural barn to residential dwelling with the addition of a single storey side extension, chimney, provision of a garden and associated hard and soft landscaping and associated alterations.

Granted 28/01/2016 [not implemented]

- 3.3 16/1192 – Erection of a detached 3-bedroom dwelling, parking and landscaping, following demolition of existing barn.

Granted 31/07/2017 [not implemented]

- 3.4 17/0857 – Erection of a detached 3-bedroom dwelling, with parking and landscaping, following demolition of existing barn (amendment to 16/1192).

Refused 29/11/2017 for the following reason:

- 1. The proposal, by reason of the increase in floor area and volume, would be materially larger than the existing building and in a different use, and therefore amounts to inappropriate development in the Green Belt as it does not constitute an exception under paragraph 89 of the National Planning Policy Framework. It also causes harm to the openness of the Green Belt. There are no factors put forward that amount to very special circumstances to outweigh the identified harm. The proposal would therefore be contrary to the National Planning Policy Framework.*

4.0 THE PROPOSAL

- 4.1 The proposal is for the erection of a detached 3-bedroom dwelling, parking and landscaping, following demolition of existing barn.

- The dwelling would be 20.6m in width and 9.1m in maximum depth with single storey front, side and rear elements
- It would be mainly two storey with a ridge height of 6.4m and eaves height of 4.1m
- The single storey element would have a ridge height of 5m (4.7m for element to the rear) and eaves height of 2.6m
- The roof would be pitched with gabled ends
- The front porch element would be 4m in height with a dual pitched roof
- Proposed materials are clay roof tiles, brick and timber boarding

- There would be parking areas to the front and garden areas to the front and side
- The dwelling would be accessed from Bagshot Road via the existing access
- Boundary treatments are to remain as existing with additional vegetation
- There would be a chimney to the rear of the building.

4.2 A similar proposal was recently granted permission under 16/1192. The main differences between this proposal and the approved proposal are as follows:

- An additional single storey element is proposed to the rear, of 2m x 5m with a floor area of 10m².
- The size of the residential curtilage has increased to the rear to a depth of around 2m and width of 6.8m to accommodate the extension. (The original plans showed this to be extended across the 44m width of the plot but this has since been amended).
- The single storey side element would now have horizontal timber cladding, the same as the rest of the proposed dwelling.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|------------------------------------|--|
| 5.1 | Surrey County
Highway Authority | No objection. |
| 5.2 | Surrey Wildlife Trust | No objection, subject to conditions. |
| 5.3 | Chobham Parish
Council | Objection – The building appears to be materially larger than existing. There are no very special circumstances to support the extended area of residential curtilage. If approved, should be established that bat mitigation measures are sufficient and checks carried out to ensure they are appropriately implemented. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no letters of representation have been received.

7.0 PLANNING CONSIDERATION

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012, and in this case the relevant policies are Policy DM9 (Design Principles) and Policy DM11 (Traffic Management and Highway Safety), and against the Surrey Heath Residential Design Guide 2017 and the National Planning Policy Framework.
- 7.2 The issues to be considered are:
- Principle of the development in the Green Belt
 - Character and landscaping

While the proposal will not have any significant differences with regard to the following, from approved application 16/1192 where they were considered acceptable, the issues are repeated again for completeness:

- Residential amenity
- Highways, parking and access
- Ecology
- Impact on infrastructure
- Impact on the Thames Basin Heaths SPA.

7.3 Principle of the development in the Green Belt

7.3.1 Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence.

7.3.2 Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3.3 Paragraph 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists some exceptions; which includes the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

7.3.4 This application is for the replacement of a barn with a residential dwelling and as such the proposed building would not be in the same use as the building it replaces. While the barn has already been demolished, planning permission has already been granted for this and given the extant permission, it is not considered that the demolition of the barn affects the consideration of this application. The proposed and previously proposed increases in size are set out in the table below:

	Footprint (m ²)	Floorspace (m ²)	Volume (m ³)	Increase over existing dwelling
Existing barn	104.7	104.7	471	
Permitted under 15/1073	135.9	180.9	565	30% footprint, 73% floorspace, 20% volume

Permitted under 16/1192	140	227	577	33% footprint, 116% floorspace, 23% volume
Now proposed	150	237	611	43% footprint, 126% floorspace, 30% volume.
Refused under 17/0857	154.8	241	653	48% footprint, 130% floorspace, 39% volume

- 7.3.5 While each application is assessed on its own merits, it is normally considered that increases in the region of 30% of footprint, floorspace and volume is a good indicator of the threshold of built form that would not be materially larger. In this case while the approved floorspace under 15/1073 and 16/1192 has been significantly higher than 30%, this was considered acceptable as it would be contained within the existing volume of the building. While the footprint and volume increases were previously considered to be acceptable, they were at the upper limits of acceptability, especially the footprint. It is considered however, that although the proposed footprint and volume has been reduced from the previously refused application, they are still too large and would result in a building that is materially larger than existing, and as such would not meet the tests of the exception under paragraph 89 for replacement of a building. The proposal would also fail under the exception under paragraph 89 because it would not be in the same use as the building that it replaces. The proposal is therefore inappropriate development in the Green Belt, causing harm by reason of inappropriateness and harm to openness, by reason of the additional built form and spreading development to the north.
- 7.3.6 In addition, the size of the residential curtilage would also increase in depth as a result of this proposal, to make way for the extension as currently the rear boundary is very close to the building itself. The residential curtilage was previously proposed to be extended across the rear of the site by a depth of 2m and width of 44m, however this has been amended such that it would now extend for a depth of 2m and width of 6.8m, just to accommodate the extension alone. While this is more acceptable, the additional area of curtilage, which is currently open countryside, would still have a small impact on the openness of the Green Belt, as it would be more formal residential garden rather than open countryside, and as such would have an urbanising effect on the land that is currently open countryside.
- 7.3.7 The applicant has not addressed very special circumstances in their submission. At the time of application 16/1192, it was considered that the fact that planning permission was granted for the conversion of the barn to residential along with an extension under 15/1073, and this was still extant, amounted to very special circumstances that justified the exception in terms of the use of the building being different. This permission is still extant, as is permission 16/1192. However, given the proposed increase in size, the extant permissions do not amount to very special circumstances that justify the proposed increase in size of the building and the increase in curtilage. While the pig pen would also be removed, as with the previous applications, this is an open topped structure of four low

walls and is an appropriate structure in the Green Belt being of agricultural use. There would be an additional, higher wall proposed and hardstanding proposed behind the new dwelling as well as additional hardstanding for the driveway, and potentially additional boundary fences, and as such it is not considered that the removal of the pig pen would amount to very special circumstances to justify the size increase of the building and curtilage.

- 7.3.8 The proposal is therefore considered to be inappropriate development in the Green Belt, harmful to the openness of the Green Belt. There are no very special circumstances that clearly outweigh this harm in terms of inappropriateness and harm to openness. Whether there is any other harm will be discussed in the remainder of the report.

7.4 Impact on character

- 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 CP2 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.

- 7.4.2 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. Principle 9.1 of the RDG states that all boundary treatments in residential developments will be expected to be high quality and reflect the character of the development and surrounding context. Principle 7.8 states that designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area.

- 7.4.3 This part of the Bagshot Road is open and rural in character, with some detached dwellings on large plots on the opposite side of the road. The proposed detached dwelling and plot size is similar in that regard to the character of other dwellings in the vicinity. Although the building is set back some 48m approx. from the Bagshot Road, the front of the building is still likely to be visible from this main road to some extent. This proposal is very similar in terms of the appearance of the building to the recently granted proposal 16/1192. The only changes to the front elevation are the addition of timber cladding to the single storey side extension, which is not considered to be harmful to appearance and the proposed materials for the extension could again be secured through condition. The proposed materials for the previous application have already been agreed under Condition 2. The proposed rear extension would not be visible from the road and is not considered to be harmful to the appearance of the building given its design and size.

- 7.4.4 It was previously considered that the boundary treatments and landscaping should be appropriate to the rural, Green Belt location. There will not be significant changes to the front, as these areas already incorporate large areas for parking, and a pig pen which will be removed. These details could again be secured through condition. It is therefore considered that, again subject to the consideration of further landscaping details which can be secured by condition, that the proposal is acceptable in terms of its impact on character and in line with Policies CP2 and DM9, the RDG and the NPPF in this regard.

7.5 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.
- 7.5.2 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 the occupants of new dwellings should be provided with good quality daylight and sun access, and that developments should not result in the occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.4 sets the minimum sizes for amenity space for new dwellings.
- 7.5.3 The nearest residential property to the dwelling is the main farmhouse at Bourne Farm, approximately 20m south-east at its nearest point. Given this distance and the orientation of the buildings, consistent with the previous decisions on this site, there is not considered to be any adverse impacts on amenity for the occupiers of Bourne Farm. There are no other dwellings close enough to be affected by the proposal.
- 7.5.4 The proposed dwelling is considered to provide a good standard of living for future occupiers and the amenity space, although mostly to the front and sides of the building is large and would be sufficiently private. It is therefore considered that the proposal is acceptable in terms of residential amenity and in line with 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 existing access from the Bagshot Road would be utilised for the proposed dwelling in addition to the remainder of Bourne Farm. There is a parking area proposed to the front of the building which would have sufficient space for three cars which is more than the minimum required for a property of this size. It is not considered that one dwelling would cause a noticeable increase in traffic. The County Highway Authority have been consulted and have not objected, but have requested a condition to ensure that space is laid out within the site for vehicles to park and turn to leave in forward gear, prior to occupation of the dwelling. It is therefore considered that the proposal is acceptable in terms of highways, parking and access and in line with Policy DM11 and the NPPF in this regard.

7.7 Flooding

- 7.7.1 Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Policy DM10 states that the borough council will expect development to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale and type of development.

- 7.7.2 The application site lies within both Flood Zones 1 and 2 and as such the applicant has submitted a Flood Risk Assessment. The development is classed as 'More Vulnerable' by the Environment Agency (EA) and they have been consulted, and have not objected, subject to following the Standing Advice.
- 7.7.3 The Environment Agency's standing advice requires the applicant to consider surface water management, access and evacuation, and floor levels. In terms of surface water, the proposal is very unlikely to have a significant effect on the existing drainage of surface water. Drainage and water disposal will also be covered by Building Regulations approval. With regard to access and evacuation, it is only part of the barn that is within Flood Zone 2 with almost all of the front access and driveway within Flood Zone 1 so is considered acceptable in this regard.
- 7.7.4 The EA standing advice states that ground floor levels should be a minimum of whichever is higher of 300mm above the general ground level of the site or 600mm above the estimated river or sea flood level. The applicant's Flood Risk Assessment confirms that the estimated flood level is 30.26 AOD and the ground level of the existing barn is between 31 and 31.50 AOD. As such the floor level would be a minimum of 600mm above the estimated flood level. In addition, the applicant confirms that the floor level would also be 300mm above the general ground level of the site, and as such the proposal is considered to comply with the standing advice in this regard. Again, a condition could be imposed in this regard.
- 7.7.5 It is therefore considered that the development would not increase flood risk and nor would the future occupiers of the dwelling be at an unacceptable risk of flooding. As such the proposal is considered to be in line with Policy DM10 and the NPPF in this regard.

7.8 Ecology

- 7.8.1 Policy CP14A requires new development to conserve and enhance biodiversity. The applicant has submitted an ecology report which found no evidence of badgers, owls, amphibians or other species on the site other than fox and common birds. It did find, however, that the barn is likely to be in use as a day roost by common pipistrelle bats.
- 7.8.2 The applicant has submitted an Ecology Survey and Bat Survey and Mitigation Report. Surrey Wildlife Trust have again not objected, subject to conditions that the mitigation, compensation and enhancement actions within the Bat Emergence report are adhered to, and the biodiversity enhancement measures are also provided, which include bird and bat boxes, and native species, and there is no artificial lighting. It is noted that the building has already been demolished and the applicant has confirmed that this was undertaken with the ecologist in attendance, as was required by the condition. It is considered that the enhancements and mitigation could again be secured by condition.
- 7.8.3 The proposal is therefore considered to be acceptable in terms of its impact on ecology and in line with Policy CP14B and the NPPF in this regard.

7.9 Impact on Infrastructure

- 7.9.1 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.

7.9.2 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. This proposal would be CIL liable at the rate of £220 per m² for the additional floorspace, however the applicant has applied for self-build exemption and as such, as long as the self-build requirements are adhered to, it would be CIL exempt. Informatives will be added in this regard to the decision notice.

7.10 Impact on the Thames Basin Heaths SPA

7.10.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. 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).

7.10.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.6km 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. SANG is currently available to accommodate this development.

7.10.3 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 £658 for a three-bedroom dwelling, which has been received by the applicant (at the time of the previous application).

7.10.4 It is therefore considered that the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD.

8.0 CONCLUSION

8.1 Permission 16/1192 is extant and development has commenced. While this proposal was considered to not be materially larger than the existing barn, it was on the very limits of acceptability. This revised submission proposes a further enlargement to the approved dwelling which is now considered to be materially larger than the barn it would replace, and as such would not fall under an exception under paragraph 89 and would need very special circumstances to justify a grant of permission. It would be harmful to openness by virtue of its quantum of built form and by spreading development further north, with additional curtilage also resulting in an urbanising effect. There are no very special circumstances to justify this further increase in size and to outweigh the overall identified harm.

8.2 The proposal is therefore recommended for refusal on this basis.

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 increase in floor area and volume, would be materially larger than the existing building and in a different use, and therefore amounts to inappropriate development in the Green Belt as it does not constitute an exception under paragraph 89 of the National Planning Policy Framework. The additional built form and spread of development to the north also causes harm to the openness of the Green Belt, with the extension of curtilage resulting in a further urbanising effect. There are no factors put forward that amount to very special circumstances to outweigh the identified harm. The proposal would therefore be contrary to the National Planning Policy Framework.

Informative(s)

1. Advise CIL Liable on Appeal CIL3