

2018/0943

Reg Date 19/10/2018

West End

LOCATION: WINDLEMERE GOLF CLUB, WINDLESHAM ROAD, WEST
END, WOKING, GU24 9QL

PROPOSAL: Variation of condition 2 of 16/1207 (change of use of golf club to
SANG land) to allow for enlarged and repositioned SANG car
park.

TYPE: Relaxation/Modification

APPLICANT: Mr Daniel Harrison
Surrey Heath Borough Council

OFFICER: Ross Cahalane

This application has been reported to Committee because Surrey Heath Borough Council is the applicant.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application is submitted under Section 73 to seek variation of condition 2 of 16/1207 (change of use of golf club to SANG land) to allow for an enlarged and repositioned SANG car park. No alterations to the new vehicular access from what was approved under 16/1207 are proposed.
- 1.2 The 16/1207 approval provides for the creation of 15ha of SANG land utilising the golf course and driving range grounds, which the Council is in the process of implementing. The proposed additional parking area would not lead to a greater impact upon the openness of the Green Belt, as the overall increased hardstanding areas would remain less than the existing hardstanding areas across the former golf club site.
- 1.3 No objections are raised on highway, character, amenity, tree or flood risk grounds. All planning conditions that are relevant to the overall development approved under 16/1207 will be re-imposed.

2.0 SITE DESCRIPTION

- 2.1 The application site is on the western side of Windlesham Road that extends up to Blackstroud Lane East to the north and consists of the former 9- hole Windlemere Golf Club, single storey club house, driving range, storage buildings and parking and hard standing areas. The original vehicular access is off Windlesham Road between the clubhouse and driving range.
- 2.2 The site is within the Green Belt, detached from the nearest settlement area of West End and to the east of the settlement area of Lightwater. The surrounding area is rural in character but comprises a number of residential properties of varying age, size and architectural style along Windlesham Road and Blackstroud Lane East, including the Grade II Listed Buildings of The Barn and Brooklands Farm to the north. The sports grounds of Gordons School run along the southern site boundary. The site partially borders the A322 Guildford Road to the west.

3.0 RELEVANT PLANNING HISTORY

3.1 75/0835 Construction of golf course

Granted (implemented)

3.2 04/0924 Erection of single storey equipment shed following the demolition of four buildings.

Granted (implemented)

3.3 16/1207 Three detached two storey dwellings with detached double garages, entrance gates and associated accesses and landscaping following demolition of golf club and driving range buildings and use of remainder of land as suitable alternative natural greenspace (SANGS).

Granted 17/5/2018 (SANG land and access currently being implemented)

4.0 THE PROPOSAL

4.1 Planning permission is sought under Section 73 to seek variation of condition 2 of 16/1207 (change of use of golf club to SANG land) to allow for an enlarged and repositioned SANG car park.

4.2 The proposed car park would have an area of approx. 970 sq m and would consist of road plainings. Parking capacity would be 20-25 cars, with no formal road markings proposed. This is an increase of between 4 and 9 from the 16 spaces approved under 16/1207.

4.3 Development of the SANG car park and access had commenced, but ceased prior to the submission of this application.

5.0 CONSULTATION RESPONSES

5.1 Surrey County Council No objection, subject to conditions [See Section 7.5]
Highways

5.2 West End Parish Council No objection

6.0 REPRESENTATION

6.1 At the time of preparation of this report, one objection has been received, raising the following concerns:

- Presumably the size of the 3 new dwellings will have to be reduced to offset increased hard standing

[See Section 7.3]

- Submitted drawing bears no resemblance to damage and scale of works already completed

[See Section 7.4. Following a site visit, the submitted site plan is considered to be accurate]

- Additional traffic and increase in usage of SANG

[See Section 7.5]

- Length of SANG walk has been compromised

[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 (CSDMP), and in this case the relevant policies are Policies CP12, CP13, CP14, DM9, DM10 and DM11. The revised National Planning Policy Framework 2018 (NPPF) is also a material consideration to the determination of this application.

7.2 The main issues to be considered are:

- Green Belt appropriateness and harm;
- Impact on character of the surrounding area;
- Impact on residential amenity;
- Impact on trees;
- Impact on access, parking and highway safety, and;
- Impact on flood risk, and;
- Impact on the Thames Basin Heaths SPA

7.3 Green Belt appropriateness and harm

7.3.1 Under approval 16/1207 the existing site comprising of the golf club, driving range building and its associated hardstanding and netting was considered to constitute previously developed land, as defined by Annex 2 of the NPPF. To consider the Green Belt impact upon openness, under NPPF paragraph 145g), a comparative assessment was made between the existing and proposed development. In respect of hardstanding (which included the SANG car park) this proposal resulted in a significant reduction of hardstanding by approximately 33%. The following table provides an update to this assessment by including this submission's enlarged car park.

	Floorspace	Footprint	Volume	Hardstanding	Height
Existing	539 sq. m	523 sq. m	2115 cu. m	3194 sq. m	7.7m – 8.4m
Approved 16/1207	888 sq. m (+64.7%)	584 sq. m (+11.7%)	3165 cu. m (+49.6%)	2132 sq. m (- 33.2%)	3.2m
Proposed	No change	No change	No change	2438 sq. m (- 23.7%)	No change

7.3.2 Although this table shows that the overall development's hardstanding coverage is further increased by 306 sq m, the overall increased hardstanding areas would still remain significantly less than the existing hardstanding areas across the former golf club site. It is therefore considered that no material additional impact upon the openness of the Green Belt would arise. Furthermore, whilst the enlarged car park would spread development to the north, this would remain contained within the previously developed site as described above, and the wider SANG land would retain its open character. Paragraph 146 of the NPPF also permits engineering operations as not inappropriate development provided that they preserve openness. There is therefore no objection to this SANG car park on Green Belt grounds.

7.4 Impact on character of the surrounding area

7.4.1 The revised NPPF 2018 still requires development to integrate into its natural, built and historic environments and Policy DM9 (ii) of the CSDMP reiterates this requiring development to respect and enhance the environment, paying particular attention to scale, materials, massing, bulk and density. Whilst the A322 dual carriageway forms part of the western side boundary of the site and the existing site contains buildings and hard standing areas at the southeast corner, the environmental character of the wider site and surrounding area is predominantly rural, open and natural.

7.4.2 The larger proposed car park would have an area of approx. 970 sq m and would consist of road plainings. Parking capacity would be 20-25 cars, with no formal road markings proposed. It is considered that the use of road plainings without formal road markings would sufficiently respect the rural character of the surrounding area, and it is accepted that a transition to a more compacted hard surface will be needed towards the highway on account of the declining ground level. The car park remains set behind the existing mature tree line along the highway boundary and therefore remains not widely visible from the streetscene.

7.4.3 A planning condition will be re-imposed to require the submission of a gate enclosure scheme for the proposed SANG car park, of an appropriate design and scale to be agreed upon by the Local Planning Authority.

7.4.4 It is therefore considered that the larger car park does not lead to an overdominant or incongruous impact upon the rural character of the surrounding area, in compliance with the design requirements of Policy DM9 of the CSDMP

7.5 Impact on residential amenity

7.5.1 Policy DM9 (Design Principles) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 requires that the amenities of the occupiers of the neighbouring properties and uses are respected. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

7.5.2 The proposed SANG car park access would remain located opposite open land and the nearest existing residential boundary would be that of 'Hookwater' approx. 66m to the southeast. It is still considered that this separation distance is sufficient to avoid adverse harm to the residential amenity of current and future occupiers of 'Hookwater' in terms of loss of privacy or general noise and disturbance.

7.5.3 A planning condition will still be imposed to require the submission of a gate enclosure scheme for the proposed SANG car park, of an appropriate design and scale to be agreed upon by the Local Planning Authority. This is considered sufficient to avoid adverse harm to neighbouring dwellings in terms of noise and disturbance. On this basis, it is considered that the amended car park complies with the amenity requirements of Policy DM9 of the CSDMP.

7.6 Impact on access, parking and highway safety

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

7.6.2 The vehicular access point off Blackstroud Lane East serving the proposed SANG car park remains as approved under 16/1207, but would now serve approx. 20-25 informal car park spaces (4-9 more than as approved). The County Highway Authority (CHA) has raised no objection, subject to the re-imposition of their recommended conditions imposed under 16/1207. The CHA recommended a pre-occupation condition requiring the provision of visibility zones to the proposed new vehicular access to Blackstroud Lane East, and to be kept permanently clear of any obstruction over 1.05 m high. The CHA also recommended a pre-occupation condition requiring provision of space within the site for parking and satisfactory manoeuvring. These conditions can be re-imposed.

7.6.3 It is therefore considered that subject to the above conditions, it is not envisaged that the proposed development would prejudice highway safety or capacity. The development therefore remains compliant with Policy DM11 of the CSDMP.

7.7 Impact on trees

7.7.1 Policy DM9 (iv) of the CSDMP states that development will be acceptable if, inter alia, it would protect trees and other vegetation worthy of retention.

7.7.2 An arboricultural survey, impact assessment and tree protection plan was provided specifically for the proposed SANG car park and access area under the 16/1207 application, which outlined that the proposed SANG access would require the removal of one moderate category (Code B) oak tree and some planted Leyland cypress. The oak formed part of a belt of trees adjacent to the highway, approx. 9m into the site. In addition there were three false acacias adjacent to the highway which were graded in the unsuitable for retention category (Code U).

7.7.3 The Council's Arboricultural Officer raised no objection to the above tree removal, which has now been undertaken. Although the Arboricultural Officer has raised some concern in respect of the bund surrounding the current proposed car park adjacent mature trees that are to be retained, the SANG Management Plan approved under 16/1207 states that to provide additional interest within the wider SANG area and create new habitat opportunities for wildlife, it is proposed to provide some new tree and shrub planting and areas of wildflower grassland. It is considered that the proposed planting (comprising native species of local provenance and characteristic of the local area) and retention of the existing mature trees immediately along the highway boundary, as required under the approved SANG Management Plan, would offset the removal of the trees as already outlined above.

7.7.4 It is therefore considered that the development as a whole remains in compliance with the aims of Policy DM9 (iv) of the CSDMP.

7.8 Impact on flood risk

7.8.1 The larger SANG car park remains outside of an area of known surface water flood risk. Although the SANG car park access declines towards Blackstroud Lane East, the hard standing is of porous material which is considered sufficient to avoid surface run-off to the highway. On this basis, it is considered that the larger SANG car park would not lead to an increase in flood risk either within or around the site, in compliance with Policy DM10 of the CSDMP.

7.9 Impact on the Thames Basin Heaths SPA

7.9.1 The 16/1207 permission includes an area of 15ha for SANG provision comprising the former golf course. Natural England raised no objection, subject to transfer of the proposed SANG land from the applicant to the Council to implement as SANG, in accordance with the submitted the SANG Management Plan and to maintain in perpetuity. This land has now been transferred to the Council, who is in the process of implementing the change of use to SANG land. Concern has been raised in respect of the larger car park compromising the length of the SANG walkway. A planning condition can be imposed to require submission of a site plan to confirm the provision of a revised minimum 2.3km walkway with direct access from the proposed car park, which would comply with the requirements of Natural England as outlined under 16/1207.

7.10 Other matters

7.10.1 Paragraph: 015 (Reference ID: 17a-015-20140306) of the Planning Practice Guidance advises that where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. All planning conditions that are relevant to the overall SANG land and car park development approved under 16/1207 will therefore be re-imposed. The clubhouse grounds, where the proposed three dwellings are located, remain outside of the control of the Council and have yet to be implemented. Notwithstanding the current Section 73 application, all the other conditions relating to the construction of these dwellings, as outlined in the 16/1207 decision notice, will still have to be complied with.

8.0 CONCLUSION

8.1 The proposed additional parking area would not lead to a greater impact upon the openness of the Green Belt, as the overall increased hardstanding areas would remain less than the existing hardstanding areas across the former golf club site. As also outlined above, no objections are raised on highway, character, amenity, tree or flood risk grounds, subject to conditions. The larger SANG car park is therefore recommended for approval.

9.0 WORKING IN A POSITIVE/PROACTIVE MANNER

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development;
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun by no later than 17 May 2021.

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 SANG land and car park development shall be built in accordance with the following approved plans:

Proposed SANG Management Plan (Aspect Ecology - dated December 2017);
Proposed 1:1250 SANG car park site layout - received on 19 October 2018, unless the prior written approval has been obtained from the Local Planning Authority.

3. The SANG land approved under 16/1207 shall not be first used unless and until a revised site plan is submitted to and approved in writing by the Local Planning Authority, that outlines a proposed SANG walkway of minimum 2.3 kilometres in distance, within the SANG land and with direct access from the car park hereby approved, in accordance with the SANG Management Plan.

Reason: In order that the SANG land complies with the requirements of Natural England and the SANG Management Plan approved under 16/1207, in accordance with Policies CP12, CP12 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The SANG car park hereby approved, along with the SANG land approved under 16/1207, shall not be first used unless and until details of an access gate and vehicle height restrictor are submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenities of the area and the setting of the nearby Listed Buildings to accord with Policy DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. The SANG car park hereby approved, along with the SANG land approved under 16/1207, shall not be first used unless and until the proposed modified vehicular access to Blackstroud Lane East has been constructed and provided with visibility zones in both directions along Blackstroud Lane East 2.4m back from the highway boundary, in accordance with Drawing No. 64033-TS-001 REV D (within the

Transport Statement dated February 2018 and received on 23 February 2018 under 16/1207) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 m high.

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

6. The SANG car park hereby approved, along with the SANG land approved under 16/1207, shall be undertaken in accordance with the recommended actions in Section 6 of the Ecological Appraisal Report undertaken by Ascot Ecology, dated November 2016 and received on 23 December 2016 under 16/1207, and the safeguarding measures detailed in Section 3.4 of the Technical Briefing Note 2: Clarification of Great Crested Newt Mitigation Strategy document undertaken by Ascot Ecology, dated 11 April 2017 and received on 25 April 2017 under 16/1207.

Reason: To ensure the protection of protected species in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. Decision Notice to be kept DS1
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
4. 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).